Undocumented Students and Higher Education

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Building a Supportive Educational Environment

- Who is an undocumented student?
- Understanding different terminology
- Understanding the Pathway to Higher Education
How many undocumented students are there?

- Nationally, approximately 1.7 million undocumented people are under 30 years of age.
- In NJ, there are approximately 77,000.
  - 53% are between the age of 18 and 26.
  - 18% are between the age of 15 and 17.
- NJ educates approximately 28,000 undocumented students annually.

- Nationally, approximately 75% come from Mexico and Latin America.
- In NJ:
  - 65% come from Mexico and Latin America.
  - If the Caribbean are included, the percentage increases to 71%.
  - 18% are from Asia.
  - 64% speak Spanish.
Understanding Terminology

DREAM Act
Bipartisan legislation first introduced in Congress in 2001, known formally as Development, Relief and Education for Alien Minors (DREAM).

Deferred Action for Childhood Arrivals (DACA)
An executive action on immigration by President Obama on June 15, 2012 which allowed for temporary protection of persons who arrived to the US. as children.

NJ Tuition Equity Act
Referred to as the NJ Dream Act, signed into law December 20, 2013, allows undocumented students who meet a certain criteria to qualify for in-state tuition rates at all NJ public institutions of higher education.
Educational Attainment

- Are undocumented students allowed to attend college?
- Are undocumented students required to provide a Social Security Number (SSN)?
- Do undocumented students need a SSN to take the SATs/ACT?
Under Current Law

Undocumented students are guaranteed a free k-12 public education under the equal protection clause of the 14th Amendment pursuant to the 1982 U.S Supreme Court decision, Plyer v. Doe.

Federal Law does **Not** prohibit admission of undocumented students to public universities and colleges.
Social Security Number

- While many applications ask for a Social Security Number (SSN), there is no legal obligation on the part of the university to require students to prove it.

- What should I do then?
  - Leave this section blank.
  - Common Application has special direction for DACA recipients.
  - Do NOT provide a false SSN or ITIN:
    - States and/or federal laws make it a crime in some circumstances to use a false SSN - which may qualify as identity theft.
Affording Higher Education

- Do undocumented students qualify for federal financial aid?
- Do undocumented students qualify for in-state tuition in NJ?
  - What about private scholarships?
  - State financial aid?
FAFSA

• Undocumented students *do not qualify* for federal financial aid.
  ○ This includes FAFSA

• Federal law does NOT prohibit states from providing in-state tuition to undocumented immigrants.

• Some institutions may require DACA students to complete the FAFSA to qualify for institutional aid.

• As of January 2014, undocumented students in New Jersey are eligible to qualify for in-state tuition due to the passage of the New Jersey Dream Act.
This is when the NJ Tuition Equity Act comes into play!

Eligibility requirements include:

- Attended a NJ high school for 3 or more years
- Graduated from a NJ high school or received the equivalent of a high school diploma in NJ
- File an affidavit with the institution of higher education stating that the student has filed an application to legalize her/his immigration status, or will file an application as soon as she/he is eligible to do so
Example:

- Rutgers University’s Nonresident Tuition Exemption for Eligible New Jersey High School Graduates:

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RESIDENCY ANALYSIS FORM

PLEASE PRINT ALL INFORMATION CLEARLY

Today's Date: __________________________
First Name: ___________________________
Middle or Maiden Name: __________________
Last Name: __________________________

ADDRESS:
Street and Number: ___________________________________________________________
City: __________________ State: ______ Zip: ______

HOME TEL. #: (____) ___________ RUTGERS I.D. (RUID) #: _______________________
WORK TEL. #: (____) ___________ EMAIL ADDRESS: ____________________________

STATUS:  Undergraduate  Graduate  AGE:  Under 24  24 and Older  GENDER:  Female  Male

INITIAL DATE OF ADMISSION TO RUTGERS UNIVERSITY:  TERM:  YEAR: ______
COLLEGE / GRADUATE SCHOOL IN WHICH ENROLLED:  SCHOOL #: ______

TERM / YEAR FOR WHICH CHANGE IS REQUESTED (Circle One)  FALL  SPRING  SUMMER  YEAR: ______

I CLAI New Jersey Residency for Tuition Purposes AS (Please check all that apply):

[A]  a Graduate or Graduate Professional School Student who resides in New Jersey,

[B]  a student who is FINANCIALMALLY INDEPENDENT (see Policy Statement II, C).

[C]  a student who is INDEPENDENT - Born BEFORE 1/1/73 (Fall '93 & Spring '94 applicants) or 1/1/94 (Fall '95 & Spring '96 applicants)

[D]  a student who is INDEPENDENT by virtue of being a VETERAN of the ARMED SERVICES,

[E]  a DEPENDENT of a New Jersey Resident Parent(s) or U.S. COURT APPOINTED LEGAL GUARDIAN(S),

[F]  a student who is DEPENDENT upon an out-of-state parent(s) or guardian(s), but who has resided in New Jersey for 2 or more consecutive months prior to initial enrollment at Rutgers University.

NOTES: New Jersey domicile and all supporting documentation must be in effect prior to the beginning of the semester for which you are requesting a
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Yet...

- Even with the NJ Dream Act, undocumented students are not eligible to qualify for state financial aid (ie: EOF, TAG, NJSTARS)

- So, now what?
  - Certain colleges & universities may offer both merit-based scholarships and other scholarships to undocumented students.
  - There are some scholarships that do not require a social security number.
Barriers in Pursuing Higher Education

- Admissions
- Financial Aid
- Retention
- Post Graduation
Building a Supportive Environment

- **U.S. Department of Education Resource Guide: Supporting Undocumented Youth recommends:**
  - Create an open and welcoming environments for undocumented students
  - Provide services and resources to help guide undocumented students
  - Communicate and demonstrate support for undocumented students
  - Provided peer-to-peer support and relationship-building opportunities
  - Build staff capacity and knowledge of relevant issues

- **CollegeBoard’s Advising Undocumented Students**
- **Educators for Fair Consideration**
- **United We Dream**
- **My (Un)documented Life**
What can school districts do?

In response to the current President’s expressed intentions regarding immigration, the NJ state legislature passed a resolution encouraging school districts to:

- “Serve as safe zones and resources centers for students and families threatened by immigration or discrimination to the fullest extent provided by the law”
- “Protect the data and identities of any undocumented student, family member, or school employee who may be adversely affected by future policies of executive actions”

Further, school districts are not legally required to assist in the enforcement of immigration laws.
School District Model Resolution

Sample “Welcoming Schools” Resolution

Whereas, The [insert School Board] is committed to the success of all students, regardless of immigration status;

Whereas, Any disruptions by Immigration and Customs Enforcement (“ICE”) in and around public schools would create a severe disturbance to the learning environment and educational setting for all students;

Whereas, This School Board recognizes that fearful students and parents run counter to the policy of providing a safe place for learning to all children;

Whereas, This School Board recognizes that harsh discipline practices can render students more vulnerable to immigration detention and deportation;

Whereas, This School Board recognizes that students from immigrant communities need holistic support to address their educational and psychosocial needs and the important role that community and legal organizations play in promoting and supporting immigrant communities;

Whereas, The United States Supreme Court in Plyler v. Doe (1982), guaranteed all people, regardless of immigration status, the right to a K-12 public school education;

Whereas, the Family Education Rights and Privacy Act (“FERPA”) protects the privacy of student education records and prevents schools from releasing student information without consent;

Whereas, ICE’s 2017 policy states that it will not conduct immigration enforcement activities in any “sensitive location,” including K-12 public schools;

Whereas, There is no state or federal law that mandates local school districts to assist ICE in the enforcement of immigration laws; and

Whereas, Under the Tenth Amendment, the federal government cannot coerce localities to enforce immigration laws;

THEREFORE, BE IT RESOLVED THAT:

1. All schools within this district will be welcoming places for students and families to seek help, assistance, information, and safety if faced with fear and anxiety about immigration enforcement.

2. Information about this resolution will be shared with schools to all faculty, parents, and students in multiple languages. Schools are also advised to train employees on how to implement these policies. For parents and students who do not speak English, schools will provide appropriate language access services to ensure that parents and students are aware of how this policy is being implemented and what it means for them.

3. Any agreements with local law enforcement will expressly state that the local law enforcement may not enforce immigration law in any K-12 public school in the district or use any information observed or gathered at any K-12 public school in the district to assist in the enforcement of immigration law.

4. All K-12 public schools will limit their data collection to the student’s age, residency, and immigration history. No teachers, administrators, or school employees will inquire into a student’s, or their parents’, immigration status, or require any information that could implicate immigration status during enrollment and at any other time during the school year.

a) To verify age, schools will not require a birth certificate or other documentation that exposes a student’s place of birth, but instead, expressly permit students to provide a religious, hospital, or physician’s certificate showing date of birth, an entry in a family bible, an adoption record, or an affidavit from a parent.

b) To verify residency, schools will not require driver’s license. Instead, they will expressly permit students to provide a telephone or utility bill, mortgage or lease document, driver’s license, rent payment receipt, a copy of a mortgage note made for payment of rent, property tax receipt, pay stub, a letter from a parent’s employer that the student was on company time, or correspondence from a government agency.

c) To verify immunizations, schools will allow a 60-day grace period for out-of-state or out-of-country students to obtain immunization documents, and assist students who lack a fixed, regular, and permanent residence to obtain required immunizations or medical records.

5. All K-12 public schools will assure that their directory information (information considered to be non-public under FERPA) does not contain any information that could facilitate immigration enforcement, such as a student’s home address, without their caregivers’ consent.

6. Any request by ICE to have access to a school must be in writing and include an explanation of why ICE is not following its own published policy. ICE’s request will be immediately directed to the Superintendent who will, along with the School District’s General Counsel (or the Law Department), make a decision as to whether or not to grant the ICE official entry into the school. The ICE official must: (1) present their credentials, (2) have the proper judicial warrant, and (3) receive written authority from the Superintendent to enter any school.

7. If this School District is ultimately unable to prevent ICE access to school grounds because the officer has a judicial warrant, the school principal will contact the student being interviewed by ICE that they are free to refuse to answer the agent’s questions and notify the student’s caregivers about the presence of ICE, unless the court has specifically ordered otherwise.

8. Any request by ICE for student information from any K-12 public school will be denied. Such requests by ICE must be submitted in writing and will be sent to the Superintendent who, along with the School District’s General Counsel (or the Law Department), will review the request and make a final decision on the matter. Information about students will not be shared unless otherwise required by federal law. Schools must keep on file a copy of any request for student records made by anyone other than local school officials. Prior to disclosure of student records pursuant to a court order, the school district must give parents at least three days’ notice in writing, mentioning who is requesting the records and what specific records are requested, unless ordered otherwise by a court.

9. This School District will review its discipline structures and practices to reduce local law enforcement presence in schools and promote alternatives to suspension and expulsion.

10. The Superintendent, along with other Administrators, will partner with community-based and legal services organizations to create a “Deportation Defense Plan” to outline what the school and surrounding community will do if the students or parents are targeted by ICE.

11. The Superintendent will, in good faith, begin to create physical spaces on school grounds for students and families to gather. These spaces will have information for students and their caregivers regarding immigration issues and immigrant rights.

12. The Superintendent will arrange partnerships with local community-based organizations and legal services organizations to provide resources for families facing detention and deportation and to address other academic and psychosocial concerns raised by students from immigrant families.

RESOLVED this ___ day of _______ 2017
Institutional Support

EDUCATIONAL RESOURCES

UndocuJersey

The mission of UndocuJersey is to provide educational resources for undocumented students and documented students with undocumented parents in their pursuit for higher education. For more information, upcoming events, resources, and timely scholarships visit www.facebook.com/UndocuJersey

New Jersey Tuition Equity Act

For information about qualifying for in-state tuition under the Tuition Equity Act, also known as the New Jersey Dream Act, current students should contact the Rutgers or Financial Aid Office at their highest education institution. Students applying for admission should consult their Admissions Office. Visit: http://www.state.nj.us/education/student/TuitionEquityAct.html

TheDream.US

Rutgers University-Newark and Essex County College are pleased to announce an important partnership with TheDream.US, a scholarship fund for DREAMers across the nation. Scholarships of up to $28,040 are available to Essex County College and students transferring with an associates degree into Rutgers University-Newark. The scholarship will cover tuition, fees, books, supplies, and transportation expenses for students who would otherwise be unable to attend college. Potential applicants must have DACA (Deferred Action for Childhood Arrivals) or TPS (Temporary Protected Status) approval and meet other academic and financial qualifications. Visit: http://www.thedreamus.us

Union County College: Del Giudicarie Foundation

The Del Giudicarie Foundation at Union County College is open to all students regardless of immigration status (undocumented, DACA, U.S. Citizen, or Permanent Resident) and open to students from all majors. To be eligible, the student must have a GPA of 3.0 or higher and must have completed 12 credits at Union County College. If interested, students can ask the Financial Aid Office for a scholarship application. For more information visit: http://www.dcgfoundation.org/main/our-mission/scholarship-grants/union-county-college-alumni-plantfield-establishes-scholarship/6129259

RU-N Talent and Opportunity Pathways Financial Aid Program

The Rutgers University-Newark Talent and Opportunity Pathways program or (TUOP) is a financial aid program that provides a "last dollar" scholarship, meaning that this scholarship will cover the cost of in-state tuition. This opportunity is open to undocumented students. To qualify, your family annual income must not exceed $50,000 and must either be a Newark resident or a NJ Community College transfer student who has already obtained an associate degree. Visit: http://admissions.newark.rutgers.edu/ru-n-talent-and-opportunity-pathways-financial-aid-program

New Jersey City University - Presidential Scholarship

NCU is committed to making a college education possible for all students. NCU offers the Presidential Scholarship to both incoming first-year students and transfer students with an associate's degree regardless of immigration status. A full-time student can obtain up to $4,000 for four years covers full-time in-state tuition and fees if they have a minimum 3.0 GPA and a 12/10 or higher SAT Evidence-Based Reading and Writing/ACT of 26 or higher on the ACT. A transfer student can obtain coverage for full-time in-state tuition and fees for two years ($11,000 annually). Normally, it is awarded to incoming full-time transfer students who have earned an associate’s degree with a 3.7 GPA or better. Visit: http://www.njcu.edu/academic/funding/financial-aid/scholarships

Cumberland County College

Cumberland County College welcomes all college students. Applicants with a GPA of 3.0 or higher may apply for scholarships through the college website www.cccc.edu. For admissions information, students should contact Ms. Luz Olpala (856) 851-8500 ext 1213 or loppala@ccc.edu

My Undocumented Life

Visit this website to obtain information and resources for students, families, and educators. Visit: https://myundocumentedlife.org

Educators for Fair Consideration

Educators for Fair Consideration (EFC) empowers undocumented young people to achieve educational and career goals through personal, institutional, and policy transformation. It envision students where all young people can pursue and complete an education with confidence and without constraint. We are a fiscally-sponsored project of Community Willows. Visit: http://www.efco.org/

Pre-Hall Dreamers (PHD)

PHD’s mission is to support undocumented pre-health students through serving as a community of students and allies offering peer support and professional development. For more information visit: http://www.prehalls.org

Legal Services Providers

For a list of pre-screened legal service providers in New Jersey visit: https://www.publicdefender.state.nj.us

facebook.com/UndocuJersey www.undocuJersey.com contact@undocuJersey.com
Undocu College Fairs

undocuRutgers College Fair Model

Conducted at Rutgers University- Newark (Spring 2015 & Fall 2015) and Rutgers University- New Brunswick (Fall 2015)

Format

- Personal journey
- RU Admissions
- RU Financial Aid Office
- Rutgers Law School
- DACA Intake Session
- Tabling Session (Community Colleges, RU Departments, Student and Community Organizations)
Stay In Informed!

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