

Supporting Undocumented Students



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Table of Contents

Understanding Undocumented Status	6
Recognize Diversity	10
What is the Narrative?	12
What is DACA?	17
Immigration Enforcement	23
Supporting Undocumented Students	52
Excellent Resources for Undocumented Students	66



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Today's Agenda

Background

- Undocumented Students in California
- DACA Overview
- Federal Immigration Enforcement
- DACA Litigation
- Student Impacts



Today's Agenda

Responses

- State Legislative Responses
- Community College Activism
- Practical Suggestions
- Resources for Students





Understanding Undocumented Status



Immigration Status

Undocumented

Entered
without
authorization

Entered with
Visa and
overstayed
visa

Currently in
the process
of legalizing



National Statistics of Undocumented Individuals

Under 18:
Over 1.3 million people

Annual high school graduates:
65,000 students

Enroll in college each year:
7,000 - 13,000 students

Total population in the US:
11-12 million people



Undocumented Students In California

Estimated 74,000 to 87,000 Enrolled Students

California Community Colleges

50,000-70,000
Enrolled Students

California State Universities

10,000-12,000
Enrolled Students

University of California

3,800-5,000
Enrolled
Students

Privates

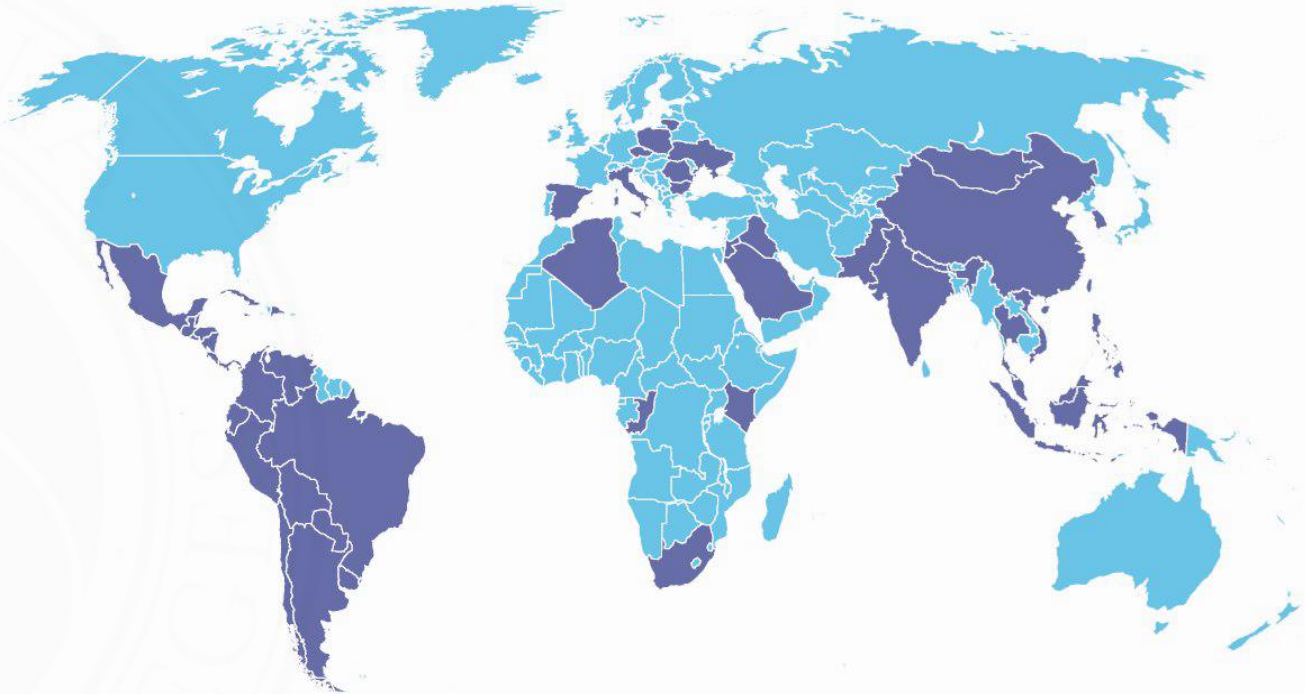
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Recognize Diversity



Countries of Origin of Undocumented College Student Respondents



In the Shadow of the Ivory Tower, 2015, UCLA



CALIFORNIA COMMUNITY COLLEGES

Undocumented Student Profile

Most college-bound undocumented students are:

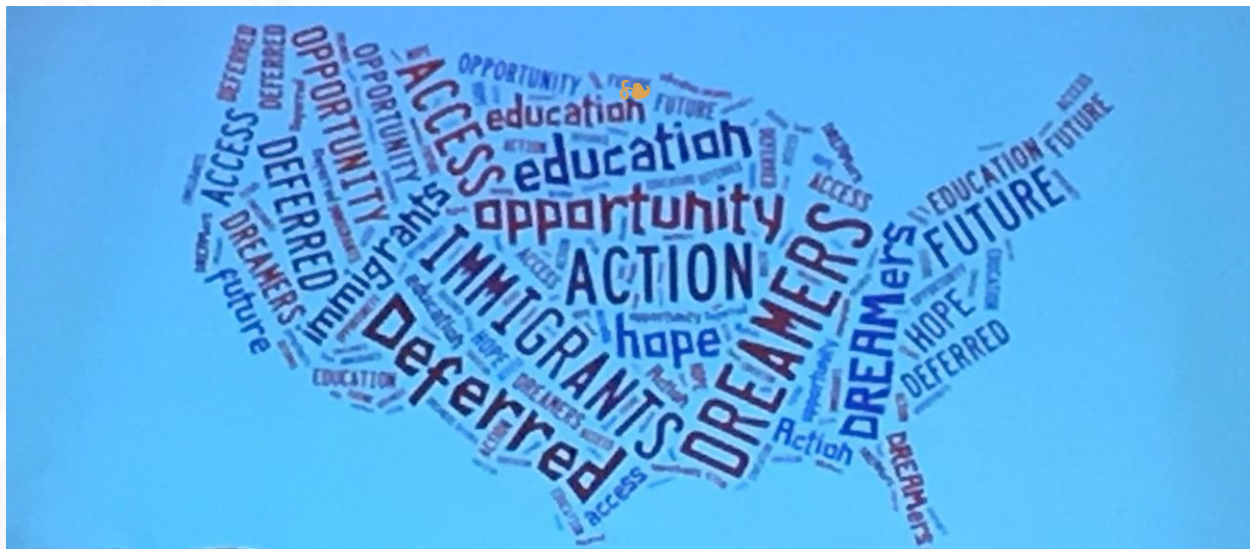
- Courageous, Resilient & Resourceful
- Often attended elementary, middle, or high school in U.S.
- Want to pursue a college education
- Lack of familiarity with financial aid process
- Often work to pay for school & help their families
- Lack of sufficient institutional support
- Lack a way to become legal residents or citizens in U.S.



What is the Narrative?



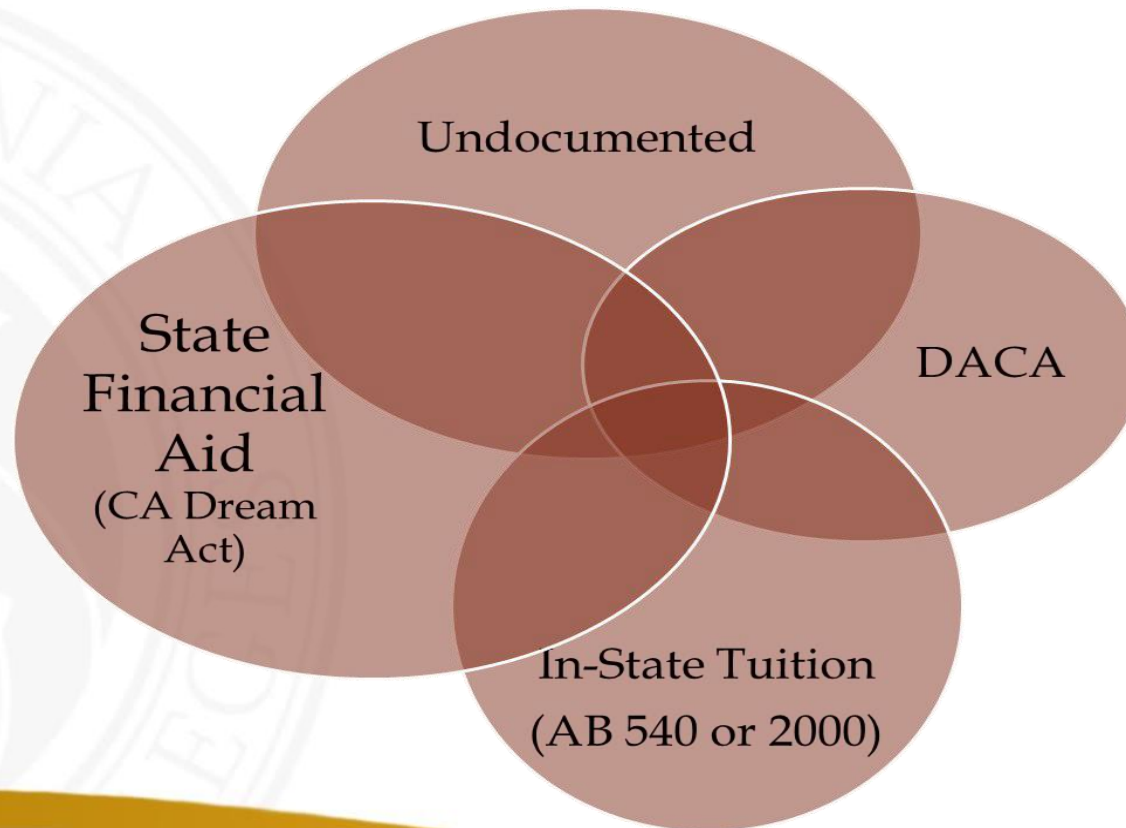
Good Immigrant vs. Bad Immigrant
The DREAMer vs. the Undocumented Student



NO Human Being is Illegal



Not All Undocumented Students Have Access to the Same Support



Important Legislation at a Glance



UNDERSTAND THE DIFFERENCES! IN-STATE TUITION VS. CA DREAM ACT VS. DACA

Jurisdiction	STATE OF CALIFORNIA			UNITED STATES OF AMERICA	
Law or Policy	In-State Tuition (AB 540)	In-State Tuition (AB 2000)	CA Dream Act (AB 130)	CA Dream Act (AB 131)	Deferred Action for Childhood Arrivals (DACA)
Status	STILL AVAILABLE Does not require DACA	STILL AVAILABLE Does not require DACA	STILL AVAILABLE Does not require DACA	STILL AVAILABLE Does not require DACA	No longer accepting new applications. Renewal applications for those expiring before March 5, 2018 had to be received by 10/5/17
What It Does	Exempts students from out-of-state tuition fees	Expands AB 540 to include students who graduate early from high school with 3 years or HS credit	Opens certain scholarships administered by public institutions to AB 540 students	Opens state-funded grants (including Cal grants, State grants, UC Grants & the BOG Fee waiver) and state programs (EOP & EOPS) to AB 540 students	Allowed individuals to receive: <ul style="list-style-type: none"> • Employment authorization card with valid Social Security Number • Temporary Relief from Deportation • Advanced Parole, in some cases
What It Does Not Do	Does not change their state residency status	Does not change their state residency status	<ul style="list-style-type: none"> • Does not include eligibility for federal grants or funds • Should not be confused with the Federal Dream Act 	<ul style="list-style-type: none"> • Did not provide a path to lawful permanent residence or citizenship • Did not give eligibility for federal financial aid awarded through the FAFSA 	
Who Can Apply	U.S. citizens, lawfully present immigrants, T and U visa holders & undocumented individuals that meet eligibility criteria		U.S. citizens, lawfully present immigrants, T and U visa holders & undocumented individuals that meet eligibility criteria		Undocumented individuals that met the eligibility criteria were eligible to apply prior to 9/5/17



WHY AB 540 is SO Important

Resident vs. Non-Resident Fees

Full Time Tuition/Fees 12 units per Semester	Santa Rosa Jr. College	Sonoma State University	Eligibility for CA Dream Act Financial Aid
Resident, AB 540 or 2000	\$552	\$3,862	YES
Non-Resident, Undocumented or International	\$3,360	\$8,614	NO



What is DACA?



Deferred Action for Childhood Arrivals

- two-year employment authorization
- relief from deportation
- 223,000 DACA recipients in California



DACA and the Economy

Economics

– Avoids Costs

- \$60 billion = lost revenue to the federal government
- \$280 billion = lost GDP

(Source: Cato Institute.)

– Provides Benefits

- By 2030, California will have a shortfall of college-educated workers
- DACA recipients have high rates of employment



Understanding the DACA Rescission

<http://e4fc.org/resources/whatweknowcandonow.html>

- New DACA applications are no longer accepted
- DACA and work permits are valid until Expiration Date
- Advance Parole to travel abroad is no longer available
- Those eligible for DACA were only a small percentage of undocumented youth

800,000
Received
DACA



Only 1/4
Eligible to
Renew



980 people
Lose DACA
Everyday



280 people in CA
Lose DACA
Everyday



How DACA Rescission Affects Higher Education

- Dramatic Increase in Fear & Anxiety
- Some are Students Questioning the Value of Continuing
- Limits Options Upon Graduation
- Reduction of Student Assistants On-Campus
- Loss of Income when Work Authorization Expires
- Specific Scholarships Required DACA Eligibility



My Undocumented Life

UP-TO-DATE INFORMATION & RESOURCES FOR UNDOCUMENTED IMMIGRANTS



CALIFORNIA COMMUNITY COLLEGES

DACA Information

- DACA information remains in DHS System
 - Obama Administration promised to maintain a wall between DACA information and ICE
 - But could use information for “law enforcement” purposes
 - It’s not clear that ICE recognizes a distinction between law enforcement and immigration enforcement



DACA Litigation

- *5 Consolidated Cases in California*
 - Argues that DACA rescission was unlawful
 - Reliance of recipients in sharing information
 - Failure to provide notice and comment on administrative action
 - President's statements reveals an unlawful purpose
 - Board of Governors' Amicus Brief
 - Chancellor Ortiz Declaration
 - Injunction motion hearing Dec. 20





Immigration Enforcement



Immigration Enforcement

- Expanded Immigration Force
 - 10,000 additional ICE officers and agents
 - 5,000 additional Border Protection Officers
- Expansion of “Expedited Removal”
 - Deportation without hearing
 - Obama: limited to recently arrived immigrants within 100 miles of the border
 - Trump: any undocumented person, anywhere, who cannot show presence in the United States for two years



Immigration Enforcement

- “Priorities for Removal”
 - Obama: Individuals convicted of serious crimes
 - Trump: Dramatic expansion of priorities:
 - Individuals convicted of or charged with any crime;
 - Individuals who have committed an act for which they could be charged;
 - Individuals who have “abused any program related to the receipt of public benefits”



Immigration Enforcement

- ICE Sensitive Locations Policy
 - actions should be avoided at sensitive locations, including colleges and universities.
- Important Caveat
 - Agents have wide discretion
 - No categories of “removable aliens” exempt from enforcement except DACA (Kelly Memo, 2/20/17)



Responding to ICE

- Responding to ICE Inquiry
 - Contact college president / designee
 - Refer all requests from federal immigration authorities to legal counsel
 - Contact student / student's family
 - Document the interaction
 - Request and make copies of officer's credentials
 - Ask for ICE documentation and copy it
 - Ask for signed consent to disclose information
 - Do not resist physically



Judicial Warrants/Subpoenas

- Federal Judicial Warrants / Subpoenas
 - Comply or risk contempt of court
- Search warrant will specify areas to be searched in non-public areas of school
- Arrest warrant will specify the student who will be seized
- Subpoena will identify specific records to be searched or produced



Administrative Warrants/Subpoenas

- ICE Administrative Warrants / Subpoenas
 - Have not been reviewed by a Court to ensure probable cause / due process compliance
 - An internal instruction to ICE agent to do something
- Search warrant does not allow ICE or law enforcement to search non-public areas
- A student may not be detained, prevented from leaving campus, or taken out of class to aid in the investigation of a non-criminal immigration violation.
- Subpoena does not require employee to produce information or records.



Warrants

UNITED STATES DISTRICT COURT

for the

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

Case No. _____

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the _____ District of _____
(Identify the person or describe the property to be searched and give its location):

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(Identify the person or describe the property to be seized):*

YOU ARE COMMANDED to execute this warrant on or before _____ *(not to exceed 14 days)*

in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to _____
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*

for _____ days *(not to exceed 30)* until, the facts justifying, the later specific date of _____

Date and time issued: _____
Judge's signature

City and state: _____
Printed name and title

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

- the execution of a charging document to initiate removal proceedings against the subject;
- the pendency of ongoing removal proceedings against the subject;
- the failure to establish admissibility subsequent to deferred inspection;
- biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and
- statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

(Signature of Authorized Immigration Officer)

(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____
(Location)

on _____ on _____, and the contents of this
(Name of Alien) (Date of Service)

notice were read to him or her in the _____ language.
(Language)

Name and Signature of Officer

Name or Number of Interpreter (if applicable)



Subpoenas

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the

Plaintiff

v.

Defendant

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

Place:	Date and Time:
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Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(c) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party), who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

1. To (Name, Address, City, State, Zip Code) [Redacted]	DEPARTMENT OF HOMELAND SECURITY IMMIGRATION ENFORCEMENT SUBPOENA to Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R. § 287.4
Subpoena Number [Redacted]	
2. In Reference To [Redacted] (Title of Proceeding) [Redacted] (File Number, if Applicable)	

By the service of this subpoena upon you, YOU ARE HEREBY SUMMONED AND REQUIRED TO:

- (A) APPEAR before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official named in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.
- (B) PRODUCE the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS Official named in Block 3 at the place, date, and time specified.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(E).

3. (A) CBP, ICE or USCIS Official before whom you are required to appear Name: [Redacted] Title: [Redacted] Address: [Redacted] Telephone Number: [Redacted]	(B) Date: [Redacted] (C) Time: <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.
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4. Records required to be produced for inspection
[Redacted]



If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official identified in Block 3.

5. Authorized Official
[Redacted Signature]
[Redacted Printed Name]
[Redacted Title]
[Redacted Date]

DHS Form I-138 (8/08)



What is a Sanctuary?

- The term “Sanctuary” has no legal meaning, and no consistent or agreed upon definition
- Concept derived from religious traditions
- SF Churches in 1980’s protected refugees from Guatemala and El Salvador when U.S. would not recognize asylum claims
- Suggests safe harbor, but will not prevent the execution of a judicial warrant



Sanctuary Jurisdictions

- In practice, “sanctuary” means a refusal to cooperate
- Current policy objective: maintain relationships and encourage cooperation between immigrant communities and local law enforcement
- Sanctuary campus policies and practices vary – some colleges have stated that they will not voluntarily (without a court order) assist the federal government in immigration enforcement



Sanctuary Jurisdictions

- 80 U.S. cities or states have sanctuary laws
- California:
 - Berkeley, East Palo Alto, Fresno, Garden Grove (Orange County), Los Angeles, Oakland, Richmond, San Diego, San Francisco, San Jose, San Rafael, Santa Cruz, Watsonville, Sonoma County
- Sanctuary states
 - Alaska, District of Columbia, Montana, New Mexico, Oregon, California



Sanctuary Jurisdiction Litigation

- 8 U.S.C. section 1373 prohibits local restrictions on employees communicating with ICE about a person's immigration status
- Executive Order cuts law enforcement funding to Sanctuary Jurisdictions
- November 15, 2017, AG Sessions letters to 29 "sanctuary cities"



Sanctuary Jurisdiction Litigation

- Philadelphia district court ruled that federal funding could not be tied to section 1373 compliance
- SF & Santa Clara case heard October 5 seeking a permanent injunction against enforcement of the Trump Executive Order



California Sanctuary Laws

- Senate Bill 54 (DeLeon), Law Enforcement
 - Prohibits law enforcement from:
 - Using funds/personnel for immigration enforcement
 - Inquiring about immigration status
 - Detentions based on an immigration hold request
 - Providing non-public information about a release date
 - Some exceptions to this based on nature of past crimes
 - Providing personal information about individual
 - Participating in arrests based on civil immigration warrants
 - Contracting with federal agencies for use of local facilities



California Sanctuary Laws

- Senate Bill 54 (DeLeon), Law Enforcement
 - Specifically allows:
 - Enforcement of federal law against illegal reentry after removal after conviction for an aggravated felony
 - Cal. DOJ responses to criminal history inquiries
 - Participation in joint law enforcement task forces if primary purpose is not immigration enforcement
 - Giving access to ICE to interview an individual in custody
 - But such cooperation may not violate “any federal, state, or local law or policy.”



California Sanctuary Laws

- Senate Bill 54 (DeLeon)
- Attorney General's Model Policies
 - Publication by October 1, 2018
 - Consultation with stakeholders
 - Designed to limit assistance with immigration enforcement “to the fullest extent possible”
 - Public schools, public libraries, health facilities operated by the state or a political subdivision of the state, and courthouses, among others, must adopt the model or an equivalent



California Sanctuary Laws

- Assembly Bill 699 (O'Donnell)
- Similar to SB 54, but governing K-12 schools
- Also requires Attorney General Model Policy
 - Publication by April 1, 2018
 - Will provide a preview of the SB 54 policy



Additional Protections in CA

- **Assembly Bill 21 (Kalra) CCDs must:**
 - Refrain from disclosing personal info concerning students, faculty, and staff, “consistent with state and federal law”
 - Provide guidance on local policies related to state & federal immigration laws
 - Notify president/designee when ICE enters campus
 - Verify administrative warrants and subpoenas
 - Assign staff as single point of contact for individuals subject to an immigration order
 - Allow reenrollment of students who drop out due to immigration enforcement issues
 - Allow continuation of financial aid, exemption from nonresident tuition fees, housing stipends, and other benefits



Additional State Funds for Immigrants

- Assembly Bill 134 (Committee on Budget)
 - \$20 million in additional funding for immigrant legal services under One California Program
 - \$10 million in financial aid for Dreamers in CCs, CSUs, UCs
 - \$7 million allocated to CCCs for emergency financial aid to Dream Act students



SB 68 EXPANDS In-State Tuition for Non-Traditional Students

IMPORTANT TO
RECOGNIZE
Students Who
Attend Part-time!
FT or the Equivalent Units!

IN-STATE TUITION OPPORTUNITIES ARE EXPANDING IN CALIFORNIA

AB 540 remains in place and in-state tuition is expanding! Now through a new law, SB 68, more students may be able to pay in-state tuition and get state-based financial aid.

SB 68 benefits students who didn't go to three years of high school in California

SB 68 will allow students to count full-time attendance at a California Community College (up to two years max), adult school, high school, or a combination of these schools to meet the three years required to be eligible for in-state tuition.

SB 68 benefits students who don't have a California High School Diploma or didn't get their GED in California

Students will be able to use an Associate's Degree or the fulfillment of the minimum transfer requirements for the UCs or CSUs to meet the requirements.

ELIGIBILITY CRITERIA

<???

Undocumented individuals, T and U visa holders, U.S. citizens, & lawfully present immigrants that meet the eligibility criteria above can apply if their classes were taken in 2001 or after. Individuals with international student visas, visitor visas, or other "non-immigrants" statuses are not eligible to apply.

WHAT'S NEXT?

Starting next year, students will be able to apply for SB 68 eligibility to get in-state tuition and apply for state-based financial aid through the California Dream Act at California Community Colleges, CSUs, and UCs!

STAY TUNED!

E4FC will be providing updates regarding implementation of SB68 at the different public college and university systems in California.



CA Legislation to Support Its Residents

- Assembly Bill 343 (McCarty)
 - Exempts refugees or special immigrant visa holders who settle in California from paying nonresident tuition at CCs



DACA and the Congress

- Trump points to Congress
- Sen. James Lankford (R. Okla.)
 - Claims Trump indicated that he would extend the March 5 deadline if Congress fails to act
 - Co-authored conservative alternative to Dream Act with 15-year path to citizenship
- Sen. Kamala Harris (D. Cal.)
 - No spending deal without DACA fix



Congressional Advocacy

- BOG, November 2016
 - Called on President-elect Donald J. Trump to preserve DACA
 - Met with congressional leaders
 - Joined with the University of California, the California State University, and the California Community Colleges to defend the right of all students to obtain a higher education in California
- Waived fees for enrolled international students prevented from returning to U.S. due to travel ban



January 2017 BOG Resolution

- Resolved that:
 - 113 colleges welcome students regardless of immigration status
 - Financial aid remains available
 - Urged President Trump to preserve DACA
 - Promised CCs will not release personally identifiable student information related to immigration status unless required by judicial order



January 2017 BOG Resolution

- Resolved that:
 - No participation in a federal registry based on any protected characteristics
 - To advocate at every level of government to protect ALL students and our system's values
 - Encouraged local districts to consider system values when creating policies and practices related to undocumented students



Congressional Advocacy

- Chancellor's Office Meetings
 - June: California Higher Education Caucus
 - Vice-Chairs (Denham and Bera) and other members of the California delegation
 - October:
 - Majority Leader Kevin McCarthy
 - Senators Feinstein and Harris and others
 - Senate Judiciary Testimony
 - Chancellor Oakley



Congressional Advocacy

- DACA Advocacy Week
 - October 16-20
 - Materials circulated to community college districts for district office meetings with Members of Congress
 - Fact Sheets, Qs & As
 - Scripts
 - 700 Letters





Supporting Undocumented Students



Developing Best Practices

- Best Practices Handbook
 - Chancellor's Office and Community College Foundation received a \$75,000 grant for the development of a handbook to share best practices and emerging resources to serve Dreamer students



Framework for Conceptualizing Institutional Support

Individual
★ Foundational



Group of People
★ Emerging



Institutional
★ Comprehensive



Undocu-Friendly School

[#HeretoStay K-12 Toolkit for Educators](#)

- A school that **is inviting and public about their support** for undocumented students and **invests resources** in their students by providing information, scholarships and programs



How Can Administrators HELP

- ENSURING Students Are PROTECTED
 - With POLICY RESOLUTIONS, GUIDELINES & TRAINING
- REVIEW Institutional Policies
 - UndocuCollege Guide & Equity Tool: California
- Make Sure Support Visible at Your CCC!
 - Posters, Stickers, Information & Resources



UndocuCollege Guide & Equity Tool

www.e4fc.org/resources

UndocuCollege Guide:
California

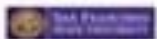
UNDOCUCOLLEGE GUIDE & EQUITY TOOL CALIFORNIA 2016

WORKING TOWARD EDUCATIONAL EQUITY & INCLUSION OF UNDOCUMENTED
STUDENTS AT INSTITUTIONS OF HIGHER EDUCATION IN CALIFORNIA.

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- Institutional Focus
- Identifies Statewide Challenges
- Highlights Best Practices
- Equity Tool Provides Structure to Foster Campus Conversations
- GOAL: Strengthen Institutional Practices



CALIFORNIA COMMUNITY COLLEGES

UndocuCollege Guide & Equity Tool



UndocuCollege Guide & Equity Tool, California 2016

<http://e4fc.org/resources/undocucollegeguide.html>



The UndocuCollege Guide & Equity Tool helps students, faculty, staff and administrators in California work together to achieve the educational equity and inclusion of undocumented students. This publication contains three main components: Statewide Institutional Challenges, Institutional Models for Success, and an Equity Tool for colleges and universities in California to assess, analyze and report about the level of support currently present at their institution for undocumented students.

Highlights Statewide Institutional Challenges

- ***Campus climate** lacks inclusion, awareness, and acceptance of undocumented student experience
- *Need for **professional development** for faculty and staff regarding serving undocumented students
- ***Sustainability**/support for undocumented students educator advocate
- ***Marginalization of non-DACA and non-AB 540** undocumented students
- ***Insufficient support to ensure successful transfer** from two-year to four-year institutions
- *Lack of accessible and culturally responsive **holistic wellness services**
- *Need for **appropriate standing and equitable compensation for undocumented student educator advocates**
- *Lack of dedicated funding to bring support programming and infrastructure to **scale**
- *Inability to reflect the academic success and student experience using accurate **institutional data**
- *Lack of recognition of the roles and **unique contributions** of each of the educational systems

Elevates Institutional Models for Success

Foundational Models

Informational Materials
Visual Images
Undocumented Student Clubs
Website
Recognition of Non-Latino Communities
Supportive Faculty and Staff

Emerging Models

Undocumented Student Task Force
Undocumented Training
Staff Wide Training
Dedicated Scholarship to Support Undoc Students
Accessible Systems/Tracking/Data
Dedicated Staff to Support Undoc Students
Awarding the California Dream Act
Internship Opportunities
Graduate/Professional School Program Collaboration
Supportive Community Organizations
Mental/Emotional Support

Comprehensive Models

Undocumented Student Orientation
Undocumented Student Program
Resource Center
Regional Networks of Institutions
Targeted/Open Funding
Innovative Problem-Solving

Provides an Equity Tool



CALIFORNIA COMMUNITY COLLEGES

How Can Universities Protect Undocumented Students?

- Limit retention of student information
- Prohibit sharing information with federal immigration authorities absent a warrant
- Restrict immigration agents' access to campuses
- Prohibit campus security from collaborating with federal immigration authorities for the purposes of enforcement
- Provide resources and information for immigrant students and their families
- Avoid inadvertent disclosures



HELPFUL Guide for Educators!

http://e4fc.org/images/E4FC_SanctuarySchoolandSafeZoneMov.pdf



EDUCATORS FOR FAIR CONSIDERATION

Understanding the Sanctuary School and Safe Zone Movement

A Quick Guide for Educators



CALIFORNIA COMMUNITY COLLEGES

How Educators Can Help

- **Institutional Level**
 - Letters of Support and/or Sanctuary Campus, Trainings, Financial Support, Institutional Practices
- **With Students & Their Families**
 - Create Safe Spaces, Investigate Potential Remedies, Integrate, Offer Support & Make it Visible!
- **Individually**
 - Self-Care, Connect with Other Educators, Know the Laws



Practical Suggestions for Colleges

- Dreamer resource centers
 - USD has done this with success
 - Note that only clergy and psych. services are privileged
- Designate 1-2 faculty as point of contact
- Connect to or develop pro bono networks
- Host “know your rights clinics”
- Role play responses to ICE enforcement



Practical Suggestions for Students

- FERPA file review
- Opt-out from disclosure of directory information
- Seek legal advice
 - 14.3 percent of DACA recipient are eligible for another form of immigration relief

(Tom Wong, et al., Paths to Lawful Immigration Status: Results and Implications from the PERSON Survey, Journal on Migration and Human Security (2017).)



Voting Matters

- June 2018 Primary Election
- November 6, 2018, General Election
- State Assembly, ½ of State Senate
- Governor, Lt. Governor, Attorney General, Secretary of State, Treasurer, Controller, Superintendent of Public Education
- House of Congress (39 Democrats and 14 Republicans)
- 1/3 US Senate (incl. 1 California Senator)





EXCELLENT RESOURCES FOR UNDOCUMENTED STUDENTS



CALIFORNIA COMMUNITY COLLEGES

A Note to Undocumented Students

You can still go to college in California even if DACA is ending. Apply to CSUs and UCs by November 30th.

Also, keep in mind:

- CA Dream Act is still in place! *Submit your application before March 2nd.*
- In-state tuition eligibility is expanding! *AB 540 is still in place and now you may be eligible for in-state tuition even if you didn't attend 3 years of high school in CA.*

With E4FC's resources, information and support, you can see what's possible.

Keep going. You are not alone.

resources.e4fc.org



KEEP GOING!

You are NOT Alone!



CALIFORNIA COMMUNITY COLLEGES

ALL in ONE! e4fc.org/resources



QUICK GUIDE TO COLLEGE ACCESS FOR UNDOCUMENTED STUDENTS IN CALIFORNIA

AB 540, RESIDENCY REQUIREMENTS AND IN-STATE TUITION

California Residency for Tuition Purposes

Learn how California residency and AB 540 are determined for tuition purposes at CA public colleges & universities.

California Nonresident Tuition Exemption Affidavit (AB 540)

Includes instructions to apply for AB-540 status & be exempt from non-resident fees at CA public colleges & universities.

2017-18 Estimated Per Year College Costs for California

An estimated per year cost of attendance chart by institution type in California, including available types of financial aid.

In-State Tuition vs CA Dream Act vs DACA

This chart clearly explains eligibility for California In-State Tuition (AB 540/AB 2000), CA Dream Act, and DACA.

CALIFORNIA DREAM ACT & STATE-BASED FINANCIAL AID

Types of State-Based Financial Aid available through the California Dream Act

The California Dream Act allows certain undocumented students (AB 540 & AB 2000 eligible or TPS & U-Visa holders) to apply for and receive institutional scholarships and state-based financial aid at CA colleges and universities if they meet income guidelines, apply by the priority deadlines, and complete all necessary paperwork on-time.

How to Guarantee You Use the Correct Financial Aid Application in California

If you have questions about which financial aid application students should complete or their eligibility, use this chart to be sure they apply for and receive all CA state financial aid for which they are eligible.

California Dream Act Map

Provides an overview of what students need to do from start to finish. Applying for the California Dream Act is easy if you have the right

STEPS AND TOOLS TO APPLY FOR CA DREAM ACT

Phase 1. Apply for CA Dream Act - October 1 - March 2 Checklist for the 2018-19 California Dream Application

Applying for the California Dream Act it is only the first step to receive state financial aid. This checklist can be used to help undocumented students successfully apply for and be considered for all state financial aid, including the Cal Grant.

Phase 2. Apply for Cal Grant - October 1 - March 2 Checklist to Apply for the 2018-19 Cal Grant

Undocumented students can only apply for the Cal Grant as a high school senior or community college transfer student. This checklist highlights the necessary steps to successfully apply for the High School or Transfer Entitlement Cal Grant.

Phase 3. Claim Your Aid - March - May Successfully Completing Income Verification Worksheet

Help families accurately complete the paperwork required to verify income, assets, & household size. Be able to explain the differences between dependent vs. independent students as well as the information required for tax filers vs. non-tax filers.

Phase 4. Use your Aid - May - September Selective Service and the California Dream Act

Men who are between the age of 18 and 25 years old, even undocumented individuals, must show proof of registration for the selective service in order to receive state financial aid. Help students be aware of and follow these steps so their state-based financial aid is not put on hold.

SCHOLARSHIPS THAT DO NOT REQUIRE PROOF OF CITIZENSHIP

List of undergraduate and graduate scholarships that don't require proof of citizenship

All undocumented students in California can go to college and receive private or institutional scholarship - even if they don't



Things Students Should KNOW!

- The CA Dream Act and AB 540 do NOT depend on DACA!
- Access to the CA Colleges & Universities REMAINS OPEN!
- Info on the CA Dream App will NOT be shared with ICE!
- FERPA makes it a crime for schools to share student records without their permission



California Student Aid Commission Promises to Protect Dream Act Students

“CSAC promises not to share information with federal authorities and DACA status is not required to apply for CA Dream Act.”

-Executive Director Lupita Cortez Alcalá

September 7, 2017



Mapping the CA Dream Act

www.e4fc.org/resources/thecaliforniadreamact

CALIFORNIA DREAM ACT MAP 2017-18: STEPS TO SUCCESSFULLY APPLY



CHUCKING THE FAIR CONSIDERATION

PHASE 1

Student enters or creates a user name and password at www.caldreamfactory.org. **ENTER THEM DOWN AND SAVE THE INFORMATION!**

Student completes 2017-18 CA Form the Dream Application online at www.caldreamfactory.org. Make sure to select the correct aid year. Student must include:

- School code for ALL schools they are considering
- Parents' information
- Income Taxes & Unearned
- Assets & Investments
- Parents' information
- Unearned info
- NO Social Security Number is REQUIRED

Parent information is **REQUIRED** unless:

- student is 24 years old or
- was born on or before 1/1/74
- is married, has children, dependents other than children, is a spouse, ward of the court, or parent of an eligible day or in grade school

Student selects the DREAM app calendar by 3/2/17 AND manually checks the app status on the confirmation page tab.

Parent obtains a personal identification number (PIN) and signs the app or the PIN is unique to the student.

California Student Aid Commission (CSAC):

- Identifies any errors or missing information on the DREAM App
- Calculates the Estimated Tuition Contribution (ETC)
- Sends DREAM App to all schools listed
- Selects eligible students for income verification.

CSAC corrects students without a valid ETC to resolve missing or erroneous information.

Student must:

- Current DREAM App & provide necessary information
- Register & re-enroll in DREAM App, including the parent's signature, if required

PHASE 3

School will receive all URBAM applications that are complete, with a valid ETC.

WARNING: Incomplete DREAM App
School will not include students under 24 that did not include correct information. Documentation is required before financial aid can be awarded.

School informs students who are required to submit income verification documents.

Student & Family, if Chosen, must complete and submit (a) income verification form AND (b) 2016 Tax Return (FRM 1041-SCRIP) file. If required to file taxes per the IRS tax rules.

BOG has the power. **Students** at California Community Colleges may be eligible for the Board of Governor's (BOG) Fee waiver as a result of filing the CA Dream Application.

School sends a financial aid offer to students who met the income guidelines, priority deadline, AB 540 status, and other eligibility for the 2007 Fee Waiver State University Grant (SUG), the University Grant II (UG II), Cal Grant, and/or other financial aid aid to eligible students.

PHASE 2

Student applies for the Cal Grant www.csac.ca.gov

- Submit Dream App
- Verify your high school or community college and your QTA (delineated)
- If second did not score (GSA, student events out Non-SRV GPA) verify your form, has school ID if out. For student make form to CSAC by 3/2/17 and request price of mailing from US Post Service

Student creates account on <https://mygrantinfo.csac.ca.gov/>

Student checks status of GPA submission, Cal Grant A/M on my Grant Scholarship (MCS)

Student ensures the proper school is listed and all fees are cleared, making confirmation of CA High School graduation or GED

School verifies student meets ALL Cal Grant eligibility: income, assets, financial need, AB 540 status, enrollment & re-enrollment. MCS eligibility also verified.

You're ready to go - Phase 4

PHASE 4

Student logs onto student portal at each school to review and accept each financial aid offer. Follow up with CSAC, if necessary.

Student calculates each college's costs and develops a personal "escape plan" and per year budget, including any scholarships.

Student accepts financial aid, releases school of any pending scholarship, and confirms tuition & conference, so classes can't be dropped.

Student checks if there are any scholarship restrictions regarding tuition, financial need, unit requirements, or others, per the organization.

Students who are 18 years old or over 19 years old must show their proof of registration to the scholarship service.

School confirms readiness and AB 540 eligibility

Student enrolls in classes if they are enrolled in other credits of units and there are no holds on their financial aid record.

School disburses grants and/or school waiver to pay tuition and other outstanding balances.

School will send the student: a) Academic form after tuition and fees are paid. b) financial document, check or credit. c) OR d) Bill on the balance that is still outstanding.

OPTIMAL TIMELINE

| PHASE | Activity |
|---------|--|
| PHASE 1 | Apply for Dream Act (October - March 2) |
| PHASE 2 | Apply for Cal Grant (October - March 2) |
| PHASE 3 | Claim your financial aid (March - May) |
| PHASE 4 | Use your financial aid (May - September) |

Prepared for Educators for Fair Consideration by Nancy Jodanis, Educator Advocate for Undocumented Students, to identify the important steps students must take to successfully apply for, claim and receive financial aid through CA Dream Act.

☆ E4FC Supplemental materials available



CAL GRANTS: www.csac.ca.gov

Create an account at WebGrants4Students

THE CALIFORNIA STUDENT AID COMMISSIONS CUSTOMER RELATIONS BRANCH FIELDS CALLS MONDAY THROUGH FRIDAY FROM 10 A.M. TO 11:45 A.M. AND FROM 1 P.M. TO 4:45 P.M. WHILE AT OUR WEBSITE, PLEASE CLICK THE FREQUENTLY ASKED QUESTIONS LINK ON THE RIGHT SIDE OF THIS PAGE OR E-MAIL US BY CLICKING THE CONTACT US LINK AT THE BOTTOM OF THIS PAGE.

Enter your User ID and Password.
Please note the User ID and
Password fields are case sensitive.

Authorized Use Only



WebGrants 4 Students Sign-In

User ID

Password

Sign-in

[Create an Account](#)

[Forgot your User ID and/or password? Having problems logging in?](#)



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NEW Dream Act Website!

www.e4fc.org/thecaliforniadreamact.html

EDUCATORS FOR FAIR CONSIDERATION (E4FC)

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Empowering undocumented young people to achieve educational and career goals

CALIFORNIA DREAM ACT

At Educators for Fair Consideration, we provide you with the proper tools you need to successfully apply for the California Dream Act and receive state or institutional financial aid at California Community Colleges (CCCs), California State Universities (CSUs), Universities of California (UCs) and private schools.

Applying for the California Dream Act is easy if you have the right information and resources!

- [What is the CA Dream Act?](#)
- [Who Can Apply?](#)
- [Steps & Tools to Apply](#)
- [Types of CA State Financial Aid](#)

Back to [Home](#)

www.e4fc.org/thecaliforniadreamact.html



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FAFSA vs. Dream



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HOW TO GUARANTEE YOU USE THE CORRECT FINANCIAL AID APPLICATION IN CALIFORNIA

BE SURE TO RECEIVE ALL FINANCIAL AID FOR WHICH YOU ARE ELIGIBLE!

| Questions | FAFSA | CA DREAM Application |
|----------------------|---|---|
| Who is Eligible? | <ul style="list-style-type: none">• Citizens• Legal Permanent Residents• Eligible Non- Citizens (per FAFSA)• T visa holders | AB 540 Eligible Students Who Are: <ul style="list-style-type: none">• Undocumented individuals;• DACAmented individuals; and• U visa holders |
| Who is NOT Eligible? | <ul style="list-style-type: none">• Any other immigration status that is not listed above including:• DACAmented students• Undocumented individuals | <ul style="list-style-type: none">• Any visa holder (except U)• Citizens• Legal Permanent Residents• Eligible Non-Citizens (per FAFSA) |



Students are Citizens with Undocumented Parents



EDUCATORS FOR FAIR CONSIDERATION

ARE YOU A U.S. CITIZEN, BUT YOUR PARENT(S) IS/ARE UNDOCUMENTED?

AB540 FOR HOUSEHOLDS WITH MIXED IMMIGRATION STATUS IN CALIFORNIA

If you are a U.S. citizen, but your parent (s) is/are undocumented, read the following information in order to successfully:

- Pay resident fees at a public college or university in California
- Apply for FAFSA
- Receive state financial aid in California

Mixed Immigration Status Households

A mixed immigration status household is a household in which one or more immediate family members are U.S. citizens and one or more immediate family members are undocumented (without “papers” or “legal status”). The Center for American Progress estimates that within the United States, over 16.6 million individuals currently live in mixed status households.



CALIFORNIA COMMUNITY COLLEGES

E4FC Scholarship Resources



EDUCATORS FOR FAIR CONSIDERATION

**2016-2017 UNDERGRADUATE
SCHOLARSHIPS THAT DON'T
REQUIRE PROOF OF
U.S. CITIZENSHIP OR
LEGAL PERMANENT RESIDENCY**



EDUCATORS FOR FAIR CONSIDERATION

**2016-2017 GRADUATE
SCHOLARSHIPS THAT DON'T
REQUIRE PROOF OF
U.S. CITIZENSHIP OR
LEGAL PERMANENT RESIDENCY**

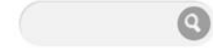


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MyUndocumentedLife.org

My Undocumented Life

UP-TO-DATE INFORMATION & RESOURCES FOR UNDOCUMENTED IMMIGRANTS



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2017 Dreamers Without Borders Summer Travel Opportunity: Open to DACA beneficiaries

APRIL 4, 2017 ·
By CAROLINA VALDIVIA The U.S.- Mexico Foundation's Dreamers without Borders (DWB) program is a binational educational and learning service program designed for DACA beneficiaries of Mexican origin and Mexican Americans. They recently announced their 2017 summer travel opportunity. Selected beneficiaries will be hosted cost-free in... [Read More >](#)

Resources/Info for Undocumented Immigrants & Families

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- Coming Out of the Shadows: A Call to all Formerly Undocumented Immigrants
MARCH 2, 2017 ·
By ROBERT W. FERNANDEZ Over the past few weeks, like many others in the immigrant community, my emotions have been fluctuating between two different



DefineAmerican.com

#FactsMatter: Immigration Explained



No human being is illegal.



Phrases such as "illegal immigrant" and "illegal alien" replace complex legal circumstances with an assumption of guilt. They effectively criminalize the personhood of migrants, instead of describing the legality of their actions.



It is not a crime for an undocumented person to remain in the United States. "As a general rule, it is not a crime for a movable alien to remain in the United States."

Source: Justice Anthony Kennedy, *Arizona v. United States*, 2012



It is a violation of federal immigration law to remain in the country without legal authorization, but this violation is punishable by civil penalties, not criminal.

Source: U.S.C. § 1325 - US Code - Section 1325: Improper entry by alien

Immigration is not one size fits all.



Most undocumented immigrants cannot simply "get legal" and "be a citizen" by filling out paperwork or paying a fee.

The right way to immigrate was at one time to simply show up. Processing at Ellis Island involved health inspections and naturalization.

- Many of our ancestors would not have qualified under today's immigration laws.
- Many European immigrants benefited from "amnesty," such as the 1929 Registry Act.

Source: American Immigration Council

A border wall would be an ineffective immigration restriction.



An estimated 40% of all undocumented immigrants were visa holders, which means they entered the country legally.

Source: Pew Hispanic Research Center

Immigrants commit less crime than the native-born population.

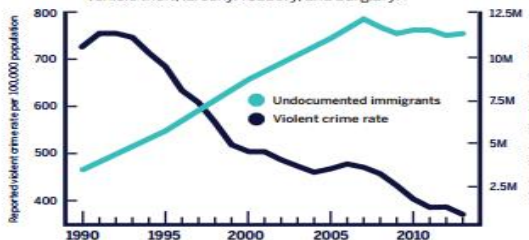
Immigrants are less likely than the native-born to be behind bars.



Source: U.S. Census and American Community Survey

Higher immigration is associated with lower crime rates

- Between 1990 and 2013, the foreign-born share of the U.S. population increased from 7.9 percent to 13.1 percent and the number of unauthorized immigrants increased from 3.5 million to 11.2 million.
- During the same period, the violent crime rate declined 48 percent—which included falling rates of aggravated assault, robbery, rape, and murder. The property crime rate fell 41 percent, including declining rates of motor vehicle theft, larceny/robbery, and burglary.



Source: Federal Bureau of Investigation



Asians are the fastest growing population of undocumented immigrants.

Source: Migration Policy Institute

Annually, undocumented immigrants pay an estimated \$11.64 billion in state and local taxes, and pay \$13 billion to Social Security.



Source: Institute on Taxation and Economic Policy, Social Security Administration

Immigrants start businesses and grow the economy.



Immigrants are more likely to start businesses than native-born Americans.

Source: Kauffman Foundation



Immigration has an overall positive impact on long-run economic growth in the U.S.

Source: National Academies of Sciences, Engineering, and Medicine



If mass deportation were enacted, US GDP would drop by \$1.6 trillion.

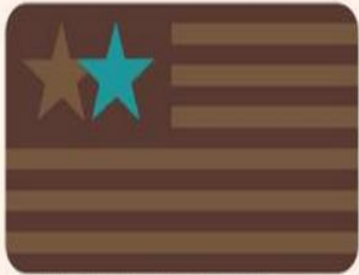
Source: American Action Forum



Dreamer Intake Service





intake.e4fc.org

DREAMER INTAKE SERVICE



EDUCATORS FOR FAIR CONSIDERATION

What is the service? E4FC's Dreamer Intake Service (DIS) is an online immigration screening tool for undocumented young people.

| | | | |
|--|---|---|---|
|  <p>Free</p> <p>No cost to use our screening tool</p> |  <p>Anonymous</p> <p>No need to disclose your identity</p> |  <p>Confidential</p> <p>We won't tell others about the information you share with us</p> |  <p>Information</p> <p>You will receive personalized information</p> |
|--|---|---|---|

- Legal Intake Services
- Online
- Free
- Confidential
- Personal Response



ImmigrantsRising.org

FINALLY, a site for Immigrant Entrepreneurs

- Expanding entrepreneurship opportunities for ALL Immigrants, regardless of status
- Webinars & Resource Materials
 - Working for Yourself
 - Starting Your Own Business
 - ITINS & Taxes
 - Credit & Financial Capital

The logo for Immigrants Rising is displayed on a blue rectangular background. The word "IMMIGRANTS" is written in a white, uppercase, sans-serif font. Below it, the word "RISING" is written in a larger, bold, dark blue, uppercase, sans-serif font.

IMMIGRANTS
RISING



Pre-Health Dreamers



PHD

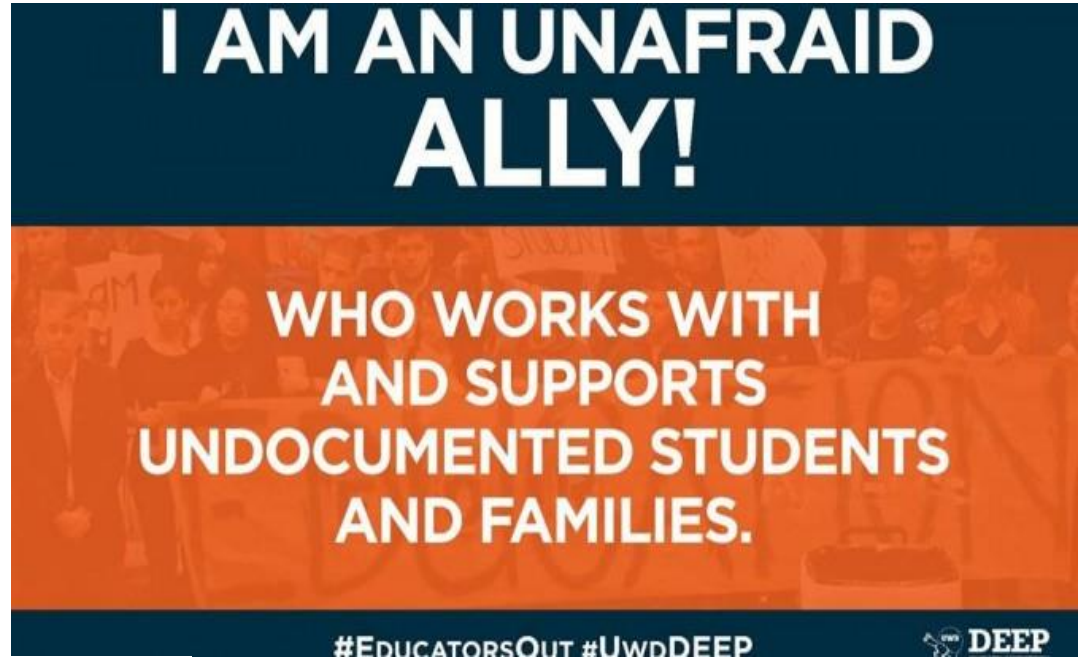
PRE-HEALTH DREAMERS

Pre-Health Dreamers is a project of Educators for Fair Consideration (E4FC)

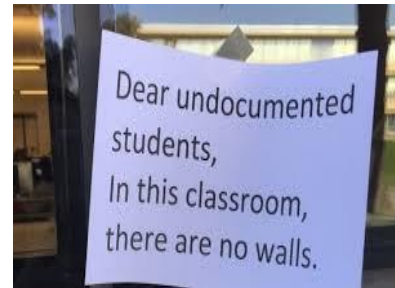


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Make Your Support VISIBLE



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CALIFORNIA COMMUNITY COLLEGES

Resources for Undocumented Students

- National Organizations

- United We Dream

- <https://unitedwedream.org/>

- Immigration Legal Resource Center

- <https://www.ilrc.org/technical-assistance>

- National Immigration Law Center

- <https://www.nilc.org/>

- National Immigration Legal Services Directory

- <https://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=CA>



Resources for Undocumented Students

- California Organizations

- California Rural Legal Assistance

- <https://www.crlaf.org/daca>

- Chancellor's Office

- <http://www.cccco.edu>

- Educators for Fair Consideration

- <https://e4fc.org/resources>

- Mission Asset Fund

- <https://missionassetfund.org/lending-circles-for-dreamers/>



Takeaways

- March 5, 2018
 - DACA expiry date
 - District court will have ruled
- Congressional Advocacy
- Get informed
- Seek legal advice
- Support Voter Registration and Vote in 2018



Thank you



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