

Resources for Undocumented and Documented Students

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Session Outline

- Legal Environment
- Pursuing Higher Education
- Institutional Partnerships and Resources
- Barriers in Pursuing Higher Education
- Building a Supportive Environment
- Upcoming Events

How many undocumented students are there?

- Nationally, there are approximately 1.7 million undocumented people under the age of 30

In New Jersey 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 New Jersey:

Approximately 65% come from Mexico and Latin America

Legal Environment

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.

DREAM Act

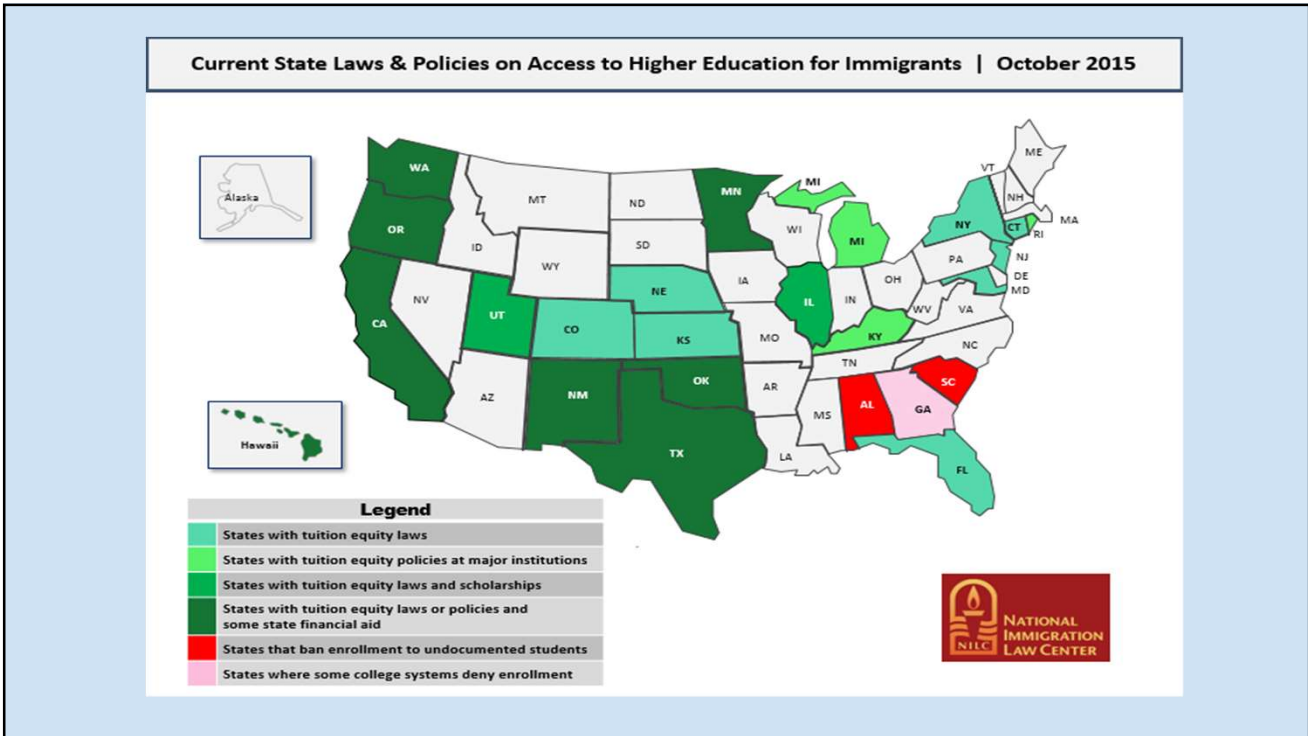
Bipartisan legislation first introduced in Congress in 2001, known formally as Development, Relief and Education for Alien Minors (DREAM)

Bill aimed to create a pathway to citizenship for undocumented children who grew up in the United States

Reintroduced several times, including big push in 2010, but failed to pass

Many states have passed tuition equity legislation known as DREAM Acts, which has caused people to incorrectly believe that a federal DREAM Act has been passed

The state-level laws provide various benefits for undocumented students, such as access to in-state tuition rates or eligibility for certain scholarships or state financial aid, but how they operate and who qualifies varies from school to school and college to college



Deferred Action for Childhood Arrivals

DACA- President’s Executive Action on Immigration (June 15, 2012) allows temporary protection of persons who arrived to the U.S. as children

Person may legally remain in the U.S. for a limited time period without being deported

Can obtain work authorization

Allows for travel outside of, and return to, the U.S. through advanced permission from Department of Homeland Security for educational or humanitarian travel--not automatically approved

Valid for a period of 2 years, renewable

*The June 2016 Supreme Court deadlock ruling over DAPA and DACA+ did NOT affect the original DADA. The 2012 DACA executive order is still in place.

DACA Eligibility

Eligibility requirements include:

Person must have been born on or after June 16, 1981

Arrived in the U.S. before their 16th birthday

Must continually reside in the U.S. since June 15, 2007, up to the present

Must be physically in the U.S. on June 15, 2015 and have no lawful status as of that date

Must be 15 years or older in order to apply and be present in the United States on the day they apply

~~Must be currently in school, have graduated high school, completed GED, or~~

New Jersey Tuition Equity Act

[Senate Bill 2479](#), referred to as the New Jersey Dream Act, was signed into law on 12/20/2013, and allows undocumented students who meet certain criteria to qualify for the in-state tuition rates at all of NJ public institutions of higher education.

NJ Tuition Equity Act Eligibility

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.

Pursuing Higher Education

Higher Education in the US

- Are undocumented students allowed to attend college?
- Am I required provide a Social Security Number (SSN)?
- What happens when/if the school finds out about my status?
 - Would you recommend students to share their status?

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 (Individual Taxpayer Identification Number):
 - States and/or federal laws make it a crime in some circumstances to use a false SSN - which may qualify as identity theft.

Will my school report me to DHS?

- Department of Homeland Security (DHS) does NOT require a college to determine a student's immigration status or to report it if it comes to light.*

*Exception: in the case of a person who came on an international student visa, the school is required to report the termination of a student's academic status, which may possibly impact her/his nonimmigrant status.

Counselors cannot report students.

Affording/Paying for College

- 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 and DACAmented Students

- 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 Tuition Equity Act (NJ Dream Act).

Documented Students with Undocumented Parents

FAFSA

- Documented students (U.S. citizen or legal permanent resident) qualify for federal and state financial aid and in-state tuition.
- When completing FAFSA:
 - Undocumented parents do not have a SSN, in that case DO NOT provide a false SSN or ITIN number INSTEAD, put all zeros
- **Higher Education Student Assistance Authority (HESAA)**
 - Commencing this 2016-2017 academic year, any student who answers that their parents are NJ resident on the FAFSA-- even if an invalid SSN is provided-- will no longer receive initial denial and have to go through appeal process.

Educational Opportunity Fund Program

- As of 2012, parents' legal immigration status is no longer a requirement for qualification.

This is when the NJ Tuition Equity Act comes into play.

File an affidavit with the institution of higher education.

Example:

Rutgers University's *Nonresident Tuition Exemption for Eligible New Jersey High School Graduates*:
<http://admissions.rutgers.edu/costs/tuitionandfees/njtuitioneligibility.aspx>

RUTGERS
THE STATE UNIVERSITY OF NEW JERSEY

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 CLAIM 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 FINANCIALLY INDEPENDENT (See Policy Statement II, C).

(C) a student who is INDEPENDENT - Born BEFORE 1/1/93 (Fall 16 & Spring 17 applicants) or 1/1/94 (Fall 17 & Spring 18 applicants)

(D) a student who is INDEPENDENT by virtue of being a VETERAN of the ARMED SERVICES.

(E) a DEPENDENT of 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 12 or more consecutive months prior to initial enrollment at Rutgers University.

(G) a SPOUSE / CIVIL UNION PARTNER of a NEW JERSEY RESIDENT.

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

Preparing for College: Understanding 2-Year vs. 4-Year Institutions

Community College - 2-Year Institution

City Colleges

- *In-District Tuition can range from an estimated \$64 - \$100 per credit hour*
- *Out-of-District Tuition can range from an estimated \$190 - \$275 per credit hour*

Annual Tuition for a Full-Time student:

\$1,920 - \$3,000 In-District

\$5,700 - \$8,250 Out-of-District

Private 2-Year Colleges

Tuition can range from an estimated \$250 - \$350 per credit hour

Annual Tuition for a Full-Time student:

\$7,500 - \$10,500

College/University- 4-Year Institution

Public University

- *In-State Tuition can range from \$7,362 to \$12,240 per year*
- *Out-of-State can range from \$15,000 to \$27,000 per year*

These figures are based on full-time enrollment

Private University

Tuition can range from \$16,000 to \$38,000 per year

These figures are based on full-time enrollment

Scholarships

- 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.

DACAmented Students

- DACAmented students can travel outside of the US for study abroad programs given the following:
 - Application for advance parole is granted.
 - USCIS stated it will grant parole for “humanitarian, education, or work purpose.”
 - In its January 2013 updated guidance, USCIS explicitly stated that educational purposes include semester abroad programs and academic research.

Institutional Partnerships and Resources

Institutional Support

Rutgers University- Newark Talent and Opportunity Pathways Program

- RU-N to the TOP program-- is a financial aid program that provides a “last dollar” scholarship, meaning that this scholarship will cover the cost of in-state tuition and mandatory school fees after all federal, state, and internal/external scholarship have been applied. (If applicable.)

The Dream.US

- The Dream.US is a scholarship fund for DACAmented students across the nation. Scholarships for up to \$25,000 for two or four-year degrees are awarded to help cover tuition, fees, books, supplies, and transportation expenses for students who would otherwise be unable to attend college.
 - Rutgers University- Newark (available for transfer students with associated degree)
 - Essex County Community College

Essex County College Honors Program

- All students who qualify for the Honors Program will have two-year tuition covered regardless of immigration status and residential district.

Institutional Support

Rutgers Future Scholars

- The goal of the RFS program is to increase the number of academically ambitious high school graduates who come from less-advantaged communities, inspire and prepare them to meet the standards to be admitted to colleges and universities, and then provide tuition funding to those who are admitted and choose to attend Rutgers University.
 - Piscataway/New Brunswick
 - Newark
 - Camden

Honors Living-Learning Community (Rutgers University- Newark)

- HLLC is a transformative college access and success program that fosters the academic, social, and personal development of talented students from all walks of life with a desire to make a difference in their communities and beyond. Students are nominated into the program.
 - High School graduating students
 - Transfer students

Barriers in Pursuing Higher Education

Barriers-- Admission

Limited pre-college outreach

Lack of public and clear pathways

Lack of information on merit-based scholarships available to undocumented students through various departments, schools and campuses

Rutgers University admissions online application offers no “undocumented” or “DACA” option (admissions refers them to check “status pending” in order to proceed with application)

Barriers-- Financial Aid

Low family income, lack of access to social services

Lack of access to planning advice and financial resources to support completion of degree

Federal financial aid (grants, student loans or federal work study) not available to undocumented students

State financial aid (EOF, TAG, and other HESAA programs) not available to undocumented students

However, students who are citizens, but whose parents are undocumented, are eligible for BOTH federal and state financial aid

Barriers-- Retention

Retention issues

Stress, depression and anxiety over deportation and legal issues concerning immigration status of self or family

Limited academic advising, access to or use of health services and CAPS

Part-time enrollment vs. full-time status, de-enrollment and reenrollment process requires additional time and planning which affect ability complete degree in the anticipated time

No coordinated institutional response, even though campuses are located in high immigrant counties and cities

Barriers-- Post Graduation

Uncertainty of whether graduates who are undocumented (and DACAmented) will be able to practice their profession, given the lack of comprehensive immigration reform

Lack of access to career counseling

Limited access to service learning and internship opportunities

State licensing for various professions uncertain

Securing job in your field

Building a Supportive Environment

Best Practices

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

Source: <http://www2.ed.gov/about/overview/focus/supporting-undocumented-youth.pdf>

CollegeBoard's *Advising Undocumented Students*:

<http://professionals.collegeboard.com/guidance/financial-aid/undocumented-students>

Educators for Fair Consideration: www.e4fc.org

Undocu College Fairs

undocuRutgers College Fair Model

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

Format

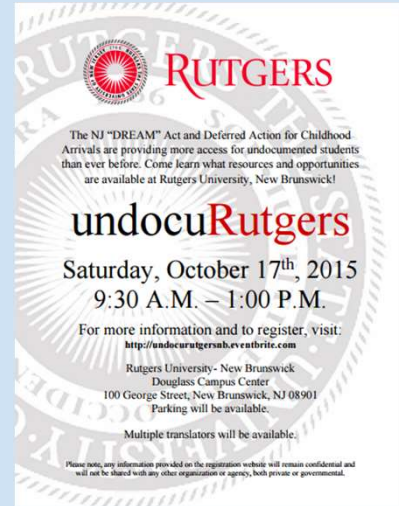
Personal journey
RU Admissions

RU Financial Aid Office

Rutgers Law School

DACA Intake Session

Tabling Session (Community Colleges, RU Departments,
Student and Community Organizations)



Upcoming Event

undocuRutgers- Newark October 29, 2016

Save the Date

Educators' Conference
October 21st, 2016
9am to 4pm

Please join us and our partners at Rutgers University-New Brunswick for a special conference on working with undocumented students and mixed-status families. The day will be filled with experts from across New Jersey and the nation who will be sharing best practices within the K-12 and Higher Education fields. All educators—teachers, principals, superintendents, admissions staff, financial aid staff, and college administrators are welcome to attend!

Formal invitation to follow.
Please e-mail giancarlo.tello@rutgers.edu for any questions or to ensure you receive the invitation.

Thank you

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