

BECOMING AN UNDOCUMENTED STUDENT

ALLY

Undocumented Student Ally Training

Serving Undocumented Students



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NEIU's History for Serving Undocumented Student



- Welcome and Introductions
- Ally Program Purpose

NEIU's History for Serving Undocumented Student



- Ally Program Purpose
- History and Recent Developments at NEIU
 - NEIU long history
 - 2002 Illinois HB60 –guarantees state tuition
 - Talent, Merit Based & Foundations Scholarships
 - Deferred Action Information sessions & screenings
 - NEIU revised admission online application
 - Launch of website for undocumented students
 - Undocumented, Resilient and Organized (URO)

Who are Undocumented Students?



- U.S. Definition

- A student who entered the U.S. 1) without inspection or with fraudulent documents, or 2) entered legally as a nonimmigrant, but then violated the terms of his or her status and remained in the U.S. without authorization

Source: National Immigration Law Center

Who are Undocumented Students?



- Challenges and Barriers

- Not eligible for state or federal financial aid assistance.
- Work full time to pay for their education and to assist with family obligations.
- Have a difficult time utilizing academic support services and participating in co-curricular programs.
- Live in fear of deportation for themselves and their families.

Who are Undocumented Students in the U.S.?



- There are 1.8 million undocumented youth under 18 who live in the U.S.
- It is estimated that 65,000 graduate from high school each year and more than 7% of undocumented high school graduates enroll in a college or university

Source: College Board Advocacy, 2012

Federal Laws



- **Family Educational and Privacy Act (FERPA)** – This 1974 law, also known as the Buckley Amendment, protects a student’s privacy rights regarding the disclosure of information contained in that student’s education records.
- ***Plyler v. Doe*, 457 U.S. 202 (1982)** – This 1982 Supreme Court decision struck down a Texas statute that withheld funds for the education of undocumented students and allowed individual school districts to deny undocumented students admittance to public schools.

Illinois State Laws



- **HB 60** – Undocumented students will be considered Illinois residents for purposes of receiving instate tuition rates at public colleges and universities as long as they meet the following criteria:

- The student has lived with his or her parent or guardian while attending a public or private high school in Illinois
- The student graduated from a public or private high school in Illinois or received the equivalent of a high school diploma in Illinois
- The student attended at least three (3) years of high school in Illinois prior to the date the student graduated or received a high school diploma equivalent
- The student registers as an entering student no earlier than the 2003 fall semester
- The student provides the university with an affidavit stating that the student will file an application to become a legal permanent resident (LPR) of the United States as soon as the student is eligible to do so

Illinois Dream Act



- Was signed into law on August 1, 2011 by Governor Pat Quinn
- Illinois is the first state in the United States to create a private scholarship fund for undocumented students.
- What does all of this mean for NEIU's undocumented students?
 - Undocumented students who have an Individual Taxpayer Identification Number (ITIN), even if they do not have a social security number, can now take advantage of Illinois' 529 college savings and prepaid tuition programs such as
 - College Illinois!
 - Prepaid Tuition Program
 - Bright Start and Bright Directions.
 - The Illinois Dream Fund Commission will gather contributions for the Fund, publicize available scholarships and select recipients for those scholarships.
 - The Commission will also create and sponsor training programs for financial aid and admissions officers as well as high school counselors. Professional development materials distributed to high school counselors will be required to include information about university, college and other postsecondary options available to undocumented students.

DACA Benefits

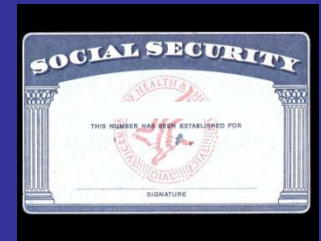


- Deferred Action

- Two years “deferral of removal”
- Possibly renewable

- Work Authorization

- Allows lawful employment for 2 years
 - ✦ Which will include SSN, license, state identification
- Showing of economic necessity required for work permit



DACA Limitations



- Not a Lawful Status
 - Not a visa
 - Not a “green card”
 - ✦ (Lawful permanent residency)
 - Not a path to citizenship
- Discretionary
 - Eligibility for DACA does not itself guarantee a grant
- No Travel without Prior Approval
- Only for Qualifying Individuals
 - Not available to dependents/family



Application Risks



- Program may not be renewed
- Filing may result in referral for removal proceedings
 - Certain criminal convictions, fraud, or other serious immigration law violations
- Information submitted may be shared with ICE (Immigration and Customs Enforcement) and other law enforcement if:
 - 1. Fraudulent application (submitting information you know to be false);
 - 2. For the investigation or prosecution of a criminal offense; or
 - 3. National security concerns
 - 4. Where immigration violations meet policy to issue Notice to Appear in immigration court (certain criminal convictions and other serious immigration law violations)
- BUT NOT YOUR FAMILY'S INFORMATION

Eligibility for DACA



1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or your lawful immigration status expired as of June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

Additional Remedies



VAWA SELF-PETITION

1. Victim of spousal abuse, child abuse, or elder abuse
2. Abuser is spouse, parent or adult son or daughter
3. Abuser is LPR or USC
4. Good Faith Marriage
5. Good Moral Character
6. Joint Residency
7. Proof of legal relationship
8. Proof of abuser's status

U VISA

1. Victim of a violent crime or labor-based crime
2. Suffered substantial physical or psychological harm
3. Have information about the crime
4. Cooperated with LEA*
5. Crime occurred in the U.S. or violated U.S. law

VAWA & U VISA BENEFITS



VAWA

1. Can include children under 21 or your parent if a child victim
2. Receive Deferred Action
3. Work Authorization
4. Public Benefits
5. FAFSA eligible
6. May be eligible to apply for permanent residency

U VISA

1. Can include children, spouse, parents and siblings
2. Receive a Temporary Non-immigrant Visa valid for 4 years
3. Work Authorization
4. Can apply for permanent residency after 3 years

Undocumented Student Ally Training

NEIU's Ally Training Program



**CULTIVATING AN OPEN AND
SUPPORTIVE CAMPUS ENVIRONMENT
FOR UNDOCUMENTED STUDENTS**

Goals of the Ally Training Program



- Improve awareness of the issues and concerns of Northeastern's undocumented students and their families
- Gain knowledge of Northeastern policies and practices that affect undocumented students
- Increase understanding of immigration laws that impact undocumented students and their families
- Cultivate an open and supportive campus environment for undocumented students
- Increase community awareness of Northeastern's open, supportive policies and practices towards undocumented students and their families.

The Resource Guide



- Is now available to all faculty and staff
- It offers detailed guidance about resources, policies and practice concerning undocumented students for each college, department or office
- And provide the contact information for the Allies in each department or office
 - New Allies will be added to the on-line pdf version at the end of each semester
- It will also be available on-line at our new website soon! www.neiu.edu/undocumentedstudents
 - Check the website for links to additional information and resources

What is an Undocumented Student Ally?



- Supports and advocates for the success of undocumented students.
- Is informed of institutional policies and support services to assist undocumented students.
- Is kind, compassionate, non-judgmental and a good listener
- Guides and facilitates the undocumented students' academic growth and development while at NEIU
- Creates a safe space for dialog about the students' concerns and questions while helping to find possible solutions and paths to clarity
- Acts as an academic advocate for them
- Does not “out” a student to others without that student’s permission
- Does not question a student about his or her immigration status or the status of family members
- Does not encourage students to take actions that may cause problems for them should they have the opportunity to adjust their immigration status in the future
- Does not give immigration advice but instead refers students to appropriate legal resources or community advocacy groups
- Does not use of offensive, intolerant language
- Follows up on referrals to assess the effectiveness of the recommended resources
- Is committed to confidentiality, respect and privacy when working with undocumented students
- Understands his or her own motivation for being an Undocumented Student Ally
- Provides feedback and an honest assessment of the program so that it can continue to be improved

Becoming an Ally: Benefits and Challenges



- Some of the benefits of being an Ally include:
 - Learning true and accurate information about the circumstances and experiences that undocumented students and their families may encounter every day
 - Becoming knowledgeable about Northeastern's policies and practices that affect undocumented students
 - Making a difference in the lives of students at Northeastern by being supportive of their community
 - Taking a more active role in creating a safe space and welcoming environment for students at Northeastern
 - Becoming a role model for other faculty, staff and students

- Some of the challenges of being an Ally include:
 - You may experience negativity or discrimination from others who do not understand or agree with your support of undocumented students
 - You may have others who question your motivation and wonder what is in it for you
 - Your morality and your politics may be questioned by others who do not believe undocumented people should be able to remain in the United States, regardless of their circumstances
 - Undocumented students may not trust you or may question your motivation

Strategies for being an Effective Undocumented Student Ally



- As an undocumented student ally it is important that you take initiative
 - Continue to educate yourself on the issues faced not only by undocumented students but by USC students who come from mixed families
- Believe that prejudice and discrimination of immigrants is everyone's concern
- Believe that undocumented students raised in the United States want to stay and realize the "American dream."
- Create opportunities to reduce hate and to make NEIU a welcoming and safe environment
- Be flexible when possible regarding course and program requirements
- Get to know specific students so you can write effective letters of recommendation that will help them with:
 - Scholarships
 - Other financial resources
 - Graduate Programs

Assessment of Outcomes



- Since the programs inception we have conducted 3 Ally Training Programs and 85 faculty and staff members from the entire campus have completed the program.
- Assessment is on-going.
- The results have demonstrated that there is an increase in knowledge and awareness of undocumented student issues and policies affecting them.
- We will be conducting additional assessment throughout the school year to determine how the program has improved relationships between faculty and staff and undocumented students.
- The Undocumented Student Project committee has been created to continue working on addressing issues affecting the undocumented student population at Northeastern.

Questions?

