Working with and Supporting Undocumented Students

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Match the Term to the Definition

- **federally non-compliant driver's license**
- **undocumented**
- **Maryland-issued license**
- **DACA-mented**
- **Sanctuary jurisdiction**
- **BRIDGE ACT**
- **Person who has applied for and qualified for Deferred Action for Childhood Arrivals – Obama Exec Order**
- **Undocumented**
- **DREAMer**
- **Person residing in the U.S. without legal immigration status**
- **Bipartisan proposed legislation to extend deferred action – not an Exec Order**
- **Immigrant who arrived in US as a young child (implied and controversial – top high school grad)**
- **Some degree of non-compliance/reduced cooperation Between local officials and federal immigration enforcement agents – NOT a “safe zone”**
Match the Term to the Definition

- **Undocumented**: Immigrant who arrived in US as a young child (implied and controversial – top high school grad).
- **DREAMer**: Person who has applied for and qualified for Deferred Action for Childhood Arrivals (Obama Exec Order).
- **Sanctuary jurisdiction**: Person residing in the U.S. without legal immigration status.
- **Maryland-issued license for Undocumented (since 2013)**: Some degree of non-compliance/reduced cooperation between local officials and federal immigration enforcement agents – NOT a “safe zone.”
- **federally non-compliant driver’s license**: Bipartisan proposed legislation to extend deferred action – not an Exec Order.
- **BRIDGE ACT**: Bipartisan proposed legislation to extend deferred action – not an Exec Order.
Is immigration to the U.S.

- Increasing?
- Decreasing?
- Leveling Off?
“Since 2008, legal permanent immigration appears to have leveled off at a little over a million entries per year.” - Douglas Massey 2012

This trend continues into the present
Net Loss

The number of Mexican immigrants coming to the U.S. has fallen below the number heading back to their home country.

Migration between the U.S. and Mexico

- 3 million

  - U.S. to Mexico
  - Mexico to U.S.

  1995–2000
  '05–'10
  '09–'14

Source: Pew Research Center

Estimated Mexican illegal immigrants in the U.S.

- 8 million

  1995
  2000
  2010

2014: 5.6M

THE WALL STREET JOURNAL.
From 2009-2014, net migration from Mexico was -140,000
Immigration to the United States is

- Mostly from Asia?
- Mostly Latin America?
- Mostly from Africa?
Most Immigrants from Asia

- **2012**: 430,000
- **2011**: 450,000
- **2010**: 420,000

The graph shows the number of immigrants from Asia and the Americas from 2010 to 2012. The data is from the Department of Homeland Security.
Today, 1 out of 7 Asian immigrants is undocumented. -AAIdata 2017

Asians Now Outpace Mexicans In Terms of Undocumented Growth

Chinese, South Koreans, and Indians among the fastest-growing segments of undocumented immigrants.

Not largest, but Fastest growing
Under Federal law, State and local educational agencies ("school districts") are required to provide all children with equal access to public education.

To comply with these Federal civil rights laws, such as Titles IV and VI of the Civil Rights Act of 1964, as well as the mandates of the Supreme Court, school districts must ensure that students are not barred from enrolling in public schools at the elementary and secondary level on the basis of their own citizenship or immigration status or that of their parents or guardians.

A school district may not deny enrollment to a student if he or she (or his or her parent or guardian) chooses not to provide a Social Security number. If a district chooses to request a Social Security number, it shall inform the individual that the disclosure is voluntary.
What is Deferred Action for Childhood Arrivals (DACA)?

Passed June 2012 by “Executive Action”

- Temporary relief from deportation
- Two-year work permit to qualifying young adults ages 15 to 30 who were brought to the U.S. illegally as children (1.5 million people)

What is Executive Action? Informal directive, not a law
Depends on bureaucratic compliance
2012 Deferred Action for Childhood Arrivals (DACA) Criteria

- Arrived as child: Have arrived in the United States prior to age 16
- Lived in US for at least 5 years, continuously (i.e., recent migrants cannot qualify)
- Age window - Be less than age 31 and at least age 15 at application
- Be currently enrolled in school, have graduated high school or obtained a general development certificate (GED), or be an honorably discharged veteran
- Have not been convicted of a felony or multiple or serious misdemeanors and not pose a threat to national security or public safety
“Get in Line Like Other Immigrants?”

DACA does not provide a path or way to citizenship or legal status

There is no line for undocumented immigrants to get into
There is no waiting list
There is no process (except for marriage; return to country of origin)
What is the (Federal) DREAM Act?

Federal - provisions in the Senate Bill (has not passed in House)

- Students who have grown up in the U.S. could apply for temporary legal status and to eventually obtain permanent legal status and become eligible for U.S. citizenship if they go to college or serve in the U.S. military;
- In-state tuition

PATH TO CITIZENSHIP

- NEVER passed; Dead
What is the BRIDGE Act?

- Co-sponsored by Senators Lindsey Graham (Republican-SC) and Dick Durbin (Democrat-IL)
- DACA beneficiaries and those who qualify for DACA could apply for 3 year relief from deportation
- This is proposed legislation, a bill, it has not been passed, it is not a law
What’s happening in current immigration policy?

- Under Obama, deportation priority was those who had committed violent felony; deportation pattern changed over time

- Under Trump:
  - Deportation net includes those who have not committed crimes or broken law (except for entering or remaining in country without authorization)
  - Reinstatement of Secure Communities Program - Law enforcement matching to immigration records when someone is detained for traffic violation, etc
  - Local police acting as and empowered as Federal immigration enforcement
Maryland DREAM Act

- Approved by voters Nov. 2012

- Allows high school graduates who are undocumented immigrants the opportunity to receive the lowest tuition rate at their local community college

- Students who continue to meet Maryland Dream Act requirements can transfer and pay in-state tuition and fees at Maryland state four-year colleges after earning first 60 credits or an associate’s degree from a community college
For young Md. immigrants, a path out of the shadows

By Wallace D. Loh  September 7, 2012

They call themselves “shadows” — young Maryland residents brought to this country as children by their parents.

They worked hard. They excelled in our public schools. They want to go to college so they can be more productive members of our workforce. They do not ask for a free ride. Yet they remain shadows because their parents came without immigration papers. The Maryland Dream Act would bring these young people into daylight.
Living the Dream Act
The UMD undocumented student population

- Estimated at around 150 students
- Mostly undergraduate, some graduate
- Majority have DACA (Deferred Action) status or have applied through Maryland Dream Act, but some have neither and pay out of state tuition
- Maryland Dream Act not affected by new Trump Administration Challenges
- Those who are admitted through DACA often enroll without community college credit as new Freshman - what happens to these students if DACA ends? They have not completed MD Dream Act requirements - this is question for the state
Unique challenges

Why does advising matter?

An estimated 65,000 undocumented students graduate from high school each year, but just 5 to 10 percent attend college.

▶ Share your UMD student stories
Challenges

- What are some potential challenges that undocumented students might face?
Discuss potential challenges that undocumented students might face

- No social security number, required for application to UMD
- Financial instability (parents often do not have legal work permit or health insurance)
- No federal financial aid (undocumented students INELIGIBLE)
- Misclassification, initially students are classified as “International Students” – the university (through ISSS) requests an “I-20” immigration document
- Gaining in-state tuition takes paperwork, navigating bureaucracy (hard for a teenager!)
- Fears of deportation (themselves or family); Family separation (parents or siblings deported)
- Unique issues in terms of being able to participate in co-curricular activities (ie study abroad, career services)
- Lack of coordination between different units
- Currently, no designated staff member at UMD who is charged with supporting undocumented students
Additional Student Stressor

- identity issues
  - do not identify as international
  - have spent childhood and adolescence in US
  - may have found out about own status only recently
  - tenuous sense of belonging in U.S. and at UMD;
Offices at UMD that undocumented students must navigate
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What can advisors do to support students?

Educators and other personnel should not make assumptions about students’ immigration status

- Do not inquire about a student’s immigration status. Students may have legitimate fears about disclosing this information (self-disclosure is key)
- Know the law and policies
- If a student discloses his or her immigration status, convey openness and a commitment to confidentiality
- Publicly demonstrate support for undocumented students through creating safe spaces with office signage, welcome message on website
- Designate key staff as “undocumented student specialists” so that eligible undocumented youth have a go-to individual for accurate information and guidance
Resources

- UndocuTerp Trainings (Office of Multicultural Involvement and Community Advocacy, Contact: Yvette Lerma at ylerma@umd.edu)

- Website: undocumented.umd.edu

- Guide for Supporting Undocumented Youth
  http://www2.ed.gov/about/overview/focus/supporting-undocumented-youth.pdf