

EDUCATIONAL RESOURCE BINDER

College Access for Undocumented
Students in California

INTRODUCTION

Immigrants Rising is deeply committed to empowering undocumented young people on their college and career paths through personal, institutional, and policy transformation. However, we know that navigating higher education without the proper information and resources can be extremely challenging. That's why we must work together as educators, students, and allies to expand educational pathways and remove institutional barriers for all undocumented students. This binder contains the tools you need to make this goal a reality.

The **Educational Resource Binder: College Access for Undocumented Students in California** is an all-inclusive collection of relevant, insightful, and up-to-date resources for educators supporting undocumented students in higher education. What makes this binder so invaluable is that each resource was developed in direct response to questions posed by undocumented students and the educators who serve them.

This new and updated electronic version of our binder is super easy to navigate! Use the Table of Contents to jump directly to any resource. To navigate between topics, click on "Return to Table of Contents" on the header of any resource page. Additionally, each resource is available on our website. When viewing the resources from our website, you can click on all embedded links, share them with others, or add them to [your own website](#).

The Educational Resource Binder has 10 different sections:

1. **Introduction** builds the purpose and audience of the Educational Resource Binder, including how Immigrants Rising defines the term "undocumented".
2. **Educator Picks** highlight our most relevant materials such as the Quick Guide to College Access and Top Ten Ways to Support Undocumented Students.
3. **Understanding the Undocumented Experience** offers powerful insights about the undocumented identity through impactful videos and movies made by undocumented young people, as well as national research that provides context and useful statistics.

4. **In State Tuition and Residency** helps students and educators understand the eligibility requirements for AB 540/SB 68 and provides tools to help students track their progress.
5. **California Dream Act** includes a map outlining the financial aid application process from beginning to end, as well as helpful resources to ensure students don't leave financial aid on the table.
6. **Applying to College** includes guides to the CSU & UC, as well as an overview of admissions policies on a national scale.
7. **Applying for Scholarships and Fellowships** highlights over 500 opportunities for financial support, regardless of immigration status.
8. **Institutional Practices to Support Undocumented Students** includes key resources to help educators and administrators strengthen their websites, form a task force, and build undocumented support services on your campus.
9. **FERPA and Student Safety** contains invaluable resources and directives about how colleges and universities can and must protect student data.
10. **Career and Income Generating Opportunities** provides excellent materials about how to become an entrepreneur and earn income, even without a work permit.

BONUS: Immigrants Rising Services includes flyers to promote all the amazing services we provide such as the Immigration Legal Intake Service, the Mental Health Connector, our In-State Tuition Tool, and more.

We hope that you are able to use something from this binder every day that makes it a little bit easier for undocumented students to thrive in higher education! We all deserve the freedom to pursue our dreams without constraint.

We are full of appreciation for everyone involved in creating this binder! And a huge shout out to all of you who are working hard every day to increase access and success for undocumented students in California and across the nation!

Nancy Jodaitis, Editor

UNDOCUMENTED

Entered without Inspection	Entered with Legal Status but Overstayed	Deferred Action for Childhood Arrivals (DACA)	Currently in the Process of Legalizing	Vulnerable Immigrants
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WHO IS INCLUDED IN THE TERM “UNDOCUMENTED”?

We define the term “undocumented” broadly to include **all immigrants who reside in the United States without legal status**. This includes individuals who:

- 1. Entered without Inspection** (also known as “EWI”)

Individuals who entered the United States without presenting themselves for inspection at an official checkpoint to obtain permission to enter the country (e.g. crossing the border without inspection).
- 2. Entered with Legal Status but Overstayed**

Individuals who entered the United States with legal status (e.g. student visa) and then remained in the country after their ‘duration of status’ date (found on their I-94) or after their visa expired.
- 3. Have or Previously Had Deferred Action for Childhood Arrivals (DACA)**

Individuals who have been granted temporary reprieve from deportation through the federal government’s Deferred Action for Childhood Arrivals (DACA) program. Additionally, individuals who had DACA in the past, or will be eligible to request DACA later if the program is fully reinstated.
- 4. Are Currently in the Process of Legalizing**

Individuals who are pursuing legalization (e.g. U.S. Citizen Spouse Petition or U-visa pending, etc.) but currently have no legal status.
- 5. Vulnerable Immigrants**

Individuals whose immigration status is in ‘limbo’ or puts them ‘at-risk’ for being targeted by immigration enforcement. This could occur due to many factors, such as politics (e.g. TPS program was at risk of being canceled due to the Trump Administration’s shift in the policy), to U-visa recipients who cannot adjust their status due to personal circumstances (e.g. lack of funds, missing a deadline)

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: immigrantsrising.org.

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EDUCATOR PICKS

A Note to Undocumented Students

You can still go to college in California even with the current political climate. Keep in mind:

- **In-state tuition eligibility has expanded**

You may qualify for lower tuition cost even if you didn't attend 3 years of high school in California. Check if you qualify with our In-State Tuition Tool: immigrantsrising.org/istt

- **CA Dream Act is still in place**

Submit your application before March 2nd at caldreamact.org.
Learn more: immigrantsrising.org/cadreamact

- **Scholarships are always available**

Scholarships can help you cover the cost of attending college. Our scholarship resources are open to undocumented students regardless of immigration status: immigrantsrising.org/scholarshiphelp

Keep going. You are not alone.



QUICK GUIDE TO COLLEGE ACCESS FOR UNDOCUMENTED STUDENTS IN CALIFORNIA

AB 540/SB 68: IN-STATE TUITION & RESIDENCY REQUIREMENTS

[In-State Tuition vs CA Dream Act vs DACA](#)

Understand the differences between CA In-State Tuition (AB 540/AB 2000/SB 68), CA Dream Act, and DACA, including their implications for tuition and financial aid.

[Submitting AB 540/SB 68 Affidavit](#)

Use this form to apply for AB 540/SB 68 status & be exempt from non-resident fees at CA public colleges & universities.

[AB 540/SB 68 Quick Guide & Attendance Worksheet](#)

Learn how in-state tuition eligibility has expanded to include community colleges (credit/noncredit) & adult schools in CA. This could allow you to pay resident fees at CCCs, CSUs & UCs, as well as apply for the CA Dream Act.

[CA Residency for Tuition Purposes](#)

Learn how California residency and AB 540/SB 68 affect the amount of tuition that you pay at CA public colleges & universities.

CALIFORNIA DREAM ACT & STATE-BASED FINANCIAL AID

[Types of CA State Financial Aid available through the CA Dream Act](#)

Find out what kinds of financial aid and institutional scholarships you can apply for through the CA Dream Act. You must be eligible for AB540/SB68 or hold TPS or U-Visa. You must also meet the income guidelines, apply by the priority deadlines, and complete all necessary paperwork on time.

[FAFSA vs CA Dream Act: Apply to the Correct Financial Aid](#)

Have questions about which financial aid application you should fill out? Use this chart to be sure you complete the proper application and receive all CA state financial aid for which you are eligible.

[CA Dream Act Map](#)

Understand the four phases required to successfully complete the California Dream Act application and receive the maximum amount of aid for which you are eligible. Priority deadline is March 2nd of every year!

IDEAL TIMELINE TO APPLY FOR CA DREAM ACT

- Review this timeline and stay on track
- Use the tools prepared for each phase
- Every phase must be completed to ensure that you get the aid

1	APPLY FOR THE CA DREAM ACT October 1 - March 2
2	APPLY FOR THE CAL GRANT October 1 - March 2
3	CLAIM YOUR FINANCIAL AID March - May
4	USE YOUR FINANCIAL AID May - September

STEPS TO APPLY FOR CA DREAM ACT

[Phase 1. Apply for CA Dream Act - October 1 - March 2 Checklist for the 2022-23 CA Dream Application](#)

Applying for the CA Dream Act is only the first step to receiving state-based financial aid. This checklist helps you successfully apply for and be considered for all state financial aid.

[Phase 2. Apply for Cal Grant - October 1 - March 2 Checklist to Apply for the 2022-23 Cal Grant](#)

Use this checklist to successfully apply for the Cal Grant. Too many students forget this step and miss out on financial aid they are eligible for!

[Phase 3. Claim Your Aid - March - May Verifying Your Income for the CA Dream Act Application](#)

Don't let income verification stop you from receiving your financial aid. Understand the necessary documentation you must provide and requirements for dependent versus independent students and tax filers versus non-tax filers.

[Phase 4. Use your Aid - May - September Selective Service and CA Dream Act](#)

Are you a male between the age of 18 and 25 years old? Be sure to register for the selective service and show proof to your college or university. You may not receive your financial aid if you miss this step. We've also included information for individuals who are over 25, but never registered.

SCHOLARSHIPS THAT DO NOT REQUIRE PROOF OF CITIZENSHIP

List of [undergraduate](#) and [graduate](#) scholarships that don't require proof of citizenship or legal permanent residency

All undocumented students in California can go to college and receive private or institutional scholarship—even if they don't meet eligibility for AB 540/SB 68 or the CA Dream Act. Find and apply for scholarships!

[Scholarship Search Chart](#)

Identify and create a game plan for all the scholarships you plan to apply for.

[Building Your Scholarship Essay](#)

Use this worksheet to get started building a strong scholarship essay.

OTHER RESOURCES

[CCOP's CA Undocumented Student Resource Map](#)

Find available support at a CA college or university near you.

[Spark Entrepreneurship Learning Hub](#)

Learn how to earn income, regardless of your immigration status.

For a full list of our resources, visit immigrantsrising.org

Scan the QR code to access all the resources listed above.





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

JURISDICTION	STATE OF CALIFORNIA		FEDERAL	
Policy	In-State Tuition	CA Dream Act (Financial Aid)		Deferred Action for Childhood Arrivals (DACA)
Law	AB 540, as amended by SB 68 and other laws	AB 130	AB 131	Executive Memorandum
What It Does	<ul style="list-style-type: none"> SB 68 expands AB 540 & AB 2000 to exempt more students from out-of-state tuition fees Makes students eligible to apply for financial aid under the CA Dream Act 	Opens certain scholarships administered by public institutions to AB 540/SB 68 students	Opens state-funded grants (including Cal grants, State grants, UC Grants & the CA College Promise Grant) and state programs (EOP & EOPS) to AB 540/SB 68 students	Allows individuals to receive: <ul style="list-style-type: none"> Employment authorization card and valid Social Security Number Temporary Relief from Deportation/Removal
What It Does Not Do	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"> Does not provide a path to lawful permanent residence, or citizenship Does not give eligibility for federal financial aid awarded through FAFSA
Who Can Apply	Undocumented & DACAmented individuals, T and U visa holders, US citizens, & lawfully present immigrants that meet eligibility criteria. <i>NOTE: Students with non-immigrant status (other than T or U visas) are not eligible under this pathway.</i>	AB 540/SB 68 eligible individuals who are undocumented, DACAmented individuals, T and U Visa holders, U.S. citizens, and lawfully present immigrants who meet eligibility criteria. <i>NOTE: Students with non-immigrant status (other than T or U visas) are not eligible under this pathway</i>		Currently, only individuals who had DACA in the past may submit a DACA renewal application. <i>NOTE: People should speak with a legal services provider if they have questions about their specific situation.</i>
Eligibility Requirements	<p>Student must complete both A & B</p> <p>Part A: Attend three years full-time or the equivalent credits at a CA High School, Adult School, Community College (credit or noncredit), or any combination of the above <i>NOTE: Maximum attendance for credit classes at a CCC is two years</i></p> <p>OR Three years of high school coursework and three years of total attendance in a CA elementary school or secondary school</p> <p>OR any combination of the two.</p> <p>Part B: Graduate from a CA high school; obtain a certificate of completion, GED, Hi-Set or TASC in CA; or attain an Associate's degree from a CCC or fulfill minimum transfer requirements for UC or CSU</p>	<p>Student must meet:</p> <ul style="list-style-type: none"> AB 540/SB 68 eligibility Individual scholarship requirements 	<p>Student must meet:</p> <ul style="list-style-type: none"> AB 540/SB 68 eligibility Priority filing deadline income guidelines GPA & other Cal grant eligibility Program requirements for EOP or EOP&S 	<p>For DACA eligibility, please go to ilrc.org/daca or uscis.gov</p> <p>For more information about renewing your DACA, use our Steps to Renew DACA flyer at immigrantsrising.org/renewdaca</p> <p>For DACA updates, go to immigrantsrising.org/daca</p>

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org

9. Build Agency and Power

- Help students start a group/club to raise awareness about immigration issues.
- Inform students about their rights: ilrc.org and nilc.org.
- Connect students to culturally competent and responsive mental/emotional health services: immigrantsrising.org/mentalhealth.
- Educate students about how other marginalized groups have organized against their marginalization.
- Build faith—a sense of agency and a belief that things will change for the better.

10. Create Spaces for Storytelling and Creative Expression

- Encourage students to share their stories (when safe).
- Create space for students to build their own meaning and identity separate from the negative stigma and stereotypes about undocumented immigrants.
- Watch and share these videos: immigrantsrising.org/resource/videos-highlighting-undocumented-experience.
- Explore the Storyteller's Bill of Rights and Principles of Trust with your students: immigrantsrising.org/storytelling/bill-of-rights.
- Share stories and creative works by undocumented young people: immigrantsrising.org/stories and thingsillneversay.org.
- Support undocumented artists: tinyurl.com/images-by-dreamers.

About Immigrants Rising

Founded in 2006, Immigrants Rising transforms individuals and fuels broader changes. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and their community. Immigrants Rising is a fiscally-sponsored project of Community Initiatives.

For more information, visit immigrantsrising.org



TOP 10 WAYS TO SUPPORT UNDOCUMENTED STUDENTS

1. Engage with an Open Mind

- When supporting undocumented students, it's important to know that there won't be a single answer or path for all students. Support requires ongoing investigation and collaboration with others. When you don't know something, work with students to find answers so that you can share them with other students and colleagues.

2. Create a Safe Space

- Don't ask undocumented students to self-identify.
- Make resources easily available for all students.
- Understand that trust takes time.
- Be mindful of your language. Ask students how they would like to be identified. Never use "I" word. Avoid terms like terms like "alien" or "illegal immigration".
- Do all you can to identify yourself as an ally/supporter; use posters, bookmarks, and stickers to make your support visible.
- Use Immigrants Rising's Inclusivity Posters to prompt a discussion about immigration and the importance of classroom agreements and norms: immigrantsrising.org/inclusivity-poster.

3. Learn about Relevant Institutional Policies & Legislation

- Understand admissions and enrollment policies for undocumented students.
- Learn in-state tuition and state-based aid laws for undocumented students: higheredimmigrationportal.org and nilc.org/issues/education/basic-facts-instate.
- Stay up-to-date on the status of Deferred Action for Childhood Arrivals (DACA). Encourage eligible youth to contact a legal services provider prior to renewing: immigrantsrising.org/RenewDACA.
- Research local and statewide immigration-related policies that affect your students and their families.
- Keep informed about proposed legislation related to immigration policies.

4. Find & Advocate for Scholarships and Financial Support

- Promote a scholarship culture with Immigrants Rising's "Applying for Scholarships" resource: immigrantsrising.org/scholarshiphelp.
- Help students keep track of and apply for as many scholarships as possible. Share Immigrants Rising's Lists of Scholarships that don't require proof of citizenship or legal permanent residency: immigrantsrising.org/resource/undergraduate-scholarships and immigrantsrising.org/resource/graduate-scholarships.
- Advocate for scholarship providers to consider and support undocumented students.

5. Build Your Own Educator Network

- Build relationships and collaborate with other educators at your school or district.
- Reach out to educators at local colleges who are supportive of undocumented students.
- Add your name to Immigrants Rising's mailing list to learn about new resources, webinars and educator gatherings: immigrantsrising.org.
- Connect to DEEP's National Educator Network and Campaigns: unitedwedream.org/education-justice.

6. Connect Students to Undocumented Community Leaders and Role Models

- Visit MyUndocumentedLife.org, DefineAmerican.com and PHDreamers.org.
- Find and connect students to local, state or national undocumented youth advocacy organizations.
- Identify older undocumented students who can serve as role models.

7. Involve Parents

- Educate parents about why undocumented students should pursue college.
- Encourage and support good communication between students and parents. Invite parents into the college application and enrollment process.

8. Access Reputable Legal Information & Assistance

- Identify reputable, affordable legal service providers in your area: immigrationlawhelp.org.
- Encourage students to use Immigrants Rising's free, anonymous, and online Immigration Legal Intake Service to learn about their possible immigration options: immigrantsrising.org/legalintake.
- Refer students to Immigrants Rising's BeyondDACA.org.

#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](#)

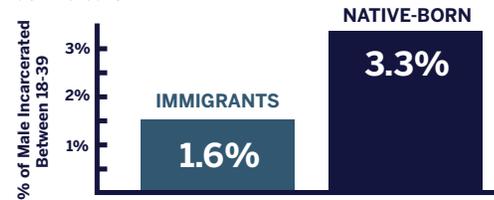


Asians are the fastest growing population of undocumented immigrants.

Source: [Migration Policy Institute](#)

Immigrants commit less crime than the native-born population.

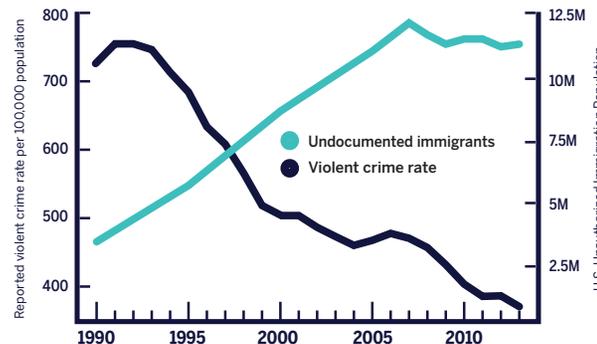
Immigrants are less likely than the native-born to be behind bars.



Source: [U.S. Census and American Community Survey](#)

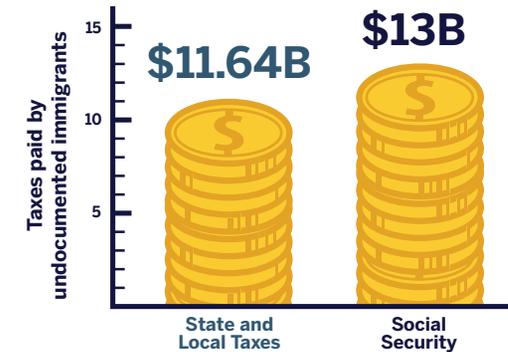
Higher immigration is associated with lower crime rates

- 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](#)

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](#)



UNDOCU-IMMIGRANT MENTAL HEALTH GROUNDING & SELF-CARE TOOLKIT

Practical Ways to Decrease Stress & Anxiety in Any Situation

Mindfulness & Meditation

Meditation reduces stress and anxiety, develops awareness of the breath and body, and helps the mind focus on the present moment.

Grounding

Grounding is a quick and effective way to reduce the intensity of emotions and anxiety. Use your five senses to soothe and reset your nervous system: Sight, Hearing, Smell, Taste, and Touch.

TRY IT: Notice 3 things that you see, hear, smell, taste, and feel.

Breathing Exercises

Deep breathing increases the supply of oxygen to your brain and stimulates the parasympathetic nervous system, which promotes a state of physical and emotional calmness/soothness.

Check out [Breathing Bubble](https://youtu.be/iaQed_Xdyvw), a guided breathing exercise, at youtu.be/iaQed_Xdyvw.

TRY IT: Inhale deep and slowly for 5 seconds; exhale completely for 5 seconds. Repeat 4 times or as many times you need.

Name Your Triggers

A trigger is a reminder of a past or current trauma that causes an intense physical, emotional, cognitive, or interpersonal response.

1. What is one thing in my environment that is causing me to experience an intense emotional or physical response? (e.g. watching the news)

2. How does this emotional or physical response show up up in my body? (e.g. bodily sensation like having sweaty palms)

3. How does this emotional or physical response manifest in my body, mind, spirit, behaviors, relationships? (e.g. hair loss, feeling annoyed or worried)

4. How do I cope with this emotional or physical response? (e.g. breathe, remove myself from the trigger, go shopping, drink, etc)



UNDOCUMENTED MENTAL HEALTH GROUNDING & SELF-CARE TOOLKIT

Journal

The practice of using words to describe emotions and experiences can be cathartic and may provide emotional, spiritual, and physical relief.

How am I feeling right now?

What do I need in this moment (body/mind/spirit)?

Next Steps

Reach out for Support: Who can I talk to when I'm really stressed out that will listen without judgement and that makes me feel safe?

At home: _____

At school: _____

→ Contact information of my college's health or wellness center: _____

In my community: _____

Additional Resources



Immigrants Rising's Mental Health Connector provides undocumented young people with psychological support, allowing you to access your strengths and resiliency in order to achieve your personal goals and healing. This service is eligible to all who reside in California and are comfortable conversing in English. Learn more at immigrantsrising.org/MHC.



Immigrants Rising's Wellness Gatherings help undocumented young people stay grounded and connected to one another. These virtual gatherings are open to all who self-identify as undocumented or have DACA, TPS or refugee immigration status. Learn more at immigrantsrising.org/wellness.

This resource was co-created by Liliana Campos at Immigrants Rising, Christina Fuller at Santa Monica College, Michelle Segura at Los Angeles Trade Technical College, and Carolina Yernazian at Los Angeles City College.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: www.immigrantsrising.org. For inquiries regarding this resource, please contact Liliana Campos, Mental Health Advocate, at lilly@immigrantsrising.org.

HOW TO GET STARTED

It is important to find an immigration attorney (either in private practice or at a non-profit) or Department of Justice (“DOJ”) accredited representative (at a nonprofit organization) who can adequately consult and represent you, especially if you have a complex case. There are two common ways to find an immigration attorney or accredited representative to meet your needs:

Non-Profit Legal Service Agencies

Immigration non-profit agencies offer free or low-cost help to community members. These organizations often have staff that are experts in their fields.

However, non-profit agencies often have many clients and limited resources. This can lead to the non-profit imposing certain limitations on clients. These limitations can include: only taking local clients, limiting services to clients that meet certain requirements (e.g. income level), or generally taking longer to get through a client’s case.

To find immigration non-profit legal help service agencies near you, visit: [ImmigrationLawHelp.org](https://www.immigrationlawhelp.org)

Private Immigration Attorneys

Private immigration attorneys are often able to take on a wide range of cases. They also have more time to discuss and update their clients on their specific cases.

Unfortunately, the greater attention often comes at a higher cost. Private immigration attorneys offer their services at a higher price than non-profit agencies. It is important to research a private immigration attorney’s background to make sure they are a good attorney and a good fit for your case.

To find a list of private immigration attorneys, visit: [aialawyer.org](https://www.aialawyer.org).

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: [immigrantsrising.org](https://www.immigrantsrising.org). For inquiries regarding this resource, please contact Denia Pérez, Legal Services Manager, at legalintake@immigrantsrising.org.

GETTING LEGAL HELP

FIVE TIPS FOR OBTAINING A GOOD PRIVATE IMMIGRATION ATTORNEY

When it comes to hiring a private immigration attorney, research is key. Below are five tips for finding a good private immigration attorney:

1 GET REFERENCES

Ask family, friends, or colleagues if they know any immigration lawyers. Even if they have not been through the process themselves, they may be able to connect you with someone they know who has retained the services of an immigration lawyer. People are quick to recommend a good lawyer and even quicker to name a poor one, which can be a great help when you are beginning your search.

Questions to ask:

- *Is there an immigration lawyer that you would recommend? If not, do you know of anyone I can speak with to get a recommendation?*
- *What did you like about that immigration lawyer?*

2 SEARCH AILA

Search for a lawyer on the [American Immigration Lawyers Association \(AILA\) website](#). AILA is a national association of lawyers and attorneys who teach and practice immigration law, so you can be reasonably certain you are dealing with someone who understands immigration law and policies. If you are starting your research from scratch, you can search for a lawyer in your area. If you have been given the names of a few lawyers, you can look them up to see if they are members. While membership in AILA is not a requirement to practice immigration law, membership can be a good sign of a lawyer's level of commitment to the practice.

3 INTERVIEW YOUR SHORT LIST

Interview potential lawyers to find one who matches your needs. Ask them if they have any experience with your type of case. Immigration law is a huge specialty, so you'll want a lawyer who is familiar with your type of case.

Questions to ask:

- *Do you have experience with cases like mine?*
- *How long have you been practicing immigration law?*
- *What is the best way to contact you throughout the case? (email/phone/appointment)*
- *Do you have a list of client referrals that I may contact?*

4 COMPARE FEES

Lawyers have different fees with different expectations and dates of how costs and fees are reimbursed/paid. Make sure you understand if your lawyer charges a flat fee or by the hour.

Questions to ask:

- *Do you charge an hourly rate or a flat fee?*
- *Will I be responsible for other costs such as postage and printing?*
- *When will payments be due?*
- *Do you offer a payment plan?*

5 AUTHENTICATE

Make sure that you are engaging with a licensed attorney that is in good standing. You can check this by contacting your local state bar. It can be dangerous to work with unlicensed individuals (e.g. "visa consultant," "notario") who say they are experienced. Finally, gauge the capability and professionalism of the lawyer. Be wary of any immigration attorneys who solicit business (unethical behavior) or suggest illegal conduct to you. Such action is not allowed under the ethical code for lawyers, and oftentimes is a reflection of the poor quality of service that those lawyers will provide.

Look out for:

- *Unrealistic promises (e.g. guaranteeing you will win your case)*
- *Attorneys that give unethical advice or make illegal offers (e.g. destroying evidence)*
- *Attorneys that approach you at USCIS or other immigration offices*
- *"Visa consultant," "notario," or "petition preparer"*

GUIDE FOR UNDOCUMENTED INDIVIDUALS TRAVELING IN THE U.S.

Introduction

Traveling in the U.S. can be a stressful process for anyone—even more so if you're undocumented! But it doesn't have to be complicated. If you're thinking of traveling as an undocumented person (with or without DACA) and are curious about how to travel safely, read on. Safe travels, undocu-travelers!

Note: This document is not intended to serve as legal advice and is not a substitute for obtaining legal advice from a qualified attorney.

Domestic Flights

All travelers flying on a domestic flight must present a valid (unexpired) photo ID issued by the state or federal government. Undocumented individuals may use the following forms of ID accepted by TSA:

- State photo identity card
- State driver's license
- Military ID
- Foreign passport (must be unexpired!)
- U.S. Citizenship and Immigration Service Employment Authorization Card
- Trusted traveler cards such as the NEXUS, SENTRI and FAST cards issued by the Department of Homeland Security ("DHS")
- Border-crossing cards
- Native American tribal ID cards
- Airline or airport photo ID cards issued in compliance with TSA regulations and transportation worker ID credential

For a full list of TSA-acceptable forms of ID [click here](#).

FAQ Regarding Domestic Flights

1. What is considered a "domestic flight" in the U.S.?

In the U.S., a domestic flight is a flight made within the country's boundaries. In other words, a domestic flight is within the U.S. without any layover or destination in another country. For example, a flight departing from Miami, Florida and arriving in Seattle, Washington is considered a domestic flight.

2. Can I fly to Hawaii or Alaska as an undocumented traveler?

Traveling to Hawaii or Alaska is considered a domestic flight. Both Hawaii and Alaska are states of the U.S. Therefore, flying to either destination follows the same

Preparing for Your Domestic Flight

1. Have identification ready.

Make sure that when you book your flight, the name on your ticket is an exact match with the ID you will be using.

2. Secure your devices.

The government is allowed to ask you for your phone, but you do not have to provide your password. Keep your information secure; protect your devices with a number or word security password (as opposed to a pattern or a fingerprint).

3. Develop a safety plan.

In case you get stopped, designate at least 2 people to have access to your important documents, and contact info for your attorney/community organizations and family/friends. Share your flight info with them before traveling and discuss what to do in case anything goes wrong.

[TSA guidelines](#) as traveling to any other state in the country. **IMPORTANT:** When traveling, ensure that you do not have a layover in another country.

3. Do I need to have a REAL ID License to board?

No. If you plan to use a state license to board an airplane, a REAL ID compliant license will not be required until May 3, 2023. Please note that even if you do not have a REAL ID, you can use another form of identification, such as a valid (unexpired) foreign passport¹. See Page 1 for a list of alternative identifications that can be used.

Note: For individuals in California, those who only qualify for the AB 60 driver's license are ineligible to receive a REAL ID driver's license.

4. Do I have to respond to the TSA/ICE/CBP agent's questions?

No, you have the right to remain silent under the Fifth Amendment. However, the refusal to answer questions may lead to prolonged questioning/detainment. When in doubt, do not answer questions about your citizenship or immigration status or sign any paperwork without the advice of a lawyer.

5. Can a TSA agent search my luggage and personal items?

TSA is only permitted to do "administrative searches" of passengers and their belongings, looking for prohibited items to ensure passengers' safety. "Criminal searches"

may be carried out only by law enforcement personnel, such as the FBI and state/local law enforcement officers, which may be called in by TSA at their discretion. For example, if TSA finds a prohibited item on a passenger's possession during screening, law enforcement officers may be called in.

6. Can a pilot order me off the plane?

Yes. The pilot of an airplane has the right to refuse to fly a passenger if he or she believes the passenger is a threat to the safety of the flight. However, the pilot's decision must be reasonable and based on observations of your actions, not stereotypes. If you are unfairly ordered off a plane, you can file a complaint with the airline or contact community organizations for support (e.g. ACLU).

7. (CA ONLY) Can I fly with an AB 60 License?

It is not recommended for an individual to fly with an AB 60 license (a driver's license available for undocumented individuals in California). TSA has been inconsistent regarding the acceptance of AB 60 licenses. TSA could use the license as a basis to stop someone, question them, and ultimately refer them to ICE for possible deportation/ removal hearings or immigration detention. Referral to ICE by TSA can happen even if the passenger is not traveling internationally.

8. Can I fly with a foreign passport or Employment Authorization Document Card?

Yes, as noted above, the list of approved identification to fly domestically includes foreign government-issued passports (must be valid) and/or a U.S. Citizenship and Immigration Services Employment Authorization Card (I-766). There have been reports of individuals who were not able to fly with these documents due to erroneous TSA agent denials. In such instances, inform the TSA agent that according to posted Transportation Security Administration guidelines, these are acceptable documents. Here is the link: tsa.gov/travel/security-screening/identification

We recommend that you review TSA's most up-to-date guidelines before your domestic flight.

Ground Transportation: Public Buses & Trains

There have been reports, especially during the Trump Administration, of Border Patrol agents conducting immigration checks without warrants on buses and trains, such as Greyhound and Amtrak. Although Customs Border Patrol (CBP) has publicly said that its agents are prohibited from boarding buses/trains and questioning passengers without warrants or a company's consent, it's a good idea for any passenger to be aware of the following rights:

- You have the **right to remain silent**.
- When in doubt, **do not answer questions** about your citizenship or immigration status or sign any paperwork without the advice of a lawyer. Do not lie - silence is often better.
- If you have valid immigration papers, you can provide them. **Never provide false documents**.
- You can **refuse a search** of your belongings by saying "I do not consent to a search."
- You have the **right to record** video of immigration agents.
- If you are stopped or searched, you have the right to ask for the officer's name / ID number.

FAQ Regarding Ground Transportation

1. Can I travel without a photo identification when using the local subway?

Photo identification isn't required when using the local subway systems within a metropolitan area. To travel beyond city limits (e.g. riding Amtrak) you need a valid photo identification.

2. Can I travel without a photo identification when using a bus?

To travel on a bus within a metropolitan area, all you need is a schedule and fare. To ride to locations that are further, (e.g. riding with Greyhound) you need a valid photo identification.

Ground Transportation: Driving

Like citizens, certain non-citizens may be eligible to drive legally. In some states, certain non-citizens are eligible to apply for a driver's license. Check your state's Department of Motor Vehicles (DMV) to determine if you are eligible to apply for a driver's license regardless of your immigration status. If you are stopped by either law enforcement or immigration enforcement while in your car, consider the following recommendations:

1. Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window part way, and place your hands on the wheel.
2. Upon request, show the police your driver's license, registration, and proof of insurance.
3. If an officer or immigration agent asks to search your car, you can refuse. However, if the police believe your car contains evidence of a crime, they can search it without your consent.
4. Both drivers and passengers have the right to remain silent. If you're a passenger, you can also ask if you're free to leave. If yes, silently leave.

FAQ Regarding Driving

1. Can the police ask me about my immigration status?

Yes. However, under the Fifth Amendment, you have the right to remain silent and do not have to answer questions about where you were born, whether you're a U.S. citizen, or how you entered the country. **Note:** separate rules apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers. If you're not a U.S. citizen and have valid immigration papers, show them if an immigration agent requests it. Do not lie about your citizenship status or provide fake documents.

2. What is a Border Patrol checkpoint?

The United States Border Patrol operates traffic checkpoints, including 33 permanent traffic checkpoints near the Mexico-United States border. Border Patrol can conduct checkpoints within 100 miles of the border. DHS sometimes enters buses or trains and asks for passengers' documents. Along these checkpoints, Border Patrol agents may stop a vehicle for brief questioning of its occupants even if there is no reason to believe that the particular vehicle contains undocumented individuals. Furthermore, Border Patrol agents have wide discretion to refer motorists selectively to a secondary inspection area for additional brief questioning.

3. (CA ONLY) Where are some checkpoints in California?

Below are some noted checkpoints within California. Be prepared. Plan your route of travel and check before traveling.

- **San Clemente:** located 7 miles south of San Clemente on Interstate 5.
- **Temecula:** located 24 miles north of Escondido on Interstate 15.
- **Highway 79:** located 1 mile west of Sunshine Summit.
- **I-8 West:** located 3 miles east of Pine Valley on Interstate 8.
- **Highway 94:** located 24 miles east of San Diego on California State Route 94.
- **Highway 78/86:** located just south of the intersection of California State Routes 78 and 86, just west of the Salton Sea, controlling northbound traffic only.
- **Highway 111:** located between Niland and Bombay Beach.
- **Highway S2:** located 7 miles north of Ocotillo and I-8

in eastern San Diego County on S2 (Imperial Hwy/ Sweeney Pass Road) between I-8 and State Route 78.

Traveling to U.S. Territories

Undocumented individuals who hold a temporary protection (e.g. TPS/DACA-recipients) may travel to the U.S. Territories without Advance Parole. However, it's important to know where and how to safely travel overseas to the U.S. Territories.

IMPORTANT: Travelling to the U.S Territories without DACA, even though a person has never technically left the U.S., could result in a referral to ICE for removal.

Preparing for Your Travel to U.S. Territories

1. Make sure your DACA is valid during your ENTIRE time abroad.

Do NOT allow your DACA to expire during any of the time you are contemplating being outside the U.S. mainland, even if you have a renewal pending. Plan to be in the U.S. mainland before it expires with no chance of any gap.

2. Bring your USCIS documents showing your granted deferred status in order to facilitate your return.

Depending on where you travel, you may be subject to certain processes, including customs inspections. Having proof of your granted deferred status can help make this process go smoother.

3. Make sure there are NO layovers outside the U.S. states and territories.

It is critical to ensure that there will not be a planned or emergency landing in a foreign country. For example, if you are traveling to the U.S. Virgin Islands, make sure you do not enter the Dominican Republic, due to bad weather, natural disasters, etc. Similarly, while overseas, be aware of any boat trip that might accidentally result in you being outside of U.S. waters, which can jeopardize your return to the U.S. (An inspection doesn't always happen when someone exits the U.S. A savvy traveler will know their route and any possibility of diversion before they travel.)

You may also find the following information on the [U.S. Customs and Border Protection \(USCBP\) website](#) helpful.

¹ If you're traveling with an expired license or passport you may still be able to fly. Acceptable forms of ID cannot be more than 12 months past the identified expiration date. [See here](#) for more information.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Jesus Flores, Legal Services Coordinator, at legalintake@immigrantsrising.org.

UNDERSTANDING THE UNDOCUMENTED EXPERIENCE

Who Are Undocumented Students?

An undocumented student is a foreign national who: (1) entered the United States without inspection or with fraudulent documents; (2) entered legally as a nonimmigrant but then violated the terms of his or her status and remained in the United States without authorization; (3) has Deferred Action Childhood Arrival (“DACA”) status or has previously had DACA; or (4) is otherwise currently in the process of legalizing.

Most undocumented students:

- Have lived in the United States most of their lives
- Have learned English
- Have attended elementary, middle, and high school in the United States
- Have completed high school and want to pursue a college education
- Currently lack a way to become legal residents or citizens of the United States

The Undocumented Population

10.5 million	Undocumented immigrants of all ages live in the United States. ¹
840,000	Undocumented immigrants ages 18-24 live in the United States. ²
1.3 million	Undocumented youth in the United States are potentially eligible for the DACA federal policy directive, which provides deferral from deportation and a work permit. ³
92,000	Undocumented students who have lived in the United States for at least 5 years graduate from high school each year; only about 5 to 10 percent go on to college. ⁴
427,000	Undocumented immigrant youth and adult learners are enrolled in school (e.g. college) throughout the United States.⁵

State Demographics: California is the state with the largest number of undocumented immigrants (2.7 million). They represent 27% of all undocumented immigrants nationwide and 6% of the total CA population.⁶

Challenges Undocumented Students Face in Pursuing a College Education

Financial Obstacles

The primary obstacle for a college-bound undocumented student is financial. Based on current government policies, undocumented students cannot qualify for federal and most state-based financial aid, including grants, work study jobs, or loan programs. The cost of full-time enrollment at a public college or university ranges from \$15,000 to \$40,000 per year. Without financial aid, the costs of attending a college can often be prohibitive for undocumented students and their families.

¹ <https://www.pewresearch.org/fact-tank/2020/08/20/key-findings-about-u-s-immigrants/>.

² https://www.dhs.gov/sites/default/files/publications/immigration-statistics/Pop_Estimate/UnauthImmigrant/unauthorized_immigrant_population_estimates_2015_-_2018.pdf.

³ <https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles>.

⁴ <https://www.migrationpolicy.org/research/unauthorized-immigrants-graduate-us-high-schools>.

⁵ <https://www.presidentsalliance.org/undocumented-students-in-higher-education-updated-march-2021/>.

⁶ <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/CA>. See also, <http://www.pewhispanic.org/interactives/unauthorized-immigrants/> and <https://www.americanimmigrationcouncil.org/research/immigrants-in-california>.

In-State Tuition & Financial Aid

Generally, to receive the in-state tuition discount, undocumented students must attend a school in a state for a certain number of years and graduate from high school or obtain a GED in that state. The chart below shows tuition equity laws and policies that allow undocumented students to qualify for in-state tuition in their state of residence.

State Policies Affecting Undocumented Students in Higher Education⁷

States offering in-state tuition through legislation	California, Colorado, Connecticut, District of Columbia, Florida, Hawaii, Illinois, Kansas, Kentucky, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Rhode Island, Texas, Utah, Virginia, Washington
States offering state financial aid or institutional scholarships at public colleges or universities	California, Colorado, District of Columbia, Hawaii, Illinois, Maryland, Minnesota, New Jersey, New Mexico, New York, Oklahoma, Oregon, Texas, and Washington
States that provide DACA recipients with access to in-state tuition at some public institutions	Idaho, Maine, Massachusetts, Mississippi, and Ohio
States that provide access to at least some public institutions	Michigan, Arizona, Delaware, Indiana, Iowa, Nevada, and Pennsylvania
States that actively bar enrollment in all or certain public institutions <i>*may allow DACA</i>	Alabama*, Georgia*, Missouri, North Carolina, South Carolina*, Tennessee, and Wisconsin
States without explicit legislation on tuition or state financial aid	Alaska, Arkansas, Louisiana, Montana, North Dakota, South Dakota, Vermont, West Virginia, and Wyoming

Private Colleges and Universities

Private colleges and universities each have their own system of determining admissions for undocumented students. However, nationwide, a growing number of schools are developing policies for the admission and funding of undocumented students. While the costs of attending a private college or university are much higher than public institutions, they can also have broader financial aid packages based on merit and financial need. For more information, consult [Top 30 Highly Ranked Institutions](#).

Current Federal Policies Affecting Undocumented Students

Plyler vs. Doe

In 1982, this Supreme Court ruling determined that K-12 education is a fundamental and protected right and will be provided to all children in the United States, regardless of citizenship or residency status.⁸

Family Educational and Privacy Act (“FERPA”)

This federal law protects the privacy of student records at educational institutions, including elementary and secondary schools, colleges, and universities.⁹

⁷ <https://www.higheredimmigrationportal.org/states/>. See also, <https://www.nilc.org/wp-content/uploads/2017/10/table-access-to-ed-toolkit.pdf>.

⁸ <https://www.americanimmigrationcouncil.org/research/plyler-v-doe-public-education-immigrant-students>.

⁹ <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

Deferred Action for Childhood Arrivals (“DACA”)

Announced on June 15, 2012, this policy grants temporary administrative relief from deportation to undocumented young people. Individuals who are granted DACA are considered to be lawfully present in the United States and are eligible for work authorization and a social security number. DACA is a temporary program that can be renewed but falls short of granting undocumented young people a pathway to citizenship.¹⁰ On September 5, 2017, the Trump administration attempted to end DACA. A series of lawsuits that were filed against the administration for terminating the program unlawfully has resulted in the U.S. Supreme Court ruling to restore the DACA program. However, a July 2021 ruling in another lawsuit filed in the Texas district court has limited the DACA program yet again.¹¹ Only DACA renewals are currently being accepted at this time.¹²

Since September 2012, 912,137 people have applied for this temporary benefit.¹³

Affordable Care Act (“ACA”) Health Care Reform

Unfortunately undocumented immigrants (including DACA recipients) were excluded outright from federal health care reform. However, DACA recipients in California, who meet eligibility requirements, are now eligible for state-based health care programs, such as Medi-Cal.¹⁴

Current California State Policies Affecting Undocumented Students

Assembly Bill (“AB”) 540 as expanded by Senate Bill (SB) 68

This law allows certain non-resident students who complete at least three years of full-time attendance or the equivalent at a CA high school, adult school, or California Community College (credit & noncredit), and degree requirements to receive reduced in-state tuition at public colleges and universities.¹⁵

California Dream Act

This law, composed of AB 130 and AB 131, allows qualifying AB 540 students to access state and institutional funds to finance their college/university education. Students are able to access non-state funded scholarships directly through their colleges and state-funded financial aid.¹⁶

AB 1024

This law permits the California State Supreme Court to admit as an attorney any applicant that fulfills the requirements for admission to practice law, regardless of immigration status. AB 1024 makes California the first state to grant law licenses to undocumented aspiring attorneys if they meet all other eligibility requirements.¹⁷

SB 1159

This law requires all 40 licensing boards under the California Department of Consumer Affairs to consider applicants regardless of immigration status. In effect, SB 1159 allows undocumented individuals to obtain professional licenses.¹⁸

AB 2184

This law requires cities in California to accept a California driver’s license or identification number, individual taxpayer identification number, or municipal identification number in lieu of a social security number if the city otherwise requires a social security number for the issuance of a business license.¹⁹

¹⁰ <https://www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca>.

¹¹ <https://www.dhs.gov/news/2021/07/19/update-deferred-action-childhood-arrivals>.

¹² <https://www.nilc.org/issues/daca/>.

¹³ https://www.uscis.gov/sites/default/files/document/data/DACA_performancedata_fy2020_qtr2.pdf. See also, <https://www.npr.org/2017/11/16/564655140/oops-we-lost-your-daca-application>.

¹⁴ <https://www.nilc.org/issues/health-care/immigrantsshr/>.

¹⁵ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB68.

¹⁶ <https://dream.csac.ca.gov/>.

¹⁷ <https://cliniclegal.org/resources/professional-licenses-undocumented-immigrants>.

¹⁸ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201320140SB1159.

¹⁹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB2184.

SB 183

This law extends existing protection regarding equal rights and opportunities in postsecondary educational institutions in California from being subjected to discrimination on those bases of immigration status.²⁰

Resources for Additional Information

College Board	collegeboard.com
Immigrants Rising	immigrantsrising.org
Mexican American Legal Defense Education Fund	maldef.org
National Immigration Law Center	nilc.org
Pew Hispanic Center	pewhispanic.org
Presidents' Alliance on Higher Education & Immigration	presidentsalliance.org
Public Policy Institute of California	ppic.org
United We Dream	unitedwedream.org

About Us

Founded in 2006, **Immigrants Rising** transforms individuals and fuels broader changes. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and their community. Immigrants Rising is a fiscally-sponsored project of Community Initiatives. For more information, visit immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.

²⁰ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB183.

Undocumented Students in Higher Education

How Many Students are in U.S. Colleges and Universities, and Who Are They?

Executive Summary

As the U.S. Supreme Court weighs whether to maintain Deferred Action for Childhood Arrivals (DACA), the question around what the undocumented population in America looks like looms large. Research indicates that undocumented immigrants, including DACA recipients, are integral parts of their communities, paying taxes, starting businesses, and serving in key industries facing labor shortages.¹ The coronavirus disease 2019 (COVID-19) pandemic also demonstrates that undocumented immigrants are on the front lines in key industries, delivering essential services as workers in healthcare, agriculture, and food services.²

This report reveals that hundreds of thousands of undocumented immigrants in the U.S. are students enrolled in higher education, working to obtain degrees and going on to use those skills as significant contributors to our economy. Before now, there has never been a full analysis of how many undocumented students are pursuing higher education in the U.S. The findings in this report show impressive participation rates. The findings also establish a new and expansive definition of undocumented students by fully accounting for both immigrant youth and adult learners who are striving to pursue higher education.

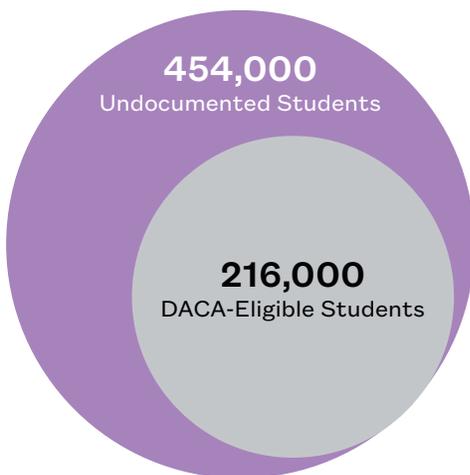
New estimates by New American Economy (NAE) drawn from the 2018 American Community Survey (ACS) indicate that undocumented students now account for **more than 450,000 or approximately 2 percent of all students in**

higher education in the U.S. Among undocumented students, students with DACA or who are eligible for DACA (hereafter referred to as “DACA-eligible”) constitute a subset of approximately 216,000 students or 1 percent of all students in higher education (Figure 1).³ The findings also reveal that most undocumented students pursuing postsecondary education in the U.S. do not have DACA, proportions that have only increased since the Trump administration announced the rescission of DACA on September 5, 2017,⁴ and a majority are not DACA-eligible.⁵

These findings underscore the urgency to ensure all undocumented students have access to work permits and protection from deportation, as well as a path to U.S. citizenship if they meet certain requirements. Finally, these findings also highlight the importance of extending in-state tuition to all undocumented students with state residency; providing equal opportunity to higher education for all; and helping all students, regardless of immigration status, reach their full potential.

FIGURE 1

Undocumented and DACA-Eligible Students in Postsecondary Education⁶



Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

UNDOCUMENTED STUDENTS IN HIGHER EDUCATION

When Did Undocumented Students Enrolled in Higher Education Come to the U.S.?

Most undocumented students enrolled in colleges and universities came to the U.S. as children or adolescents. They grew up and attended primary and/or high school in America. Among DACA-eligible students in colleges and universities, close to nine out of ten (89 percent) arrived as children (ages 0-12), while the rest (11 percent) arrived as adolescents (ages 10-16). Among all undocumented students, nearly half (47 percent) arrived before age 12, while 39 percent came between the ages of 13 and 21 (Figure 2).

Undocumented adult learners, who came to the U.S. as older adolescents or as adults, are also a portion of the undocumented student population striving to pursue higher education and contribute to their communities. The findings show that these individuals are part of the broader definition of undocumented students, which extends beyond Dreamers. These trends underscore the educational investments that both the students and their communities already have made and continue to make.

FIGURE 2

Undocumented & DACA-Eligible Students in Higher Education by Age of Arrival⁷

Age of Arrival	Undocumented College Students	DACA-Eligible College Students
Child (0-12)	47%	89%
Adolescent (13-21)	39%	11%
Adult (22+)	14%	0%

Note: To be DACA-eligible, an individual must have come to the U.S. before the age of 16.

Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

Undocumented Students in Higher Education by State

As with the overall undocumented population, undocumented students in higher education are concentrated in a small number of states, with a majority of students coming from five states (California, Texas, Florida, New York, and Illinois) and three-quarters of undocumented students coming from 11 states (California, Texas, Florida, New York, Illinois, New Jersey, Maryland, Georgia, Washington, Virginia, and North Carolina) (see Figure 3). Still, a significant number of undocumented students—more than 68,000—live in other U.S. states. Likewise, while the majority of DACA-eligible students are found in just 5 states—California, Texas, Florida, New York and Illinois—there are more than 48,000 DACA-eligible students in higher education in the rest of the country.

FIGURE 3

Undocumented and DACA-Eligible Students in Higher Education, 2018

	Number of Undocumented Students in Postsecondary Education	Share of Undocumented Students in Postsecondary Education	Number of DACA-Eligible Students in Postsecondary Education	Share of DACA-Eligible Students in Postsecondary Education
United States	454,000	2%	216,000	1%

Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

UNDOCUMENTED STUDENTS IN HIGHER EDUCATION
FIGURE 3 (CONTINUED)

State	Number of Undocumented Students in Postsecondary Education	Share of Undocumented Students in Postsecondary Education	Number of DACA-Eligible Students in Postsecondary Education	Share of DACA-Eligible Students in Postsecondary Education
California	92,000	3%	52,000	2%
Texas	66,000	4%	35,000	2%
Florida	42,000	3%	16,000	1%
New York	33,000	2%	10,000	1%
Illinois	21,000	2%	12,000	1%
New Jersey	20,000	3%	9,000	2%
Maryland	16,000	3%	*	1%
Georgia	15,000	2%	8,000	1%
Washington	13,000	3%	7,000	2%
Virginia	11,000	2%	*	1%
North Carolina	11,000	2%	*	1%
Arizona	9,000	2%	*	1%
Michigan	9,000	1%	*	0.5%
Pennsylvania	9,000	1%	*	0.4%
Massachusetts	8,000	1%	*	0.4%
Nevada	*	3%	*	2%
Utah	*	2%	*	1%
Colorado	*	2%	*	1%
Minnesota	*	1%	*	**
Connecticut	*	1%	*	1%
Oregon	*	1%	*	**
Louisiana	*	1%	*	**
Tennessee	*	1%	*	**
Indiana	*	1%	*	**
Ohio	*	0.5%	*	**
Other	33,000	**	24,000	**

* Sample size is too small to report totals for the state

** Sample size is too small to report the share for the state

Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

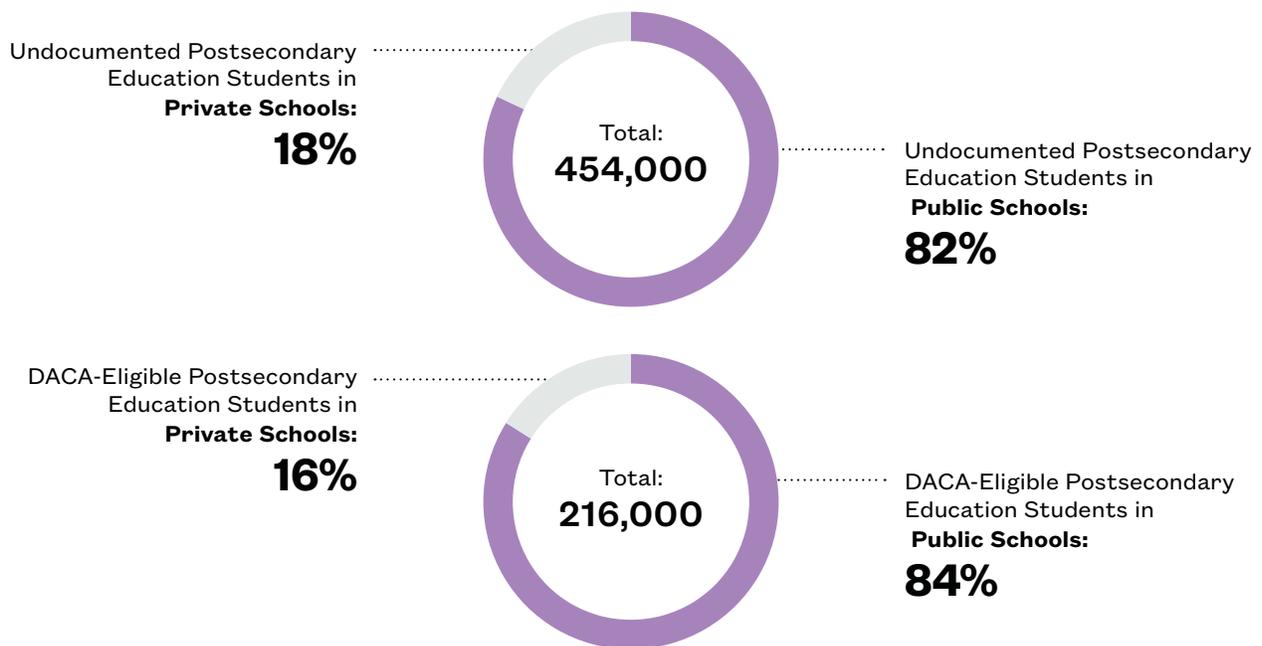
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Where are Undocumented Students Enrolled?

The overwhelming majority—82 percent—of undocumented students are enrolled in two- and four-year public colleges and universities, with many of these students attending community colleges.⁸ Meanwhile, close to 18 percent of all undocumented students are pursuing their education at private colleges and universities. Among the DACA-eligible student population, 84 percent are at public institutions, while close to 16 percent are private institutions (Figure 4).

FIGURE 4

Share of Undocumented Students in Public and Private Institutions of Higher Education



Note: Private schools include both non-profit and for-profit institutions.

Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

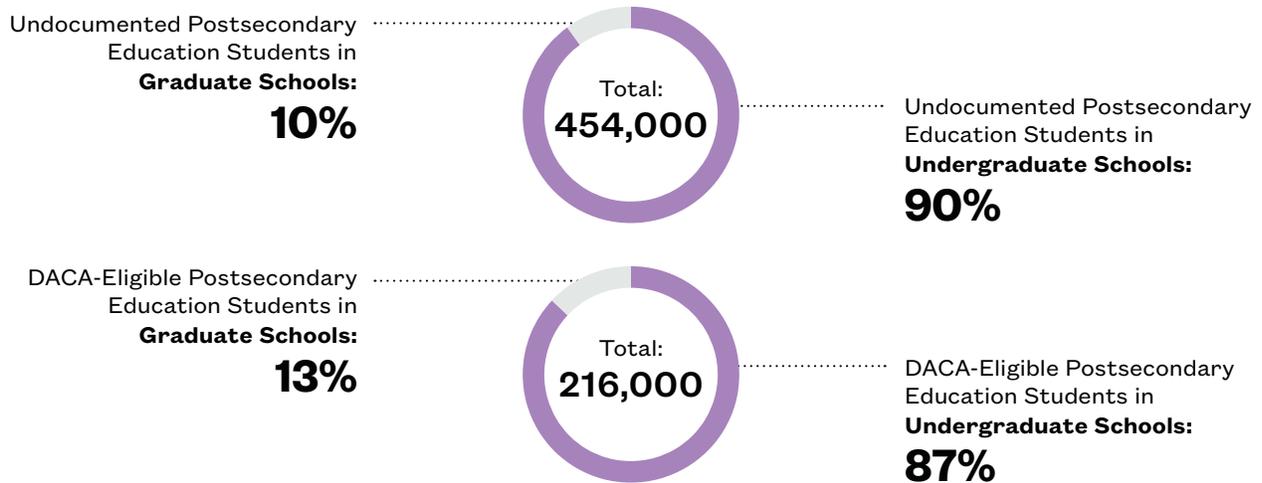
While most undocumented students are undergraduates, the data reveal that a sizable portion are pursuing advanced degrees. Among all undocumented students, 10 percent are pursuing graduate and professional degrees, while 13 percent of DACA-eligible students are pursuing graduate and professional degrees (Figure 5).

Many undocumented graduate students hold degrees in STEM fields, the fastest growing sectors in the country. In fact, 39 percent of undocumented students pursuing advanced degrees have an undergraduate STEM degree, with 43 percent of DACA-eligible students pursuing advanced degrees having an undergraduate STEM degree. Among all undocumented graduate students with a STEM undergraduate degree, 41 percent have a degree in healthcare-related field, an especially important finding as the COVID-19 crisis highlights the nation’s severe shortages across the healthcare industry, from physicians to home health aides. Among DACA-eligible students, that proportion increases to 46 percent.⁹

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FIGURE 5

Share of Undocumented Students in Undergraduate and Graduate Programs



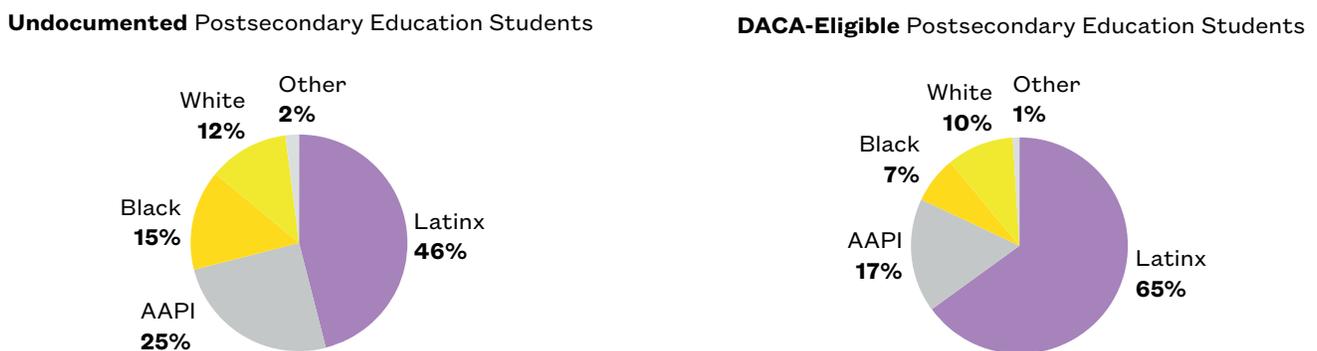
Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

Diversity of Undocumented Students in Higher Education

Undocumented students are a heterogenous population in higher education, reflecting the broad range of first-generation immigrants in the U.S. Hispanic/Latinx students account for approximately 46 percent of all undocumented students; Asian American and Pacific Islander (AAPI) students account for approximately 25 percent; Black students account for close to 15 percent; White students account for about 12 percent; and others, including biracial and multiracial students, account for about 2 percent. Among the DACA-eligible student population, 65 percent are Hispanic/Latinx, AAPI students make up approximately 17 percent, Black students make up about 7 percent; and White students make up nearly 10 percent (Figure 6).

FIGURE 6

Undocumented and DACA-Eligible Students in Higher Education by Race



Source: U.S. Census Bureau; American Community Survey, 2018 American Community Survey 1-Year Estimates.

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Conclusion

Increasing the number of college graduates fuels community and state economic growth and prosperity. For that reason, more than 40 states have established goals for postsecondary credential attainment, such as having 60 percent of state residents earn a college degree or other postsecondary credential by 2025 or 2030.¹⁰ To reach these goals and address acute skills shortages, states and higher education institutions will need to increase the recruitment, support, and retention of immigrant students, including undocumented students. Indeed, immigration over the past 40 years and the rise of immigrant students pursuing higher education have greatly contributed to college enrollments in the past decades while strengthening campus diversity.

The findings in this report show that far more undocumented students enroll in higher education than was previously thought.¹¹ In their pursuit of higher education, undocumented students actively ready themselves to fill critical skills shortages, including in healthcare, STEM fields, teaching, and business, and become better positioned to support their families, communities, and regional and national economies. U.S. colleges and universities serve as key generators of social and economic mobility for all undocumented students, especially DACA recipients, who have increasingly broad opportunities to utilize in-state tuition in states across the country.¹²

While undocumented students face numerous barriers to higher education (including ineligibility for federal financial aid), the extension of in-state tuition and state financial aid eligibility to undocumented students who meet state residency requirements and the advent of DACA have positively impacted college attendance. In 2001, Texas became the first state to extend access to in-state tuition and some financial aid to undocumented students based on state residency. Since then, a growing number of states have successfully expanded in-state tuition and financial aid to undocumented students.¹³ In 19 states and the District of Columbia, all undocumented students who meet state residency requirements have access to in-state tuition, regardless of DACA status. In 13 additional states, undocumented students, or in some instances only DACA recipients, who meet specific residency requirements have access to in-state tuition at the state, institutional, or system levels.¹⁴ Concurrently, other states have not passed inclusive policies or explicitly bar undocumented students from in-state tuition or even enrollment in certain public institutions, including Georgia.

For undocumented students, the differences among the states in terms of access to in-state tuition and in-state financial aid are crucial, impacting their ability to access and succeed in higher education. Almost half of the top 25 states listed in this report do not provide all undocumented students who meet state residency requirements access to in-state tuition at all public institutions, including Georgia, North Carolina, Arizona, Michigan, Pennsylvania, Massachusetts, Nevada, Indiana, Tennessee, Ohio, and Louisiana.¹⁵ Fourteen of the top 25 states do not provide access to state financial aid or scholarships to all undocumented students who meet state residency requirements: Maryland, Nevada, Florida, Georgia, Arizona, Virginia, North Carolina, Michigan, Massachusetts, Louisiana, Tennessee, Pennsylvania, Indiana, and Ohio.¹⁶

There is substantial evidence that policies that expand access to higher education to undocumented or DACA-eligible students result in increasing college enrollment for disadvantaged students while also bolstering local and state workforces. Studies have found that Hispanic/Latinx non-citizens living in states with in-state tuition policies are anywhere from 31 percent¹⁷

“The findings in this report show that far more undocumented students enroll in higher education than was previously thought. In their pursuit of higher education, undocumented students actively ready themselves to fill critical skills shortages.”

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to 54 percent¹⁸ more likely to be enrolled in higher education than their peers in other states. Research also shows that these policies reduce high school dropout rates among certain immigrant students by as much as 14 percent.¹⁹ The additional students who could potentially enroll and complete college as a result of expanded access would earn millions of dollars in additional income—translating into meaningful economic benefits for all Americans.

The findings in this report therefore are important for state educational goals and for higher education efforts to expand access and equity in higher education. In the current political context, these new estimates also point to the need to focus on the experiences, contributions, and potential of all undocumented students and not only on DACA recipients. These new estimates highlight the broader undocumented student population who contribute immensely to campuses across the country, and whose pursuit of higher education is vital to the future of this country.

“The additional students who could potentially enroll and complete college as a result of expanded access would earn millions of dollars in additional income—translating into meaningful economic benefits for all Americans.”

METHODOLOGY

Using the microdata of the 1-year sample from the 2018 American Community Survey (ACS), we first apply the methodological approach outlined by Harvard University economist George Borjas²⁰ to study the subset of the immigrant population that is likely to be undocumented students in postsecondary education. We then use a set of criteria to identify potential international students, based on factors such as school attendance, grade level, age, length of stay in the United States, and hours worked, and further exclude them from the group to arrive at our estimates about undocumented students.

Since DACA-eligible students is a subset of the total undocumented student population, we apply the guidelines for DACA from the U.S. Citizenship and Immigration Services (USCIS) to ACS microdata to restrict our data further. Further description of New America Economy’s methodology of identifying undocumented and DACA-eligible students can be found in our methodology report.

ENDNOTES

- 1 “Undocumented Immigrants,” New America Economy (NAE): <https://www.newamericaneconomy.org/issues/undocumented-immigrants>.
- 2 “Undocumented Immigrants and the Covid-19 Crisis,” New America Economy (NAE), (April 4, 2020): <https://research.newamericaneconomy.org/report/undocumented-immigrants-covid-19-crisis/>.
- 3 Total enrollment in fall 2018 was projected at about 19,828,000 students. For more information, please see: “Table 303.10: Total Fall Enrollment in Degree-Granting Postsecondary Institutions,” Digest of Education Statistics, National Center for Education Statistics (NCES): https://nces.ed.gov/programs/digest/d18/tables/dt18_303.10.asp.
- 4 Current Court injunctions in effect since January 2018 and through the publication of this report have only allowed for renewals of DACA by current or previous DACA recipients. They do not allow for new DACA applications.
- 5 To be eligible for DACA prior to September 5, 2017, young undocumented individuals must have arrived in the U.S. before the age of 16; lived continuously in the U.S. since June 15, 2007; be under the age of 31 as of June 15, 2012; have no felony, significant misdemeanor, or multiple misdemeanor convictions; and be in high school or a high school graduate or veteran, among other requirements. For more information on eligibility requirements for DACA, please see: <https://www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca>.

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ENDNOTES (CONTINUED)

- 6 In 2017, the Migration Policy Institute (MPI) estimated that approximately 18 percent (or 124,000) of then active DACA recipients were enrolled in postsecondary education, while 20 percent were enrolled in secondary education (138,000). For more information, please see: Jie Zong, Ariel G. Ruiz Soto, Jeanne Batalova, Juia Gelatt, and Randy Capps, "A Profile of Current DACA Recipients by Education, Industry, and Occupation," Migration Policy Institute (MPI), (November 2017): <https://www.migrationpolicy.org/research/profile-current-daca-recipients-education-industry-and-occupation>.
- 7 The age-of-arrival categories in Chart 2 represent an approximation of generational cohorts. Chart 2 extends the "Adolescent/Young Adult" category up to age 21 to account for GED and alternative high school programs, which accept older adolescents and young adults. These students may go on to community colleges. For more information, please see: Rubén G. Rumabut, "Ages, Life Stages, and Generational Cohorts: Decomposing the Immigrant First and Second Generations in the United States," *International Migration Review*, Vol. 38, No. 3, pp. 1160-1205, (Fall 2004): <https://ssrn.com/abstract=1887924>.
- 8 For instance, an estimated 50,000 to 70,000 undocumented students in California are enrolled in the state's community colleges. For more information, please see: "California Community Colleges Dreamers Project: Strengthening Institutional Practices to Support Undocumented Students," Immigrants Rising, et al., (2019): https://immigrantsrising.org/wp-content/uploads/Immigrants-Rising_CCC-Dreamers-Project_Full-Report.pdf.
- 9 STEM fields include those categorized as STEM fields by Department of Homeland Security's (2016) STEM Designated Degree Program List and nursing fields as defined by U.S. Census Bureau; American Community Survey, 2018.
- 10 For more information, please see: "Tracking America's Progress Toward 2025," *A Stronger Nation: Learning Beyond High School Builds American Talent*, Lumina Foundation, (February 10, 2020): <http://strongernation.luminafoundation.org/report/2020/#nation>.
- 11 In 2019, the Migration Policy Institute (MPI) updated the widely used estimate from 2003 that 65,000 undocumented students graduate from U.S. high schools annually, showing that the actual number was now approximately 98,000 undocumented students annually. For more information, see: Jie Zong and Jeanne Batalova, "How Many Unauthorized Immigrants Graduate from U.S. High Schools Annually?" Migration Policy Institute (MPI) (April 2019): <https://www.presidentsimmigrationalliance.org/wp-content/uploads/2019/04/UnauthorizedImmigrant-HS-Graduates-FactSheet-Final.pdf>. Another widely cited estimate from 2003 was that only 5 to 10 percent of undocumented students who graduate from U.S. high schools enrolled in college each year. See: Jeffrey S. Passel, "Further Demographic Information Relating to the DREAM Act," *The Urban Institute*, (October 21, 2003).
- 12 Roberto Gonzales, et al., "The Long-Term Impact of DACA: Forging Futures Despite DACA's Uncertainties," National UnDACAmented Research Project (NURP) (2019): https://immigrationinitiative.harvard.edu/files/hii/files/final_daca_report.pdf.
- 13 Details on state policies regarding in-state tuition access for undocumented status are available at the uLEAD network website (<https://uleadnet.org/>). Other resources listing specific state policies, board of regents decisions, and other actions include Presidents' Alliance on Higher Education and Immigration, "Higher Ed Guide to Tuition, Financial Aid & Other Funding for Undocumented Students" at <https://www.presidentsimmigrationalliance.org/2019/11/22/higher-ed-guide-to-tuition-financial-aid-other-funding-for-undocumented-students/>, National Conference of State Legislatures (NCSL), "Tuition Benefits for Immigrant Students" at <http://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx>, and National Immigration Law Center (NILC), "Basic Facts About In-State Tuition for Undocumented Students" at <https://www.nilc.org/issues/education/basic-facts-instate/>.
- 14 The Governor of Virginia approved a state bill on April 7, 2020 that will grant in-state tuition to all undocumented students who graduate from a Virginia high school or meet the state's residency requirements and pass a high school equivalency examination. The bill goes into effect on July 1, 2020: <https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB1547>. For more information on access to in-state tuition by state, please see: "Higher Ed Guide to Tuition, Financial Aid & Other Funding for Undocumented Students," Presidents' Alliance on Higher Education and Immigration (December 2019): <https://www.presidentsimmigrationalliance.org/2019/11/22/higher-ed-guide-to-tuition-financial-aid-other-funding-for-undocumented-students/>.
- 15 Arizona allows for undocumented students to pay 150% of in-state tuition; Massachusetts and Ohio extend in-state tuition to undocumented students with DACA status; and Indiana, Michigan, Nevada, and Pennsylvania offer in-state tuition to undocumented students and/or students with DACA status at specific two and four-year public institutions. For more information, please see: "Higher Ed Guide to Tuition, Financial Aid & Other Funding for Undocumented Students," Presidents' Alliance on Higher Education and Immigration : <https://www.presidentsimmigrationalliance.org/2019/11/22/higher-ed-guide-to-tuition-financial-aid-other-funding-for-undocumented-students/>.
- 16 Ibid.
- 17 Neeraj Kaushal, "In-State Tuition for the Undocumented: Education Effects on Mexican Young Adults," *Journal of Policy Analysis and Management*, Vol. 27, No. 4 (September 29, 2008).
- 18 Stella M. Flores, "State Dream Acts: The Effect of In-State Resident Tuition Policies and Undocumented Latino Students," *The Review of Higher Education*, Vol. 33, No. 2 (2010).

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ENDNOTES (CONTINUED)

- 19 Stephanie Potochnick, “How States Can Reduce the Dropout Rate for Undocumented Immigrant Youth: The Effects of In-State Resident Tuition Policies,” *Social Science Research*, Volume 45, (May 2014): <https://www.sciencedirect.com/science/article/abs/pii/S0049089X13001701>.
- 20 George J. Borjas, “The Labor Supply of Undocumented Immigrants,” (NBER) (2016).
- 21 To view the full methodology used by NAE to estimate the undocumented and DACA-eligible population, please see: <https://www.newamericaneconomy.org/methodology/>.

Acknowledgements

The Presidents’ Alliance for Higher Education and Immigration and New American Economy (NAE) thank Jeanne Batalova, Senior Policy Analyst at the Migration Policy Institute (MPI), and Roberto Gonzales, Professor of Education, Harvard Graduate School of Education, and Director, Immigration Initiative at Harvard, for their thoughtful feedback and comments.

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Fact Sheet

April 2019

How Many Unauthorized Immigrants Graduate from U.S. High Schools Annually?

By Jie Zong and Jeanne Batalova

Executive Summary

Dating back to 2001 and in nearly every legislative session since, bills have been introduced in Congress that would offer a pathway to legal status to hundreds of thousands of eligible unauthorized immigrants who arrived in the United States as children, provided they earn a high school diploma or its equivalent. Yet to date, despite significant bipartisan support to legalize a population viewed as particularly meritorious, Congress has yet to act.

In 2012, using his executive authority, President Barack Obama launched the Deferred Action for Childhood Arrivals (DACA) program, broadly modeled on DREAM legislation. The program, which the Trump administration has sought since 2017 to terminate, offers work authorization and relief from deportation to unauthorized immigrants brought to the United States as children. As of January 31, 2019, 680,000 people held DACA status—a sizeable share of the close to 800,000 who had DACA applications approved between August 2012, when the program began, and September 2017, when the Trump administration announced its termination. Met with legal challenges, the decision was blocked by several federal courts starting in January 2018. Under the court injunctions, the government is required to continue adjudicating renewal applications from anyone who has previously held DACA benefits. Individuals who have never had DACA cannot apply.

While the legal battle over the existence and scope of the program continues, unauthorized immigrant youth (typically referred to as DREAMers) are graduating every year from high school without access to DACA protections, harming their work prospects and limiting their postsecondary education opportunities. These legal developments beg the question how many of these youth, vulnerable to arrest and removal, graduate from high school annually to face these limited prospects. For years, however, a fresh estimate has been lacking.

An earlier, widely circulated estimate of the number of graduating unauthorized immigrants was based on data from 2000-02. Since then the size and educational profile of the young unauthorized immigrant population in the United States has changed considerably. This fact sheet offers the most recent estimates of this population for the United States and top states.

Drawing on its unique methodology to assign legal status in U.S. Census Bureau data from the American Community Survey (ACS), the Migration Policy Institute (MPI) estimates that 98,000 unauthorized-immigrant students graduate from U.S. high schools every year—a sizeable increase over the 65,000 estimate that has long circulated. Twenty-seven percent of these graduates reside in California and another 17 percent in Texas.



I. Introduction: Earlier Estimate and a Changing Reality

In 2003, using data from the Census Bureau's 2000-02 Current Population Survey (CPS), Jeffrey Passel from the Urban Institute estimated that roughly 80,000 unauthorized-immigrant children with five or more years of U.S. residence would reach age 18 each year. He also estimated that about 65,000 of these children would graduate annually from high school, based on a graduation rate in the range of 80 percent to 83 percent.¹

Several important changes in immigration flows and composition as well as U.S. policies have occurred since then. First, the unauthorized population experienced rapid growth in the 2000s, stabilizing after 2007. The Migration Policy Institute (MPI) estimated 11.3 million unauthorized immigrants lived in the United States in 2016,² compared to 7.5 – 9.5 million in 2002.³ In 2000, the overwhelming majority of unauthorized immigrants were from Mexico; their share has fallen as more recent arrivals come from more diverse origins, including Central America, Asia, and Africa. Second, high school graduation rates have improved for students from all backgrounds,⁴ including Latinos and English Learners (ELs)—two groups that include many unauthorized immigrants.

Moreover, a number of federal and state policies enacted since 2001 have encouraged and supported high school graduation and higher-education enrollment for unauthorized immigrant youth. For instance, at least 20 states—including California, Texas, and New York—as well as the District of Columbia have laws or policies allowing unauthorized immigrants to pay lower, in-state tuition rates at public colleges and universities.⁵ At the federal level, multiple versions of the proposed DREAM Act, which would provide pathways to permanent residency for unauthorized immigrants who came before age 16, have had built-in incentives for prospective beneficiaries to graduate from high school, as it would be a key requirement for conditional permanent

residency eligibility. Similarly, high school graduates are eligible to apply for the Deferred Action for Childhood Arrivals (DACA) program, which provides legal work authorization and protection from deportation.⁶ Having a work permit has allowed DACA recipients not only to work but also to accept better, higher-paying jobs—and in some states even apply for select occupational licenses⁷—if the recipients have graduated from high school or earned higher levels of educational attainment.

II. New Estimates at National Level and for Top States

Prior research demonstrates that both unauthorized and legally present students from similar sociodemographic backgrounds face the same barriers to high school completion and have similar graduation rates; their legal-status differences have a larger impact on college enrollment.⁸

At the same time, race, ethnicity, and age at arrival have important implications for high school graduation. Data from the National Center for Education Statistics (NCES) show that four-year high school graduation rates⁹ vary significantly by race/ethnicity. In school year (SY) 2016-17, the graduation rates of Asian/Pacific Islander and White students (91 percent and 89 percent respectively) exceeded the 85 percent graduation rate for all students.¹⁰ Lower rates were posted by Hispanic (80 percent), Black (78 percent), and American Indian (72 percent) students.¹¹ Immigrant students who arrived in the United States at age 6 or older are more likely to drop out from high school than those who arrived at younger ages.¹² In addition, immigrant students who arrived at older ages are more likely to be ELs. ELs also have much lower four-year high school graduation rates (66 percent) than students overall. Many unaccompanied minors and young children traveling with families from Central America to seek asylum in the United States are entering U.S. schools at later ages and have interrupted formal educations.¹³

Fact Sheet

They too are more likely to be identified as ELs and to take longer to graduate.

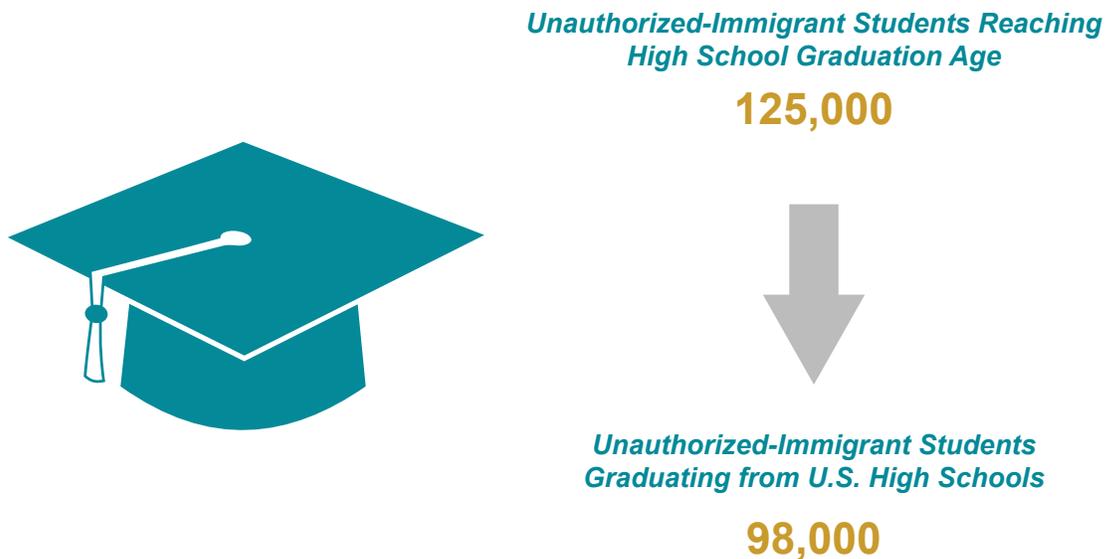
five years¹⁴ who reached high school graduation age each year.¹⁵ This population numbered approximately 125,000.

A. National Estimate

The authors took these differences in graduation rates into account in estimating the number of unauthorized immigrant students graduating from high school. In brief, the authors first estimated the number of unauthorized immigrants (ages 15 to 19) in the United States for at least

The authors then applied respective high school graduation rates by race/ethnicity and EL status from the NCES to the subgroups within the 125,000 population (see Appendix B for details). The resulting analysis reflected that almost 98,000 unauthorized-immigrant students graduate from U.S. high schools every year (see Figure 1).

Figure 1. Estimate of Number of Unauthorized Immigrants (ages 15-19) Reaching High School Graduation Age and Those Graduating Annual



Source: Migration Policy Institute (MPI) analysis of U.S. Census Bureau data from the 2016 American Community Survey (ACS) and the 2008 Survey of Income and Program Participation (SIPP), with legal-status assignments using a unique MPI methodology developed in consultation with James Bachmeier of Temple University and Jennifer Van Hook of The Pennsylvania State University, Population Research Institute. For more on the methodology, see Appendix A; National Center for Education Statistics (NCES), “Table 1. Public High School 4-Year Adjusted Cohort Graduation Rate (ACGR), by Race/Ethnicity and Selected Demographic Characteristics for the United States, the 50 States, and the District of Columbia: School Year 2016–17,” accessed March 20, 2019, https://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2016-17.asp.



B. Number of Unauthorized-Immigrant Students Graduating in Key States

As with the overall unauthorized-immigrant population, high school graduates without legal status are concentrated in a handful of states (see Table 1). About 27,000 unauthorized-immigrant students graduate from California

high schools every year, representing 27 percent of the national total, followed by 17,000 in Texas; 5,000 in Florida; and 4,000 each in New York, New Jersey, and Illinois. In total, the top 15 states shown in Table 1 account for about 81 percent of all unauthorized-immigrant high school graduates.

Table 1. Estimated Number of Unauthorized Immigrants Who Graduate from U.S. High Schools Yearly, by State, 2016

State	Number of Graduating Unauthorized-Immigrant Students	State Share of Total Number of Graduating Unauthorized-Immigrant Students (%)
United States	98,000	100
California	27,000	27
Texas	17,000	17
Florida	5,000	6
New York	4,000	4
New Jersey	4,000	4
Illinois	4,000	4
Georgia	3,000	3
North Carolina	3,000	3
Virginia	2,000	3
Arizona	2,000	2
Maryland	2,000	2
Washington	2,000	2
Colorado	1,000	2
Nevada	1,000	1
Massachusetts	1,000	1
Other	18,000	19

Note: Totals do not add up due to rounding.

Source: MPI analysis of NCES, “Table 1. Public High School 4-Year Adjusted Cohort Graduation Rate (ACGR), by Race/Ethnicity and Selected Demographic Characteristics for the United States, the 50 States, and the District of Columbia: School Year 2016–17;” U.S. Census Bureau data from the 2016 and 2012-16 pooled ACS and the 2008 SIPP, with legal-status assignments by MPI.

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III. Conclusion

Unauthorized immigrants who were brought to the United States as children, known as DREAMers, long have been a sympathetic population, with Democrats and Republicans alike proposing solutions since 2001 to address their future even when embroiled in bitter battles over other immigration-related issues. Similarly, administrators and leaders of secondary and higher education institutions, immigrant-rights advocates, state policymakers, and more recently members of the business community have expressed keen interest in DREAMers, viewing them as current and potential students on their campuses, members of the community, and workers. Many embraced the Deferred Action for Childhood Arrivals (DACA) program as one providing temporary relief from deportation and work authorization amid congressional inaction over a more permanent fix. And they have lobbied for the permanent solution of passing DREAM Act legislation that would convey permanent legal status for applicants who meet educational attainment and other criteria.

The decision by the Trump administration to rescind the DACA program in September 2017; subsequent legal challenges to the program's termination; persistent advocacy on DREAMers'

behalf, including by DREAMers themselves; and recent introduction in the House of a Democratic marker bill, the *American Dream and Promise Act of 2019*, have kept this population front and center in the immigration debate.

One particular point of interest—how many DREAMers graduate yearly from high school—has long lacked an updated estimate. Using its unique methodology to assign legal status in U.S. Census Bureau data, MPI puts this number at about 98,000, with California, Texas, Florida, New York, New Jersey, and Illinois accounting for 62 percent of these graduates.

DACA, kept alive by court orders for those who have ever been approved under the program, provides protection from deportation and work authorization to nearly 680,000 current beneficiaries.¹⁶ However, the Trump administration will not accept requests from otherwise eligible unauthorized youth who have never held DACA status. That makes many of the 98,000 unauthorized-immigrant students graduating from U.S. high schools ineligible going forward.

While high school graduation represents an important milestone in the lives of many young people, these graduates will be at risk of deportation and will face severely limited opportunities to pursue further work and education.



Appendices

Appendix A. MPI Methodology of Assigning Legal Status to Noncitizen Respondents in the American Community Survey

Because the U.S. Census Bureau does not ask foreign-born respondents on the decennial census or its larger population surveys (including the American Community Survey and Current Population Survey) about their legal or visa status, the Migration Policy Institute (MPI) has developed a methodology to assign legal status to noncitizens in these surveys, permitting analysis of the size and characteristics of the unauthorized immigrant population.

Using information from the Census Bureau's Survey of Income and Program Participation (SIPP), MPI assigns legal status to noncitizens in the American Community Survey (ACS), a survey that is conducted annually. In the SIPP, which is conducted only periodically, noncitizens report whether they have lawful permanent resident (LPR) status—i.e., a green card. Those without LPR status may be recent refugees or asylees who have not yet adjusted to LPR status, temporary visa holders (e.g., students or high-skilled temporary workers such as H-1B visa recipients), or unauthorized immigrants. Mapping characteristics such as country of birth, year of U.S. entry, age, gender, and educational attainment between the two surveys, MPI assigns LPR status to noncitizens in the ACS who have similar characteristics to LPRs in the SIPP, and unauthorized status to those in the ACS with similar characteristics to unauthorized immigrants who were identified by MPI in the SIPP. MPI identifies recent refugees and asylees as those from countries with high shares of refugees and asylees among recent arrivals, and temporary visa holders as those with characteristics in the ACS who have qualifications for student, H-1B, and other temporary classifications. This method, which is based on the statistical process of multiple imputation, was developed by Jennifer Van Hook of The Pennsylvania State University and James Bachmeier of Temple University and refined in consultation with MPI.

For more detail on the methods, see Jeanne Batalova, Sarah Hooker, Randy Capps, and James D. Bachmeier, *DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action* (Washington, DC: MPI, 2014), www.migrationpolicy.org/research/daca-two-year-mark-national-and-state-profile-youth-eligible-and-applying-deferred-action. These estimates use commonly accepted benchmarks from other research studies to determine the size of the unauthorized population and response rates to surveys. These estimates have the same sampling and coverage errors as any other survey-based estimates that rely on ACS and other Census Bureau data.

Appendix B. MPI Methodology of Estimating the Annual Number of Unauthorized-Immigrant Students Who Graduate from U.S. High Schools

Using MPI's methodology for assigning legal status described in Appendix A and applying it to the 2016 ACS, the authors first estimated the number of unauthorized immigrants (ages 15 to 19) who had lived in the United States for at least five years¹⁷ and who reached high school graduation age every year. This population numbered approximately 125,000.

The authors separated these students into two cohorts: an "on-time graduating" cohort (ages 15 to 17) and a "late-graduating" cohort (ages 18 to 19). The first group was also split into Hispanics, non-Hispanic Asians and Pacific Islanders (AAPIs), non-Hispanic Blacks, non-Hispanic Whites, and non-Hispanic Others.

Fact Sheet

Second, the authors applied National Center for Education Statistics (NCES) school year (SY) 2016-17 high school graduation rates by race and ethnicity¹⁸ and English Learner (EL) status to estimate the number of unauthorized immigrant students who are likely to graduate per year in each cohort:

- “On-time graduating” cohort (ages 15-17).** As shown in Table 2, this cohort was composed of 83,000 Hispanics (82 percent) and 18,000 non-Hispanics (18 percent); two-thirds of students in this cohort in the United States arrived before age 6, which means they are unlikely to be ELs.

The authors applied the NCES graduation rate for Hispanic students (80 percent) to the 83,000 Hispanic unauthorized immigrant students reaching high school graduation age (see Table 3). They also applied respective high school graduate rates of non-Hispanic AAPIs (91 percent), non-Hispanic Black (78 percent), and non-Hispanic Whites (89 percent) to their estimates of non-Hispanic AAPI, Black, and White unauthorized immigrants. The authors used the total graduation rate of 85 percent in the case of “Other Race” students since NCES does not have this information.

This resulted in a combined estimate of 85,000 unauthorized Hispanic and non-Hispanic youth under age 18 graduating from high school every year (see Table 3).

- “Late-graduating” cohort (ages 18-19).** There were approximately 24,000 unauthorized-immigrant students between ages 18 and 19 who would reach high school graduation age every year (see Table A-1). Fewer than half arrived before age 6. They are more likely to be EL students and face steeper barriers to finishing high school than the on-time cohort due to limited English skills and, in many cases, interrupted formal education. The authors applied the 66 percent EL graduation rate to the 24,000 students, resulting in an estimate of 16,000 graduates each year (see Table A-2).

Combining these two cohorts (see far-right column in Table A-2), MPI estimated that almost 98,000 unauthorized-immigrant students graduate from high school in the United States every year.

Table A-1. Hispanic Origin and Age at Arrival of Unauthorized Immigrants Who Are Reaching High School Graduation Age Every Year, 2016

	On-Time Graduating Cohort (ages 15 to 17)	Late-Graduating Cohort (ages 18 to 19)
Total	101,000	24,000
Ethnicity		
Hispanic	83,000	20,000
Share Hispanic (percent)	82	82
Age at Arrival		
Number who arrived before age 6	67,000	12,000
Share of cohort that arrived before age 6 (percent)	66	49

Notes: This analysis includes unauthorized-immigrant students (ages 15 to 19) who had lived in the United States for at least five years and who are reaching high school graduation age every year. The estimate of the “on-time graduating” cohort is the average of the three ages (15, 16, and 17) of these students; the estimate of the “late-graduating” cohort is the average of two ages (18 and 19) of these students.

Source: Migration Policy Institute (MPI) analysis of U.S. Census Bureau data from pooled 2012-16 American Community Survey (ACS) and 2008 Survey of Income and Program Participation (SIPP), with legal-status assignments using a unique MPI methodology developed in consultation with James Bachmeier of Temple University and Jennifer Van Hook of The Pennsylvania State University, Population Research Institute. For more on the methodology, see Appendix A.



Table A-2. Estimated Number of Unauthorized Immigrants Graduating from High School Yearly, 2016

	On-Time Graduating Cohort*				Late-Graduating Cohort	Total
	Hispanic	Asian and Pacific Islander	Black	White		
Number of Unauthorized-Immigrant Students Reaching High School Graduation Age Every Year	82,900	9,700	3,300	4,300	23,800	124,700
Graduation Rate (percent)	80.0	91.2	77.8	88.6	66.4	
Number Estimated to Graduate Annually	66,300	8,800	2,600	3,800	15,600	97,900

* “Other Race” students are not shown due to their small sample size. The overall total (far-right column) is based on the information from all students.

Notes: This analysis includes unauthorized-immigrant students (ages 15 to 19) who had lived in the United States for at least five years and who are reaching high school graduation age every year. The estimate of the “on-time graduating” cohort is the average of the three ages (15, 16, and 17) of these students; the estimate of the “late-graduating” cohort is the average of two ages (18 and 19) of these students. The English Learner (EL) graduation rate is not available by race and ethnicity; the authors used the same rate for the late-graduating cohort.

Source: MPI analysis of U.S. Census Bureau data from the 2016 ACS and the 2008 SIPP, with legal-status assignments by MPI. Four-year high school graduation rates are from the National Center for Education Statistics (NCES), “Table 1. Public High School 4-Year Adjusted Cohort Graduation Rate (ACGR), by Race/Ethnicity and Selected Demographic Characteristics for the United States, the 50 States, and the District of Columbia: School Year 2016–17,” accessed on March 20, 2019, https://nces.ed.gov/ccd/tables/ACGR_RE_and_characteristics_2016-17.asp.

State estimates: The authors used the same approach in developing estimates for the top 15 states. The authors used MPI’s ACS-based state-level estimates of the total number of unauthorized-immigrant students reaching graduation age every year and applied state-specific high school graduation rates for respective racial/ethnic and EL status groups provided the by NCES.

Fact Sheet

Endnotes

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- 2 Julia Gelatt and Jie Zong, *Settling In: A Profile of the Unauthorized Immigrant Population in the United States* (Washington, DC: Migration Policy Institute, 2018), www.migrationpolicy.org/research/profile-unauthorized-immigrant-population-united-states.
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- 7 With regard to professional licenses, California, Florida, Illinois, Indiana, Minnesota, Nebraska, Nevada, New York, South Dakota, Utah, West Virginia, and Wyoming allow DACA recipients to obtain them for certain professions. For more, see National Conference of State Legislatures (NCSL), *Professional and Occupational Licenses for Immigrants* (Washington, DC: NCSL, 2017), www.ncsl.org/research/immigration/professional-and-occupational-licenses-for-immigrants.aspx.
- 8 Emily Greenman and Matthew Hall, “Legal Status and Educational Transitions for Mexican and Central American Immigrant Youth,” *Social Forces* 91, no. 4 (2013): 1475-98.
- 9 The National Center for Education Statistics (NCES) defines the four-year adjusted cohort graduation rate (ACGR) as the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. For more, see NCES, “What Is the Difference between the ACGR and the AFGR?,” NCES blog post, November 29, 2017, <https://nces.ed.gov/blogs/nces/post/what-is-the-difference-between-the-acgr-and-the-afgr>.
- 10 In NCES high school graduation data, race categories refer to non-Hispanic unless specified. Hispanics or Latino of any race are groups into “Hispanics.”
- 11 *Education Week*, “Data: U.S. Graduation Rates by State and Student Demographics.”
- 12 Krista M. Perreira, Kathleen Mullan Harris, and Dohoon Lee, “Making It in America: High School Completion by Immigrant and Native Youth,” *Demography* 43, no. 3 (2006): 511-36.
- 13 Julie Sugarman, *Beyond Teaching English: Supporting High School Completion by Immigrant and Refugee Students* (Washington, DC: Migration Policy Institute, 2017), www.migrationpolicy.org/research/beyond-teaching-english-supporting-high-school-completion-immigrant-and-refugee-students.
- 14 To develop an estimate consistent with Passel’s 2000-02 estimate, the authors excluded from their calculations unauthorized youth who have resided in the United States for less than five years.
- 15 See Appendix A for a brief description of the Migration Policy Institute’s unique methodology of legal-status assignment.
- 16 USCIS, “Approximate Active DACA Recipients: As of January 31, 2019,” updated April 10, 2019, www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/7_Approximate_DACA_Pending_-_Jan_31_2019.pdf.



17 To develop an estimate consistent with that of Jeffrey Passel, who issued in the most recent earlier estimate of unauthorized immigrants graduating from high school yearly, using 2000-02 data, the authors excluded from their calculations unauthorized youth who have lived in the United States for less than five years. These recent arrivals are unlikely to have spent sufficient time in the U.S. secondary school system to be prepared to graduate on time and are therefore more likely to drop out or take longer to graduate than U.S. students overall whose high school graduation rates are used in MPI's estimations.

18 NCES and school districts typically do not track foreign-born status in ways that permit analysis of graduation rates by nativity. As a proxy, the authors used respective rates of students by race and ethnicity.

About the Authors



Jie Zong is an Associate Policy Analyst at the Migration Policy Institute (MPI), where she provides quantitative research support across MPI programs. Her research areas include structural and cultural integration of first- and second-generation immigrants, protective factors for children in refugee families, and workforce development in the United States.

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Her areas of expertise include the impacts of immigrants on society and labor markets; social and economic mobility of first- and second-generation youth and young adults; and the policies and practices regulating immigration and integration of highly skilled workers and foreign students in the United States and other countries.

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Fact Sheet

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The Migration Policy Institute (MPI) is an independent, nonpartisan, nonprofit think tank dedicated to the study of the movement of people worldwide. The Institute provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. It aims to meet the rising demand for pragmatic responses to the challenges and opportunities that migration presents in an ever more integrated world.

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MOVIES HIGHLIGHTING UNDOCUMENTED EXPERIENCE

Revised 11/2021

Host your own movie night with films revolving around the undocumented experiences. Here's our list of suggested short films and full-length movies:

FULL-LENGTH MOVIES

Adama (2011)

This documentary follows Adama Bah, a 16-year-old Muslim teen who is falsely accused of terrorist activities and detained. Though she is ultimately released, Adama must deal with the pressures of supporting her family and readjusting to normal life after her father is deported.

Available to stream for free on [Vimeo](#).

Breathin': The Eddy Zheng Story (2016)

Arrested at 16 and tried as an adult for kidnapping and robbery, Eddy Zheng served over 20 years in California prisons and jails. This documentary paints an intimate portrait of Eddy - the prisoner, the immigrant, the son, the activist - on his journey to freedom, rehabilitation and redemption.

Available to stream for free on [Kanopy](#).

De Nadie (2005)

This documentary interviews Central American migrants about their journey into the United States. Their stories highlight the dangers of the border crossing, and the toll it takes on their money, health, and lives.

Available to stream for free on [Youtube](#).

Deported (2012)

Since 1996, the United States has sustained a policy that all foreign residents convicted of crimes be deported. This documentary tells the story of those separated from their families and deported to Haiti after serving jail time, often for minor offenses. These individuals try to adapt to the unfamiliar environment where they are viewed as outsiders.

Visit their [official website](#) to rent or buy the film.

Documented (2013)

In 2011, journalist Jose Antonio Vargas outed himself as an undocumented immigrant in the New York Times Magazine. This documentary chronicles his journey from the Philippines as a child; through America as an immigration reform activist; and inward as he reconnects with his mother, whom he hasn't seen in 20 years.

Available to rent or buy from [iTunes](#), [Amazon](#) and [YouTube](#).

Don't Tell Anyone (No Le Digas a Nadie) (2015)

In a community where silence is often seen as necessary for survival, undocumented activist Angy Rivera steps out of the shadows to share her parallel journey of being an undocumented immigrant and a victim of sexual assault.

Available to rent from [Vimeo](#) or visit their [official website](#) to request a screening.

Forbidden: Undocumented and Queer in Rural America (2016)

This documentary tells the story of Moises Serrano, who grew up queer and undocumented in rural North Carolina. It follows his personal journey as an activist as he fights for justice for his immigrant community.

Available to rent or buy from [Amazon](#) or to stream for free on [Kanopy](#).

Fruits of Labor (2021)

Ashley is a Mexican-American teenager who dreams of graduating high school and attending college. But an ICE raid separates her family, forcing her to become the main provider by working in the fields and factories of the Central Valley in California.

Available to stream for free on [PBS](#).

Pair it with PBS's [Discussion Guide](#) and [Deeper Reading List](#).

I Carry You With Me (2020)

Based on a true story, the movie follows aspiring chef Ivan and teacher Gerardo as they fall in love in Mexico. But ambition and societal pressures force Ivan to make the trip to New York, where he finds success but loses his immigration status.

Available to rent or buy on [Amazon](#) and [Youtube](#).

Lingua Franca (2019)

Olivia is an undocumented trans woman working as a caregiver in Brooklyn. Her main priority is getting her green card to stay in the US. But complications arise when she becomes romantically involved with her charge's grandson.

Available to stream on [Netflix](#) with a subscription.

Rocio (2018)

When his mother is diagnosed with cancer, Dario, an undocumented Harvard student, chooses to return to Mexico with her to seek medical treatment. This documentary follows Dario's story as he struggles to return to the U.S. despite his DACA status. Directed by undocumented filmmaker Dario Guerrero.

Available to rent or buy on [Amazon](#).

The Infiltrators (2019)

Based on a true story, this film follows a group of young undocumented people who get deliberately detained by Border Patrol in order to infiltrate a detention center. But once inside, their plan to free people doesn't go as planned.

Available to rent or buy from [Amazon](#) and the film's [official website](#).

Pair it with PBS's [Discussion Guide](#) and [Deeper Reading List](#).

The Sun is Also a Star (2019)

Natasha is spending her last days in New York fighting her family's deportation to Jamaica. While there, she meets and falls for Daniel, a college-bound student struggling with his parents' expectations.

Available to rent or buy from [YouTube](#) or [Amazon](#).

The Unafraid (2018)

Georgia is one of three states in the United States where undocumented students are banned from attending college and disqualified from receiving in-state tuition. This documentary follows three DACAmented students from Georgia as they near their high school graduation and fight to pursue their education.

Visit their [official website](#) to request a screening.

Under the Same Moon (2007)

Carlitos lives with his grandmother in Mexico. His mother works as a maid in the U.S., hoping to someday send for her child. But when his grandmother dies unexpectedly, Carlitos must sneak across the border and seek out his mother.

Available to rent or buy from [Amazon](#) and [iTunes](#).

Waking Dream (2018)

This documentary follows six young undocumented people following the 2017 DACA rescission. Their stories range from fighting for legal status, struggling with the deportation of loved ones, and pursuing their dreams in a country that is pushing them out.

Available to stream for free on [Kanopy](#).

SHORT FILMS

Advance Parole (2018)

This documentary chronicles the efforts of Mayra Garibo, a DACAmented student, as she advocates to reinstate Advance Parole in order to see her ailing grandparents in Mexico before it's too late. Directed by undocumented filmmaker Lidieth Arevalo.

Available to stream for free on [Vimeo](#) and [Youtube](#) (with Spanish subtitles).

Alpharaoh (2019)

Undocumented artist, Alex Alpharaoh, reflects on his experiences while touring his one-man show, WET: A DACAmented Story, across the country. Directed by undocumented filmmaker Lidieth Arevalo.

Available to stream for free on [Vimeo](#).

COVER/AGE (2020)

This documentary follows two undocumented immigrant leaders as they fight to expand healthcare access for all in California. Directed by undocumented filmmaker, Set Hernandez Rongkilyo.

Available to rent on [Vimeo](#) or visit their [official website](#) to request a screening.

Halmoni (2016)

Undocumented immigrant rights activist, Ju Hong, travels back to South Korea to reunite with his ailing grandmother after 13 years of separation.

Available to stream for free on [Vimeo](#).

NBC Asian America Presents: Deported (2017)

This 5-part, 10-minute documentary series looks at the global fight to end the deportation of Cambodian refugees from the U.S.

Available to stream for free on [NBC News](#).

Stories Beyond Borders Film Series (2019)

This series of short documentary films highlights the different facets of undocumented life in America. Stories include the fight of a Guatemalan asylum seeker claiming sanctuary in a church, the experiences of a detained U.S. permanent resident from Somalia, and a nationwide biking campaign for citizenship led by Asian American activists.

Visit their [official website](#) to request a free virtual screening.

The Undocumented Lawyer (2020)

Lizbeth Mateo, an undocumented attorney, utilizes her personal background and years of community organizing experience to fight for a client avoiding deportation by taking sanctuary in a church.

Available to stream on [HBO Max](#) with a subscription or visit their [official website](#) to request a screening.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.



VIDEOS HIGHLIGHTING UNDOCUMENTED EXPERIENCE

Revised 11/2021

We invite you to hear from undocumented people about their experiences. Take some time to view the following videos:

Center for Cultural Power

“The Center for Cultural Power is a women of color, artist-led organization, inspiring artists and culture makers to imagine a world where power is distributed equitably and where we live in harmony with nature.”

Website: [instagram.com/culturestrike](https://www.instagram.com/culturestrike)

Define American

“Define American is a nonprofit media and culture organization that uses the power of story to transcend politics and shift the conversation about immigrants, identity, and citizenship in a changing America.”

Website: [defineamerican.com/video](https://www.defineamerican.com/video)

Dreamers Adrift: Undocumented and Awkward

“DreamersAdrift is a media platform led by undocumented creatives with the goal of taking back the undocumented narrative through videos, art, music, spoken word and poetry. DreamersAdrift was established in October 2010 by four undocumented college graduates: Deisy Hernandez, Fernando Romero, Jesús Iñiguez, and Julio Salgado.”

Video link: youtu.be/l5hvMBm5xGE

I Am An Immigrant: Immigrant Heritage Month

I Am An Immigrant’s profiles of immigrants and allies in celebration of Immigrant Heritage Month in 2020. This series includes stories from undocumented/previously undocumented folks like [Julio Salgado](#), [Denise Panaligan](#), [Guerline Jozef](#), and [Zacil Pech](#).

Video link: <https://www.youtube.com/c/IAmAnImmigrant/>

Immigrants Rising: Immigrant Hustle Spotlight

Meet innovative undocumented and immigrant entrepreneurs from across the United States. Learn how they built their businesses and found ways to succeed despite many obstacles.

Video link: immigrantsrising.org/immigrant-hustle

Immigrants Rising: Stories from “STILL WE RISE: An Evening of Revelation and Revelry”

Members of the Immigrants Rising family gathered in San Francisco for an evening of storytelling, conversation, film, food, music, and dancing. Watch videos of the undocumented storytellers who shared the stage.

Video link: immigrantsrising.org/Revelation-Revelry-Stories

Things I’ll Never Say

“Things I’ll Never Say” is a platform for undocumented young people across the country to create our own immigration narratives by boldly sharing our personal experiences through various forms of creative expression.”

Website: thingsillneversay.org

UndocuMental Health

UndocuMental Health’s Instagram Reels highlight the often unspoken situations affecting the mental health of undocumented folks. Created by Immigrants Rising family member and Associate Marriage and Family Therapist Mayra Barragan-O’Brien.

Video Link: [instagram.com/undocu.mentalhealth/reels](https://www.instagram.com/undocu.mentalhealth/reels)

Undocumented Tales

Undocumented Tales is a web series about the secret life of a Mexican server living in Los Angeles. Fernando has two secrets: he is an undocumented immigrant, and he is a closeted gay man. He is constantly lying about his legal status and real identity. (Disclaimer: The following video link contains scenes of intimacy).

Website: undocumentedtales.com

United We Dream: #HomeisHere Series

United We Dream’s #HomeisHere series profiles DACA recipients across the country. Their stories include not just what DACA has brought them, but what home looks like and means for them.

Video link: youtube.com/playlist?list=PLTahl_sx9fes99SC7RWKV0DsKRDoCBs7N

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.

Common Immigration Options for Survivors of Trauma: ASYLUM, SIJS, T-VISA, U-VISA & VAWA

If you experienced violence, fraud, blackmail, or other forms of threat in the U.S. or while in your country of origin, you are not alone. There are several immigration options available to you as a survivor of trauma. Check them out below:



Asylum protects people fleeing persecution in their country of origin.

- To qualify, you must have **fear of persecution** based on political opinion, religion, race, nationality, or affiliation with a particular social group
- You have 1 year from the date of your most recent entry into the U.S. to apply but may be able to apply after the 1-year deadline (for more information, please talk to a legal representative)



SIJS (Special Immigrant Juvenile Status) protects minors who are **abandoned, abused, or neglected** by at least **one** parent.

- To qualify, you must be unmarried and under the age of 18 (21 in some states)
- It is in your *best interest* not to return to your country of origin



T-Visa protects survivors of **human trafficking**.

- To qualify, you must be inside the U.S. as a direct result of trafficking
 - Trafficking includes force, fraud, or intimidation to make someone do work
- Although it may be helpful to comply with law enforcement in the investigation/prosecution, this step is not required



U-Visa protects survivors of **crime**.

- To qualify, you must have:
 - Been the survivor of an **eligible crime listed by the U.S. Citizenship & Immigration Services (USCIS)**
 - Been helpful (or are likely to be helpful) to law enforcement in the investigation of the crime. It does not matter if the person who committed the crime is ever captured or tried in court
 - Experienced physical or emotional suffering as a consequence of the crime
- The crime must have happened in the U.S.



VAWA (Violence Against Women Act) protects survivors of **domestic violence**.

- To qualify, you must be a survivor of domestic violence by a **U.S. Citizen or Lawful Permanent Resident spouse, child or parent** (domestic violence may be emotional, economic, or verbal abuse/control)
- The law protects men, women and children (gender does not matter)
- It **does not matter if abuse was reported** to police, hospital, therapist, counselor, teacher, etc (*but documentation can help as proof*)
- The abuse could have happened in any country

Common Immigration Options for Survivors of Trauma: ASYLUM, SIJS, T-VISA, U-VISA & VAWA

THESE REMEDIES CAN PROVIDE YOU WITH



Protection from deportation



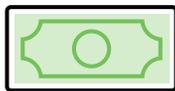
A work permit / [social security number](#)



Possible pathway to a '[green card](#)' & U.S. citizenship



Access to public benefits: cash aid (welfare), housing benefits, federal financial aid for college, health care insurance



Fee waiver for the application



Confidentiality (government cannot tell the abuser about case)



For U-visa, T-visa, VAWA and Asylum: eligible family members can be included in your application as [derivatives](#)

NEXT STEPS

Fill out the Immigration Legal Intake Service to find out if any of these options are available to you:

If you need legal help right away, find a legal representative near you:



IT'S FREE



IT'S ANONYMOUS



IT'S CONFIDENTIAL



immigrantsrising.org/legalintake

immigrationlawhelp.org

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Jesus R. Flores, Legal Service Coordinator, at legalintake@immigrantsrising.org.



EXECUTIVE SUMMARY

HOW CAN I GET MY PAPERS? LESSONS FROM A DECADE OF ONLINE LEGAL INTAKES FOR UNDOCUMENTED IMMIGRANTS

By analyzing ten years of legal intakes for almost 3,000 undocumented immigrants through the Immigrant Legal Intake Service (ILIS), this report presents new findings regarding barriers to immigration relief, an assessment of available relief, and informative demographic trends. For many, ILIS represents a lifeline to immigration remedies and the ability to stay and contribute to our nation. As one respondent put it, “[m]y husband and I have talked to numerous lawyers and no one has been able to give us any hope of legalizing my situation . . . I feel that I am at a red light that is never going to turn green.” This report seeks to demonstrate that undocumented immigrants have the opportunity to turn that light green. The report’s key findings include:

IMMIGRATION REMEDIES

- **Forty-eight percent** of all respondents were potentially eligible for Deferred Action for Childhood Arrivals (DACA), when initially screened.
- **Sixteen percent** of respondents indicated they did not apply for DACA because the administration rescinded DACA.
- Outside of DACA, respondents were potentially eligible for some sort of permanent relief, such as family sponsorship (**21 percent**), U nonimmigrant status (**seven percent**), or an employment visa (**five percent**).
- In terms of temporary protections, **46 percent** of respondents held DACA, while **nine percent** held Temporary Protected Status (TPS).
- A staggering **93 percent** of respondents would be eligible for relief if Congress were to pass the Dream Act or similar legislation, with **28 percent** being immediately eligible for lawful permanent status (LPR).
- Approximately **half of respondents** who submitted an intake through ILIS and subsequently completed another intake on a later date became eligible for additional forms of relief due to changed circumstances in the respondent’s life.

These rates of relief demonstrate that even in the absence of comprehensive immigration reform, immigration remedies do exist for undocumented immigrants. Like a health check-up, undocumented immigrants should engage in regular legal screenings, particularly as their circumstances change over time.

LEGAL ASSISTANCE

- Nearly **one third (29 percent)** of respondents found the intake online, signifying the importance of search engines and online reach in identifying and screening undocumented immigrants for relief.
- The top four reasons for respondents completing ILIS were **cost (28 percent), accessibility (23 percent), confidentiality (19 percent), and quality (15 percent)**.
- Only **41 percent** of individuals previously received legal assistance.
- Of those that received previous legal assistance, **22 percent** were dissatisfied or very dissatisfied with the previous legal assistance received.
- **Nineteen percent** of respondents cited ILIS’s confidentiality as the primary reason for completing the intake, while **11 percent** cited anonymity.

These data demonstrate that there are significant barriers that prevent undocumented immigrants from accessing legal representation to secure immigration remedies, including cost, accessibility, and negative experiences with previous legal service providers. Trusted providers can play an important role in helping undocumented young people and their families overcome barriers; with these percentages demonstrating that the community considers ILIS a reputable service provider. As a respondent shared, “[t]his service is a potential life line and I am glad there is something like this available to those of us hounded by constant concern for our future at such a young age.”

EDUCATION

- **Eighty-nine percent** were between 16 and 34 years of age, **39 percent** of respondents 25 and older had a high school degree or higher, and **32 percent** had a bachelor’s or higher.
- The high school graduation rate for respondents is about ten percent greater than the national average (**29 percent**).
- While **10 percent** of the national population had attained an associate’s degree as their highest degree, **16 percent** of respondents fall within this same category.
- **Thirty-two percent** of respondents 25 and older received a bachelor’s degree, compared to **22 percent** of the broader population.

The youth and educational achievement of respondents may directly contribute to the social capital of the undocumented immigrants who completed the survey; and lend itself to the identification and pursuit of immigration remedies. Social capital increases people’s access to information, resources, and support, all of which can lead to them being aware of and pursuing different immigration remedies, thus obtaining an education is an important way to increase social capital. These data also demonstrate that respondents tend to have higher rates of educational attainment than the broader, national population—indicating a strong commitment to education in spite of the barriers related to immigration status.

CRIMINAL HISTORY

- **Ninety-three percent of respondents** report having no misdemeanor convictions; and **99 percent** of respondents have no felony convictions.
- Upwards of half of the subset of respondents who had felony or misdemeanor convictions were still potentially eligible for some form of immigration relief, including family-based petitions, U nonimmigrant status, or asylum.

While there is no existing data to compare misdemeanor convictions, the felony conviction rate for respondents is **lower** than the national average.

IMMIGRATION HISTORY AND DEMOGRAPHICS

- **Fifty-three percent** of respondents initially entered without inspection (e.g. an entry without being detected, stopped, detained, or otherwise questioned by immigration officials) and resided in the United States for an average of **ten years**, with **91 percent** of respondents residing in the United States 10 or more years.
- **Sixty-four percent of respondents** were from Mexico, **57 percent** resided in California, **82 percent** were Hispanic or Latino, **10 percent** were married, and **9 percent** identified as LGBTQ.

AUTHORS

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IN-STATE TUITION AND RESIDENCY



QUICK GUIDE TO AB 540/SB 68: EXPANSION OF IN-STATE TUITION ELIGIBILITY IN CALIFORNIA

Revised 11/2021

OVERVIEW

SB 68 expands AB 540 to enable students to count years spent at a California Community College and Adult School towards AB 540 eligibility. Additionally, the bill will allow the completion of an associate degree or satisfaction of the minimum requirements to transfer to the University of California (UC) or California State University (CSU) to meet the degree or unit requirements. These new eligibility criteria expand possibilities for students educated in CA to qualify for in-state tuition and state-based financial aid at CCCs, CSUs, and UCs.

WHO IS ELIGIBLE?

Undocumented individuals, T and U visa holders, U.S. citizens, and lawfully present immigrants that meet eligibility criteria can apply. Individuals with international student visas, visitor visas, or other “non-immigrant” statuses are not eligible to apply.

REQUIREMENTS

To be considered for the nonresident tuition exemption under AB 540/SB 68, students must meet 2 requirements: 1) Length of time & coursework completed per school; and 2) Degree Completion, Unit Requirements, GED, or other

PART ONE Length of time & coursework completed per school	AND	PART TWO Degree Completion, Unit Requirements, GED, or other
<p>Three full-time years of attendance or attainment of equivalent credits earned in a California:</p> <ul style="list-style-type: none"> » High School¹ » Adult School² FT attendance = min of 420 hrs/school year » Community College: Credit courses 12 units/semester or quarter equivalent and max 2 years FT attendance Noncredit courses FT attendance = min of 420 hrs/school year » or any combination of the above 		<p>Fullfill one of the following:</p> <ul style="list-style-type: none"> » Graduate from a CA High School » Obtain a certificate of completion, GED, HiSet or TASC in CA » Attain an associate degree from a CA Community College » Fulfill minimum transfer requirements for University of California or California State University
OR		
<p>Three years of high school coursework and three years of total attendance in a California:</p> <ul style="list-style-type: none"> » Elementary School » Secondary School » or any combination of these two. 		<p>¹ California High schools must be established by the State Board of Education</p> <p>² California Adult school must be established by:</p> <ul style="list-style-type: none"> • County Office of Education • Unified School District/High School District • The Department of Corrections and rehabilitation

CHECK YOUR ELIGIBILITY:

Immigrants Rising's CA In-State Tuition Qualifier Tool helps you determine if you meet the attendance and degree requirements for in-state tuition. Even if you do not yet qualify, this tool can help you determine what steps you need take to meet eligibility in the future. Go to immigrantsrising.org/istt

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org



Guía para AB 540/SB 68: La Expansión de la elegibilidad de matrícula como residente (AB 540) dentro del estado de CA

Revisado 11/2021

RESUMEN

SB 68 expande la ley AB 540 para incluir a los estudiantes con años en un Colegio Comunitario de California (CCC) y/o una Escuela de Adultos hacia la elegibilidad de AB 540. Es decir, este proyecto de ley legislativa permitirá la finalización de un título de asociado, o la satisfacción de los requisitos mínimos para transferirse a la Universidad de California (UC) o la Universidad Estatal de California (CSU) para cumplir con los requisitos del título de asociado o de unidades. Estos nuevos criterios de elegibilidad abren nuevas posibilidades para que los estudiantes en California califiquen para matrícula como residente y ayuda financiera estatal en los CCCs, CSUs y UCs.

¿QUIÉN ES ELEGIBLE?

Las personas que son indocumentadas, tienen visas T o U, son ciudadanos de los EE. UU., o son inmigrantes legalmente presentes que cumplan con los criterios de elegibilidad, pueden presentar una solicitud. Aquellos con visas de estudiantes internacionales, visas de visitante, u otros estados migratorios designados como "no inmigrante" no serán elegibles para presentar una solicitud.

REQUISITOS

Para ser considerados para la matrícula de residente de California bajo AB 540/SB 68, los estudiantes deben cumplir con dos requisitos: 1) duración de estudios y cursos completados por escuela; y 2) finalización del título, requisitos de unidades, o haber obtenido un GED ("General Education Development" (Desarrollo Educativo General)), HiSet, o TASC en California.

PRIMERA PARTE

Duración de estudios y cursos completados por escuela

Tres años de asistencia a tiempo completo o el logro de créditos equivalentes obtenidos en California de un/a:

- » **Escuela secundaria**¹
- » **Escuela de adultos**²
 - Asistencia de Tiempo Completo = mínimo de 420 horas / año escolar
- » **Colegio Comunitario:**
 - Cursos de Credito
 - 12 unidades por semestre o el equivalente de unidades por trimestre. Nota: Un máximo de 2 años de asistencia por Tiempo Completo puede ser contado.
 - Cursos de no-creditos
 - Asistencia de Tiempo Completo = mínimo de 420 horas por año escolar.
- » **O cualquier combinación de los anteriores**

0

3 años de créditos en una escuela secundaria y 3 años de asistencia completa en California en una:

- » Escuela primaria
- » Escuela secundaria
- » O cualquier combinación de estas dos

Y

SEGUNDA PARTE

Completación de Título, requisitos de unidades o un GED, HiSet or TASC

Cumplir uno de los siguientes:

- » Graduarse de una escuela secundaria en CA
- » Obtener un GED en CA
- » Obtener un título de asociado de un Colegio Comunitario en CA
- » Cumplir con los requisitos mínimos de transferencia para la Universidad de California (UC) o la Universidad Estatal de California (CSU)

- ¹ Las escuelas secundarias deben estar establecidas por el Consejo Estatal de California
- ² Las escuelas de adultos deben estar establecidas por: la Oficina de Educación del Condado, el Distrito de Escuelas Secundarias Unificadas o el Departamento de Correcciones y Rehabilitación.

AVERIGUES TU ELEGIBILIDAD

Immigrants Rising ha creado una herramienta para ayudarte a calcular tus unidades u horas de asistencia en una escuela en California, tanto como los requisitos de título u otros requisitos para determinar tu elegibilidad de matrícula como residente en California. Si aún no has cumplido con los requisitos, esta herramienta te puede apoyar en identificar los pasos necesarios para ser elegible en el futuro. Visite: immigrantsrising.org/istt. OJO: La herramienta, por el momento, es solamente ofrecida en Inglés.

Agradecemos al Centro de Recursos Para la Comunidad Indocumentada de Berkeley City College por su apoyo en traducir este documento.

Immigrants Rising te ayuda a tomar decisiones basadas en tu potencial, no en tus límites percibidos. Visita nuestra página web para que puedas ver lo que es posible: immigrantsrising.org. Para consultas sobre este recurso, favor de comunicarse con Nancy Jodaitis, Directora de Educación Post Secundaria nancy@immigrantsrising.org.

AB 540 / SB 68 ATTENDANCE WORKSHEET



Becoming eligible for in-state tuition in California

Are you undocumented and want to go to college in California?

At Immigrants Rising, we are deeply committed to helping you meet your educational goals. Getting your college degree will not only help you earn a living, but will also pave the way for you, your family, your community and future generations to thrive. In California, you can pay in-state tuition (avoiding out-of-state fees) through AB 540/SB 68. This law allows you to pay in-state tuition fees, which are 3-4 times lower than out-of-state tuition fees. Once you meet eligibility for in-state tuition, you can also apply for state financial aid through the California Dream Act application.

To be eligible for AB 540/SB 68, you must be undocumented, DACAmented, a T & U Visa Holder, a U.S citizen, or a lawfully present immigrant.

2020-21 ESTIMATED AVERAGE OF UNDERGRADUATE TUITION FOR FULL TIME ATTENDANCE IN CALIFORNIA

	In-State/Resident Tuition & Fees (AB 540/SB 68)	Out of State/Non-Resident Fees* (Non AB 540/SB 68)
Eligible for the CA Dream Act	Yes	No
California Community College	\$1,185	\$7,000
California State University	\$7,227	\$9,504
University of California	\$14,037	\$29,754

**Out-of-State/Non-Resident Fees are additional fees if Non AB 540/SB 68.*

Using This Worksheet

Since completing the educational eligibility requirements for AB 540/SB 68 takes at least three years, we want to be sure you don't lose track of what you've done. We created this AB 540/SB 68 Attendance Worksheet so you'll have a central location to keep the count of your attendance and degree requirements and monitor your progress. Use [Calculating Your Eligibility for In-State Tuition in CA](#) guide for more details about calculating your attendance requirements.

Step 1: Calculate your attendance.

Step 2: Identify your degree or transfer requirements. You can work on step 1 & 2 at the same time.

Step 3: Get approved to pay resident fees.

Step 4: Apply for the CA Dream Act by March 2.

Fill it out and keep a paper copy in a safe place or download this PDF and save it on your computer. Don't forget: We believe in you!

STEP 1: CALCULATE YOUR ATTENDANCE

Check your transcripts or attendance records to find your units or hours. Contact the registrar for more info.

FIRST YEAR Review your attendance during your **first year** of studies at a California school. This can take place in one year or over multiple years. The goal is to meet the equivalent number of hours or units.

School Name(s) _____

- | | | |
|---------------------------------------|---------------------|-----------------------|
| <input type="checkbox"/> High School | 1 year = 55 credits | Total credits # _____ |
| <input type="checkbox"/> Adult School | 1 year = 420 hours | Total hours # _____ |

CA Community College

- | | | |
|--|----------------------------|---------------------|
| <input type="checkbox"/> Noncredit courses | 1 year = 420 hours | Total hours # _____ |
| <input type="checkbox"/> Credit courses * | 1 year = 24 semester units | Total units # _____ |
| | 1 year = 36 quarter units | |

* You can only use up to a maximum of two years of credit classes at the California Community Colleges to meet eligibility: 48 semester units or 72 quarter units.

SECOND YEAR Review your attendance during your **second year** of studies at a California school. This can take place in one year or over multiple years. The goal is to meet the equivalent number of hours or units.

School Name(s) _____

- | | | |
|---------------------------------------|---------------------|-----------------------|
| <input type="checkbox"/> High School | 1 year = 55 credits | Total credits # _____ |
| <input type="checkbox"/> Adult School | 1 year = 420 hours | Total hours # _____ |

CA Community College

- | | | |
|--|----------------------------|---------------------|
| <input type="checkbox"/> Noncredit courses | 1 year = 420 hours | Total hours # _____ |
| <input type="checkbox"/> Credit courses * | 1 year = 24 semester units | Total units # _____ |
| | 1 year = 36 quarter units | |

* You can only use up to a maximum of two years of credit classes at the California Community Colleges to meet eligibility: 48 semester units or 72 quarter units.

THIRD YEAR Review your attendance during your **third year** of studies at a California school. This can take place in one year or over multiple years. The goal is to meet the equivalent number of hours or units.

School Name(s) _____

- | | | |
|---------------------------------------|---------------------|-----------------------|
| <input type="checkbox"/> High School | 1 year = 55 credits | Total credits # _____ |
| <input type="checkbox"/> Adult School | 1 year = 420 hours | Total hours # _____ |

CA Community College

- | | | |
|--|----------------------------|---------------------|
| <input type="checkbox"/> Noncredit courses | 1 year = 420 hours | Total hours # _____ |
| <input type="checkbox"/> Credit courses * | 1 year = 24 semester units | Total units # _____ |
| | 1 year = 36 quarter units | |

* You can only use up to a maximum of two years of credit classes at the California Community Colleges to meet eligibility: 48 semester units or 72 quarter units.

STEP 2: IDENTIFY YOUR DEGREE OR TRANSFER REQUIREMENTS

Choose one of the options below. Check your transcripts or ask the Registrar at your school for your records.

CALIFORNIA HIGH SCHOOL

School Name(s) _____ Year Completed _____

- High School Diploma
- General Equivalency Diploma (GED)
- High School Equivalency Test (HiSet)

OR

CALIFORNIA COMMUNITY COLLEGE

School Name(s) _____ Year Completed _____

- Associate's Degree
- Minimum Transfer Requirements for a CSU or UC

HERE IS AN EXAMPLE OF HOW A STUDENT MET THE REQUIREMENTS FOR IN-STATE TUITION ELIGIBILITY

<p>Year 1: Adult School Year 2: Community College Year 3: Community College High School Diploma</p>	<p><i>"I took my time to earn my High School Diploma and I'm so glad I did. With SB68, I received enough financial aid to attend a public CA university."</i></p> <p>Akiko, Current Undergraduate Student</p>
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STEP 3: GET APPROVED TO PAY RESIDENT FEES

Your school will verify that you meet the eligibility requirements.

Now that you've completed your requirements, you need to submit the following paperwork to the college or university you plan to attend:

- Submit AB 540/SB 68 Non-Resident Tuition Exemption Form:
 - Read [Submitting Your AB 540 \(SB 68\) Non-Resident Tuition Exemption Form](#).
 - If you're attending a California Community College, [submit this form](#).
 - If you're attending a California State University, [submit this form](#).
 - If you're attending a University of California campus, [submit this form](#).
- Transcripts & Attendance records (as required)

For more information, read [Submitting Your AB 540/SB 68 Non-Resident Tuition Exemption Form](#).

STEP 4: APPLY FOR THE CA DREAM ACT

Meeting the eligibility for AB540/SB 68 means that you can apply for the CA Dream Act.

- Submit your CA Dream Act application by March 2 to be considered for maximum aid
- Use our [CA Dream Act Checklist](#) to make sure you don't miss out on any steps
- Submit the application at dream.csac.ca.gov

"I applied to the CA Dream Act by completing my SB 68 requirements. I was able to receive financial aid and finished my Master's degree."

Linda, AB540/SB68 Graduate Student

"Although my immigration status defines how far I can travel, SB68 shows me that it will never define how far I can dream."

Daniela, Current Community College Student

IMPORTANT THINGS TO REMEMBER:

- All attendance must take place after 2001 at an accredited CA high school, CA adult school or CA Community College (credit or non-credit courses).
- High school students who are attending college classes must meet specific requirements to count the attendance separately.
- Individuals who graduate from a California high school, without having completed three years of high school attendance, can combine California elementary schools, middle schools and high schools attendance to meet the requirement.
- California high schools must be established by the State Board Of Education. Check with your school if they meet the requirements.
- California adult schools must be established by: a) County Office of Education, b) Unified School District/High School District or c) The Department of Corrections and Rehabilitation. Check with your school to see if they meet requirements.

ADDITIONAL RESOURCES:

- For more detailed info about the AB 540/ SB 68 requirements, check out our [Quick Guide](#).
- Learn more about how to calculate your attendance with [Calculating Your Eligibility for In-State Tuition in CA](#) guide.
- You can also use our [In-State Tuition Tool](#) to help you determine if you have met the requirements.
- Get contact information at the [California Undocumented Map](#)! These advocates help undocumented students at CCCs, CSUs & UCs.
- Check immigrantsrising.org/resources for a complete list of resources.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org



SUBMITTING THE AB 540/AB 2000/SB 68 AFFIDAVIT

Required for New Incoming Students at CCCs, CSUs, or UCs

Revised 11/2021

Who should fill out the Affidavit?

New incoming students who are individuals without lawful immigration status (undocumented), Deferred Action for Childhood Arrivals (DACA) grantees, students with T or U nonimmigrant status, TPS, U.S. Citizens, Lawful Permanent Residents or other lawfully residing students who are classified as nonresidents and meet the eligibility criteria for AB 540, AB 2000, or SB 68.

Why should I fill out an affidavit?

If you are not classified as a state resident, you will be charged non-resident fees until your affidavit and necessary documentation are submitted and processed at the school you plan to attend. Additionally, you will not be eligible to receive your California Dream Act financial aid until your affidavit is processed.

What documentation do I have to submit?

There are two types of documentation you may be required to submit with the affidavit: 1) an official copy of your transcripts from a CA High School or the equivalent (GED), a California community college (credit or non-credit), an Adult School, or a combination of these transcripts. 2) proof that you have or will have graduated with a high school diploma or the equivalent (GED, CHSPE, TASC, or HiSet); an Associate's Degree from a California Community College; or proof that you will have completed the minimum requirements for transfer to a CSU or UC. If you have three years of high school credits, and attended a combination of three years at CA elementary & secondary schools, you may also be required to submit your transcripts from these schools.

When should I submit my affidavit?

You should submit your affidavit prior to the deadline listed at your school. This is usually sometime after you receive your acceptance letter and prior to your new student orientation. Check with your school for specific deadlines. Continuing students should not be required to submit a new affidavit, once it's been approved, unless they have not attended classes for a full year and need to reapply to the school.

Where should I submit my affidavit?

You must submit your affidavit to the Admissions or Registrar's Office at the college or university you plan to attend. Once you submit it, you should follow-up within the next 2 weeks to BE SURE that the College or University received all the necessary paperwork.

How do I complete the Affidavit?

Fill out your full name, student ID number, address, email, and schools attended, including dates and length of time. You will also be required to attest that you meet the eligibility criteria. You must check the box that pertains to you and sign the form.

1. Students with T or U non-immigrant or refugee status should consult with their school before completing the affidavit. AB 1899 allows individuals who have been granted T or U status to be considered for in-state tuition eligibility without waiting a year, if they meet the criteria described above. Under AB 343, refugees, T and U visa holders may also be eligible to pay in-state rates immediately, under another exception for these students, if they settled originally in California.
2. Students who do NOT have a current nonimmigrant status, including students who are undocumented, DACA recipients, have TPS, are U.S. Citizens, Lawful Permanent Residents, and other lawfully residing immigrants should check the SECOND box.
3. Students who have been admitted to the U.S. on a temporary nonimmigrant visa (with the exception of T & U Visas holders) are not eligible to apply for the nonresident tuition exemption.

Print out your California Nonresident Tuition Exemption Request today!

[California Community College](#) / [California State University](#) / [University of California](#)

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org

CALIFORNIA NONRESIDENT TUITION EXEMPTION REQUEST (Education Code section 68130.5, commonly known as AB 540 Effective Jan. 1, 2018)

INSTRUCTIONS

Complete and sign this form to request exemption from nonresident tuition charged to nonresident students. Once determined to be eligible, you will continue to receive the exemption as long as you fulfill eligibility requirements or until the College or University no longer offers this exemption. Applying for this exemption does not alter your responsibility to pay, by the campus deadline, any nonresident tuition and associated fees that may be due before your eligibility is determined.

APPLICATION

Name _____ College Student ID: _____

I, the undersigned, am applying for the California Nonresident Tuition Exemption at (specify the College) _____ and declare that the following apply to me.

1.) Check one box only:

I have a current nonimmigrant visa (not including a T and U visa) as defined by federal law.

Nonimmigrants have been admitted to the U.S. on a temporary visa and include, but are not limited to, foreign students (holding F visas) and exchange visitors (holding J visas).

I have a current nonimmigrant T or U visa as defined by federal law.

I do NOT have a current, nonimmigrant visa as defined by federal law.

This includes, among others, U.S. citizens, permanent residents, DACA recipients, and individuals without current or valid immigration status.

2.) Select all items that apply to you from each column (must satisfy at least one from each column to be eligible):

Column A	Column B
<p><input type="checkbox"/> I have 3 years of attendance at a California high school.</p> <p><input type="checkbox"/> I have 3 or more years of high school coursework and 3 years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.</p> <p><input type="checkbox"/> I attended or attained credits at a combination of California high school, California adult school, and/or California Community College for the equivalent of (3) years or more.*</p>	<p><input type="checkbox"/> I have graduated or will graduate (before the first term of enrollment at the CCC) with a California high school diploma or the equivalent (i.e., California-issued GED, CHSPE).</p> <p><input type="checkbox"/> I completed or will complete (before the first term of enrollment at the CCC) an associate's degree from a California Community College.</p> <p><input type="checkbox"/> I completed or will complete (before the first term of enrollment at the CCC) the minimum requirements at a California Community College for transfer to the California State University.</p>

*A year's equivalence at a California Community College is either a minimum of 24 semester units of credit or 36 quarter units. Only two (2) years of full-time attendance in credit courses at a California Community College will count

Revised February 26, 2020

toward the three (3) or more years of attendance. For noncredit courses, a year’s attendance is a minimum of 420 class hours per year (a semester is equivalent to a minimum of 210 hours and a quarter is equivalent to a minimum of 140 hours). Full-time attendance at a California adult school is a minimum of 420 hours of attendance for each school year.

Please provide information on the schools you attended and referenced above, including the dates you attended and the number of credits or hours obtained:

Name of CA School	Type of School (high school, adult school or community college)	City	From (Month/Year)	To (Month/Year)	Number of Credits or Hours

Applicants must submit, as part of this form, official transcripts/attendance records that validate any of the information above as requested by the College, District, or University residence official.

AFFIDAVIT:

By signing this document below, I hereby state that if I am a non-citizen without a current or valid immigration status, I have filed an application to legalize my immigration status or will file an application as soon as I am eligible to do so.

DECLARATION OF TRUE AND ACCURATE INFORMATION:

I, the undersigned, declare under penalty of perjury that the information I have provided on this form is true and accurate. I understand that this information will be used to determine my eligibility for the California Nonresident Tuition Exemption. I further understand that if any of the above information is found to be false, I will be liable for payment of all nonresident tuition charges from which I was exempted and may be subject to disciplinary action by the College or University.

FULL NAME	CAMPUS ID NUMBER	EMAIL ADDRESS
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SIGNATURE	DATE
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CALIFORNIA STATE UNIVERSITY NONRESIDENT TUITION EXEMPTION

GENERAL INFORMATION

The California State University (CSU) Nonresident Tuition Exemption is available for certain nonresident students (including U.S. citizens, permanent residents, and undocumented individuals) who have attended, graduated, or achieved the equivalent from a California school. These students may be exempted from paying nonresident tuition but must remain classified as “nonresidents” for residence classification and financial aid eligibility purposes. The exemption originated with the passage of Assembly Bill 540, Assembly Bill 2000, and Senate Bill 68.

ELIGIBILITY

The CSU Nonresident Tuition Exemption is open to CSU students enrolled as undergraduate or graduate students who are:

- U.S. Citizens
- Permanent Residents
- Undocumented Students
- T and U Visa Holders Only

MUST MEET THE EXEMPTION REQUIREMENTS (Attendance and Graduation Requirements)

Attendance requirement (must meet one)

- Attended a high school (public or private) in California for three or more years, OR
- Attained credits earned in California from a California high school equivalent to three or more years of full-time high school course work and attended a combination of elementary, middle and/or high schools in California for a total of three or more years.
- Attended or attained credits at a combination of California high school, California adult school*, and California community college for the equivalent of (3) years or more.

*A year's equivalence of attendance at a California community college is either a minimum of 24 semester units of credit or 36 quarter units. Only two (2) years of full time attendance in credit courses at the California community colleges will count towards the three (3) or more years of attendance. Full time attendance at a California adult school is a minimum of 420 hours of attendance for each school year.

Graduation/Degree Requirement (must meet one)

- The student must have graduated from a California high school or attained the equivalent from a California high school prior to the start of the term (for example, passing the GED or California High School Proficiency exam) or
- Completed or will complete (before the first term of enrollment at the CSU) an associate's degree from a California community college; or
- Completed or will complete (before the first term of enrollment at the CSU) the minimum requirements at a California community college for transfer to the California State University. The student must file an affidavit with the college or university stating that he or she has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so.
- The student must file an exemption request including a signed affidavit with the campus that indicates the student has met all applicable conditions described above. Student information obtained in this process is strictly confidential unless disclosure is required under law.

CALIFORNIA STATE UNIVERSITY NONRESIDENT TUITION EXEMPTION

ADDITIONAL INFORMATION

- Students eligible for this exemption who are transferring to another California public college or university must submit a new request (and documentation if required) to each college under consideration.
- Nonresident students meeting the criteria will be exempted from the payment of nonresident tuition, but they will not be classified as California residents. They continue to be “nonresidents.”
- The California Dream Act extends Cal Grant A and B Entitlement awards, Cal Grant C awards, Chaffee grants, and institutional financial aid to students that meet these criteria as well as the applicable criteria for eligibility for specific types of financial aid.
- AB540 does not provide federal student financial aid eligibility for undocumented students. These students remain ineligible for federal financial aid.
- Undocumented students who are eligible for AB540 will remain ineligible for federal financial aid.

It is important to note that students who take adult school or community college courses while concurrently enrolled in a CSU to qualify for the AB540/SB68 exemption will continue to be charged out of state tuition as nonresidents until the exemption requirements are fulfilled. In addition students who already earned a high school diploma or the equivalent from another state may not take courses to obtain a California high school diploma or the equivalent in order to be granted the exemption.

FREQUENTLY ASKED QUESTIONS

Below is a list of frequently asked questions. Please note that while the term AB540 is used it also refers to AB2000 and SB68 all of which are based on California Education Code Section 68130.5.

Is the AB540 exemption only for undocumented students?

NO. The AB540 exemption is available for U.S. citizens, permanent residents, undocumented students and T or U Visa holders.

I am a DACA student. Is the exemption available for me?

Yes, the exemption is available for DACA students that meet the exemption requirements.

If a student was in a visa status other than T or U during attendance at a California school, can that attendance and/or graduation count towards fulfillment of the exemption requirements?

Yes; however, with the exception of students holding a T or U visa, the visa status (e.g. F-1) cannot be active at the time the student applies for the exemption.

What documents do I need to apply for the exemption?

Students must complete and submit the California Nonresident Tuition Exemption Request (affidavit) and provide supporting documentation (e.g. transcripts).

Where can I find the Nonresident Tuition Exemption Request (affidavit)?

This form may be obtained from the Office of Admissions at the campus of planned attendance or from the CSU website www.calstate.edu/residency under Find Forms. Supporting documentation such as official school transcripts should be submitted with the form.

Where should I submit the form?

The completed form should be submitted to the Office of Admissions at the campus of planned attendance.

How many forms do I submit?

You must submit one form with supporting documentation for each campus of planned attendance.

Who determines whether a student qualifies for the exemption?

The campus Office of Admission.

Once approved, do I need to submit a new form for each semester?

NO. Once you have been approved for the exemption, it continues for subsequent terms as long as continuous enrollment is maintained.

Does AB540 status mean that I am a California resident?

NO. AB540 students are still classified as nonresidents. AB540 status merely exempts students from the payment of nonresident (out of state) tuition so that students pay in-state tuition.

Can I be both AB540 and California resident?

NO. While you may be a California resident who qualifies for AB540, you may hold only one classification in the system at a time; therefore, for tuition purposes you will be classified as either AB540 or California resident.

FREQUENTLY ASKED QUESTIONS

Can I change from California resident to AB540 or vice versa?

YES. However, the campus Office of Admissions cannot advise you of which status to choose. As each status determines your eligibility for certain types of financial aid, it is strongly suggested that you consult with the campus financial aid department in order to understand how such a change will affect you.

If I am not approved for the exemption can I appeal the decision?

NO. There is no appeal process for a denial of the AB540 exemption.

Can a student who has 3 years of attendance at a California school but left California and obtained a high school diploma or equivalent from another state, take courses to obtain a California high school diploma or equivalent to meet AB540 requirements?

NO. Once a student has a diploma, the student cannot earn a duplicate in California in order to be granted the AB540 exemption.

If a student attends a California Community College for 3 years is that attendance alone sufficient to fulfill the attendance requirement for the exemption?

NO. Only two years of community college attendance may be used to meet the attendance requirement. An additional year must be drawn from attendance at a California K-12 school or a California adult school.

After enrolling at a CSU should a student take adult school courses to meet exemption attendance requirements in order to use the exemption for the next term of enrollment at a CSU?

The purpose of the exemption is to save the student money by allowing the student to pay in-state (resident) fees. Enrolling at the CSU prior to completion of all exemption requirements is not a good idea for it means that the student will be responsible for out of state tuition (nonresident) fees until all exemption requirements are met.

If I have the AB 540 nonresident status can I apply for financial aid?

Yes, students who are Permanent Residents and US Citizens may apply for the Free Application for Federal Student Aid (FASFA). Undocumented students may apply for the Dream Act.

CALIFORNIA NONRESIDENT TUITION EXEMPTION REQUEST

Education Code § 68130.5, as amended, commonly known as **AB 540**
Effective January 1, 2018

INSTRUCTIONS

Complete and sign this form to request exemption from nonresident tuition charged to nonresident students. Once determined to be eligible, you will continue to receive the exemption as long as you fulfill eligibility requirements or until the University no longer offers this exemption. Applying for this exemption does not alter your responsibility to pay, by the campus deadline, any nonresident tuition and associated fees that may be due before your eligibility is determined. Complete and return this form to the Campus Office of Admissions and Records.

APPLICATION

I, the undersigned, am applying for the California Nonresident Tuition Exemption at California State University (specify campus)
_____ and declare that the following apply to me.

1.) Check one box only:

- I have a current nonimmigrant visa (not including a T or U visa) as defined by federal law.
Nonimmigrants have been admitted to the U.S. on a temporary visa and include, but are not limited to, foreign students (holding F visas) and exchange visitors (holding J visas).
- I have a current nonimmigrant T or U visa as defined by federal law.
- I do NOT have a current, nonimmigrant visa as defined by federal law.
This includes, among others, U.S. citizens, permanent residents, DACA recipients, and individuals without a current or valid immigration status.

2.) Select all items that apply to you from each column:

Column A

- I have 3 years of attendance at a California high school.
- I have 3 or more years of high school coursework and 3 years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.
- I attended or attained credits at a combination of California high school, California adult school, and California Community College for the equivalent of (3) years or more.*

Column B

- I have graduated or will graduate (before the first term of enrollment at the CSU) with a California high school diploma or the equivalent (i.e., California-issued GED, CHSPE).
- I completed or will complete (before the first term of enrollment at the CSU) an associate's degree from a California Community College
- I completed or will complete (before the first term of enrollment at the CSU) the minimum requirements at a California Community College for transfer to the California State University.

*A year's equivalence at a California community college is either a minimum of 24 semester units of credit or 36 quarter units. Only two (2) years of full time attendance in credit courses at the California community colleges will count towards the three (3) or more years of attendance. Full-time attendance at a California adult school is a minimum of 420 hours of attendance for each school year.



CALIFORNIA NONRESIDENT TUITION EXEMPTION REQUEST

Education Code § 68130.5, as amended, commonly known as **AB 540**
Effective January 1, 2018

Please provide information on the schools you attended and referenced, including the dates you attended and the number of credits or hours obtained:

Name of California School	City	From (Month/Year)	To (Month/Year)	Number of Credits or Hours

Applicant must submit, as part of this form, official transcripts/attendance records that validate any of the information above as requested by the campus residence official.

AFFIDAVIT:

If you are a non-citizen without a current or valid immigration status, your signature below serves as your affidavit of the following: I have filed an application to legalize my immigration status or will file an application as soon as I am eligible to do so.

DECLARATION OF TRUE AND ACCURATE INFORMATION:

I, the undersigned, declare under penalty of perjury that the information I have provided on this form is true and accurate. I understand that this information will be used to determine my eligibility for the California Nonresident Tuition Exemption. I further understand that if any of the above information is found to be false, I will be liable for payment of all nonresident tuition charges from which I was exempted and may be subject to disciplinary action by the University.

FULL NAME	STUDENT ID NUMBER	EMAIL ADDRESS
------------------	--------------------------	----------------------

SIGNATURE	DATE
------------------	-------------



BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO

SANTA BARBARA • SANTA CRUZ

CALIFORNIA NONRESIDENT TUITION EXEMPTION REQUEST (AB 540) Effective January 1, 2018

INSTRUCTIONS

Complete and sign this form to request exemption from Nonresident Supplemental Tuition charged to nonresident students. Once determined to be eligible, you will continue to receive the exemption as long as you fulfill eligibility requirements or until the University no longer offers this exemption. Applying for this exemption does not alter your responsibility to pay, by the campus deadline, any Nonresident Supplemental Tuition and associated fees that may be due before your eligibility is determined.

APPLICATION

I, the undersigned, am applying for a University of California Nonresident Tuition Exemption at _____ and declare that the following apply to me. (UC campus)

1.) Check one box only:

I have a current nonimmigrant visa as defined by federal law.
Nonimmigrants have been admitted to the U.S. on a temporary visa and include, but are not limited to, foreign students (holding F visas) and exchange visitors (holding J visas).

I do NOT have a current, nonimmigrant visa as defined by federal law.
This includes, among others, U.S. citizens, permanent residents, DACA recipients, and individuals without immigration status.

2.) Select all items that apply to you from each column:

Column A	Column B
<input type="checkbox"/> I attended a California high school for three (3) years or more.	<input type="checkbox"/> I have graduated or will graduate with a California high school diploma or the equivalent (i.e. California-issued GED, CHSPE).
<input type="checkbox"/> I attended a combination of California elementary, secondary, and high school of three (3) years or more.	<input type="checkbox"/> I have completed or will complete an associate's degree from a California Community College.
<input type="checkbox"/> I attended a California adult school.	<input type="checkbox"/> I have completed or will complete the minimum requirements at a California Community College for transfer to the California State University or the University of California.
<input type="checkbox"/> I attended a California community college for two (2) or more years.	
<input type="checkbox"/> I attended a combination of California high school, adult school, and community college for three (3) years or more.	

Please provide information on the schools you attended and referenced above:

Name of California School	City	State	From Month/Year	To Month/Year
		CA		

Applicant must submit, as part of this form, official transcripts/attendance records that validate any of the information above as requested by the UC campus residence official (i.e., California K-12, adult school, community college, etc.).

AFFIDAVIT:

By signing this document below, I hereby state that if I am a non-citizen without an immigration status I have filed an application to legalize my immigration status or will file an application as soon as I am eligible to do so.

DECLARATION OF TRUE AND ACCURATE INFORMATION:

I, the undersigned, declare under penalty of perjury that the information I have provided on this form is true and accurate. I understand that this information will be used to determine my eligibility for the California Nonresident Tuition Exemption. I further understand that if any of the above information is found to be false, I will be liable for payment of all Nonresident Supplemental Tuition charges from which I was exempted and may be subject to disciplinary action by the University.

FULL NAME	CAMPUS ID NUMBER	EMAIL ADDRESS

SIGNATURE	DATE



CA RESIDENCY FOR TUITION PURPOSES

Updated 11/2021

All information regarding residency in this resource was compiled from the CCC Chancellor’s office (cccco.edu), the CSU Chancellor’s office (calstate.edu) and the UC Office of the President (ucop.edu). For more details, search for “residency” in the above websites or on your school’s website. You can also contact the office that determines CA state residency at your school: CCC: Admissions & Records, CSU: Admissions; UC: Registrar.

California Residency for Tuition Purposes at Public Colleges & Universities

Rules governing state residency in postsecondary education are determined by the California Education Code. Each student’s residency status will be determined based on the information submitted on their application for admission or residency paperwork. If the student is under the age of 19, California residency will be determined by the residency status of their parents or legal guardians. This is important for students whose parents live in another state or another country or do not have legal presence in the state. Students who are over the age of 19 must demonstrate financial independence from their parents or legal guardians to be considered residents for tuition purposes.

California Residency for Tuition Purposes is Measured by:

- 1) **Legal presence** in the state: i.e., citizenship or an immigration status that allows the person to establish residence in California; (i.e., citizen, permanent resident, Deferred Action for Childhood Arrivals (DACA), or another eligible immigration status).
- 2) **Continuous physical presence** in California for 366 days immediately prior to the determination date
Note: CCCs, CSUs and UCs all have distinct determination dates. Check your campus for specific dates.
- 3) **Intent and capacity to remain** in California indefinitely.

California Residency for Tuition Purposes is Different From U.S. Citizenship/Permanent Resident Status

California Residency for Tuition Purposes	U.S. Citizenship & Permanent Resident Status
Determined by the college or university	Determined by the US government: DHS & USCIS
Governed by CA Educational Codes	Governed by multiple immigration laws & policies
Begins with legal physical presence in California	Begins with legal presence in the United States
Required to be eligible for state financial aid	Required to be eligible for federal financial aid
Student must provide necessary documentation by the criteria and timeline set by their school to be admitted and charged resident or nonresident tuition.	Individual must provide necessary documentation to US government agencies & courts. Citizenship/Immigration status does not guarantee CA residency for tuition purposes.

Resident and Non-Resident Fee Rates & Eligibility for CA State Financial Aid

Resident Fees	Non-Resident Fees
Pay resident per unit or per year tuition & fees	Pay an additional per-unit or per year non-resident fee & resident fees.
Eligible to receive state financial aid	Ineligible to receive state financial aid
Able to participate in programs for CA residents	Unable to participate in programs for CA residents

Non-Resident Tuition Exemption & Non-Residents

AB 540/ SB68 is a California law that allows certain categories of students (citizens and non-citizens) to be exempt from paying non-resident tuition. Students who meet the AB 540/ SB 68 requirements may be eligible for financial aid.

Non-Resident Tuition Exemption (AB 540/ SB 68)	Non-Resident
Pays resident fees	Pays non-resident fees
Eligible to receive state financial aid	Not eligible to receive state financial aid
Able to participate in programs for CA residents	Unable to participate in programs for CA residents

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MIXED STATUS HOUSEHOLDS: HOW TO APPLY FOR IN-STATE TUITION & FINANCIAL AID IN CA

Revised 08/2020

Are you a U.S. citizen, legal permanent resident (LPR) or eligible non-citizen, but your parent(s) are undocumented?

If you and your parents live in California, find out what's necessary to be eligible to pay resident fees and receive federal and state financial aid at a CCC, CSU or UC. Follow the steps below. Be proactive. Advocate for yourself.

1. Paying Resident Fees at a CCC, CSU or UC

Residency for Tuition Purposes in CCCs, CSUs, and UCs can be **based on the residency of the parent when the student is under a specific age**. This is also true when the college or university determines that students are financially dependent on their parent(s).

However, students who are citizens, legal permanent residents, or eligible non-citizens but whose parents are undocumented **should be classified as residents in most instances if their parents meet all other residency requirements for tuition purposes**. This is a complicated process and not all students are accurately classified.

If you are classified as a non-resident but believe that you meet the [residency requirements for tuition purposes in CA](#), **contact the residency officer at your campus**. If you are unable to resolve it at that level, contact the Chancellor's Office of the CCC, CSU, or the President's Office of the UC regarding their policy on residency for students who are U.S. citizens with undocumented parents.¹

If you cannot be classified as a resident, **check to see if you meet the [eligibility for AB 540/SB 68](#)** and submit the nonresident tuition exemption form (AB 540 affidavit), along with any required proof (transcripts).

Being classified as a resident for tuition purposes or AB 540/SB 68 student is key to paying resident fees and being able to receive state-based financial aid.

2. Submitting the FAFSA Application

Students who are citizens, legal permanent residents, or eligible non-citizens, but whose parent(s) is/are undocumented are eligible to submit the FAFSA application and receive federal financial aid.

Student should apply at fafsa.ed.gov but must pay attention to these specific details if their parents are undocumented:

- Student should obtain their own FSA ID.
- Parents should include their information, if required
- Parents should be sure to use 000's for the Social Security Number (SSN) if they do not have a valid SSN. They should not use an Individual Tax Identification Number (ITIN). The application will request confirmation if you use zeros. Say yes.
- Student should sign the FAFSA with their FSA ID.
- Parents should "Print signature page" to sign the FAFSA because they cannot obtain an FSA ID.²
- Students should save one copy of the signature page and mail the other to FAFSA. It can take up to six weeks to process, so send it early!
- Student should check on www.fafsa.ed.gov to confirm that the parent signature has been received. The student's FAFSA application cannot be processed until the parent signature is successfully added.

Under FERPA protections, all information on the FAFSA should only be used for educational purposes

3. Receiving Federal and State Financial Aid at a CCC, CSU or UC

Students who filled out the FAFSA but were admitted as non-residents usually do not see CA state financial aid in their original financial aid award—only federal financial aid. Once approval of their residency classification or AB 540 status is approved, students must contact the Financial Aid department to ensure that all state financial aid for which they are eligible is added to their financial aid award. Check out our [Types of CA State Financial Aid](#) for more details.

¹ [Stipulated Statement of the Law \(2006\), Students Advocating for Higher Education vs. CSU Case PK-06- 506755 2](#) or [UC Residence Policy and Guidelines \(2020\)](#)

² Undocumented individuals cannot obtain a FSA ID because their signature needs to be validated by the Social Security Administration and Department of Homeland Security

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CALIFORNIA DREAM ACT

IMMIGRANTS
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FAFSA VS. CA DREAM ACT: APPLY TO THE CORRECT FINANCIAL AID IN CA

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/ SB 68 Eligible Students Who Are: <ul style="list-style-type: none"> • Undocumented individuals; • DACAmented individuals; and • U visa holders • TPS 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)
Requirements for Financial Aid to Be Awarded	<ul style="list-style-type: none"> • Department of Homeland Security and Social Security Administration crosscheck student name, social security number, and birthdate to verify that all FAFSA eligibility requirements are met • All other eligibility for federal and state financial aid is met 	<ul style="list-style-type: none"> • School verifies student meets AB 540/ SB 68 eligibility requirements <i>Some schools may require a student's AB 540/ SB 68 status to be approved prior to awarding state financial aid.</i> • All other eligibility for state financial aid is met
Requirements for Financial Aid to Be Released to Pay Outstanding Balances	<ul style="list-style-type: none"> • Admission into an approved degree or certificate program • Minimum Unit requirements • Satisfactory Academic Progress 	Approval as AB 540/ SB 68 student and: <ul style="list-style-type: none"> • Admission into an approved degree or certificate program • Minimum Unit requirements • Satisfactory Academic Progress
What Happens If You Fill out the Wrong Application?	A HOLD is placed on your Account	A HOLD is placed on your Account
	A hold from the Department of Homeland Security (DHS) will prevent all financial aid from being awarded. Proof of citizenship or lawful presence per FAFSA will be required to release the hold.	A Residency Hold will prevent all state financial aid from being awarded. AB 540/ SB 68 status will be required to release the hold.
How to Release the HOLD and Receive Your Financial Aid	Contact the college or university you plan to attend and confirm which application you should be using. If the wrong application was submitted, be sure to complete the correct application. Then work with CSAC to complete the Application Conversion Form . After that, show a copy of this form to your financial aid counselor so they can: 1) Delete the incorrect application 2) Bring in the correct application and 3) Create a financial aid award. Based on your status, this will include federal or state financial aid or both. Once the proper application has been processed, you should be able to receive all financial aid for which you are eligible. For more information, contact CSAC at 1-888-294-7268. <i>Remember: The California Student Aid Commission honors the priority deadline of the first application submitted, even if it's the incorrect application.</i>	

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STEP 1: APPLY FOR THE CA DREAM ACT APPLICATION TO GET HELP PAYING FOR COLLEGE!

APPLY ONLINE
dream.csac.ca.gov

PRIORITY FILING DEADLINE
October 1st, 2021 to March 2nd 2022

CHECKLIST FOR 2022-2023 CA DREAM APPLICATION

- Be aware of AB 540/ SB 68 requirements.** In order for DREAM aid to be released, students must meet these requirements. U visa holders and students with TPS are eligible. T visa holders should apply through FAFSA.
- Create a username and password for the CA Dream Act Application.** Save them somewhere safe, where you won't forget!
- Complete the application by March 2nd to meet this important priority deadline!** You can apply afterwards, but many grants require you to meet the priority deadline. The following information is needed: 2020 tax information, untaxed income, bank statements, household size, number in college, etc.
- If your 2020 taxes aren't completed by March 2nd, indicate "Will file"** and use estimated household earnings. After you or your parent's 2020 taxes are completed, log in to update your application.
- If you are a non-tax filer, indicate "Will not file"** and list all untaxed income for the household. Be aware IRS limits apply.
- List all colleges and universities where you applied on the app.** Be sure to list at least one California college or university.
- Submit your CA Dream Act Application and review the confirmation page immediately to check for errors.**
- Ensure your parent signs the application,** if required, by creating a PIN (personal identification number) online. Each time a change is made on the application, you must resubmit it and your parents must re-sign it with their PIN. Always re-check the confirmation page.
- Verify your GPA has been submitted** to CA Student Aid Commission before March 2nd at mygrantinfo.csac.ca.gov
- If not, use the Non-SSN verification form** and bring to your high school or community college to have it filled out. Once completed, mail it to CSAC and get a proof of mailing from US Post Office.
- Check the online portal at each college or university** for information regarding your financial aid award at that school.
- Community College students can apply for CA College Promise Grant.** Additional paperwork may be required. Check with your school!

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STEP 2: MAKE SURE YOU ARE CONSIDERED FOR CAL GRANTS (GPA VERIFICATION)

VERIFY YOUR GPA
mygrantinfo.csac.ca.gov

PRIORITY FILING DEADLINE
October 1st, 2021 to March 2nd 2022

CHECKLIST FOR 2022-2023 CAL GRANTS

- Successfully submit CA Dream Act Application by March 2nd,** an important priority deadline for any state grants.
- Be sure your GPA has been verified before March 2nd** at mygrantinfo.csac.ca.gov. Your high school or community college should have verified this information to the California Student Aid Commission. This is required to be considered for a Cal Grant. If not, print out the Non-SSN verification form (csac.ca.gov/sites/main/files/file-attachments/2018_g4_gpa_march2_non_ssn.pdf) from CSAC and mail it with a proof of mailing from the U.S. Post Office.
- Check your award status online in March or April** at mygrantinfo.csac.ca.gov and ensure the proper school is listed.
- Choose the college or university you plan to attend.** Cal grants will only be shown at one school. You must "change schools" if the proper one is not listed on mygrantinfo.csac.ca.gov
- Complete any necessary steps or paperwork to receive financial aid at your college or university.**
- Submit AB 540/SB 68 Non-Resident Tuition Exemption form,** along with the final official transcripts to prove eligibility and become classified as a student with AB 540/SB 68 status.
- Graduate or will graduate from a California high school, adult school, or community college.**
- Be able to meet AB 540/ SB 68 requirements.** U visa holders or students with TPS status must provide immigration documents to the admissions or registrar's department at your school.
- Meet all other requirements** at csac.ca.gov

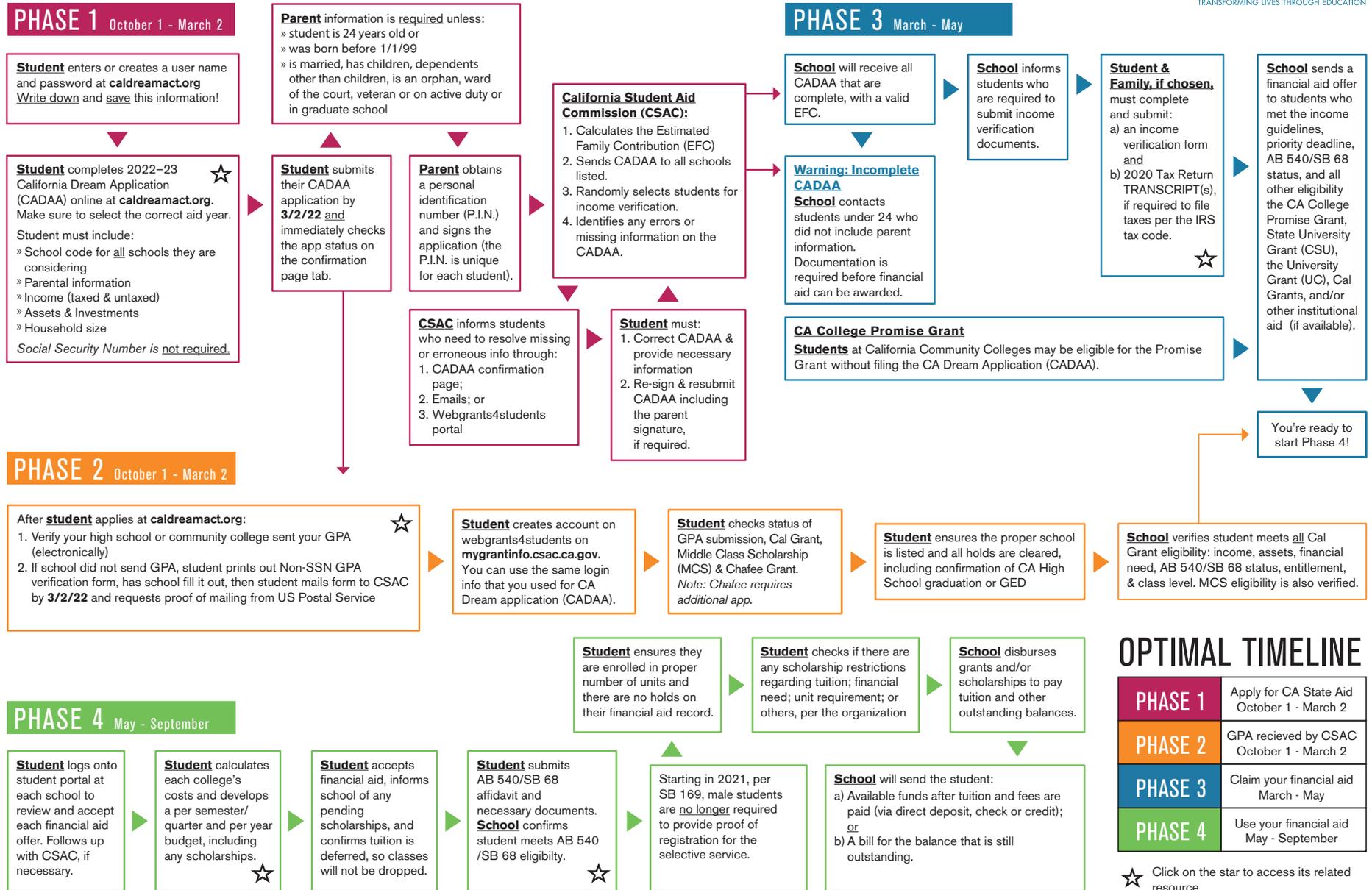
CA College Promise Grant & CAL Grants at the Community Colleges

- Community college students can apply for CA College Promise Grant, which waives all state fees.** Additional paperwork may be required. Check with your school!
- Cal Grant A will be placed on hold for two years** if student attends a community college. Student must reclaim Cal grant online when transferring.

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CALIFORNIA DREAM ACT MAP 2022-23: STEPS TO SUCCESSFULLY APPLY



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TYPES OF CA STATE FINANCIAL AID

Revised 9/2021

California is one of a growing number of states in the nation that offer state financial aid to undocumented students. The types of financial aid undocumented students can apply for depends on their citizenship and residency status. The California Dream Act, which requires students to meet AB 540/ SB 68 eligibility, increases the options of state financial aid.

TYPES OF AID FOR UNDERGRADUATES & GRADUATES	ELIGIBLE FOR AB 540/SB 68	INELIGIBLE FOR AB 540/SB 68
In-State Tuition	YES	NO, <i>except qualified DACA students</i>
Federal Aid	NO	NO
State Financial Aid	YES	NO
UC University Grant Undergraduate only	YES	NO
CSU State University Grant	YES	NO
California College Promise Grant Undergraduate only	YES	NO
EOP Services Undergraduate only	YES	NO
EOP&S Services Undergraduate only	YES	NO
California State Aid Undergraduate only; Cal Grants; Chaffee, Middle Class Scholarship; CA Dream Act Service Incentive Grant	YES	NO
State Loans CA Dream Loan	YES	NO
Private Loans	NO	NO
Work Study	NO, <i>check individual schools</i>	NO, <i>check individual schools</i>
Private Scholarships Check individual requirements	YES	YES
Institutional Aid Scholarships from private donors held at your college or university	YES	NO, <i>check individual schools</i>

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PROGRAM OVERVIEW

WHAT IS IT?

The California Dream Act Service Incentive Grant Program (DSIG) encourages California Dream Act Application (CADAA) students with a Cal Grant B award to perform community or volunteer service. Students shall perform 150 hours per semester/100 hours per quarter of community or volunteer service.

The California Student Aid Commission (CSAC) will award up to \$3,000 per academic year (up to \$1,500 per semester or up to \$1,000 per quarter) to 2,500 eligible students. The grant will be available to the student for up to 8 semesters or up to 12 quarters while they have an active Cal Grant B award.



CALIFORNIA STUDENT AID COMMISSION



WHERE CAN I GET MORE INFORMATION?

For more details and information including the program's Grant Application form, visit us at:

WWW.CSAC.CA.GOV/DSIG

CONTACT US  

888.224.7268

STUDENTSUPPORT@CSAC.CA.GOV



CALIFORNIA DREAM ACT SERVICE INCENTIVE GRANT PROGRAM



WHAT TO KNOW FOR STUDENTS

WWW.CSAC.CA.GOV/DSIG



AM I ELIGIBLE?

- ✓ Must have a completed and submitted California Dream Act Application (CADAA) for that academic year.
- ✓ Must be an active recipient of a Cal Grant B Award for that academic year.
- ✓ Must have enough financial need (determined by CSAC or your college or university).
- ✓ Must be enrolled at a Cal Grant eligible school.



INTERESTED? WHAT DO I DO NEXT?

Step 1 APPLY

Download, complete and submit the Grant Application form on our website.

Step 2 PERFORM HOURS

Shall perform 150 hours per semester/100 hours per quarter of community or volunteer service.

Step 3 REQUEST PYMT

Must meet Satisfactory Academic Progress and complete any necessary verification for your Cal Grant B award.

Download, complete and submit the Payment Request form on our website. Include verification of service hours.



Forms & Information
WWW.CSAC.CA.GOV/DSIG

WHERE CAN I PERFORM COMMUNITY OR VOLUNTEER SERVICE?

AT QUALIFYING SERVICE ORGANIZATIONS:

- Any 501(c)(3) nonprofit organization.
- Any federal, state or local government entity.
- Any school on the Cal Grant Eligible Schools list on the CSAC website.
- Shall be established for a minimum of two years prior to the date you begin performing service hours.
- Service performed is not advocacy of a political, social or religious nature.
- Service performed must be related to your field of study or serves to further community service or a community need.
- Qualifying Service Organizations shall register with CSAC.



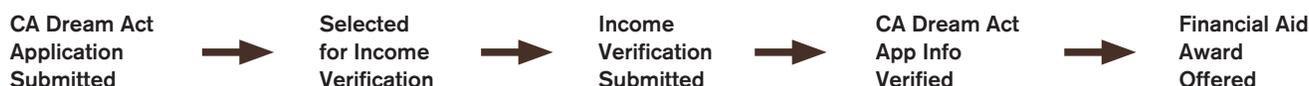
VERIFYING YOUR INCOME FOR THE 2022-23 CALIFORNIA DREAM APPLICATION

The California Student Aid Commission (CSAC) requires a certain percentage of students to verify the information reported on the California Dream Act Application. Students are informed if they need to complete this process via email or on the student portal at the universities listed on the application. Income verification means the student (and if required, their parents or spouse) must submit to the college or university that they plan to attend: 1) household verification worksheet and 2) a copy of their 2020 tax return transcripts, if taxes were filed. Additional documentation may also be required by the school. The financial aid office will update the student's CA Dream Act Application to match the household size and income per CSAC's guidelines. The verification process can take 3-4 weeks, once all documentation has been received.

DEPENDENT vs INDEPENDENT Students for the CA Dream Act Application

Dependent Students are under 24 years old or were born after 1/1/99, are single, have no children or other dependents, and are pursuing an undergraduate degree. **MUST provide student and parental household information regardless of** whether you live with your parents or receive their financial support. Some exceptions apply. Contact your school for details.

Independent Students meet at least one of the following conditions: are over 24 years old or were born before 1/1/99, are married, have children or other dependents for whom they provide 50% of child rearing costs, are a veteran or active duty, are an orphan or ward of the court, are at risk of homelessness, have a special circumstance or are pursuing a graduate degree. **MUST provide student household information.**



Income Verification for Tax Filers vs Non-Tax Filers

Tax Filers: If the parent and/or student worked and filed taxes, you are required to submit a copy of the 2020 tax return transcript. Be sure to request the IRS tax return transcript, not the tax account transcript. 1040 Tax Forms are not acceptable. Tax return transcripts are available for free by contacting the Internal Revenue Service (IRS) via internet or phone. The person requesting the transcript must be the one who signed the taxes. If you have trouble obtaining a transcript, contact IRS customer service. Note: Tax Return Transcripts are not available until three weeks after filing if you file electronically, or up to six weeks if you file by mail. Dependent students and parents must submit their own transcripts if they filed taxes separately.

Non-Tax Filers: If you are a non-tax filer, be sure to list all 2020 household income earned, as well as financial assistance or benefits received on the income verification worksheet. Include a copy of your W-2 form(s). If you earned cash, and do not have a W-2 form, explain the circumstances on the worksheet. You may be required to include proof of non-filing from the IRS. Also, be aware that if you or your parents earned over the IRS income filing limits, you may be required to file taxes in order to receive a financial aid award.

Independent Students are over 24 years old or born before 1/1/99, are married, have children or other dependents for whom they provide 50% of their support, are a veteran or active duty, orphan or ward of the court, at risk of homelessness, have a special circumstance or are pursuing a graduate degree. **MUST provide student household information.**

Standard Income Verification Worksheet

Household Size: The rules of the CA Dream Act Application define households as the student; the biological or adoptive parents; siblings under the age of 24 in most cases; and/or other dependents for whom the parents are financially responsible. Additional family members/individuals that live within the home but do not meet these requirements should not be included in the household.

Marital Status: Indicate whether the parent or student is single, married, separated or divorced, or widowed. Parents who are living together, but are not married should choose that option.

Tax Filing Status: Indicate whether the student and/or parent or spouse is a tax filer or a non-tax filer.

Financial Aid Received: List the amount of grants or scholarships received by the student during 2021 and the school(s) attended.

Child Support Paid: List the amount of any child support paid in 2021, including the child's name, the name of the person who paid child support, and the name of the person to whom it was paid.

SNAP Benefits Received: Indicate whether you and/or your parents received SNAP benefits in 2021 or 2022. Documentation from the agency that issued SNAP benefits may be required upon request.

Certification and Signature: By signing the verification worksheet, the parent and/or student certify that all the information is true. Signing also authorizes the Financial Aid Office to update the student's California Dream Act Application per CSAC guidelines and the information provided.

Additional Documentation: The college or university has the right to ask for additional documentation regarding household size or income earned if it is necessary to gain an adequate understanding of how household expenses were met for 2021.

Multiple Schools: If you listed more than one school on the CA Dream Act Application, you will be required to complete income verification at each school individually.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org



UNDOCUMENTED STUDENT BUDGET WORKSHEET

FIVE QUICK STEPS to understanding your financial aid award at any college or university in California. This worksheet can be used per semester or per year. If you are considering a number of schools, fill out a worksheet for each one and compare what your financial aid award would be. For more details, check out this video: youtu.be/3N5DhEbZKVI

1. Determine the cost of tuition and other expenses on your school's website by searching for "Cost of Attendance." Write down the estimated costs, then add your own expenses.
2. Review your financial aid award & write down any CA Dream Act Grants offered through your institution. Add up your grants and subtract the cost of tuition. Determine if there is any remaining balance available to cover other costs.
3. Write down all the scholarships you've been awarded & subtract any outstanding tuition owed, if applicable.
4. Identify other ways to pay for college and list any money you will receive through employment, paid internships, savings or the CA Dream Loan to determine how you will cover any outstanding expenses.
5. Figure out how your remaining college expenses will be covered by looking at the money left over once your tuition is paid. Create a budget. Apply for more scholarships.

1. ESTIMATED COST OF ATTENDANCE

Search for "Cost of Attendance" on your campus website. Fill in the estimated costs below and then figure out your actual costs. Students living at home might have significantly lower room & board expenses. Keep in mind, tuition must be covered.

SCHOOL BUDGET	ESTIMATED COSTS	YOUR COSTS
TUITION	\$ _____	\$ _____
ROOM & BOARD	\$ _____	\$ _____
BOOKS	\$ _____	\$ _____
PERSONAL EXPENSES	\$ _____	\$ _____
TRANSPORTATION	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____

3. SCHOLARSHIPS (MONEY YOU WIN)

Each Scholarship has specific rules for enrollment & how it can be used.

SCHOLARSHIP	\$ _____
SCHOLARSHIP	\$ _____
SCHOLARSHIP	\$ _____
TOTAL AMOUNT OF SCHOLARSHIPS	\$ _____
MINUS ANY OUTSTANDING TUITION	\$ _____
EQUALS BALANCE DUE (TO YOU OR SCHOOL)	\$ _____

2. CA DREAM ACT GRANTS (FREE MONEY)

AB 540/SB 68 requirements must be met to receive CA state aid. Check csac.ca.gov for Cal Grant information.

CAL GRANT (A, B OR C)	\$ _____
INSTITUTIONAL GRANT (CCC, CSU OR UC)	\$ _____
OTHER	\$ _____
TOTAL GRANTS	\$ _____
MINUS YOUR OUTSTANDING TUITION	\$ _____
EQUALS BALANCE DUE (TO YOU OR SCHOOL)	\$ _____

If you owe money, carry balance to section 3 or 4

4. OTHER WAYS TO PAY FOR COLLEGE

A) STUDENT EMPLOYMENT/OTHER (MONEY YOU EARN)
This is money from additional sources.

STUDENT ASSISTANTSHIP	\$ _____
OFF CAMPUS EMPLOYMENT	\$ _____
OTHER (INTERNSHIPS/SAVINGS/FAMILY)	\$ _____

B) CA DREAM LOAN (MONEY YOU BORROW)
Money you repay once you graduate or drop below half time.

CA DREAM LOAN	\$ _____
TOTAL AMOUNT OF FUNDS	\$ _____
MINUS ANY OUTSTANDING TUITION	\$ _____
EQUALS BALANCE DUE (TO YOU OR SCHOOL)	\$ _____

IMPORTANT TIPS FOR ADVOCATING FOR YOUR FINANCIAL AID: Talk to the financial aid office at the school you are attending or plan to attend. If you do not have a completed financial aid award, check the following three places: (1) The "TO DO" list on your student portal; (2) Your Confirmation page on the Dream Application at dream.CSAC.ca.gov; and/or (3) Your Cal Grant account at webgrants4students.csac.ca.gov. Be diligent, ask questions, and follow up!

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org

APPLYING TO COLLEGE

QUICK GUIDE FOR UNDOCUMENTED FIRST-TIME FIRST-YEAR STUDENTS APPLYING TO THE CSU

Apply between October 1 and November 30, 2021 at calstate.edu/apply

Using This Guide



This quick guide is intended to support undocumented first-time freshmen students applying to the CSUs for Fall 2022. We recommend using this guide alongside the [CSU Freshman Application Guide](#), which contains more detailed information.

Getting Started



Visit the **Cal State Apply** page (calstate.edu/apply). Select the term you are applying for (“**Fall 2022**”). First-time users will be asked to create an account. Remember your username and password. Once your account has been made, you will receive an email with your **Cal State Apply ID**. You’ll use this ID throughout the application process.

Completing Your Profile

You will be asked to provide information to determine the eligible programs to which you can apply and generate questions in the application specific to you.

- **Degree goal:** Select “First Bachelor’s Degree”
- **Current educational goal:** As a first year applicant, you will choose “Graduating High School Senior or equivalent” with or without college credit. This is based upon classes completed and your academic transcripts.
- **Previous attendance:** If you have attended a CSU campus before and are returning to complete an earlier program, make that clear. Contact the campus to find out how to apply for re-admission.
- **U.S. Military status:** Indicate your current or anticipated U.S. Military status at the time of application.
- **Residency:** Indicate if you have or will need an F1 student or J1 exchange visa. Undocumented students, including DACA recipients, should enter “No” and choose what U.S. state they permanently reside in.

If you qualify for AB 540/SB 68, make sure you choose California as your state of residency. Learn more about the eligibility requirement for AB 540/SB 68 [here](#).

Choosing Your Programs

You must select at least one program (the CSU term for majors) to begin your application. You may add more programs/majors at any time before the submission deadline.

- **Selecting programs:** Click on the plus icon to add programs/major. Add alternatives if desired.
- You may be asked to select an *alternate choice* for certain programs that are **impacted**. Impacted programs are majors that receive more applicants than available spaces. You will automatically be enrolled in this alternate program should your first choice become unavailable.

NOTE: In order to pay resident fees at the CSU, you must be officially coded as an **AB 540/SB 68 student**. To be eligible for AB 540/SB 68, you must meet certain [attendance and degree requirements](#), and submit your [affidavit](#) and an official copy of your transcripts/attendance records to the Admissions offices at each of the universities where you applied. Check with **each** campus for their deadline. Undocumented students who qualify for AB 540/SB 68 may be eligible to receive state financial aid through the [CA Dream Act](#).

REMEMBER: You do not need to complete your online application all at once. You may log back in to change it at any time with your username and password. Your application can be completed online and submitted electronically once you have entered the required information.

REMEMBER: Only open programs will be displayed. Not all programs are open for application every term. Visit [Application Dates and Deadlines](#) to find out which CSU campuses are accepting applications and which majors are open.

You can find out more about impacted majors [here](#).

- The number of applications you intend to submit and their fees are listed on the following page after you click “Continue.” Once all programs are chosen, click “Continue To My Application.”

REMEMBER: Verify that all the programs you wish to apply to are selected before continuing with your application. You may add or remove programs before the submission deadline.

CSU Apply: Notes for Undocumented Students



After you have selected your programs/majors, you will be directed to **MY APPLICATION DASHBOARD**. Your dashboard gives you access and details to each part of the application you need to complete. The four sections you must submit are:

 Personal Information	 Academic History	 Supporting Information	 Program Materials
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You can also check the progress you’ve made in each section through your dashboard.



PERSONAL INFORMATION

Release Statement

Select the three boxes to certify the accuracy of your answers and acknowledge the release of your information to your school. The information you submit is protected by FERPA and will only be used by your campus for admissions and financial aid purposes.

Biographic information

- Name:** The name you entered in your profile section will already be filled out. Visit your profile to change it. Indicate if you have any alternate or preferred names.
- Legal sex:** Choose your legal sex. You may also indicate your sexual orientation and gender identity, but this is not required.
- Birth date and place:** Enter the date and place of your birth.
- Additional information:** Indicate if you are/were a foster youth, emancipated minor, unaccompanied youth, or homeless/at risk for homelessness.

Contact Information

- Address:** Enter your current address. Indicate if this is your permanent mailing address. If it is not, include your permanent address.
- Phone and Email:** The phone number and email address you entered for your profile section will already be filled out. Visit your profile section to change these.

Citizenship/Residency Information

- U.S. citizenship:** Indicate your citizenship status. For undocumented students including DACA recipients, select “none.” DACA does not change your citizenship status. Indicate your country of citizenship and what year you moved to the United States.
- Residency:** The state where you claimed residency in the profile section will already be entered. Visit your profile section to change it. Select the state you claim as your permanent home. If you qualify for [AB540/SB68](#), choose “yes” for California residency. Enter the date your present stay began.

NOTE: Undocumented who meet AB 540/SB 68 are may also eligible to qualify for state financial aid through the CA Dream Act. Learn more [here](#).

Race and Ethnicity

Indicate how you identify. You may decline to answer these questions. This information is strictly for statistical purposes. California law prohibits its use in the admissions selection process.

Parent/Guardian Information

- You may choose not to add a parent/guardian.

- If you add a parent, you will need to enter their:
 - **Name and relationship to you**
 - **Residency:** Indicate if their permanent residence is in California. **If yes**, you will have to share if they have been present in California since birth, when their present stay began, their prior country/state, and the dates of stay in their previous home. **If no**, select their current state or choose “international” if they are outside the country. You may also choose “other/unknown” if you do not know.
 - **Mailing address and contact information:** Enter their mailing address, phone number, and email address. You may choose to leave the contact information blank.
 - **Authorization:** You may choose to allow the Admissions Office to contact your parent/guardian regarding your application.
 - **University/Campus Communications:** You may choose to allow your parent/guardian to receive university communications.

Other Information

- **Social Security Number:** Indicate if you have a social security number. As an undocumented student, you may answer “No.” You will then be asked to check a box acknowledging you do not have one. The campus will assign a temporary number. If you have a social security number through DACA, click “Yes” and enter this number.
- **Statewide Student ID:** As a student in California attending a public school, you are given a student number. If you don’t have it or don’t remember it, leave this blank.
- **Language proficiency:** Indicate your native language. You may add additional languages and your proficiency level if you wish.
- **Military status and dependent:** The military status you entered in your profile section will already be filled out. Visit your profile to change this information. Indicate if you are a military dependent.
- **Academic standing and infractions:** Indicate if you were in good academic standing at your last institution, and if you have faced any academic discipline. *These questions are only asked if you have completed college courses.*
- **Teacher or other education credential, CalFresh, and CA Promise:** Indicate if you are interested in a teaching or other education credential, CalFresh, or [CA Promise](#).
- **How did you hear about Cal State Apply:** Indicate where you heard about CalState.edu/apply

Financial and Parental Information

- **Household income and size:** Indicate your answers to the following questions:

- You were born before January 1, 1999?
- Are you currently an active duty member or a veteran of the U.S. Armed Forces?
- As of today, are you married? (Also answer “Yes” if you are separated but not divorced)?
- You have or will have children or dependents who will receive more than half of their support from you between July 1, 2022 and June 30, 2023?
- Someone other than your parent or stepparent has legal guardianship of you, as determined by a court in your state of legal residence?
- At any time since you turned age 13, both your parents were deceased, you were in foster care, or you were a dependent or ward of the court?
- At any time on or after July 1, 2021, did your high school, an emergency shelter, a transitional housing program or homeless youth center determine that you were an unaccompanied youth or were self-supporting and at risk of being homeless?
- You currently do not live with your parent/stepparent and have not had contact nor financial support from them for the last 12 months or more?

If none of the above applies to you, enter the number of people in your parents’ household in 2020, even if you don’t currently live with them. Enter your parents’ adjusted gross income and any untaxed income and benefits from 2020.

If one or more of the statements apply to you, enter the number of people in your household in 2020,

including any dependent children. Enter your adjusted gross income and any untaxed benefits and income for 2020.

- **Parent/guardian education level:** Indicate your parents'/guardians' highest level of education completed. You may select "does not apply."
- **Campus housing:** Indicate if you are interested in campus housing.



ACADEMIC HISTORY

High Schools Attended

- **High schools:** Find and add all the high schools you attended. Include the dates of attendance and the term system.
- **Graduation status:** Indicate if you have your high school diploma or equivalency. Enter the date you received or are expected to receive your diploma or GED.

Academic Information

Indicate if you attended high school/secondary school outside of the U.S. If yes, enter the academic performance and degree/diploma earned.

Colleges Attended

Find and add all the colleges you attended. You must list **every** college you have attended, are currently attending, or **plan to attend** before graduating high school and entering the CSU. Each college should be listed only once. Start with the most recent. Indicate the term system, dates of attendance, and if you've obtained or plan to obtain a degree from that institution. *This section will only come up if you indicated that you completed college courses.*

High School Coursework

Enter your high school classes. Indicate the grades you received each term and the course type. If the class is in progress or planned, enter "Planned" or "In Progress" instead of a grade. College prep courses must be on the UC approved A-G course list.

College Coursework

Enter any courses you took in college. You must list **every** course you have completed, are currently taking, or **plan to complete** before entering the CSU. You will first have to enter the term, year, academic standing, and completion status for each college. Then, find and add your classes by course code. Indicate the grade earned for each class or if it's planned (P) or in progress (IP). Be very careful filling out this section. It's a good idea to get an unofficial transcript to use when filling out the application to ensure all information is accurate. *This section will only come up if you indicated that you completed college courses.*

A-G Matching

As a first-time freshman applicant, you must complete all [A-G requirements](#) by your high school graduation date in order to attend a CSU. This page will calculate your A-G subject totals based on your high school coursework.

Standardized Tests

Select the standardized tests you have taken or plan to take. Enter the dates you took the exams and your scores.

- **AP (Advanced Placement), CLEP (College Level Examination Program), and IB (International Baccalaureate):** Indicate if you have taken any AP, CLEP, or IB exams. Enter the dates you took them and your scores.
- You may choose not to add any standardized tests.



SUPPORTING INFORMATION

Educational Programs & Work Experience

- Indicate if you participated in any educational programs in high school and the number of years you were

involved.

- If you worked, you can choose the number of hours you worked per week in the last 4 years.
- Indicate the number of hours you participated in extracurricular activities and if you held any leadership positions.

NOTE: Extracurricular activities can be defined broadly. Family responsibilities, supporting your parents in their job, involvement with church or cultural activities, summer classes/programs, and school clubs are just some examples of what you can consider for this section.

Educational Opportunity Program (EOP)

EOP provides admission, academic, and financial support to first-generation and low-income students including those who are eligible for AB 540/SB 68. Connecting with EOP can help you get your questions answered, build community, and learn about resources as a new student. Check with each campus about specific EOP services offered.

- Indicate if you are interested in [applying to EOP](#). If yes, you will be asked to provide additional information about your educational program participation and your parents' occupation and income. You will also be given 5 short response questions to discuss your family and academic background, your college aspirations, and your activities outside the classroom. You may return to these questions at a later time.
- EOP also requires that you submit two recommendations from any individual who can comment on your potential to succeed in college. You will be asked to submit this by creating an EOP Recommendation Request.
- You can also choose not to apply to EOP by clicking "No."

NOTE: Each CSU campus has a dedicated program or staff to [support undocumented students](#). You do not need to do anything in your application to indicate your interest. The program or staff may reach out to you or you can contact them after you are admitted.

PROGRAM MATERIALS

Add any requested program materials. If your program requires no materials, this section will appear as completed in your dashboard.

Submitting Your Application



- Be sure to review each section carefully to ensure that the information you entered is accurate. You can ask your school counselor for help in completing your application.
- ***When you apply through Cal State Apply, you are automatically considered for an application fee waiver based on the information you provided.*** You must fully complete the application before the [fee waiver eligibility](#) is determined. To be considered for the fee waiver, you must be an undergraduate student, a California resident for one year and one day, and a U.S. citizen or someone without lawful immigration status who qualifies for AB 540/SB 68. Fee waivers may apply for up to four CSU campuses per application term (i.e. fall, spring).
- **Payment:** Cal State Apply charges \$70 to apply to each program. When you are ready to submit your application, go to the Submit Application tab and click "**Pay for My Programs.**" Do not submit any payments before submitting your application. Payments can only be made in the application via electronic check, PayPal, pre-paid credit or debit card, or standard debit or credit card.
- After you have submitted your application, you will receive an email confirmation. Check your email regularly for updates. If a CSU campus requests additional information, be sure to respond promptly, and ask your school counselor if you have any questions.

REMEMBER: Undocumented students who will qualify for [AB 540/SB 68](#) can be considered for the fee waiver.

This guide was developed by Madeleine Villanueva and Nancy Jodaitis at Immigrants Rising.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.

QUICK GUIDE FOR UNDOCUMENTED TRANSFER STUDENTS APPLYING TO THE CSU

Apply between October 1 and November 30, 2021 at calstate.edu/apply

Using This Guide



This quick guide is intended to support undocumented transfer students applying to the CSUs for Fall 2022. We recommend using this guide alongside the [CSU Transfer Student Application Guide](#), which contains more detailed information.

Getting Started



Visit the **Cal State Apply** page (calstate.edu/apply). Select the term you are applying for (“Fall 2022”). First-time users will be asked to create an account. Remember your username and password. Once your account has been made, you will receive an email with your **Cal State Apply ID**. You’ll use this ID throughout the application process.

Completing Your Profile

You will be asked to provide information to determine the eligible programs to which you can apply and generate questions in the application specific to you.

- **Level of degree you’re seeking:** Select “First Bachelor’s Degree”
- **Entry status:** As a transfer applicant, you have two options:
 - **If you are transferring with an Associate Degree for Transfer,** select “Transferring with an Associate Degree for Transfer (AA-T, AS-T) from a California Community College.” Indicate your community college and ADT program. You may enter up to two.
 - **If you are transferring from a CA community college or another college,** select “Transferring from a California community college or from another two-year or four-year institution.” See chart below for how the number of your completed units affect your academic standing.

NOTE: In order to pay resident fees at the CSU, you must be officially coded as an [AB 540/SB 68 student](#). To be eligible for AB 540/SB 68, you must meet certain [attendance and degree requirements](#), and submit your [affidavit](#) and an official copy of your transcripts/attendance records to the Admissions offices at each of the universities where you applied. Check with **each** campus for their deadline. Undocumented students who qualify for AB 540/SB 68 may be eligible to receive state financial aid through the [CA Dream Act](#).

Number of semester/quarter units	Transferring as
Less than 60 semester units or 90 quarter units	Sophomore
60-89.5 semester units or 90-134.25 quarter units	Junior <i>(If you have attended only community colleges, even if you have 90 or more semester units, you will be a Junior)</i>
More than 89.5 semester units or 134.25 quarter units	Senior <i>(If you have attended a 4-year university and have more than 89.5 semester units, you may be classified as a Senior)</i>

Note that for Fall admission, most campuses require that you reach 60 semester or 90 quarter units by the end of the Spring semester. That means you usually **cannot count summer units for admission**.

- **Previous attendance:** If you have attended a CSU campus before and are returning to complete an earlier program, make that clear. Contact the campus to find out how to apply for re-admission.

- **U.S. Military status:** Indicate your current or anticipated U.S. Military status at the time of application.
- **Residency:** Indicate if you have or will need an F1 student or J1 exchange visa. For undocumented students including DACA recipients, enter “No” and choose what U.S. state they permanently reside in.

If you qualify for AB 540/SB 68, make sure you choose California as your state of residency. Learn more about the eligibility requirement for AB 540/SB 68 [here](#).

Choosing Your Programs

You must select at least one program (the CSU term for majors) to begin your application. You may add more programs/majors at any time before the submission deadline.

- **Selecting programs:** Click on the plus icon next to add programs/major. Add alternatives if desired.
- You may be asked to select an *alternate choice* for certain programs that are **impacted**. Impacted programs are majors that receive more applicants than available spaces. You will automatically be enrolled in this alternate program should your first choice become unavailable. You can find out more about impacted majors [here](#).
- The number of applications you intend to submit and their fees are listed on the following page after you click “Continue.” Once all programs are chosen, click “Continue To My Application.”

REMEMBER: You do not need to complete your online application all at once. You may log back in to change it at any time with your username and password. Your application can be completed online and submitted electronically once you have entered the required information.

REMEMBER: Only open programs will be displayed. Not all programs are open for application every term. Visit [Application Dates and Deadlines](#) to find out which CSU campuses are accepting applications and which majors are open.

REMEMBER: Verify that all the programs you wish to apply to are selected before continuing with your application. You may add or remove programs before the submission deadline.

CSU Apply: Notes for Undocumented Students



After you have selected your programs/majors, you will be directed to **MY APPLICATION DASHBOARD**. Your dashboard gives you access and details to each part of the application you need to complete. The four sections you must submit are:

 Personal Information	 Academic History	 Supporting Information	 Program Materials
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You can also check the progress you’ve made in each section through your dashboard.



PERSONAL INFORMATION

Release Statement

Select the three boxes to certify the accuracy of your answers and acknowledge the release of your information to your school. The information you submit is protected by FERPA and will only be used by your campus for admissions and financial aid purposes.

Biographic information

- **Name:** The name you entered in your profile section will already be filled out. Visit your profile to change it. Indicate if you have any alternate or preferred names.
- **Legal sex:** Choose your legal sex. You may also indicate your sexual orientation and gender identity, but this is not required.
- **Birth date and place:** Enter the date and place of your birth.
- **Additional information:** Indicate if you are/were a foster youth, emancipated minor, unaccompanied youth, or homeless/at risk for homelessness.

Contact Information

- **Address:** Enter your current address. Indicate if this is your permanent address. If it is not, enter your permanent address.
- **Phone and Email:** The phone number and email address you entered for your profile section will already be filled out. Visit your profile section to change these.

Citizenship/Residency Information

- **U.S. citizenship:** Indicate your citizenship status. For undocumented students, select “none.” DACA does not change your status. Indicate your country of citizenship and if you have dual citizenship.
- **Visa information:** Indicate if you have a U.S. visa. For undocumented students, select “no.”
- **Residency:** Select the state you claim as your permanent home. If you qualify for [AB 540/SB 68](#), select “California” and choose “yes” for California residency. Enter the date your present stay began.

NOTE: Requirements for AB 540/SB 68 now include attendance and degree(s) earned from CA adult schools and community colleges. To learn more, check the [AB 540/SB 68 eligibility requirements](#). Those who meet eligibility for AB 540/SB 68 may also be qualified to receive state financial aid through the [CA Dream Act](#).

Race and Ethnicity

Indicate how you identify. You may decline to answer these questions. This information is strictly for statistical purposes. California law prohibits its use in the admissions selection process.

Other Information

- **Social Security Number:** Indicate if you have a social security number. As an undocumented student, you may answer “No.” You will then be asked to check a box acknowledging you do not have one. The campus will assign a temporary number. If you have a social security through DACA, click “Yes” and enter this number.
- **Statewide Student ID:** As a student in California attending a public school, you are given a student number. If you don’t have it or don’t remember it, leave this blank.
- **Language proficiency:** Indicate your native language. You may add additional languages and your proficiency level if you wish.
- **Military status and dependent:** The military status you entered in your profile section will already be filled out. Visit your profile to change this information. Indicate if you are a military dependent.
- **Academic standing and infractions:** Indicate if you were in good academic standing at your last institution, and if you have faced any academic discipline.
- **Teacher or other education credential, Calfresh, CA Promise, and RN license:** Indicate if you are interested in a teaching or other education credential, Calfresh, [CA Promise](#), or a registered nurse license.
- **How did you hear about Cal State Apply:** Indicate where you heard about CalState.edu/apply

Financial and Parental Information

- **Household income and size:** Indicate your answers to the following questions:

- You were born before January 1, 1999?
- Are you currently an active duty member or a veteran of the U.S. Armed Forces?
- As of today, are you married? (Also answer “Yes” if you are separated but not divorced)?
- You have or will have children or dependents who will receive more than half of their support from you between July 1, 2022 and June 30, 2023?
- Someone other than your parent or stepparent have legal guardianship of you, as determined by a court in your state of legal residence?
- At any time since you turned age 13, both your parents were deceased, you were in foster care, or you were a dependent or ward of the court?
- At any time on or after July 1, 2021, did your high school, an emergency shelter, a transitional housing program or homeless youth center determine that you were an unaccompanied youth or were self-supporting and at risk of being homeless?

- You currently do not live with your parent/stepparent and have not had contact nor financial support from them for the last 12 months or more?

If none of the above applies to you, enter the number of people in your parents' household in 2020, even if you don't currently live with them. Enter your parents' adjusted gross income and any untaxed income and benefits from 2020.

If one or more of the statements apply to you, enter the number of people in your household in 2020, including any dependent children, even if you don't live with them. Enter your adjusted gross income and any untaxed benefits and income for 2020.

- **Parent/guardian education level:** Indicate your parents'/guardians' highest level of education completed. You may select "does not apply."
- **Campus housing:** Indicate if you are interested in campus housing.



ACADEMIC HISTORY

High Schools Attended

- **High schools:** Find and add all the high schools you attended. Include the dates of attendance and the term system.
- **Graduation status:** Indicate if you have your high school diploma or equivalent. Enter the date you received or are expected to receive your diploma or GED.

Academic Information

Indicate if you attended high school/secondary school outside of the U.S. If yes, enter the academic performance and degree/diploma earned.

Colleges Attended

Find and add all the colleges you attended. You must list **every** college you have attended, are currently attending, or **plan to attend** before entering the CSU. Each college should be listed only once. Start with the most recent. Indicate the term system, dates of attendance, and if you've obtained or plan to obtain a degree from that institution.

College Coursework

Enter any courses you took in college. You must list **every** course you have completed, are currently taking, or **plan to complete** before entering the CSU. You will first have to enter the term, year, academic standing, and completion status for each college. Then, find and add your course code. Indicate the grade earned for each class or if it's planned (P) or in progress (IP). Be very careful filling out this section. It's a good idea to get an unofficial transcript to use when filling out the application to ensure all information is accurate.

General Education

Transfer students must show how they will complete their [General Education \(GE\) requirements](#) before they can transfer to a CSU. The four GE requirements are: (A1) public speaking course, (A2) freshman level English composition course, (A3) critical thinking course, and (B4) math course above intermediate algebra. This page lets you select which courses you want to designate as your GE courses. Only 1 course per GE course is required.

- To qualify for admission as an ADT applicant or Upper Division Transfer, the four GE requirements listed below must be fulfilled with a grade of C or better.

Standardized Tests

Select the standardized tests you have taken or plan to take. Enter the dates you took the exams and your scores.

- **AP (Advanced Placement), CLEP (College Level Examination Program), and IB (International Baccalaureate):** Indicate if you have taken any AP, CLEP, or IB exams. Enter the dates you took them and your scores.
- You may choose not to add any standardized tests.



SUPPORTING INFORMATION

Associate Degree for Transfer (ADT)

- If you select that you are transferring with an [ADT](#), complete the additional information for ADT applicants. You may select an alternate campus and program if your first choice is unavailable.

NOTE: Each CSU campus has a dedicated program or staff to [support undocumented students](#). You do not need to do anything in your application to indicate your interest. The program or staff may reach out to you or you can contact them after you are admitted.

Educational Opportunity Program (EOP)

[EOP](#) provides admission, academic, and financial

support to first-generation and low-income students including those who are eligible for AB 540/SB 68.

Connecting with EOP can help you get your questions answered, build community, and learn about resources as a new student. Check with each campus about specific EOP services offered.

- Indicate if you are currently enrolled in EOP&S and for which campus.
- Indicate if you are interested in [applying to EOP](#). If yes, you will be asked to provide additional information about your educational program participation and your parents' occupation and income. You will also be given 5 short response questions to discuss your family and academic background, your college aspirations, and your activities outside the classroom. You may return to these questions at a later time.
- EOP also requires that you submit two recommendations from any individual who can comment on your potential to succeed in college. You will be asked to submit this by creating an EOP Recommendation Request.
- You can also choose not to apply to EOP by clicking "No."



PROGRAM MATERIALS

Add any requested program materials. If your program requires no materials, this section will appear as completed in your dashboard.

Submitting Your Application



- Be sure to review each section carefully and ensure that your information is accurate. You can ask your school counselor or Transfer Center for help in completing your application.
- **When you apply through Cal State Apply, you are automatically considered for an application fee waiver based on the information you provided.** You must fully complete the application before the [fee waiver eligibility](#) is determined. To be considered for the fee waiver, you must be an undergraduate student, a California resident for one year, and a U.S. citizen or someone without lawful immigration status who qualifies for AB 540/SB 68. Fee waivers may apply for [up to four](#) CSU campuses per application term (i.e. fall, spring).
- **Payment:** Cal State Apply charges \$70 to apply to each program. When you are ready to submit your application, go to the Submit Application tab and click "**Pay for My Programs.**" Do not submit any payments before submitting your application. Payments can only be made in the application via electronic check, PayPal, pre-paid credit or debit card, or standard debit or credit card.
- After you have submitted your application, you will receive an email confirmation. Check your email regularly for updates. If a CSU campus requests additional information, be sure to respond promptly, and ask your school counselor or Transfer Center if you have any questions.

REMEMBER: Undocumented students who will qualify for [AB 540/SB 68](#) can be considered for the fee waiver.

This guide was developed by Madeleine Villanueva and Nancy Jodaitis at Immigrants Rising.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.

QUICK GUIDE FOR UNDOCUMENTED STUDENTS APPLYING TO THE UC AS FIRST-TIME FRESHMEN

Apply between August 1 and November 30, 2021 at apply.universityofcalifornia.edu

Using This Guide



This quick guide is intended to support undocumented first-time freshmen students applying to the University of California campuses for the fall. Please use this guide alongside the [UC Undergraduate Admissions Applying as a Freshman Webpage](#).

Getting Started



Visit the UC Application page (apply.universityofcalifornia.edu). You will be asked to create an account in order to fill out the application. Once you've made your account, select "Fall 2022" as the term when you will start college, and choose "Freshman" as your application level.

REMEMBER: You do not need to complete your online application all at once. You can save your work and return to it during the application filing period.

Because the Activities & Awards section and the Personal Insight Questions require long responses, it's a good idea to create drafts of your statements that you can edit and refine. After you have finalized your responses, you can transfer them to the online application. You can choose to have the questions emailed to you by clicking on "Email me the questions" at the bottom of the Welcome page.

UC Application Notes for Undocumented Students



The UC application consists of several sections, each of which gives undocumented students the chance to share their academic history and life experiences.

The application is composed of the following sections:

 About You	 Campuses & Majors	 Academic History	 Test Scores
 Activities & Awards	 Scholarships & Programs	 Personal Insight	

ABOUT YOU

In this section, you will be asked to provide some information about you and your family. Here are some key points:

Citizenship & Residency

- **Country of citizenship:** Choose "no selection." This will allow you to skip questions regarding residency and visa status that are not applicable for undocumented students, including those with DACA.
- **Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN):**
 - If you have DACA, enter the Social Security number assigned to you.
 - If you have an ITIN, you may enter this number instead of a Social Security number.
 - If you have neither an SSN nor an ITIN, you may answer "no." A "no" response will not affect

IMPORTANT: Make sure to use the same SSN or ITIN you provided in your CADA application. This number is used to match your UC and CADA applications.

your admission chances, nor will it affect your eligibility for state financial aid through the [CA Dream Act \(CADA\)](#).

- **California residency for admissions purposes:** Undocumented students who meet specific requirements can claim CA residency for admissions purpose regardless of their legal residency status. There are different admissions criteria for students residing in CA and out-of-state. These questions will help determine how your residency will be assessed.
 - **Graduation from a CA high school:** Indicate if you have or will graduate from a CA high school.
 - If yes, indicate if you have attended a CA school for three or more years during grades K-12
 - If no, indicate if you currently live in CA and if you've resided there your whole life. If you choose no, provide dates on how long you've lived in the state.

NOTE: This question also helps determine if you qualify for CA residency for tuition purposes and meet eligibility for in-state tuition through AB 540/SB 68. To see if you qualify, check the [AB 540/SB 68 eligibility requirements](#).

NOTE: Undocumented who meet AB 540/SB 68 are also eligible to qualify for state financial aid through the CA Dream Act. Learn more [here](#).

Your Household

Indicate who lives with you in your permanent address, such as parents, stepparents or legal guardians.

Permanent address refers to your family residence.

- Enter the income earned by your parent(s)/legal guardian(s). For the number of people supported by your family's income:
 - If you live with one or more parents AND they file U.S. taxes, this number will be the number of people claimed as "dependents" on U.S. tax returns.
 - If you live with one or more parents AND they do not file U.S. taxes, this number will be the number of people (including you) who receive more than half of their financial support. This may include siblings or other relatives who receive financial support but do not live with you.
- Even though these questions are optional, make sure to complete them in order to be considered for an application fee waiver.

NOTE: All students must provide parent/legal guardian information unless they meet certain requirements. If you're unable to provide this information, talk to your school counselor as soon as possible. You may be eligible to be identified as an "unaccompanied youth" or "independent student." These individuals are not required to provide parent financial information when completing the application or filling out the CA Dream Act.

CAMPUSES & MAJORS

In this section, you will choose your UC campuses and majors. Here are some key points:

Choosing Campuses

Indicate which campuses you'd like to apply to.

- If you entered your family size and income in the "About You" section, then this question will show you if you have qualified for [fee waivers](#). Undocumented students who are or will be eligible for AB 540 can receive up to four (4) application fee waivers. If you apply to more than four (4) campuses, each additional one will cost \$70.

Choosing Majors

Indicate which major you'd like to apply to. As you choose, consider the following:

- Except for UC Berkeley, all UC campuses allow you to select an alternate major.
- You may select "Undeclared" as a major. This is a good option if you know your general area of interest but not your specific field. For example, a student might select "Undeclared Life Sciences" instead of "Biology."

NOTE: If you are not sure of your major, read through the descriptions of the different majors – [like these ones for UC Merced](#) and [UC San Diego](#) – and see what matches your interests.



ACADEMIC HISTORY

In this section, you will enter information about (a) high-school-level classes you took in 7th or 8th grade in (i) math or (ii) a language other than English, (b) high schools attended with courses taken and grades earned, and (c) any college attended with courses taken and grades earned. Consider this key point:

Additional Information

If you would like to provide additional context about your academic history (including low grades), this is the space to do so. You may talk about legal issues or other obstacles related to your immigration status or to the immigration status of family members as it relates to your academic experiences. Any information shared will only be used for admission purposes or to connect you to relevant services or benefits.



TEST SCORES

In this section, you will enter information about your standardized test scores. Here are some key points:

ACT/SAT

Indicate if you'd like to report ACT or SAT test scores and enter what you earned.

NOTE: The [UC system's standardized test policy](#) is "test optional" for California freshman applicants starting college in Fall 2022. Students are not required to submit SAT or ACT scores but have the option to do so.

AP & IB Exams

Indicate if you have any AP & IB exams to report, including what scores you earned. Planned exams – those scheduled for the end of senior year – should also be listed.

English Language Proficiency Tests & International Exams

Indicate if you have these additional tests to report, including what scores you received. Again, planned exams should also be included.



ACTIVITIES & AWARDS

In this section, you will enter information about how you spend or have spent your time outside of school. That includes anything you spend a significant amount of time doing, which may go beyond school activities. These questions will help provide context on your daily life. Here are some key points:

Adding Activities & Awards

Choose the category for your activity or award. Activities can include educational preparation programs, extra curriculars, other coursework, volunteer/community service or work experience.

- For each item, you will be asked to describe the award or activity, when you earned or participated in it and how involved you were. Previous activities, even those that you are no longer involved in, should also be listed.
- Activities can be defined broadly. Family responsibilities, supporting your parents in their job, involvement with church or cultural activities and summer classes/programs are just some examples of what can be listed in this section.

REMEMBER: A good activity description (1) details what you did and (2) explains why it matters to you or to others.



SCHOLARSHIPS & PROGRAMS

In this section, you have the opportunity to indicate your interest in scholarship opportunities and additional support. Here are some key points:

Applying for Scholarships

Indicate which scholarship category applies to you. All UC applicants – including undocumented students – are eligible to apply for scholarships. You can apply to them by simply choosing which scholarship categories are relevant to you.

Support Programs

Check the box if you are interested in participating in the [Educational Opportunity Program \(EOP\)](#). If you check the box, you will be asked to write a statement about why you are interested (240 characters maximum).

- Campuses that don't offer EOP do provide similar support through other on-campus programs listed below:
 - [UC Irvine's Student Success Initiatives](#)
 - [UCLA's Academic Advancement Program](#)
 - [UC Merced's Fiat Lux Scholars Program](#)
 - [UC Riverside's Academic Resource Center](#)
 - [UC San Diego's Office of Academic Support and Instruction Support \(OASIS\)](#)

NOTE: Each UC campus also offers [programs specifically for undocumented students](#). You do not need to do anything in the UC application to indicate your interest. Rather, the program may reach out to you or you can contact them after you are admitted.

You do not need to apply to these programs through the UC application. Instead, you may take advantage of these resources by visiting these offices after you arrive on campus. Connecting with these programs can help you get your questions answered, build community, and learn about resources as a new student.



PERSONAL INSIGHT

In this section, you have the chance to write about your academic interests, personal qualities, and life experiences. You must respond to any 4 of the 8 [personal insight questions](#).

This section is not about trying to be a person you think the UCs want you to be, but about helping the campuses understand the real you. You always get to decide what to share and what not to share, and you do not need to write about any details that make you uncomfortable or that feel too personal.

Here are some tips for writing this section:

Writing About Immigration Status

You are in no way required to disclose your immigration status. However, if you would like to discuss the effect of your (or a family member's) immigration status on your education or experiences, you should feel free to do that. Any information shared will only be used for application purposes or to connect you to relevant educational opportunities or services.

Figuring Out Which Personal Insight Question Prompts to Answer

You only get to answer 4 of the [Personal Insight Question \(PIQ\) prompts](#), so your goal is to choose the 4 that give the most complete picture of your interests, qualities, and experiences. Some things to write about include:

- **Service to Others**
 - **PIQ #1 (leadership):** If you or your parent's undocumented status has required you to take on additional responsibilities at home, then you might consider responding to this prompt to show how you have helped your family.
 - **PIQ #7 (contribution to community):** If your undocumented status has led you to be more involved with a school club or community organization – such as a group advocating for immigrants or first-generation students – then you might pick this question so you can show how your background has shaped your desire to help others.
- **Creativity**
 - **PIQ #2 (creativity):** This prompt is an option to show creativity in art, problem-solving, or any other area. For example, if your life experiences or your immigration status have affected how you express yourself

through art or music, then this question might make sense for you. You may also consider this prompt if your background has encouraged your creativity and helped you solve certain problems.

- **Academic Achievement**

- **PIQ #4 (educational barrier) or PIQ #5 (significant challenge affecting your academic achievement):** If your undocumented status has impacted your academic achievement, you might consider answering these prompts to show how you managed to succeed in the face of obstacles. You can describe how these challenges have inspired in you a deep commitment to succeed.
- **PIQ #4 (educational opportunity) or PIQ #6 (favorite academic subject):** If your experience as a student has led you toward a certain academic interest, such as politics or health care, you might consider answering this prompt to explain how your interest originated and how you have pursued it so far. For most students, these questions are also a good way to explain your choice of major from the “Campuses & Majors” section.

- **Personal Qualities**

- **PIQ #3 (greatest talent or skill):** This prompt is a good option to describe personality traits that have helped you succeed so far. If your undocumented status has led you to develop a personal characteristic that you are especially proud of, then you may consider answering this question.
- **PIQ #8 (strong UC campus):** This question is a good way to explain how your life experiences have shaped who you are today. If your background has influenced your perspective on law, society, community, or people in general, then you can respond to this prompt to talk about why this perspective would benefit others.

Taking Advantage of the “Additional Comments” Section

If you feel like your Personal Insight Question responses and the rest of your UC application leave out something important about you, then you should use this “additional comments” section to provide that information. Your response can be as short as a single sentence or as long as an essay. When you submit your application, you want to feel comfortable that the UC campuses reading your application see as much of your life as you want to share. Don’t be shy about using this section to fill in any gaps in your story.

Submitting Your Application



After you have completed your application, click “Review & submit.” You might find it convenient to click the “Print version” button so you can view a PDF of your application. Here are some key points to consider:

- Before you click the “Start submission” button, be sure to review your application and correct any errors.
- If you did not qualify for fee waivers, or if you are applying to more than four (4) UC campuses, you will have to pay the application fee of \$70 per application. You can pay online by credit card or by sending a check or money order by mail. Remember that undocumented students who meet [AB 540/SB 68 eligibility](#) can qualify to receive fee waivers.
- Submit your application no later than **November 30, 2021**.

After you have submitted your application, you will receive an email confirmation. Check your email regularly for updates. If a UC campus requests additional information, be sure to respond promptly, and ask your school counselor if you have any questions.

This resource was created by Jonathan Perkins, founder of Marion’s Promise, and Madeleine Villanueva of Immigrants Rising. Marion’s Promise provides mentorship and scholarship support for first-generation, low-income students in California.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.



QUICK GUIDE FOR UNDOCUMENTED STUDENTS APPLYING TO THE UC AS TRANSFER STUDENTS

Apply between August 1 and November 30, 2021 at apply.universityofcalifornia.edu

Using This Guide



This quick guide is intended to support undocumented transfer students applying to the University of California campuses in the fall. Please use this guide alongside the [UC Undergraduate Admissions Application Guide for Transfer Applicants](#).

Getting Started



Visit the UC Application page (apply.universityofcalifornia.edu). You will be asked to create an account in order to fill out the application.

Once you've made an account, select "Fall 2022" as the term when you will start college, and choose "Transfer" as your application level. You will also need to indicate what type of transfer applicant you are based on the number of units you've completed at your community college(s).

REMEMBER: You do not need to complete your online application all at once. You can save your work and return to it during the application filing period.

Because the Activities & Awards section and the Personal Insight Questions require long responses, it's a good idea to create drafts of your statements that you can edit and refine. After you have finalized your responses, you can transfer them to the online application. You can choose to have the questions emailed to you by clicking on "Email me the questions" at the bottom of the Welcome page.

UC Application Notes for Undocumented Students



The UC application consists of several sections, each of which gives undocumented students the chance to share their academic history and life experiences. The application is composed of the following sections:

About You	Campuses & Majors	Academic History	Test Scores
Activities & Awards	Scholarships & Programs	Personal Insight	

ABOUT YOU

In this section, you will be asked to provide some information about you and your family. Here are some key points:

Citizenship & Residency

- **Country of citizenship:** Choose "no selection." This will allow you to skip questions regarding residency and visa status that are not applicable for undocumented students, including those with DACA.
- **Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN):**
 - If you have DACA, enter the Social Security number assigned to you.
 - If you have an ITIN, you may enter this number instead of a Social Security number.
 - If you have neither an SSN nor an ITIN, you may

IMPORTANT: Make sure to use the same SSN or ITIN you provided in your CADA application. This number is used to match your UC and CADA applications.

answer “no.” A “no” response will not affect your admission chances, nor will it affect your eligibility for state financial aid through the [CA Dream Act \(CADA\)](#).

- **California residency for admissions purposes:** Undocumented students who meet specific requirements can claim CA residency for admissions purpose regardless of their legal residency status. There are different admissions criteria for students residing in CA or out-of-state. These questions will help determine how your residency will be assessed.
 - **Graduation from a CA high school:** Indicate if you have or will graduate from a CA high school.
 - If yes, indicate if you have attended a CA school for three or more years during grades K-12.
 - If no, indicate if you currently live in CA and if you’ve resided there your whole life. If you choose no, provide dates on how long you’ve lived in the state.

NOTE: This question also helps determine if you qualify for CA residency for tuition purposes and meet eligibility for in-state tuition through AB 540/SB 68. Requirements now also include attendance and degree(s) earned from CA adult schools and community colleges. To learn more, check the [AB 540/SB 68 eligibility requirements](#).

NOTE: Undocumented who meet AB 540/SB 68 are also eligible to qualify for state financial aid through the CA Dream Act. Learn more [here](#).

Your Household

If you indicated that you’re over 24 years old, are married, have children or are a U.S. military veteran in the “Your Background” section, you will be asked if you live by yourself or with family members.

- Enter your total income and how many people (including any parents, children or other relatives) who are financially supported by your income.

If none of the above apply to you, indicate who lives with you at your permanent address, such as parents, stepparents or legal guardians.

- Enter the income earned by your parent(s)/legal guardian(s). For the number of people supported by your family’s income:
 - If you live with one or more parents AND they file U.S. taxes, this number will be the number of people claimed as “dependents” on U.S. tax returns.
 - If you live with one or more parents AND they do not file U.S. taxes, this number will be the number of people (including you) who receive more than half of their financial support. This may include siblings or other relatives who receive financial support but do not live with you.

Even though these questions are optional, make sure to complete them in order to be considered for an application fee waiver.

☰ CAMPUSES & MAJORS

In this section, you will choose your UC campuses and majors. Here are some key points:

Choosing Campuses

Indicate which campuses you’d like to apply to.

- If you entered your family size and income in the “About You” section, then this question will show you if you have qualified for fee waivers. Undocumented students who are eligible for AB 540/SB 68 can receive up to four (4) application [fee waivers](#). If you apply to more than four (4) campuses, each additional one will cost \$70.

Choosing Majors

Indicate which major you’d like to apply to. As you choose, consider the following:

- Except for UC Berkeley, all UC campuses allow you to select an alternate major. While UCLA does let you list an alternate major, only [Transfer Alliance Program \(TAP\)](#) students will be considered for one.
- Transfer students cannot apply as undeclared or undecided. Explore different major options by talking to your school counselor or using tools like the [UC-recommended Transfer Major Explorer](#).



ACADEMIC HISTORY

In this section, you will enter information about your (a) last high school attended and the diploma or certificate earned, if applicable, (b) college(s) attended with courses taken, grades earned and degree completed; and (c) minimum transfer requirements. If you have used the [UC Transfer Admission Planner \(TAP\)](#), you can also transfer information over by logging into your account. Consider this key point:

Additional Information

If you would like to provide additional context about your academic history (including low grades or gaps in education), this is the space to do so. Use this space to provide more background about your academic journey, such as explaining the circumstances that led to lower grades or a better GPA at your community college. You may also talk about legal issues or other obstacles related to your immigration status or to the immigration status of family members as it relates to your academic experiences. Any information shared will only be used for admission purposes or to connect you to relevant services or benefits.



TEST SCORES

In this section, you will enter information about your standardized test scores. Here are some key points:

ACT/SAT

Indicate if you'd like to report ACT or SAT test scores and enter what you earned. ACT/SAT tests are not required for transfer students.

NOTE: The [UC system's standardized test policy](#) is "test optional" for California applicants starting college in Fall 2022. Students are not required to submit SAT or ACT scores but have the option to do so.

AP & IB Exams

Indicate if you have any AP & IB exams to report, including what scores you earned.

English Language Proficiency Tests & International Exams

Indicate if you have these additional tests to report, including what scores you received.



ACTIVITIES & AWARDS

In this section, you will enter information about how you spend or spent your time outside of school. That includes anything you spend a significant amount of time doing – which may go beyond school activities. These questions will help provide context on your daily life. Here are some key points:

Adding Activities & Awards

Choose the category for your activity or award. Activities can include educational preparation programs, extra curriculars, other coursework, volunteer/community service or work experience.

- For each item, you will be asked to describe the award or activity, when you earned or participated in it, and how involved you were. Previous activities, even those that you are no longer involved in, should also be listed.
- Activities can be defined broadly. Family responsibilities, involvement with church or cultural activities, summer classes/programs and internships/fellowships are just some examples of what can be listed in this section.

REMEMBER: A good activity description (1) details what you did and (2) explains why it matters to you or to others.



SCHOLARSHIPS & PROGRAMS

In this section, you have the opportunity to indicate your interest in scholarship opportunities and additional support. Here are some key points:

Applying for Scholarships

Indicate which scholarship category applies to you. All UC applicants – including undocumented students – are eligible to apply for scholarships. You can apply to them by simply choosing which scholarship categories are relevant to you.

Support Programs

Check the box if you are interested in participating in the [Educational Opportunity Program \(EOP\)](#). If you check the box, you will be asked to write a 240-character statement about why you are interested.

- Campuses that don't offer EOP do provide similar support through other on-campus programs listed below:
 - [UC Irvine's Student Success Initiatives](#)
 - [UCLA's Academic Advancement Program](#)
 - [UC Merced's Fiat Lux Scholars Program](#)
 - [UC Riverside's Academic Resource Center](#)
 - [UC San Diego's Office of Academic Support and Instruction Support \(OASIS\)](#)

NOTE: Each UC campus also offers programs specifically for [undocumented students](#) and transfer students (check with each school). You do not need to do anything in the UC application to indicate your interest. Rather, the program may reach out to you or you can contact them after you are admitted.

You do not need to apply to these programs through the UC application. Instead, you may take advantage of these resources by visiting these offices after you arrive on campus. Connecting with these programs can help you get your questions answered, build community, and learn about resources as a new student.



PERSONAL INSIGHT

In this section, you have the chance to write about your academic interests, personal qualities, and life experiences. You'll need to answer 4 of the 8 [personal insight questions](#). One question is required, but you can choose the other 3.

This section is not about trying to be a person you think the UCs want you to be, but about helping the campuses understand the real you. You always get to decide what to share and what not to share, and you do not need to write about any details that make you uncomfortable or that feel too personal.

Here are some tips for writing this section:

Writing About Immigration Status

You are in no way required to disclose your immigration status. However, if you would like to discuss the effect of your (or a family member's) immigration status on your education or experiences, you should feel free to do that. Any information shared will only be used for application purposes or to connect you to relevant educational opportunities or services.

Figuring Out Which Personal Insight Question Prompts to Answer

You only get to answer 4 of the [Personal Insight Question \(PIQ\) prompts](#) (with one being required), so your goal is to choose the other 3 that give the most complete picture of your interests, qualities, and experiences. Some things to write about include:

- **Major Preparation:** This is the required question that all transfer applicants must complete. Think about how your life experiences, including your immigration story, have influenced your pursuit of your intended major. You can write about how your background has sparked your interest in this subject or how you've explored your major both inside the classroom or outside it in your community. If you're applying to different majors at each campus, consider writing more generally about your interest in that specific field.
- **Service to Others**
 - **PIQ #1 (leadership):** If you or a family member's undocumented status has required you to take on additional responsibilities at home, then you might consider responding to this prompt to show how you have helped your family.
 - **PIQ #6 (contribution to community):** If your undocumented status has led you to be more involved

with a school club or community organization – such as a student government or a group advocating for immigrants – then you might consider responding to this question so you can demonstrate how your experiences have shaped your desire to help others.

- **Creativity**

- **PIQ #2 (creativity):** This prompt is a good option to show creativity in art, problem-solving, or any other area. For example, if your life experiences or status have affected how you express yourself through art or music, then this prompt might make sense for you. You may also consider this prompt if your background has encouraged your creativity and helped you solve certain problems for your family or community.

- **Academic Achievement**

- **PIQ #4 (educational barrier) or PIQ #5 (significant challenge affecting your academic achievement):** If your experiences have impacted your academic achievement, you might consider answering these questions to show how you managed to succeed in the face of obstacles.
- **PIQ #4 (educational opportunity):** If your experience as an undocumented student has led you toward a certain academic interest, such as arts, sciences, or politics, you might consider answering this prompt to explain how your interest originated and how you have pursued it so far.

- **Personal Qualities**

- **PIQ #3 (greatest talent or skill):** This question is a good option to describe characteristics that have helped you thrive so far. If your background has led you to develop a personality trait that you are especially proud of, then use this prompt to talk more about that.
- **PIQ #7 (strong UC campus):** This prompt is a good way to explain how your life experiences have helped you succeed so far. If your undocumented status has influenced your perspective on law, society, community, or people in general, then you can respond to this question to talk about why this perspective would benefit others.

Taking Advantage of the “Additional Comments” Section

If you feel like your Personal Insight Question responses and the rest of your UC application leave out something important about you, then you should use this “additional comments” section to provide that information. Your response can be as short as a single sentence or as long as an essay. When you submit your application, you want to feel comfortable that the UC campuses reading your application see as much of your life as you want to share. Don't be shy about using this section to fill in any gaps in your story.

Submitting Your Application



After you have completed your application, click “Review & submit.” You might find it convenient to click the “Print version” button so you can view a PDF of your application. Here are some key points to consider:

- Before you click the “Start submission” button, be sure to review your application and correct any errors.
- If you did not qualify for fee waivers, or if you are applying to more than four (4) UC campuses, you will have to pay the application fee of \$70 per application. You can pay online by credit card or by sending a check or money order by mail. Remember that undocumented students who meet [AB 540/SB 68 eligibility](#) can qualify to receive fee waivers.
- Submit your application no later than **November 30, 2021**.

After you have submitted your application, you will receive an email confirmation. Check your email regularly for updates. If a UC campus requests additional information, be sure to respond promptly, and ask your school counselor if you have any questions.

This resource was created by Jonathan Perkins, founder of Marion's Promise, and Madeleine Villanueva of Immigrants Rising. Marion's Promise provides mentorship and scholarship support for first-generation, low-income students in California.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.

PRESIDENTS' | ON HIGHER EDUCATION
ALLIANCE | AND IMMIGRATION

Higher Ed Guide to Tuition, Financial Aid, & Other Funding Opportunities for Undocumented Students:

FAQs for Public and Private Colleges and Universities

Updated September 16, 2020

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FAQ: IN-STATE TUITION

I. Introduction

The federal impasse on Dreamer legislation in Congress and the uncertain long-term fate of Deferred Action for Childhood Arrivals (DACA) means that the need to support undocumented students at the state and institutional levels takes on greater urgency. And, in fact, public and private higher education leaders have more opportunities to advance changes to promote educational equity and access for DACA recipients and other undocumented students at the state and institutional levels.

The purpose of these Frequently Asked Questions (FAQs) is (1) to provide an overview of the existing tuition equity and financial aid policies for undocumented students at the state and institutional levels; (2) highlight promising state action and institutional practices; (3) address institutional policy steps and state advocacy that higher education leaders may want to consider in order to support undocumented students, including actions to identify funding for students if DACA is terminated.

II. How Many States Currently Offer In-state Tuition And Financial Aid To Undocumented Students Who Meet The State Residency Requirements? How Dependent Are These Policies On A Student's DACA Status? What Steps Should Institutional Leaders Consider?

A growing number of states have successfully expanded access to in-state tuition and state financial aid to undocumented students.¹ However, in a number of states, tuition equity and state financial aid policies are dependent on a student's DACA status.

- In 21 [states](#) and the District of Columbia, all undocumented students who meet state residency requirements have access to in-state tuition, regardless of whether they are DACA recipients. In addition, Arizona offers 150 percent of in-state tuition for all undocumented students who meet state residency requirements.
- In at least 12 additional states, undocumented students or, in some instances, only DACA recipients who meet state residency requirements have access to in-state tuition at some institutional or system levels.²
- At least 15 states and the District of Columbia now offer state financial aid and/or scholarships to undocumented students, though in a number of cases the funding is limited to students with DACA.

The full list of states offering various degrees of access to in-state tuition and financial aid can be found below ([Section VIII](#)). The Presidents' Alliance also published a policy brief, "[Ending](#)

¹ Details on state policies regarding in-state tuition access for undocumented status are available at the *ULead website* (<https://uleadnet.org/>). Other resources listing specific state policies, board of regents decisions, and other actions include, National Conference of State Legislatures (NCSL), "Tuition Benefits for Immigrant Students" at <http://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx> and National Immigration Law Center (NILC), "Basic Facts About In-State Tuition for Undocumented Students" <https://www.nilc.org/issues/education/basic-facts-instate/>.

² These 12 states are Arkansas, Delaware, Idaho, Indiana, Iowa, Maine, Massachusetts, Michigan, Mississippi, Nevada, Ohio, and Pennsylvania.

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[DACA Would Limit Access to Higher Education in Ten States](#),” that examines the impact of ending DACA on access to enrollment in public institutions and/or in-state tuition in ten states. The brief also provides a comprehensive chart of the policy environment on in-state tuition and state financial aid in all 50 states and the District of Columbia.

Steps to Consider: To prepare for the potential long-term uncertainty around DACA, institutions should seek to advocate for the removal of DACA criteria from in-state tuition or state financial aid access and external scholarship programs. Higher education leaders should encourage the expansion of eligibility criteria to include the broader undocumented student resident population.

To the extent possible and applicable, public and private institutions should work to remove DACA status as required eligibility criteria for funding or program access on their own campuses. For example, institutions could use date and length of residency in the United States, and attendance and graduation from a U.S. high school as proxy requirements for eligibility. [TheDream.US](#) recently revised eligibility for its scholarships so that its scholarships are open [to undocumented students without DACA](#), who have arrived in U.S. before 2014.³ These criteria can serve as a useful model for institutions and other organizations.

As a first step, institutions can audit their existing internal and external scholarships to ascertain their eligibility criteria and determine if they can be extended to undocumented students, and if possible, without regard to DACA status. If institutions identify external fellowships for domestic students that are not open to undocumented students, they should consider advocating for those funders to expand their eligibility criteria.⁴

III. What States Currently Offer State Financial Aid Or State Sponsored Scholarships To Undocumented Students? What Are Some Types Of Privately Funded Aid Offered To Undocumented Students At Public Institutions? What Types Of Financial Support Is Available To Undocumented Students At Private Institutions?

Since undocumented students are ineligible for federal student aid, grants, or loans, paying for tuition and associated educational costs represents a significant barrier for these students, including DACA recipients. In at least 15 states and the District of Columbia, undocumented students and/or students with DACA who meet state residency requirements have access to state financial aid and/or scholarships.

In some states, access is specific to an institution. In Delaware, for example, Delaware Technical Community College and the University of Delaware, “allow undocumented students to be

³ A number of organizations offer scholarships, financial assistance, and other kinds of support to undocumented undergraduate students. Examples include [TheDream.US](#), [Golden Doors Scholars](#), [Questbridge Scholars](#) (dependent on the partner college criteria), [P.D. Soros Fellowship for New Americans](#), [MANÁ Scholarship Program](#), and [Scholarship America](#).

⁴ In spring 2019, Jin Park, a DACA recipient and Rhodes Scholar and Elliot Gerson, published an opinion piece in the Chronicle of Higher Education, urging “other scholarships, institutions, and funders to support all qualified students, regardless of immigration status.” <https://www.chronicle.com/article/Scholarships-Must-Open-Their/246313>.

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eligible for in-state tuition and financial aid.”⁵ A number of public institutions offer privately funded aid to undocumented students. In Minnesota, for example, [S.F. 1236](#) establishes that public institutions may use private sources of funding to provide aid to a student eligible for resident tuition, including students without lawful immigration status. In Utah, a bill ([S.B. 253](#)) was passed in 2015 providing an exemption to verification of lawful presence for privately funded scholarships administered by colleges and universities for graduates of Utah high schools.

A growing number of private institutions consider undocumented students as domestic students for the purposes of admission and financial aid, and/or have identified specific institutional funds, external scholarships or other donor funds to support undocumented students. As noted in an earlier Presidents’ Alliance [FAQ](#), it is a best practice to treat undocumented students as domestic students for the purposes of admission and financial aid. A recently compiled list of colleges that provide financial need for undocumented students outlines the practices of forty institutions.⁶

Among a list of top thirty colleges and universities, the overwhelming majority offer full financial aid to undocumented students comparable to other domestic students (click [here](#) for details). Other institutions have undertaken fundraising for scholarships, solicited donors, and identified external partner scholarship organizations, scholarship opportunities, and other funding sources. Another option is to explore the creation of income sharing agreements (ISAs). Several organizations and institutions offer income-sharing agreements. In 2018, Colorado Mountain College initiated an income-sharing agreement for undocumented students.⁷

IV. What States Currently Offer In-state Tuition To Undocumented Graduate Students? What Steps Should Institutional Leaders Consider?

The recruitment, admission, and funding of undocumented graduate and professional students at public and private institutions is an area of much needed advocacy. Public institutions should consider clarifying and/or advocating for the extension of in-state tuition for undocumented graduate and professional students (including those without DACA status) who meet state residency requirements.

Most state laws focus on tuition equity for undergraduate students, and it is not clear the extent to which in-state tuition applies to graduate students who meet the state residency criteria. Examples of two states that have explicitly extended in-state tuition to graduate students are Oregon and California. [Oregon Senate Bill S.B. 859](#) exempts students who are not a citizen or lawful permanent resident attending a public university from paying nonresident tuition as an

⁵ “Tuition Benefits for Immigrants,” National Conference of State Legislatures (NCSL) (September 26, 2019): <http://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx>.

⁶ “Colleges That Meet 100% of Financial Need for Undocumented Students in 2019-2020,” College Greenlight (August 28, 2019), available at <http://blog.collegegreenlight.com/blog/colleges-that-meet-100-of-financial-need-for-undocumented-students-in-2019-2020/>.

⁷ Resource: TheDream.US and Presidents’ Alliance [webinar](#) on different ISAs and options for funding undocumented students, with a presentation by Kevin James, President of Better Future Forward on ISAs, and a discussion with Matthew Gianneschi, Chief Operating Officer, Colorado Mountain College, and Ricshawn Adkins Roane, Chief of Staff, Jack Kent Cooke Foundation on why and how they have adopted their versions of the ISA model.

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undergraduate and graduate student. Undocumented graduate students in California who are eligible for [A.B. 540](#) can receive financial support through the California Dream Act and through several forms of employment or private support from California institutions.

Institutions can promote the availability of in-state tuition and/or other forms of assistance for undocumented graduate and professional students when it is available. The new [UCLA Undocumented Graduate and Professional Student Handbook](#) is an excellent model for both public and private institutions regarding making institutional and state policies visible, clear and welcoming to undocumented students.

V. What Are Some Examples Of Non-Employment Based Funding Opportunities For Undocumented Students Without Work Authorization? How Can My Institution Create These Opportunities?

With the long-term uncertainty around DACA, institutions are encouraged to explore ways to reimagine traditionally employment-based opportunities available to undocumented undergraduate and graduate students on campus.⁸ There are a variety of ways to establish non-employment-based fellowships and other funding opportunities for students without work authorization. While many positions are necessarily employment-based, other opportunities can be reconfigured as experiential, educational, or training fellowships.

See the Presidents' Alliance's [Higher Education Guide to Funding Opportunities for Undocumented Students](#) for information on implementing funding and experiential learning opportunities for undergraduate and graduate undocumented students, and this [guide](#) and [webinar](#) on creating non-employment based fellowships by [Immigrants Rising](#). For graduate students, teaching and research assistantships may be able to be reconfigured as curriculum-based training fellowships. At Emory University, teaching fellowships are curriculum-based (see description [here](#)).

VI. Many DACA Recipients Are Currently Working On Campuses. What Should DACA Recipients Know About Their Employment Rights? What Should Campus Supervisors Know?

It is important for both employees and employers to understand the rights of DACA recipients. A person's immigration status is personal, private information.

Useful resources for students include [Your Employment Rights with DACA and TPS](#) from [TheDream.US](#) and [Frequently Asked Questions about DACA and Employment](#) from The National Immigration Law Center (NILC). For FAQs and guides geared toward employers, see

⁸ It should be noted that there is already a large number of undocumented students without work authorization already enrolled in post-secondary education. A 2017 Migration Policy Institute (MPI) report estimated that approximately 124,000 DACA recipients were enrolled in post-secondary education. In April 2020, a Presidents' Alliance/New American Economy (NAE) [report](#) found that a total 454,000 undocumented students, including adult learners, are currently enrolled in postsecondary education in the U.S. Most undocumented students do not have work authorization. In addition, a 2019 MPI [study](#), commissioned by the Presidents' Alliance, has estimated that 98,000 undocumented students are graduating U.S. high schools annually. Many of these immigrant youth were not able to apply for DACA for the first time before it was rescinded in 2017.

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the [FAQ](#) on employment authorization and DACA students from the Presidents' Alliance and the [Employer's Guide for Hiring Individuals with DACA or TPS](#) from TheDream.US.

VII. What Career Development Opportunities Or Resources Are Available For Undocumented Students Post-Graduation Or Off-Campus? What Steps Should Institutional Leaders Consider?

National organizations and community-based groups offer information and webinars on how to set up as an independent contractor. For example, [Immigrants Rising](#) offers a variety of [resources](#) for undocumented individuals on independent contracting. Another organization, the [Democracy at Work Institute](#) (DAWI) is spearheading a Rapid Response Cooperative (RRC) Development Project, which “aims to create replicable, out-of-the-box worker-owned businesses that provide a pathway to work for DREAMers and undocumented individuals.” See more information [here](#). This may be an excellent resource for students or alumni, and DAWI can provide technical assistance and guidance on how to set up these businesses. Also see the related website, [Radiate Consulting Cooperatives](#), for information about the services and members.

Institutions can also highlight funding resources for undergraduate and graduate students. [Immigrants Rising](#) provides lists of [undergraduate](#) and [graduate](#) fellowships. The [Dream Summer Fellowship](#) is open to currently enrolled students and alumni from across the country. It provides paid internship opportunities for Dreamers and others, and is open to those without work authorization (the new application cycle starts in early December.)

At [My Undocumented Life](#), the [Undocugrad series](#) includes reflections and advice for undocumented students considering graduate and professional school. My Undocumented Life also provides [resources](#) for undergraduate and graduate students. [PreHealth Dreamers](#) provides resources for pre-health students, while Hispanic National Bar Association produced a [toolkit](#) on how to support Dreamer law students.

To the extent applicable and practical, higher education leaders should consider advocating for expanded access to licensure for undocumented and other immigrant students in their state and on the federal level. This affects students in public and private institutions equally. Access to professional and occupational licensing is essential for enabling undocumented students and other immigrant learners fulfill their educational and employment aspirations, especially considering over 1,100 professions (and about 25 percent of all workers) require licensing. While much of the advocacy needs to be pursued at the state level, there is also a role for federal action. To learn more, read the Presidents' Alliance [report](#) on the topic (“Expanding Eligibility for Professional and Occupational Licensure for Immigrants”), developed in collaboration with a number of partners.

VIII. State Tuition Equity And Financial Aid Policies (Updated July 1, 2020)

21 states and the District of Columbia [provide access](#) to in-state tuition to all undocumented students who meet the state residency requirements, regardless of whether they have DACA:

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)⁹

⁹ Eastern Connecticut State University is one of four host institutions for the Opportunity Scholarship, a private scholarship that provides full out of state tuition for up to \$20,000 per

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4. [Florida](#)
5. [Hawaii¹⁰](#)
6. [Illinois](#)
7. [Kansas](#)
8. [Kentucky](#)
9. [Maryland¹¹](#)
10. [Minnesota¹²](#)
11. [Nebraska](#)
12. [New Jersey](#)
13. [New Mexico](#)
14. [New York](#)
15. [Oklahoma](#)
16. [Oregon](#)
17. [Rhode Island](#)
18. [Texas](#)
19. [Utah](#)
20. [Virginia¹³](#)
21. [Washington](#)
22. [District of Columbia \(D.C.\)](#)

Additionally, the following three states provide access to in-state tuition to DACA recipients in all public institutions:

1. [Arkansas](#)
2. [Massachusetts](#)
3. [Ohio](#)

The following five states offer in-state tuition to undocumented students, including DACA recipients, at specific two- and four-year public institutions:

1. [Delaware¹⁴](#)
2. [Iowa](#)
3. [Michigan](#)

year for undocumented students from states that prohibit their enrollment or require them to pay out of state tuition.

¹⁰ The decision to offer in-state tuition to undocumented and DACA students in Hawaii was made by the state board of regents.

¹¹ Students in Maryland must start out at a community college to be eligible for in-state tuition.

¹² Minnesota residents (including qualified undocumented residents) are also eligible to pay Minnesota in-state tuition rates while attending public institutions in North Dakota.

<https://www.ohe.state.mn.us/mPg.cfm?pageID=122>.

¹³ The Governor of Virginia approved HB 1547 on April 7, 2020. The bill went into effect on July 1, 2020.

¹⁴ Delaware State University is one of four host institutions for TheDream.US [Opportunity Scholarship](#), a private scholarship that provides full out of state tuition for up to \$20,000 per year for undocumented students from states that prohibit their enrollment or require them to pay out of state tuition.

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4. [Nevada](#)
5. [Pennsylvania](#)¹⁵

The following four states offer in-state tuition to students with DACA at specific two- and four-year public institutions:

1. [Idaho](#)
2. [Indiana](#)
3. [Maine](#)
4. [Mississippi](#)

The following state offers 150% percent of the in-state tuition rate to undocumented students, including DACA recipients, who meet state residency requirements (less than out of state tuition rate):

1. [Arizona](#)

In the following 15 states and the District of Columbia, all undocumented students, including DACA recipients, who meet state residency requirements have access to state financial aid and/or scholarships:

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)
4. [Hawaii](#)
5. [Illinois](#)
6. [Maryland](#)
7. [Minnesota](#)
8. [New Jersey](#)
9. [New Mexico](#)
10. [New York](#)
11. [Oklahoma](#)
12. [Oregon](#)
13. [Texas](#)
14. [Utah](#)
15. [Washington](#)
16. [District of Columbia \(D.C.\)](#)

The following seven states actively bar access to in-state tuition and/or state financial aid for all of the state's undocumented students who would otherwise meet state residency requirements, including DACA recipients:

1. [Alabama](#)
2. [Georgia](#)
3. [Missouri](#)
4. [New Hampshire](#)
5. [North Carolina](#)

¹⁵ Penn State University announced a [residency policy](#) effective January 1, 2020, which enables undocumented undergraduate and graduate students who meet the state residency requirements listed in the policy to access in-state tuition. It may serve as a useful model for other institutions and states.

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6. [Tennessee](#)
7. [South Carolina](#)
8. [Wisconsin](#)

The following two states actively bar undocumented students without DACA from enrolling in the state’s public colleges and universities:

1. [Alabama](#)
2. [South Carolina](#)

These FAQs were developed, in collaboration, by Christian Penichet-Paul and Ronnie Rios (Presidents’ Alliance on Higher Education and Immigration) and Nicolaus Espitia and Ivana Lopez-Espinosa (uLEAD Network and the National Forum on Higher Education for the Public Good, University of Michigan). For questions about this document, please contact Christian Penichet-Paul at christian@presidentsalliance.org.

APPLYING FOR SCHOLARSHIPS AND FELLOWSHIPS



APPLYING FOR SCHOLARSHIPS AND FELLOWSHIPS

Revised 12/2021

Scholarships and fellowships are a great way to pay for college tuition and other expenses. You might wonder, what's the difference between scholarships and fellowships?

Scholarships are generally funds for students attending educational institutions for the purpose of study at the undergraduate or graduate level. They can be awarded based on merit, financial need, grades, community service, major, class level, city or county of residence, and more.

Fellowships are generally funds for students (or non-students) for the purpose of professional or career development. They can support a variety of things, including study in a specific field, research to advance work on a particular issue, development of a new community-based organization or initiative, training to support a fellow's growth, opportunities to further explore a particular field of work, and more.

Invest in Yourself

Scholarships are free money to pay for school! If a scholarship is worth \$1,000 and you spend 10 hours writing an essay and submitting your scholarship application, it can result in \$100 per hour invested.

Fellowships can provide you with leadership and professional development, as well as financial compensation for your work. Think of them as excellent opportunities to explore career fields, while developing your skills and building networks to support your academic and professional goals.

Most scholarships and fellowships have similar prompts, so you can rework the same essay for each application you submit. Use our [Scholarship or Fellowship Essay Worksheet](#) to improve your essays and ability to receive multiple awards.

Getting Started

There are many scholarships and fellowships that do not require proof of citizenship. Use Immigrants Rising's Scholarship and Fellowship Lists along with additional databases to identify those that you are eligible to apply for. Our lists have about 500 scholarships and 100 fellowships open to undocumented folks, so there's something out there for you!

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.

Use our [Scholarship & Fellowship Search Chart](#) to list the ones you are eligible for—including deadlines—and create an action plan today.

Immigrants Rising Scholarship & Fellowship Lists

We offer four different scholarship and fellowship lists:

Undergraduate Scholarship List: immigrantsrising.org/resource/undergraduate-scholarships

Undergraduate Fellowship List: immigrantsrising.org/resource/undergraduate-fellowships

Graduate Scholarship List: immigrantsrising.org/resource/graduate-scholarships

Graduate Fellowship List: immigrantsrising.org/resource/graduate-fellowships

Additional Databases

Check out these additional databases of scholarships and fellowships available for undocumented young people:

Best Colleges: bestcolleges.com/resources/undocumented-students/internships-and-fellowships

Dreamers Roadmap: scholarships.dreamersroadmap.com

MALDEF: maldef.org/resources/scholarship-resources

My Undocumented Life: mydocumentedlife.org

Scholarships A-Z: scholarshipsaz.org

Silicon Valley Community Foundation: siliconvalleycf.org/scholarships

The College Expo: thecollegeexpo.org/resources/scholarships

Expand Access

Have you found other scholarships and fellowships that do require proof of citizenship or residency? Let scholarship and fellowship providers know that they are not required to ask applicants for proof of citizenship, residency, SSN, or work authorization. You can find more information in Immigrants Rising's [Overview of Grants to Individuals](#).



SCHOLARSHIP & FELLOWSHIP SEARCH CHART

Use this chart to keep a record of the scholarships and fellowships you want to apply for.

NAME	REQUIREMENTS	AMOUNT	CONTACT INFORMATION	DEADLINE DATE

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org.
For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org



GET READY TO BRAINSTORM: Building Your Scholarship or Fellowship Essay

Instructions: Fill each column with a word or phrase that captures something you want to include in your essay.

1. Take 3 deep breaths. 2. Set your intention to honor your accomplishments! 3. Don't be shy! 4. Speak without judgment.

SIGNIFICANT FACTORS OR EVENTS THAT HAVE IMPACTED YOUR DESIRE TO ATTEND COLLEGE	OBSTACLES YOU'VE OVERCOME	ACADEMIC ACHIEVEMENTS	EDUCATIONAL AND CAREER GOALS	FINANCIAL NEED	CONTRIBUTIONS TO YOUR COMMUNITY	YOUR IMMIGRATION STORY

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: www.immigrantsrising.org.

For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org



GET READY TO BRAINSTORM: Building Your Specific Scholarship or Fellowship Essay

Instructions: Break down your prompt into categories. Fill each column heading with the most important elements of your scholarship prompts. Then, fill each column with a word or phrase that captures something you want to include in your scholarship essay. 1. Take 3 deep breaths. 2. Set your intention to honor your accomplishments! 3. Don't be shy! 4. Speak without judgment.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: www.immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org

INSTITUTIONAL PRACTICES TO SUPPORT UNDOCUMENTED STUDENTS



UndocuCollege Guide & Equity Tool, California 2016



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 and analyze about the level of support currently present at their institution for undocumented students. To access the full report, [click here](#).

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

The Equity Tool provides campus professionals and students with a comprehensive metric to assess, analyze, and report the level of support currently present at their institution for undocumented students. The tool also contains important contextual research, guidelines for completion and guiding questions to measure existence and sustainability. This tool is designed to build a bridge between the effective practices outlined in the above sections and your institution.

Authors: Nancy Jodaitis, San Francisco State University, AB 540/Undocumented Student Advisor Jose Arreola, E4FC Director of Educational Equity Initiatives
 Ruben Canedo, UC Berkeley CE3/Undocumented Student Program Kyle Southern, National Forum on Higher Education for the Public Good, University of Michigan

My Name is

I AM AN UNAFRAID EDUCATOR

**WHO WORKS WITH
AND SUPPORT
UNDOCUMENTED FAMILIES
AND STUDENTS**

#HERETOSTAY #UNDOCUALLY



A GUIDE TO BUILDING ON-CAMPUS UNDOCUMENTED STUDENT PROGRAMS

IMMIGRANTS
RISING

TRANSFORMING LIVES THROUGH EDUCATION

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INTRODUCTION

The idea of creating an undocumented student program can often seem cost-prohibitive and overwhelming. However, there are many tangible steps that individuals or groups can take to kickstart programming for undocumented students. We created this guide for campuses that do not yet have dedicated funding or staffing but need a place to start. In this guide, we map out incremental benchmarks that campuses can strive for in developing in their programming and eventually advocate for a dedicated coordinator and physical space for the program.

BACKGROUND

Having an undocumented student program (USP) on campus is vital to the retention and success of undocumented students. Unfortunately, a lot of college campuses do not even attempt to develop programming in the absence of a dedicated coordinator position, program budget, or designated space. And yet, it is entirely possible to start developing programming while in the process of securing the above-mentioned components.

The recommendations in this guide are based on learnings from the undocumented student programs that were built from the ground up at San Francisco State University and Skyline College. Prior to having any institutional funding, a designated space, or a full-time coordinator, San Francisco State developed a successful task force, supported an undocumented student club, hosted year-round events, and even created a scholarship specifically for undocumented students. Prior to hiring a full-time coordinator, Skyline College started a Dream Center with a short-term, part-time assistant and no programming budget. After a year of successful programming, data collection, and campus-wide advocacy, the Dream Center was able to secure institutional support to hire a permanent, full-time assistant who was later reclassified as a coordinator.

THREE PILLARS OF A SUCCESSFUL UNDOCUMENTED STUDENT PROGRAM

We see three essential components to building an undocumented student program: 1) a Dream Center/Coordinator, 2) an Undocumented Student Club, and 3) an Undocumented Student Support Task Force. We call these the “Three Pillars of a Successful Undocumented Student Program.”

The Three Pillars of a Strong Undocumented Student Support Program



The **Undocumented Student Club** gives the students a voice and provides guidance to address their needs.; the **Undocumented Student Support Task Force** supports with institutional barriers and programming; and the **Dream Center Coordinator** takes care of day-to-day support and case management. The formation and collaboration between all three pillars is key to building strong programming, securing institutional support, and creating a solid foundation to support students holistically with student voice at the forefront.

BENCHMARKS* FOR BUILDING A STRONG UNDOCUMENTED STUDENT PROGRAM

*These benchmarks are in a suggested order but do not have to take place in a linear fashion.

Next, we map out incremental benchmarks that campuses should strive to achieve when developing their undocumented student program. We identify the active role that each of the “Three Pillars of Successful Undocumented Student Programming”—the Undocumented Student Task Force, the Undocumented Student Club, and the Dream Center Coordinator—play in achieving each of these benchmarks.

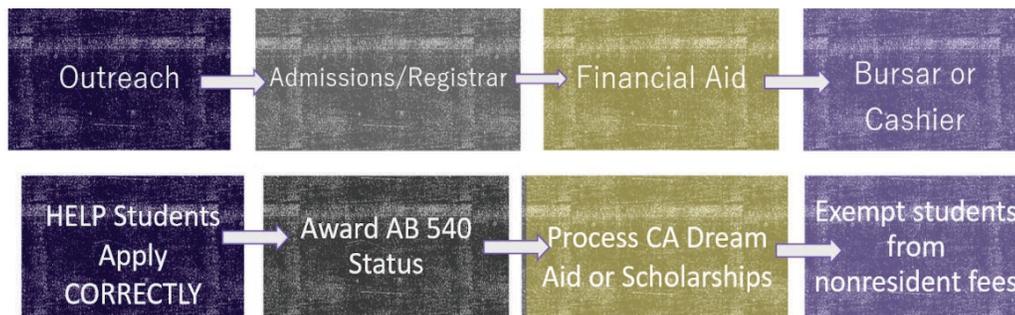
Benchmark 1: Host UndocuAlly Trainings

Actors: Any staff, faculty, or administrator who can coordinate the invitations to the training for both the trainer and campus partners or dedicated staff member/coordinator if the position exists on your campus. See Appendix A for more Key Campus Partners.

It's important to host an initial “Train the Trainer” UndocuAlly training on your campus and invite key campus partners.* Continue to host regular UndocuAlly trainings on your campus, including departmental trainings.

These trainings serve multiple purposes. First, they provide staff, faculty, and administrators across campus with the basic knowledge they need to support undocumented and mixed-status family students. Second, they are a great way to transform the campus climate over time by increasing awareness, fostering understanding, and debunking myths regarding undocumented students.

Be sure to invite representatives from all front-line departments that directly impact undocumented student matriculation, including admissions and records, bursar/cashiers, financial aid, and outreach.



©UndocuCollege Guide & Equity Tool: California 2016

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 2: Create an Undocumented Student Task Force with Key Campus Partners*

Actors: Staff, faculty, and administrators who were trained in Benchmark 1 (or dedicated staff member/coordinator, if the position exists on your campus). See Appendix I for Key Campus Partners.

An undocumented student Task Force is a group of staff, faculty, and administrators who meet monthly to understand what challenges undocumented students face due to campus policies, campus climate, etc. They then work together to create solutions and increase campus accessibility for the undocumented community through advocacy, policy changes, programming, and other creative solutions. Task forces also help with the institutionalization of an USP because it gets folks from across campus involved and informed.

Duties that Task Force members can share while establishing a program and advocating for a coordinator are outlined in subsequent benchmarks.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 3: Establish an Undocumented Student Club*

Actors: Members of the Task Force from Benchmark 2 (or dedicated staff member/coordinator, if the position exists on your campus) and student leaders. Emerging student leaders often show up to events and are eager to help. Tapping into the energy of students who regularly come for services can also be helpful. Although some students can seem shy and reserved at first, with guidance and support many can grow to be strong advocates and leaders.

While there are many club models that are allies/supportive of undocumented students (i.e. MECHA, Puente, Kababayan, etc.), having a club specifically for undocumented students is important. An undocumented student club helps foster student leadership, involvement, and empowerment. An undocumented student club also creates a space where students can freely discuss undocumented student issues and experiences without having to explain or justify their experiences, thoughts, and feelings. Through the undocumented student club, campuses can learn directly from students, and collaborate to create relevant and culturally competent programming. Additionally, it provides community and an additional place for students to find support.

For the purposes of institutionalizing an USP, I recommended that the undocumented student club advisor not be the school's Dream Center coordinator or the "go-to" person for USP. Having an advisor who is part of another department will foster involvement from different areas of campus and allow the coordinator to support the club while still giving the club a voice that is separate from that of the program.

See Appendix D for steps on how to establish an undocumented student club.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 4: Conduct Targeted & Protected Outreach and Data Collection*

Actors: Members of the Task Force from Benchmark 2, staff from institutional research or admissions, and/or a campus communications analyst (and a dedicated staff member/coordinator, if the position exists on your campus).

Outreach is pivotal in supporting undocumented students. For students that are missed during the matriculation process, timely information about AB 540/SB 68, the California Dream Act, etc. can make a huge difference in the retention of students who are facing financial and institutional barriers. Work with the admissions department, institutional research or a campus communications analyst to help you send pertinent information to current or incoming students. Just remember that student privacy must always be considered. See Appendix C for information about creating a student query.

Student information is protected by the Family Educational Rights and Privacy Act (FERPA) and the California Values Act (SB 54) and cannot be shared with outside entities without a student's consent (unless a judicial warrant is produced). However, this data can be used to provide student services, as long as privacy precautions are taken. Such precautions might include protecting identifiable student information with password protection measures and using BCC when sending emails to multiple students at once.

Data tracking is extremely useful for proving the necessity and successes of the USP program. It can also be key when advocating for resources and staffing. See Appendix G for information about data tracking.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 5: Build an Online Presence for Undocumented Students*

Actors: Campus marketing team in collaboration with members of the Task Force from Benchmark 2 (and dedicated staff member/coordinator, if the position exists on your campus).

These days, most students use the internet as their main source of information. Many prospective students use college websites to see which schools seem like a good fit, as well as to find important information about their enrollment and matriculation process.

It is important to add undocumented student information to existing campus web pages with relevant student resources (Admissions, financial aid, etc.). Once that has been accomplished, the actors mentioned above should work on creating an undocumented student specific web page that could include news updates, campus policies, hyperlinked PDFs of important documents (like the AB 540 affidavit), a contact list of allies on campus, a calendar of undocumented student events, and undocumented student club information, etc.

It can also be helpful to create accounts on popular social media platforms like Instagram and Twitter to increase channels of communication with students.

See Appendix J for sample websites and social media accounts.

*This step does not require a dedicated staff/coordinator, budget, or dedicated space

Benchmark 6: Host Undocumented Student Events*

Actors: Members of the Task Force from Benchmark 2 (and dedicated staff member/coordinator, if the position exists on your campus), as well as members of the student club from Benchmark 3.

Undocumented student events are aimed at providing resources, and creating awareness regarding support services, and building community. Regular programming will provide visibility to your USP, as well as provide opportunities for institutionalization of undocumented student support through cross-departmental collaboration. The Task Force is a great resource for campus collaboration in event planning. Please note that turnout may be small for the first few events but it is important to persist and continue providing these community spaces for students. Students may not want to attend for fear of being “outed,” however, regularly occurring events will show students that the campus is supportive, as well as create spaces where students who feel comfortable attending can bring other students they may know.

Events like Know Your Rights workshops, healing circles, and student art shows can also empower students to attend future events. Please see section Appendix F for more event suggestions.

*This step does not require a dedicated staff or dedicated space

Benchmark 7: Create Campus Scholarships for Undocumented Students*

Actors: Members of the Task Force from Benchmark 2, campus foundation, financial aid department (and dedicated staff member/coordinator, if the position exists on your campus).

Ensure that all campus scholarships are open to all students regardless of citizenship status and allow students to use the California Dream Act and not just the FAFSA to document financial need. Often times, scholarship requirements are copied and pasted from one scholarship to the next. Therefore, citizenship requirements for scholarships may be an arbitrary stipulations that can be reversed, creating more access for undocumented students.

Speak to your campus foundation about the possibility of partnering to create and fundraise for a dedicated scholarship for undocumented students. Staff and faculty often sign up for monthly paycheck deductions for scholarship funds. Another potential funding source is the student government on campus. Additionally, the Task Force can collaborate on planning fundraising events throughout the year.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 8: Advocate for an Undocumented Student Program Coordinator*

Actors: Members of the Task Force from Benchmark 2 and student club members from Benchmark 3.

Conduct research on the ideal position for a coordinator on your campus (i.e. program coordinator, student services specialist, etc.). Create a job description tailored to your campus' mission detailing the events, programs and services you would like to provide as well as the outcomes that would result from them. Tailor the job description to fit the duties of the position level that you are aiming to fill.

Involvement from students, staff, and faculty is pivotal in advocating for a dedicated position that has support for undocumented students written into the job description. Additionally, data tracking and accurate numbers are vital to proving the need for a position. Utilize the data gathered from events, AB 540 Affidavits, California Dream Act Applications, and data from Benchmark 4 as solid evidence of the campus' need for this position. Student storytelling and testimony should also be presented, as it can often be incredibly powerful and illustrates the need for USP.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 9: Create a Strategic Plan

Actors: Members of the Task Force from Benchmark 2 (or dedicated staff member/coordinator, if the position exists on your campus) and student club members from Benchmark 3.

Create a strategic plan for your undocumented student program to present to campus leadership (VP of Student Affairs/Student Life, VP of Enrollment, or VP of Student Services, etc)*

A strategic plan illustrates the benefits of having USP on campus, as well as the need for a coordinator. Include your objectives. For example: Provide culturally relevant and equity-minded student support services to ab 540, undocumented, and DACAmented students and community members; activities planned to meet the objective; the timeline to achieve these objectives; who the person responsible is (coordinator, task force, student club, etc.); measurable outcomes; and the resources you will need to accomplish them. *See section IX for an example.

*This step does not require a dedicated staff, budget, or dedicated space

Benchmark 10: Advocate for a Dedicated Undocumented Student Space

Actors: Members of the Task Force from Benchmark 2 (and dedicated staff member/ coordinator if the position exists on your campus) and student club members from Benchmark 3.

It may take a long time to secure an adequate space, as most campuses have limited spaces available. Advocating should be a collaboration between staff, faculty, and students with student voices taking the lead. It can be helpful to take a tour around the campus and identify spaces that are not being used or ones that seem ideal for your needs. Additionally, consider what kind of spaces similar programs use on campus, if any. It is also important to consider campus climate and what type of space the students need to feel both safe and empowered.

*This step does not require a dedicated staff, budget, or dedicated space



A CHECKLIST TO BUILDING AN ON-CAMPUS UNDOCUMENTED STUDENT PROGRAM

Released 9/2020

Creating an undocumented student program can often seem cost-prohibitive and overwhelming. However, there are many **tangible steps that individuals or groups can take to kickstart programming for undocumented students**. We created [A Guide to Building On-Campus Undocumented Student Programs](#) for campuses that do not yet have dedicated funding or staffing but need a place to start.

Use this checklist to conduct a quick analysis of your undocumented student programming and then develop a plan of action. Each benchmark includes various activities that campuses can pursue to develop or expand the institutional support provided at their college or university.

BENCHMARK 1: Host UndocuAlly Trainings

- Hosted an UndocuAlly Training during this academic year
- Host department-specific trainings during this academic year
- Had a training regarding FERPA during this academic year

BENCHMARK 2: Create an Undocumented Student Task Force with Key Campus Partners

- Undocumented student task force meets more than twice a semester
- Includes key campus partners (financial aid, admissions, outreach, registrar, student leaders, etc.)
- Prioritize key short-term and long-term goals for each academic year

BENCHMARK 3: Establish an Undocumented Student Club

- Club has been active within this academic year
- Club has 5 active members 10 active members 15 or more active members
- Club is supported by a staff/faculty adviser
- Club is consulted regarding undocumented student programs

BENCHMARK 4: Conduct Targeted & Protected Outreach & Data Collection

- AB 540 and DREAM Act information is included in all outreach materials
- Inclusive and welcoming signage on campus
- Students are made aware of FERPA & SB 54 protections
- Have conducted outreach to:
 - high schools
 - adult schools
 - career education programs
 - transfer institutions

BENCHMARK 5: Build an Online Presence for Undocumented Students

- Add undocumented student info to existing webpage (admissions, financial aid, etc)
- Have a dedicated page for undocumented students
- Embed Immigrant Rising resources into existing web pages
- Be sure there are pertinent links when you enter “undocumented” into the search bar



A CHECKLIST TO BUILDING AN ON-CAMPUS UNDOCUMENTED STUDENT PROGRAM

BENCHMARK 6: Host Undocumented Student Events

- Show the “UndocuJoy” video to expand the narratives of people who are undocumented
- Develop storytelling workshops to promote empowerment & healing
- Coordinate UndocuTalks to provide students with a space to speak freely
- Host a community event with an undocumented artist, activist, or themed movie

BENCHMARK 7: Create Campus Scholarships for Undocumented Students

- Include CA Dream Act, as well as FAFSA, on all financial aid materials
- Host a Dream Application Drive to help students avoid common pitfalls
- Promote scholarships that do not require proof of citizenship
- Stress the importance of the March 2nd deadline for transfer students
- Have at least one staff/faculty member whose job duties include supporting undocumented students
- Ensure that campus scholarships are open to undocumented students

BENCHMARK 8: Advocate for an Undocumented Student Program Coordinator

- Have at least one staff/faculty member whose job duties include supporting undocumented students
- Work with admissions and financial aid to accurately identify the number of current and prospective undocumented students
- Develop a system to quantify student contacts while protecting student privacy

BENCHMARK 9: Create a Strategic Plan

- Ensure administrators understand how supporting undocumented students increases compliance with the Supplemental Funding Formula and Guided Pathways
- Identify specific steps administrators can take to build better institutional practices
- Work with all campus departments to identify strategic areas

BENCHMARK 10: Advocate for a Dedicated Undocumented Student Space

- Work with Student Services or Associated Students to explore locations for a center
- Set up a meeting with Chancellor, President or Board of Trustees to hear directly from undocumented students
- Visit Dream Resource/Undocumented Student Centers at other CCCs to learn about different models

ACKNOWLEDGMENTS

We wish to thank Pamela Ortiz Cerda, Dream Center Program Services Coordinator at Skyline College and a member of the California Community College's Advisory Group for Undocumented Students, for her support in editing this resource. She has been active in undocumented student support and advocacy since 2010.

ABOUT US

Founded in 2006, Immigrants Rising transforms individuals and fuels broader changes. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and their community. Immigrants Rising is a fiscally-sponsored project of Community Initiatives. For more information, visit www.immigrantsrising.org

For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.

Appendix A: Developing campus partnerships

Campus Partner	Reasons for Partnership
Admissions and Records	AB 540/ SB 68 and Matriculation, Residency Queries for Outreach
Financial Aid	California Dream Act, Scholarships
Cashier's Office/Bursar	Tuition payments and reimbursements
Outreach	Connections with local high schools and opportunities
ESL	Shared students
Career Center	Entrepreneurship Guidance
Psychological Services	Culturally competent mental health support
Student Life	Collaboration on campus programming and events
EOPS	Additional support available for AB 540 students
Equity	Programming collaboration and possible funding source
Academic Counselors	Have key interactions with students, especially regarding transfer and financial aid
Transfer Center	Navigating transferring for undocumented students
Learning Communities (If any)	(Ex: Puente, Kababayan) Intentional campus inreach.
Adult School Liaison (If any)	Facilitate support and collaboration regarding incoming SB 68 students.
Campus Basic Needs Support (If any)	Supports like food pantry and other basic needs that low-income undocumented students may need
Legal/Paralegal Program (If any)	Support in creating a legal clinic or events like "Know Your Rights" Trainings
Campus Crisis Manager (If any)	Can support in case of detention/deportation of a student or their family member
Administration, Especially in Student Affairs	Support in advocating for campus policy changes
Academic and Classified Senate representatives	Support in advocating for campus policy changes
Associated Students	Support with student engagement, funding, student organizations.

Appendix B: Developing community partners

Community Partner	Reason For Partnership
Trusted Legal Agency	Free/ low-cost, accessible legal support, DACA support
Local Health Clinic	Free/low-cost health care/ mental health care
Local Adult Schools	Prospective SB 68 Students
Local High Schools	Prospective undocumented students

Appendix C: Conducting outreach to undocumented students

Creating a List-Serv Of Undocumented Students

In California, student information is protected by the Family Educational Rights and Privacy Act (FERPA) and the California Values Act (SB 54) and cannot be shared with outside entities without a student's consent (unless a judicial warrant is produced). However, it can be used to provide student services, as long as precautions are taken. Such precautions might include protecting identifiable information with password protection measures and using BCC when sending emails to multiple students at once.

Method	Upside	Downside
Using CA Dream Act Data	Easily accessible for FinAid staff	Many students do not apply for the CA Dream Act
Using AB 540/SB 68 Data	Easily accessible for admissions and records staff	Not all students are aware they have to submit an affidavit. Some AB 540/SB 68 applicants are US citizens. Not all undocumented students qualify for AB 540/SB 68.
Using residency queries or information from Institutional Research	More accurate, includes non AB 540 students.	May require help from campus' institutional research office.

Appendix D: Building an undocumented student club

Fostering student voice, leadership, and participation is pivotal to a successful USP program. An undocumented student club is a great way to begin building student engagement and empowering the on-campus undocumented community. While we as service providers may want the club to function in a specific way or serve a specific purpose, it is important to allow the students to have agency over how they want the club to function. For example, while some students may immediately gravitate toward activism, other students may feel that their biggest need at school is a place for community and healing, and will shape the club accordingly. If your campus does not have a Dream Center, it is important to allocate a classroom or space from a reliable campus ally that will allow the club to conduct weekly meetings.

The list-serv from Appendix C can be extremely helpful in the outreach necessary for a student club. One way to gain interest is to have an "informational event" with food where students can

learn about other schools' undocumented student club models and brainstorm as a group about their vision for the club and how it can best serve their needs.

If you are working at a California Community College, because there is such quick student turnaround, it is important to work with students to create a strong constitution and bylaws that will allow the club to be sustainable. It is also important that the person who becomes the advisor is able to actively participate in the meetings and help advocate with the students as well as provide stable guidance and support.

Appendix E: Implementing policy legislation

Legislation	In Effect Since	Corresponding Department	Legislation Benefits:
AB 540 AB 2000 SB 68	2001 2014 2018	Admissions and Records, Bursar/Cashier	-In-state tuition for those who have completed 3 full-time years in CA schools and have a GED or High School Diploma or associate's degree and minimum transfer requirements. -Possible access to state financial aid.
AB 343	2018	Admissions and Records	Allows students who have refugee status or special immigrant visas to receive in-state tuition. Waives 1 year+1 day requirements.
California Education Code Sections 76140-76143 Article 9	2010	Admissions and Records	Community college districts may choose to waive non-resident fees to students who take 6 units or less (not including international students).
AB 130 AB 131 "CA Dream Act"	2011	Financial Aid	Access to EOP&S, EOP, state-based financial aid including Cal Grants, Middle Class Scholarships, CA Promise Waiver, State University Grants, UC Grants and scholarships held by the college or university. *Must qualify for in-state tuition to apply
SB 1210 "Dream Loan"	2014	Financial Aid	Access to small, subsidized loans at the CSU and UC. *Must qualify for in-state tuition to apply
SB 1159	2014	Career Services, Programs that culminate in professional licenses (Cosmetology, Medicine, Law, Automotive, etc.)	Allows undocumented immigrants to legally obtain professional licenses.
Family Educational Rights and Privacy Act (FERPA)	1974	Any department that handles student records.	Protects the privacy of student records
California Values Act (SB 54)	2018	Any department that handles student records.	Protects the privacy of student records and prevents campus collaboration with ICE for enforcement purposes

Appendix F: Organizing undocumented student events

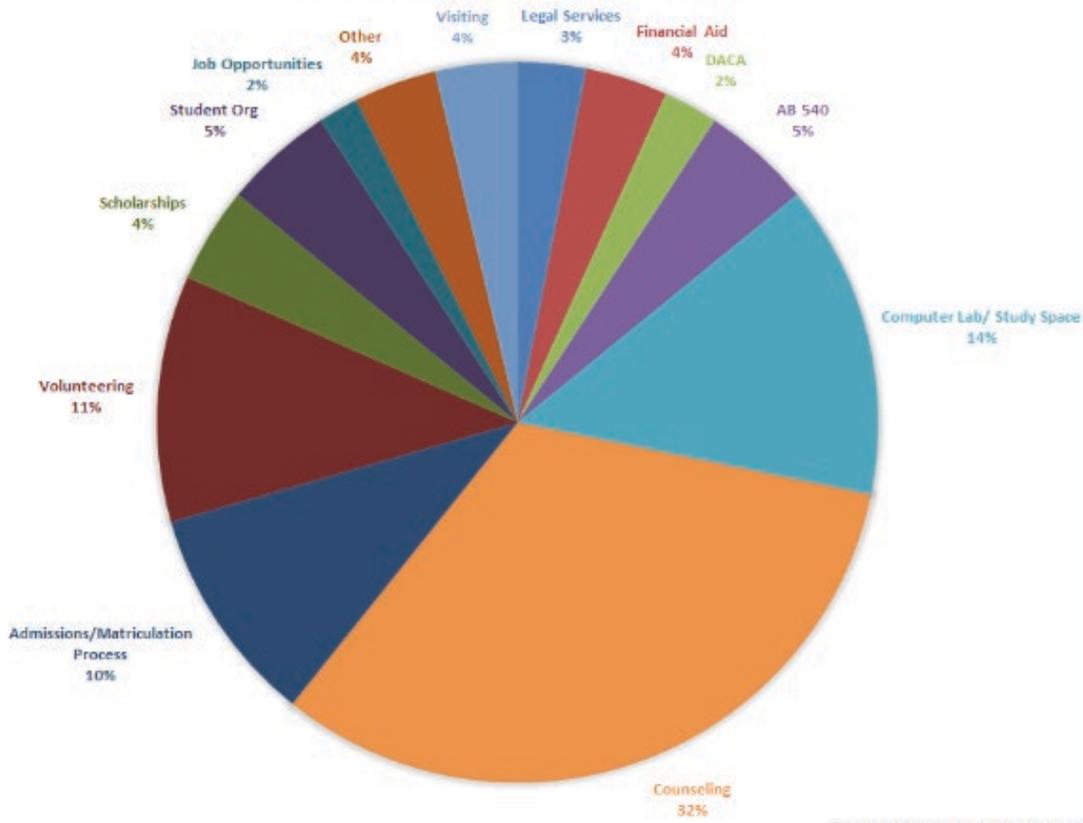
- UndocuTalks (Guided bi-weekly or monthly group conversations)
- Dream Act Drives
- Scholarship Workshops
- Know Your Rights/Deportation Defense Workshops
- Entrepreneurship Workshops
- Undocumented Student Transfer Workshops
- Pop-up Art Shows
- UndocuWeek (A week-long series of undocumented students support, awareness, advocacy, and healing events)
- Undocumented Student Orientation
- Undocumented Student Welcome Night
- Undocumented Student Graduation

Appendix G: Tracking student data

A simple way to track “foot traffic” is through programs that use student IDs. However, students may feel hesitant to share their name and student ID number. An effective alternative is the use of a Google form on a stationary computer or tablet that only requires a student’s initials. Google form answers immediately upload and sort responses into an online excel sheet, making it easy to sort through data and create regularly updated charts and graphs.

Below you will find examples of a) Chart Generated by a Google Form and b) Dream Center Sign In By Initials Google Form that I created:

DREAM CENTER REASONS FOR STUDENT VISITS



Skyline College, Spring 2018

Dream Center Sign In

This information will be kept private and confidential.

What are your initials? (Example: AE, JS)

Short answer text
.....

Reason(s) for visit?

- Financial Aid (Dream Act, Scholarships)
- DACA
- Admissions (AB 540, SB 68, Applying to School)
- Computers/ Study Space/ Safe Space
- Information
- Student Club
- Volunteer/ Service Learning
- Legal Clinic
- Other...

I am a

- Current Student
- Incoming Student
- Staff/Faculty/Administrator
- Community Member
- Visitor
- Other...

OPTIONAL- If you would like to make an appointment please list your email or phone number and what days/times are best for you.

Short answer text
.....

Work Plan

Project Proposal Title: Skyline College Dream Center Strategic Plan

Objective	Activities How will you meet this objective?)	Timeline (What is your target date for completion?)	Person Responsible (Who is the person responsible for completing this objective?)	Measurable Outcomes (How will you know you have reached this goal?What assessment tools will you use?)	Resources Needed (What resources do you need to meet this objective?)
Provide culturally relevant and equity-minded student support services to AB 540, undocumented, and DACAmented students and community members	Direct Services: <ul style="list-style-type: none"> ● Drop-in Services ● UndocuTrojans Orientation ● Welcome Night ● Case Management ● Personal Counseling ● Matriculation Assistance 	Ongoing, Yearly	PSC Partner with: <ul style="list-style-type: none"> ● Claudia Acevedo-Financial Aid ● Legal Clinic ● EOPS ● Planning, Research and Institutional Effectiveness 	Persistence, Retention, Completion rates of students who use services Data Via Partners Surveys	<ul style="list-style-type: none"> ● Office Supplies ● Mileage ● Student Assistants ● Copies/Production ● Safe Space
Create programming that will support the special needs of the undocumented community	<ul style="list-style-type: none"> ● DACA Workshops ● Know Your Rights ● UndocuTalks ● California Dream Network ● UndocuArt ● Socials ● Legal Clinic ● Legislative Updates 	Ongoing, Yearly	PSC Partner with: <ul style="list-style-type: none"> ● Skyline Legal Clinic ● Local non-profits 	Event Participation/Evaluation Qualitative Data Legal Clinic Data	<ul style="list-style-type: none"> ● Supplies ● Conference Expenses ● Student Assistants

Prepared by Pamela Ortiz Cerda

<p>Supporting the undocumented community members with financial need</p> <p>Breaking down financial barriers.</p>	<p>Dream Center:</p> <ul style="list-style-type: none"> Scholarship Workshops CA Dream Act Workshops Customized Workshops Referrals Food Distribution Entrepreneurship Workshop Drop-in financial aid support Establishing a campus scholarship for undocumented students 	<p>Ongoing, Yearly</p>	<p>PSC</p> <p>Partner with:</p> <ul style="list-style-type: none"> Financial Aid Department SparkPoint Food Pantry Financial Coaching EOPS BAEC 	<p>Event/Activity participation/Evaluation</p> <p>Qualitative Data</p> <p>Scholarship Achievement</p> <p>Scholarship Application Numbers</p>	<ul style="list-style-type: none"> Supplies Conference Expenses Student Assistants Food
<p>Provide culturally relevant trainings to create a climate of understanding throughout campus regarding the undocumented community</p>	<ul style="list-style-type: none"> Introducing Dream Center Workshop Train the Trainer Trainings UndocuAlly Training UndocuLiteracy Training DACA 101 Classroom presentations/ facilitating classroom discussions 	<p>Ongoing, Yearly</p>	<p>PSC,</p> <p>Partner with:</p> <ul style="list-style-type: none"> Equity Division SEED 	<p>UndocuAlly Commitment Sheets</p> <p>Training Attendance</p> <p>Classroom Surveys</p> <p>Continued collaboration with Staff and Faculty</p>	<ul style="list-style-type: none"> Supplies Student Assistants Food
<p>Foster student leadership and</p>	<ul style="list-style-type: none"> Train student assistants and student volunteers 	<p>Spring 2018, Ongoing Yearly</p>	<p>PSC</p> <p>Partner with:</p>	<p>Persistence, Retention, Completion rates of</p>	<ul style="list-style-type: none"> Student Assistants Travel Expenses

Prepared by Pamela Ortiz Cerda

provide a safe space and support through peer to peer empowerment	<ul style="list-style-type: none"> provide leadership opportunities using a Social Justice framework Peer mentor program Create and maintain undocumented student organization 		<ul style="list-style-type: none"> President's Innovation Fund Center for Student Life and Leadership Development Leigh Anne Shaw 	<p>students who participate in program</p> <p>Increase in participation of undocumented students in campus events</p> <p>Attendance for undocumented student club meetings</p>	
Provide up-to-date information and regular communication with undocumented community members	<ul style="list-style-type: none"> Emails/Mailing List Flyers, Brochures Facebook Printed Resources TV Screens Event Calendar Website 	Ongoing, Yearly	<p>PSC</p> <p>Partner with:</p> <ul style="list-style-type: none"> Marketing 	<p>Email responses/ students dropping in due to emails</p> <p>Facebook posts interaction</p> <p>Click Data</p>	<ul style="list-style-type: none"> Production of Copies Office Supplies
Establishing strong campus and district-wide connections through the Dream Center Task Force and the SMCCCD Dream Centers Task Force	<ul style="list-style-type: none"> Hosting monthly meetings on campus for the Dream Center Task Force Meeting regularly with Cañada & CSM 	Ongoing, Yearly	<p>PSC</p> <p>Partner with:</p> <ul style="list-style-type: none"> Other on-campus departments CSM & Cañada undocumented student support leaders 	<p>Task Force Meeting Attendance</p> <p>Collaborative events</p>	<ul style="list-style-type: none"> Mileage Food

Prepared by Pamela Ortiz Cerda

<p>Create and update resources and curricula.</p>	<ul style="list-style-type: none"> ● Dream Center Resource Binder ● Dream Center resource table ● Dream Center presentations and class discussions 	<p>Ongoing, yearly</p>	<p>PSC</p> <p>Partner with:</p> <ul style="list-style-type: none"> ● E4FC (Nancy) 	<p>Students who visit the center leave with specific and up-to-date resources.</p>	<ul style="list-style-type: none"> ● Office Supplies ● Copies/Production
<p>Create/Upkeep network of undocumented community support.</p>	<ul style="list-style-type: none"> ● Dream Center Coordinator's Facebook group and List Serve ● Local non-profits 	<p>Ongoing, yearly</p>	<p>PSC</p> <p>Partner with:</p> <ul style="list-style-type: none"> ● California Dream network ● United We Dream ● E4FC ● La Raza Centro Legal ● Local Dream Centers (SFSU, CCSF) 	<p>Collaborative Events</p> <p>Participation in Facebook Group</p> <p>List Serve Communication</p>	<ul style="list-style-type: none"> ● Office Supplies ● Mileage

Budget Worksheet

	Description	2017-18	2018-19
2130/3801 (Classified Salary)	Program Services Coordinator (Step 1-3) Includes salary and benefits.	\$44,222.54-\$48,780.90	\$88,445.07-\$97,561.80
4510/4580 (Supplies & Materials)	Supplies Central Duplicating/Marketing (Brochures, Informational sheets, flyers) Programing for events and trainings (Food, supplies, etc.)	\$2000 \$1500 \$2000	\$2000 \$1500 \$2000
(Other Operating Expenses and Services)	Off Campus Events for Students (Conferences, Mileage, Student Conference attendance, California Dream Network, E4FC/ United We Dream Events)	\$1000	\$1000
Total		\$50,722.54-\$55,280.90	\$94,945.07-\$104,061.80

Dream Center Workshops/Trainings:

Date	Title or group/Duration	In attendance
June 14 th	Soc. 100, Rika Fabian (45 min.)	33
August 14 th 2017	Flex Day “Introducing SMCCCD Dream Centers” (1 hour)	101
August 11 th 2017	Non-Resident Tuition Proposal (SMCCCD ESC)	16
August 28 th 2017	Soc. 100, Rika Fabian (45 min)	45
Sept. 6 th 2017	Eng. 105, Lucia Lachmayr (45 min)	27
Sept. 6 th 2017	Eng. 105, Paula Silva (45 min)	27
Sept. 7 th 2017	Academic Senate	22
Sept. 7 th 2017	Classified Senate	26
Sept. 11 th 2017	Counseling 100, Courtney Mogg (45 min)	27
Sept. 12 th 2017	Counseling 100, Virginia Rosales (45 min)	32
Sept. 19 th 2017	Train the Trainer UndocuAlly Training (3 hours)	18
Sept. 28 th 2017	History 235, Mustafa Popal (1 hour)	49
Oct. 11 th 2017	Flex Day “UndocuAlly Training” (3 hours)	31
Oct. 11 th 2017	Flex Day “DACA 101” Training (1 hour)	29
Oct. 17 th 2017	Supporting Undoc. Students at Skyline College Training (1.5 hours)	7
Running total:		490

Appendix I: Developing an undocumented student website

These undocumented student webpages contain a broad array of important information and should be consulted as models of the key elements your online presence should include. If you want to use specific content, be sure to contact the schools to ask for permission and give them credit.

School Name	Type of School	Website
Skyline College	Community College	https://skylinecollege.edu/dreamcenter/
Modesto Junior College	Community College	https://www.mjc.edu/student-services/undocumented/
CSU Long Beach	4 Year University	http://web.csulb.edu/divisions/students/dream/
San Francisco State University	4 Year University	https://undocugators.sfsu.edu/
CSU Fullerton	4 Year University	https://www.fullerton.edu/tidrc/

Appendix J: Connecting students to online resources

Name	Website	Resources Offered
Immigrants Rising	immigrantsrising.org	College access, entrepreneurship, immigration legal intake service, storytelling, fellowships, scholarships
My Undocumented Life	myundocumentedlife.org	Scholarships, college access, general information regarding undocumented issues
DREAMers Roadmap	Mobile App	Scholarships
Immigrant Legal Resource Center	ilrc.org	Legal information and updates, family preparedness plan (deportation defense)
National Immigration Law Center	nilc.org	Legal information including red cards, KYR, and family preparedness plan
United We Dream	unitedwedream.org	Resources for educators and undocumented students, leadership development, advocacy



DEVELOPING A STRONG UNDOCUMENTED STUDENT TASK FORCE ON YOUR CAMPUS

TASK FORCE DEFINITION

An Undocumented Student Task Force is a small group, usually four to twelve people, that brings together a specific set of skills to build or institutionalize support for undocumented students. Task Forces within higher education institutions can be created on an “as needed” basis or appointed by campus administration.

A Successful Task Force:

- Commits to addressing roadblocks and building inclusive institutional practices.
- Identifies and prioritizes short-term and long-term SMART goals.
- Clearly defines the roles and responsibilities of each member.
- Has a standing meeting time that allows for maximum participation.
- Appoints co-chairs for the Task Force (if possible). Does not rely solely on the coordinator of undocumented student services to drive institutional progress.
- Ensures representation of front-line staff, administrators, and faculty from key departments¹ that directly affect student enrollment, retention, and success.
- Has diverse membership that extends beyond Latinx support services and/or programs.
- Ensures participation of undocumented students to foster their empowerment and center the task force around their lived experiences.
- Seeks buy-in from campus administration and trustees to maximize impact.

POTENTIAL AREAS OF FOCUS

These areas of focus have been gathered from colleges and universities across California. They are categorized according to important aspects of support. However, you do not have to complete all the items in each category before moving on the next. Work with your task force members to identify your campus needs and priorities. Start by choosing one or two areas and work from there.

Professional Development

1. Review the [UndocuCollege Guide & Equity Tool Executive Summary](#) to identify and prioritize institutional models of success.
2. Read [A Guide to Building On-Campus Undocumented Student Programs](#), complete the benchmark checklist, and create an action plan.
3. Participate in external trainings, webinars, and conferences by [Immigrants Rising](#), [Presidents Alliance on Higher Education & Immigration](#), [United We Dream](#), and others.

Student Leadership

4. Foster undocumented student community and leadership by supporting and promoting a student club.
5. Create possibilities for Task Force members to act as mentors to undocumented students.
6. Advocate for and facilitate leadership by connecting students with professional development opportunities, such as conferences, workshops and webinars.

Institutional Practices

7. Develop and deliver UndocuAlly trainings to ensure staff, faculty, administrators and student ambassadors are trained to effectively support undocumented students.
8. Ensure collaboration between key departments and undocumented student/dream center on campus (if one is already established) to address institutional practices.
9. Review or develop key campus websites to ensure accurate and accessible information online for students and campus community.

¹ Key Departments can include: Admissions, Outreach, Financial Aid, Counseling, Cashier/Bursar, EOP or EOP&S, Career Center, Equity, ESL, Student Life, Transfer Center, Administration, Adult School/Noncredit, CBOs, etc.

10. Elevate and streamline the process of submitting the nonresident tuition exemption (AB 540) and the California Dream Act application (CADAA) on your campus.
11. Work with departments of institutional research to implement FERPA protected outreach strategies and conduct milestone analysis.

Campus Climate

12. Create visual materials (posters, t-shirts, buttons, etc.) that foster a sense of pride for undocumented students on campus.
13. Create and publish an “UndocuAlly list” and encourage allies to display their support.
14. Participate in or develop your own “Undocumented Student Week of Action.”
15. Foster relationships with faculty & staff associations and unions, student government, administrators, and the Academic Senate to increase their understanding of the need for undocumented student support.
16. Advocate for administration to send messages of support for the undocumented community to all faculty, staff, and students.

Financial Support

17. Initiate a campus-specific scholarship or emergency fund through fundraising and employee giving campaigns.
18. Create a strong relationship with college or university foundation to jumpstart philanthropic opportunities.
19. Evaluate district funds and identify possible sources of funding to allocate for undocumented programming using equity metrics.

Student Services & Outreach

20. Ensure information on all outreach materials includes accurate and up-to-date information on AB 540, CA Dream Act, data protection, and available services.
21. Amplify the reach of social media for your campus support/services and student club.
22. Increase awareness at feeder schools by providing UndocuAlly trainings to high school teachers, counselors, principals, administrators, and community members.

Student Programming

23. Develop referrals to trusted, low or no-cost legal and mental health resources/services.
24. Coordinate provision of undocumented student programming on campus, including community-building events, legal services, and mental health support.
25. Promote [entrepreneurship](#) as an opportunity for income generation, regardless of immigration status.

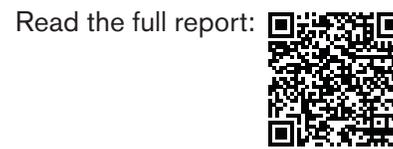
Student Safety & Data Protection

26. Ensure FERPA is understood by all campus enrollment personnel and that protections are adequately communicated to incoming and current students.
27. Assure [model policies established by CA Attorney General](#) (AB 21 guidelines) have been adopted at your college or university.
28. Develop a campus-wide action plan for when emergency situations occur (i.e., a student gets detained, DACA rescission, etc).

CLOSING

Undocumented Student Task Forces have been instrumental in creating important institutional practices for undocumented students across the nation. Don't forget that these types of changes require a lot of effort and commitment, and that progress is often incremental. To ensure your Task Force is able to achieve its goals, remember to stay focused on the SMART goals you created, seek institutional champions, and celebrate your successes! Together, we rise!

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: www.immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.



EXECUTIVE SUMMARY

STRENGTHENING YOUR CAMPUS WEBSITE FOR UNDOCUMENTED STUDENTS

Given the increasing reliance on technology and the accessibility of online resources, the internet is often the first place prospective and current undocumented students look for information about colleges or universities. Having a strong online presence can increase recruitment and retention by connecting these students to vital information, services and events.

Whether your institution is just getting started or trying to take its platform to the next level, this guide provides concrete recommendations to build or strengthen your campus' website. It includes an overview of important elements, recommended language and key resources for three critical webpages: Admissions and Records (A&R), Financial Aid (FA) and Undocumented Student Resources (USR). The guide also lists examples from the field to demonstrate how these components can be effectively organized on college and university websites.

Featured below are some of the crucial components from the guide, along with other useful tools and information. Check out the full guide for a complete list of its contents.

GETTING BUY-IN TO UPDATE YOUR WEBSITES

Updating your campus' website will require the ability to navigate different departmental procedures and institutional policies. It's important to get campus buy-in by successfully engaging key players and understanding the process. Highlighting benefits to your school—including ensuring access for all students and increasing recruitment and retention—is also helpful.

Some important tips to help gain institutional buy-in to strengthen your campus' online presence include:

- collaborating across departments
- identifying decision-makers
- activating allies
- staying committed

ADMISSIONS AND RECORDS (A&R)

The Admissions and Records website includes information for incoming and prospective students to apply and enroll at your campus. For this reason, the A&R website should include eligibility requirements for AB 540 (in-state tuition), with up-to-date information about SB 68, as well as the steps for submitting an affidavit.

Key Elements

- AB540/SB68
- Student data protection

Recommended Resources

- Up-to-date affidavit ([CCC](#), [CSU](#), [UC](#))
- [Submitting the Affidavit](#)
- Campus-specific resources

Additional Elements

- Immigrants Rising's [CA In-State Tuition Tool](#)
- Information for students from mixed status families
- Specific page or tab for AB 540/undocumented students

FINANCIAL AID (FA)

Financial aid opportunities are key to helping current and prospective students meet the costs of higher education. Therefore, it is essential that your FA page includes CA Dream Act and scholarship information for your undocumented students.

Key Elements

- CA Dream Act
- Scholarships that do not require proof of citizenship or legal permanent residency

Recommended Resources

- [FAFSA vs CA Dream Act: Apply to the Correct Financial Aid in CA](#)
- [CA Dream Act and Cal Grant Application Checklists](#)
- [Undergraduate](#) and [Graduate](#) Scholarship Lists
- Campus-specific resources

Additional Elements

- Information on selective service
- Additional tools and events to build a scholarship culture
- Specific tab or page for undocumented students

UNDOCUMENTED STUDENT RESOURCES (USR)

Whether your campus is still working on creating institutional support or already has established services, it is important to have a dedicated page for undocumented student resources to guide current and prospective students through their higher education journey.

Key Elements

- Available services
- Information and resources on how to pay for college
- Social media (if applicable)
- Community resources and services

Recommended Resources

- [Undocumented Student Budget Worksheet](#)
- [Inspirational Posters](#)
- Campus-specific materials

Additional Elements (when applicable)

- UndocuAlly list
- Legal services information
- Mental health services information
- Entrepreneurship information

EVALUATING YOUR CAMPUS WEBSITE

The guide also includes ways to evaluate campus websites using the [Strengthening Your Website Checklist](#). We recommend all public colleges and universities conduct a review of their online platforms to assess their webpages.

Use this comprehensive checklist to evaluate which key elements, recommended resources and additional items are already included on your campus websites. This will help you determine what steps to take to strengthen online support for undocumented students at your college or university.

AUTHORS

- Nancy Jodaitis, Director of Higher Education, Immigrants Rising
- Madeleine Villanueva, Catalyst Fund Specialist, Immigrants Rising



INCREASING INCLUSIVITY FOR UNDOCUMENTED ASIAN PACIFIC ISLANDER (API) STUDENTS ON YOUR CAMPUS

Undocumented Asians and Pacific Islanders (undocuAPI) refer to immigrants from Asia and the Pacific Islands. Many Asian immigrants become undocumented as a result of overstaying their visas for temporary work, study, tourism, asylum, or some other form¹. Among undocuAPI, India and China accounted for the largest share, followed by Philippines and South Korea (see figure 1). Since 2000, undocuAPI make up the fastest-growing population of undocumented immigrants in the United States².

While institutional support for undocumented students in postsecondary institutions are increasing, undocuAPI students still feel unheard and underserved. These students point to a lack of culturally-relevant support, along with a lack of institutional knowledge of their community as the main contributing factors to their experience. UndocuAPI students make up 25% of the undocumented population in postsecondary institutions³. If left unaddressed, this gap in service will only grow as the population grows.

This resource will serve as a template for educators to recognize undocuAPI presence, increase advocacy, and create safe spaces to provide support to this underseen community. These promising practices are relevant to Dream Resource Centers (DRCs)/Undocumented Student Programs (USPs), API student-serving programs, and other key student support programs.

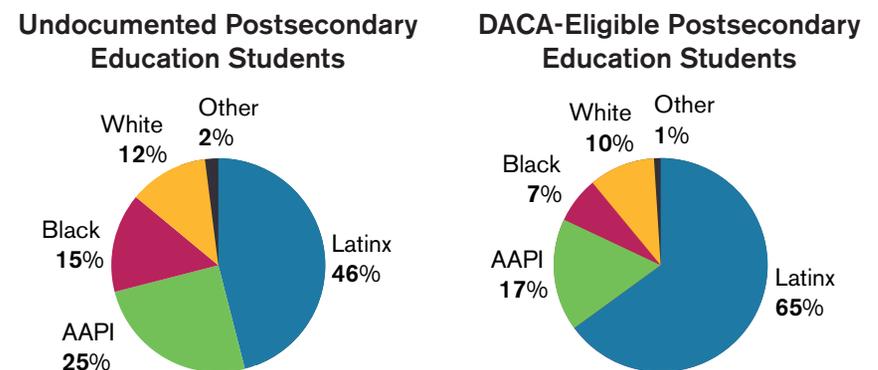
Building community takes time, so you may not see the impact of these practices instantly. However, your continued efforts are building trust with undocuAPI students, normalizing diversity within the undocumented community, and overall improving the services you have to offer. Let's work together to foster inclusive spaces for ALL undocumented students in higher education!

Figure 1: Center for Migration Studies, State-level Unauthorized Population and Eligible-to-Naturalize Estimates (2017)

Country	Undocumented Population	% of Asian Undocumented Population	% of Total Undocumented Population
India	629,183	37.0%	5.9%
China	304,211	17.9%	2.9%
Philippines	175,743	10.3%	1.6%
South Korea	166,257	9.8%	1.6%
Vietnam	82,270	4.8%	0.8%
Pakistan	49,653	2.9%	0.5%

Source: Center for Migration Studies, State-level Unauthorized Population and Eligible-to-Naturalize Estimates (2017)

Figure 2: Undocumented and DACA-Eligible Students in Higher Education by Race



Source: U.S. Census Bureau, American Community Survey 1-Year Estimates (2018)

1. Learn about the complexities of the API community.

- Examine your own assumptions about API students. Actively learn more about API students' experiences and unique needs.
- Understand the impact that the Model Minority Myth⁴ has on undocuAPI students. This stereotype plays a large role in APIs not seeking or receiving support for their needs.
- Break down the diversity within the API community. Consider differences in ethnic groups, language, socioeconomic status, religion, means of migration, etc. Keep in mind the intersectionalities that undocumented API students embody.

2. Uplift undocuAPI narratives and leaders to empower your undocuAPI students.

- Uplift undocuAPI leaders and organizations on social media, presentations, and programs. This shifts the narrative to include the presence and contributions of undocuAPIs in the undocumented movement. UndocuAPI organizations around the country are [UPLIFT](#) in Los Angeles, [ASPIRE](#) in the San Francisco Bay Area, and [RAISE](#) in New York City.
- Develop relationships with undocuAPI students to ensure they feel comfortable in continuing to utilize resources, services, and programs. Once a student feels safe, encourage conversations that explore their relationship to their status and develop their undocumented identity.
- Empower undocuAPI students through mentorship, undocumented student or community organizations, and leadership development opportunities.
- Hire undocuAPI professional and student staff in DRCs/USPs. Educators who share the same identity not only normalizes the presence of undocuAPIs on your campus but also serve as examples for your students.

3. Create spaces in your DRC/USP that recognize and welcome undocuAPIs as part of the undocumented community.

- Include images of undocuAPIs on your website, social media, promotional materials, and DRCs/USPs physical spaces. Diverse content allows visitors to recognize that the undocumented community is multicultural.
- Participate in special occasions that celebrate the API community, such as API Heritage Month, Filipino American History Month, Diwali, Lunar New Year, Ramadan/Eid Al-Fitr, etc. Consider dedicating social media posts; adding posters or decorations to your space; and attending or collaborating on programs.
- Invite undocuAPIs to be guest speakers for your programs. Do not limit them to participate in topics that only pertain to undocuAPIs. Normalize having a diversity of guest speakers for programs relevant to the undocumented student population.

4. Increase the accessibility of resources for undocuAPI immigrants.

- Share resources that are translated into API languages, especially materials that can be shared with undocuAPI students' family members. Examples include [United We Dream's Know Your Rights sheet](#) and [AB60 Drivers Licenses on the DMV website](#).
- Promote API-specific resources from the local community. These resources can range from community centers, health centers, legal providers, and workers centers.
- Find (or create!) scholarships that are undocu-friendly and open to non-Latinx undocumented students.
- Disseminate DRC/USP materials in spaces that API students frequent. These can include resource centers, academic departments, welcome centers, and student unions.

5. Develop partnerships between DRC/USPs and API student organizations, API-serving programs, and the Asian American Studies department.

- Cross-promote events between departments and student networks.
- Provide training across departments about their respective population needs, resources, histories, and experiences.
- Collaborate on projects and programs that explore the intersectionality of both populations. These can include research, publications, multimedia projects, workshops, programs, etc.

6. Dedicate a campus-wide effort to increasing your institutional capacity to support undocuAPI students.

- Discuss intersectionality in UndocuAlly trainings. Acknowledge the diversity of the undocumented community including undocuAPI student experiences and specific challenges undocuAPIs face.
- Develop a diverse Undocu-Student taskforce and include campus partners who identify as API and/or serve API students. Consider front-facing staff from departments like Financial Aid, Admissions, Career Services, Outreach & Recruitment, etc.
- Ensure DRC/USPs participate in programs that target API students by key departments such as, Outreach & Recruitment, Associated Students, etc.

Check out the resources below to learn more about uplifting the undocuAPI student experience.

Additional Resources

- Read more about the undocuAPI experience:
 - [Undocumented Asians, Left in the Shadows](#) by Soo Mee Kim and Aggie J. Yellow Horse (2019)
 - “Undocumented Youth Rise Up” in [We Too Sing America: South Asian, Arab, Muslim, and Sikh Immigrants Shape Our Multiracial Future](#) by Deepa Iyer (2017)
 - [Paula’s Story: How Building Community Overcame Feelings of Exclusion](#) by [Undocuwisdom](#) (2017)
 - [Model \(Undocumented\) Minorities and “Illegal” Immigrants: Centering Asian Americans and US Carcerality in Undocumented Student Discourse](#) by Tracy Lachica Buenavista (2016)
 - [Undocumented Immigration and Asian and Pacific Islander Students: An Issues and Policy Primer for Developing Critical Awareness and Advocacy among API Educators](#) by Tracy Lachica Buenavista (2012)
- Connect with organizations that support undocuAPIs:
 - [Asian Americans Advancing Justice](#)
 - [Asian Pacific Labor Alliance \(APALA\)](#)
 - [Empowering Pacific Islander Communities \(EPIC\)](#)
 - [NAKASEC/Korean Resource Center](#)
 - [South Asian Americans Leading Together \(SAALT\)](#)
- Highlight undocuAPI stories:
 - Community Leaders
 - [Jose Antonio Vargas](#), a Filipino journalist-activist and author of [Dear America: Notes of an Undocumented Citizen](#)
 - [New Latthivongskorn](#), a DACAmented physician and co-founder of [Pre-Health Dreamers](#)
 - [Phal Sok](#), a Cambodian refugee who was formerly incarcerated and an organizer at [Youth Justice Coalition Los Angeles](#) who empowers immigrant youth for justice
 - [Set Hernandez Rongkilyo](#), a community activist, [filmmaker](#) and co-founder of [UndocuFilmmakers Collective](#)
 - [Soultree](#), a Filipino [artist](#) and healer with roots to the Marshall Islands
 - [Tam Tran](#), a [filmmaker](#), early [advocate for the Dream Act](#) and founding member of IDEAS at UCLA
 - Videos
 - [Julie Yeeun Kim by Define American](#) (2020)
 - Immigrants Rising Entrepreneurs (2019): [Bo Daraphant](#), [Cris Mercado](#), and [Sumana Kaluvai](#)
 - [The Women of UPLIFT](#) (2018)
 - [Halmoni with Ju Hong](#) (2016)

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- 1 “How Immigration Shapes Asian American and Pacific Islander Communities.” Asian Americans Advancing Justice. June 2019.
 - 2 Ramakrishnan, Karthick and Sono Shah “One out of Every Seven Asian Immigrants is Undocumented.” AAPI Data. September 2017.
 - 3 Feldblum, Miriam et al. “Undocumented Students in Higher Education: How Many Students are in U.S. Colleges and Universities, and Who Are They?” New American Economy. April 2020.
 - 4 Asian Americans were labeled as “model minorities” in a 1960s TIME article, which wrongly attributed their socioeconomic mobility to their cultural values. The Asian American community has refuted this label as a “myth” created to divide communities of color.

This resource was created by Madison Villanueva and Siyue (Lena) Wang of UPLIFT, an undocumented Asian Pacific Islander organization based in Los Angeles, with editing support from Madeleine Villanueva of Immigrants Rising.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: www.immigrantsrising.org. For inquiries regarding this resource, please contact Madeleine Villanueva, Catalyst Fund Specialist, at madeleine@immigrantsrising.org.



CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

Revised 11/2021

OBJECTIVE

This document provides an overview of fellowships, which are often used in an educational context to support students in their studies or professional development and can provide a sum of money. We discuss best practices in crafting an “inclusive” fellowship that is available for all students regardless of immigration status. We also include a sample fellowship announcement and a sample fellowship agreement.

This document is not intended as legal advice and is not a substitute for obtaining legal advice from a qualified attorney. For more detailed information regarding legal considerations, consult this [FAQ on Experiential and Funding Opportunities for Undocumented Students](#).

WHAT ARE FELLOWSHIPS?

Fellowships are generally defined as short-term opportunities, lasting from a few months to several years, that focus on the educational and/or professional development of the fellow.¹ Fellowships can support a variety of things, including study in a specific field; research to advance work on a particular issue; development of a new community-based organization or initiative; training to support a fellow’s growth; opportunities to further explore a particular field of work; and more.²

Who Can Sponsor Fellowships

Fellowships can be sponsored by various entities, including but not limited to educational institutions.³

Fellowship Stipends

Fellowships can include a stipend.⁴ Stipends are generally defined as an amount paid to the fellow to aid in the pursuit of the fellow’s study or research.⁵

WHAT ARE “INCLUSIVE FELLOWSHIPS”?

“Inclusive Fellowships” (a term coined by Immigrants Rising) are fellowships that are accessible to individuals regardless of immigration status. Since they do not require recipients to have work authorization or a social security number, “Inclusive Fellowships” are flexible mechanisms by which educational institutions can provide paid opportunities to individuals regardless of immigration status. This document will focus on “Inclusive Fellowships.”

“Inclusive Fellowships” vs. “Non-Inclusive Fellowships”

Generally, there are two different types of fellowships: 1) “Non-Inclusive” Fellowships require an individual to perform a past, present, or future service in order to receive payment; since the required service is generally considered to be employment (or “work”), recipients are required to be work-authorized;⁶ 2) “Inclusive Fellowships” are the more common type of fellowships; since they do *not* require the recipient to perform a past, present, or future service and are *not* considered to be employment (or “work”), recipients are *not* required to be work-authorized.⁷



CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

“Inclusive Fellowships” vs. Campus-Based Employment

“Inclusive Fellowships” are not the same as campus-based employment opportunities. Campus-based employment (e.g. work study positions, student assistants, lab aides, etc.) is limited to individuals with work authorization and, therefore, is not accessible to immigrants without legal status.⁸ Conversely, “Inclusive Fellowships” can be created to be accessible to individuals regardless of work authorization and, therefore, individuals regardless of legal status.

GUIDELINES FOR DESIGNING “INCLUSIVE” FELLOWSHIPS

In designing “**Inclusive Fellowships**” that are available to all individuals regardless of their immigration status, the general recommendation is to adhere to the following guidelines:

- Grantors should provide fellows with training, hands-on/experiential learning, professional development, and/or networking.⁹
- The relationship between fellows/grantors should resemble a trainee/trainor or advisee/advisor; it should not resemble an employee/employer relationship (e.g. grantors should not set work hours or require work be done in a specific and highly supervised way, etc.).¹⁰
- If fellowships have a study or research component, the primary purpose of that study or research must be to benefit the fellow’s education, professional growth or training ; the primary purpose of the study or research should not be to benefit the grantor.¹¹
- Grantors can offer stipends to fellows as long as the stipends are not considered wages (i.e. stipends should not be offered for past, present or future work or service). These non-wage stipends do not need to be reported to the IRS on any form (including Form 1099) and fellows do not need to provide grantors with a W-9.¹²

STEP-BY-STEP GUIDE TO CREATING AN “INCLUSIVE FELLOWSHIP”

1. Draft Fellowship Description

Draft a Fellowship Description that includes the primary purpose, scope and specific details. Follow the “Guidelines to Designing ‘Inclusive Fellowships’” (above) to make sure your fellowship is available to all individuals regardless of their immigration status.

2. Get Stakeholders on Board

Share the fellowship description with campus stakeholders in order to solicit feedback, define areas of responsibility, manage expectations, and get everyone on board. Stakeholders might include faculty, representatives from human resources, student affairs, financial aid, and student leaders.

3. Finalize Fellowship Description based upon stakeholder input.

CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

4. Create Fellowship Application Process

Fellows should be selected in an open, competitive process. We recommend defining clear eligibility criteria and an application timeline and process. We also recommend creating a written application to determine applicants' eligibility and solicit information about their academic background and career goals.

5. Draft and Publicize Fellowship Announcement

Create a Fellowship Announcement, which will explain the fellowship and invite interested individuals to apply for the fellowship. The announcement should include the following: fellowship overview (e.g. terms of the fellowship, duration,); stipend amount; eligibility requirements; and logistical information (e.g. application deadline, application submission process, point of contact). See Appendix A for a Sample Fellowship Announcement. Begin publicizing the fellowship.

6. Undertake Fellowship Selection Process

Review all written application submissions to determine eligibility. Follow-up interviews may provide additional clarity about applicants' interest and availability. Select the fellow(s) that are the best fit for the fellowship program (e.g. benefit to fellows, availability, etc.).

7. Draft Fellowship Agreement

You should draft a formal Fellowship Agreement as notification of acceptance into the fellowship program and agreement of the fellowship terms. The Fellowship Agreement should include the following: fellow name and contact information; notification of acceptance; benefits to the fellows, fellowship terms (e.g. what type of engagement the fellow can expect to have); and clarification that this is not employment. It should be signed by the fellow, supervisor, and any other grantor representative who is responsible for the fellowship. See Appendix B for a Sample Fellowship Agreement.

8. Review Fellowship Agreement with Fellow(s).

Make sure to go over the Fellowship Agreement individually with each fellow you are accepting into the fellowship program. Answer any questions and be sure they understand all elements of the agreement.

9. Sign the Fellowship Agreement

Once all questions have been answered and the fellow understands all elements of the fellowship, all parties should sign and keep a copy of the agreement.



CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

APPENDIX A: SAMPLE FELLOWSHIP ANNOUNCEMENT

This sample can be used as a starting point for your Fellowship Announcement. Make sure to change the content so that the language reflects the fellowship that is being offered.

Introduction: *New American University is offering the Success Fellowship, a fellowship for Academic Year 2019-2020 that provides hands-on/experiential learning, professional development, and networking for students from diverse backgrounds. The fellowship includes a yearly stipend of \$6,750.*

Application Deadline: *June 28, 2019*

Stipend Amount: *Stipend of \$6,750 for Academic Year 2019-2020 (\$2,250 per quarter). This stipend is contingent upon the successful completion of the fellowship program.*

Application Submission Process: *Students must complete the application form and email it, along with a resume and a one-page cover letter explaining their interest, to Ms. Jane Doe, the Fellowship Director of New American University, at janedoe@newamericanuniversity.edu.*

Eligibility: *Students must: (1) have demonstrated interest in their field of study/research; (2) be in good academic standing; and (3) come from a diverse background (e.g. race/ethnicity, sexual orientation, immigration status, national origin, etc.)*

Fellowship Description: *Success Fellows will:*

- *Participate in a hands-on/experiential learning project in their field of study/research (10 to 15 hours per week)*
- *Submit bi-monthly reflections on their learning project*
- *Be matched with a faculty/staff mentor in their field of study/research who will review bi-monthly reflections and provide ongoing feedback on learning project*
- *Participate in monthly leadership and professional development training seminars*
- *Be part of cohort of other fellows*

If you have any questions, please contact Ms. Jane Doe, the Fellowship Director of New American University, at janedoe@newamericanuniversity.edu

CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

APPENDIX B: SAMPLE FELLOWSHIP AGREEMENT

This sample can be used as a starting point for your Sample Fellowship Agreement. Make sure to change each of the specific content areas so that the language reflects the actual fellowship that is being offered.

Dear John Doe:

We are pleased to sponsor you as a fellow at New American University, reporting to Fellowship Director of New American University, Ms. Jane Doe. If you accept this offer, you will begin your fellowship with New American University on September 1, 2019 and will be expected to be engaged ten to fifteen hours per week.

Your fellowship is expected to end on May 31, 2020. However, your fellowship with New American University is “at-will,” which means that either you or New American University may terminate your fellowship at any time, with or without cause and with or without advance notice.

Your fellowship will consist of the following:

- 1) Participation in a hands-on/experiential learning project in your field of study/research (10 to 15 hours per week)*
- 2) Completing bi-monthly reflections on your learning project to your faculty/staff mentor*
- 3) Monthly meeting with your faculty/staff mentor to receive ongoing feedback on your learning project (meeting times/dates to be determined with your mentor)*
- 4) Attendance in monthly leadership and professional development training seminars (no more than 2 absences permitted)*
- 5) Participation in cohort of other fellows*

Through participating in this fellowship, you will benefit in the following ways:

- Receive hands-on/experiential learning*
- Be mentored in your field of study/research*
- Receive leadership and professional development training.*
- Sharpen communication skills, time-management, and interpersonal skills*
- A \$9,000 stipend to support participation in the program. The stipend will be disbursed in quarterly installments of \$2,250 upon successful completion of fellowship requirements and responsibilities, as evaluated by the Fellowship Director.*



CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

As part of this fellowship, New American University is not liable for injury sustained or health conditions that may arise for you while participating in this fellowship. In addition, since this fellowship is not considered to be employment, you will not receive any of the employee benefits that regular New American University employees receive, including, but not limited to, health insurance, vacation or sick pay, paid holidays, or participation in the 401(k) plan. You will receive your fellowship stipends directly from New American University. Fellowship stipends are not reported on a year-end tax form (either W-2 or Form 1099), but you may still be required to self-report them on IRS Form 1040 and may need to make estimated tax payments directly to the IRS. Please check with your tax accountant regarding the need to make estimated tax payments.

By accepting this offer, you agree that throughout your fellowship you will observe all policies and practices governing the conduct of New American University, including our policies prohibiting discrimination and harassment. This letter sets forth the complete offer we are extending to you, and supersedes and replaces any prior inconsistent statements or discussions. It may be changed only by a subsequent written agreement.

Please indicate your acceptance of this offer by signing below and returning it to Ms. Jane Doe, the Fellowship Director of New American University, at janedoe@newamericanuniversity.edu. If you have any questions, do not hesitate to contact me.

Best,

Ms. Jane Doe, Fellowship Director of New American University.

I accept the fellowship with New American University on the terms and conditions set out in this letter.

Date: _____

Fellow Signature

Date: _____

Jane Doe, Fellowship Director of New American University



CREATING FELLOWSHIP PROGRAMS (FOR EDUCATIONAL INSTITUTIONS)

ENDNOTES

1. U.S. News, [What is a Fellowship and Why You Might Want One](https://www.usnews.com/education/best-graduate-schools/paying/articles/what-a-fellowship-is-and-why-you-might-want-one), <https://www.usnews.com/education/best-graduate-schools/paying/articles/what-a-fellowship-is-and-why-you-might-want-one>. See also, University of California, Berkeley, [Fellowships](https://career.berkeley.edu/InfoLab/Fellow), <https://career.berkeley.edu/InfoLab/Fellow>
2. University of California, Berkeley, [Fellowships](https://career.berkeley.edu/InfoLab/Fellow), <https://career.berkeley.edu/InfoLab/Fellow>
3. As evidenced by the various entities in both nonprofit and private sectors engaging with individuals through fellowship programs. See, CORO, [CORO Fellowship](http://www.corofellowship.org/), <http://www.corofellowship.org/>. See Also, Google, [Google PhD Fellowship](https://ai.google/research/outreach/phd-fellowship/), <https://ai.google/research/outreach/phd-fellowship/>
4. 26 CFR § 1.117-3
5. Id., See also, Internal Revenue Service, [Topic No. 421, Scholarships, Fellowship Grants, and Other Grants](https://www.irs.gov/taxtopics/tc421), <https://www.irs.gov/taxtopics/tc421>.
6. John Barrett et al., University of California Office of the President-CFO Division, [Tax Issues Associated with Reporting Fellowships](https://postdocs.ucsf.edu/sites/postdocs.ucsf.edu/files/tax-issues-for-fellowships-201), <https://postdocs.ucsf.edu/sites/postdocs.ucsf.edu/files/tax-issues-for-fellowships-201>
7. University of Colorado Boulder Campus Controller's Office, [Fellowships/Stipends vs. Wages](https://www.colorado.edu/controller/sites/default/files/attached-files/Fellowship1.pdf), <https://www.colorado.edu/controller/sites/default/files/attached-files/Fellowship1.pdf>
8. Justia, [Work Authorization](https://www.justia.com/immigration/work-authorization/), <https://www.justia.com/immigration/work-authorization/>
9. University of California, [Berkeley Career Center](https://career.berkeley.edu/InfoLab/Fellow), [Fellowships](https://career.berkeley.edu/InfoLab/Fellow), <https://career.berkeley.edu/InfoLab/Fellow>
10. U.S. Department of Labor, [Fact Sheet #71: Internship Programs Under the Federal Labor Standards Act](https://www.dol.gov/whd/regs/compliance/whdfs71.pdf), <https://www.dol.gov/whd/regs/compliance/whdfs71.pdf>
11. Columbia University Student Financial Services, [Payments to Students and Their Taxability](https://sfs.columbia.edu/files/sfs_new/forms/payments-to-students.pdf), https://sfs.columbia.edu/files/sfs_new/forms/payments-to-students.pdf
12. IRS, [Instruction for Form 1099-MISC](https://www.irs.gov/pub/irs-pdf/i1099msc.pdf), <https://www.irs.gov/pub/irs-pdf/i1099msc.pdf>

ACKNOWLEDGMENTS

We wish to thank **University of California, Irvine DREAM Center** for their impactful collaboration in creating this resource.

ABOUT US

Founded in 2006, **Immigrants Rising** transforms individuals and fuels broader changes. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and their community. Immigrants Rising is a fiscally-sponsored project of Community Initiatives. For more information, visit immigrantsrising.org.

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

FAQ on Experiential and Funding Opportunities for Undocumented Students

November 1, 2021

The purpose of this document is to provide campuses and their legal counsel with information on developing nonemployment-based, funded experiential opportunities for undocumented students. This document sets forth legal considerations pertinent to experiential and funding opportunities that institutions may consider providing to undocumented students.

The following questions also address common legal constraints for institutions and questions related to such opportunities.¹ This document seeks to offer a framework for consideration of various approaches as institutions endeavor to increase access to funded experiential learning for undocumented students and to help them thrive on their campuses.

I. FREQUENTLY ASKED QUESTIONS

1. *What experiential opportunities can an institution consider for undocumented students?*

When unpaid internships, volunteer activities, and curriculum-based opportunities are structured so as not to constitute employment, they may be defensible as activities in which undocumented students may participate, whether or not financial support is also provided.²

With respect to unpaid internships, a student must be the “primary beneficiary” of the activity in order not to be deemed an employee for federal wage and hour law purposes. The U.S. Department of Labor (DOL) and several federal appellate courts have adopted a multi-factor test to assess whether an intern is the “primary beneficiary”:

- a. The intern and employer clearly understand that the internship is unpaid; even an implied promise of compensation may suggest that the intern is an employee.
- b. The internship provides training similar to that given in an educational environment.
- c. The internship is tied to the intern’s formal education program through integrated coursework or through receipt of academic credit.
- d. The internship accommodates the intern’s academic commitments by corresponding to the academic calendar.
- e. The internship duration is limited to a period that provides the intern with beneficial learning.
- f. The intern’s work complements, rather than displaces, the work of paid employees while providing significant education benefits to the intern.

¹ This resource was developed by Stephanie Gold at Hogan Lovells US LLP in collaboration with the Presidents’ Alliance. It is intended for informational and policy planning purposes only. Nothing herein constitutes specific legal advice. Because the law in this area is unsettled and ambiguous, we recommend that legal counsel be consulted to address institution- or organization-specific legal issues. For further questions, please contact the Presidents’ Alliance at info@presidentsalliance.org.

² 8 U.S.C. § 1324a. Under the federal Immigration and Nationality Act (INA), institutions generally may not provide employment positions to (or retain services through contract or otherwise from) undocumented students without valid work authorizations. An enforcement framework exists to verify the employment authorization of employees (e.g. through Form I-9 or E-VERIFY); no similar framework exists for verifying the employment authorization of independent contractors.

FAQ ON EXPERIENTIAL AND FUNDING OPPORTUNITIES FOR UNDOCUMENTED STUDENTS

- g. The intern and the employer understand that the intern is not entitled to a paid position at the end of the program.³

Institutions must be mindful of state law, however, which may define what constitutes an “unpaid internship” differently for purposes of state wage and hours law.⁴ In addition, the federal government may change its posture in the future, as unpaid internships have been criticized as barriers for low-income and first-generation students to participate in career opportunities.⁵

Undocumented students may also be able to participate in volunteer activities if those activities are consistent with federal and state wage and hour law principles applicable to volunteer work. Current federal wage and hour law generally exempts individuals who volunteer without expectation of compensation for public and non-profit charitable organizations. Such exemption generally is limited to positions typically handled by volunteers.⁶ For example, a volunteer is generally not involved in commercial activities run by a non-profit organization, volunteers on a part-time basis, and does not displace or perform the work of regular employees.⁷

Undocumented students may be able to participate in curriculum-based activities—where students engage in experiential opportunities as a part of their classes—without triggering work-authorization requirements.⁸ For example, a course may require that students satisfy a study or research component, which may entail an internship at a community organization, service as a teaching assistant, or independent research. Similar to unpaid internships, curriculum-based activities should provide students with training, hands-on learning, professional development, and/or networking to help support that the activities do not constitute employment.⁹

With all of these types of opportunities, a key consideration is whether the structure is defensible as not creating an employment relationship. Violation of federal or state wage and hour law may lead to, among other things, civil monetary liability, additional financial penalties, and, for certain violations, even criminal prosecution.¹⁰ Moreover, under federal immigration law, institutions may be subject to civil fines or criminal penalties for establishing an employment relationship with undocumented students and for failing to comply with the requirements to identify and verify the identity of employees and complete and retain the required form (the so-called “I-9” obligation).¹¹ An institution’s approach to experiential opportunities may vary depending on its internal policies, applicable state laws, and general risk tolerance.

2. *Are there ways universities can provide financial support for experiential opportunities?*

Under the DOL’s “primary beneficiary test,” expectation of remuneration may suggest that the student is an employee. But not all remuneration necessarily gives rise to an employment status. In a 1996 opinion letter, the DOL stated that “the payment of a stipend to . . . the

³ U.S. Department of Labor (DOL), [Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act](#) (January 2018).

⁴ See, e.g., New York Department of Labor, [Fact Sheet: Wage Requirements for Interns in For-Profit Businesses](#) (2021) (providing additional requirements for an “unpaid internship” under New York labor law).

⁵ See White House, [Fact Sheet: President Biden Signs Executive Order Advancing Diversity, Equity, Inclusion, and Accessibility in the Federal Government](#) (June 25, 2021) (announcing plan to reduce use of unpaid internships in federal government to promote diversity and equity).

⁶ DOL, [Fact Sheet #71](#), *supra* note 3, fn. 1.

⁷ DOL, [Fact Sheet #14A: Non-Profit Organizations and the Fair Labor Standard Act \(FLSA\)](#) (2015).

⁸ Immigrants Rising, [Creating Fellowship Program](#) at 2; see also DOL, [Fact Sheet #71](#), *supra* note 3 (encouraging unpaid internships to be “tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.”).

⁹ *Id.*

¹⁰ DOL, [Enforcement](#) (last visited July 26, 2021).

¹¹ U.S. Citizenship and Immigration Services, [Penalties](#) (last updated July 10, 2020); 8 U.S.C. § 1324a.

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interns does not create an employment relationship under the [federal wage and hour law] as long as it does not exceed the reasonable approximation of the expenses incurred by the interns involved in the program.”¹² Thus, payments to undocumented students in connection with experiential opportunities are not per se indefensible, but such payments ought to be determined with the DOL opinion in mind, and larger payments may increase the risk that the experiential opportunity is deemed to result in an employment relationship.¹³ To facilitate compliance, an institution may consider obtaining information from the intern regarding expenses the intern is incurring as a means to establish a reasonable basis for the amount of any stipend.

Funding for experiential learning may take various forms. For example, the funding may be a scholarship or fellowship from the institution or from a third party. Another approach may be a program whereby a student may apply for a grant from the institution to support a student’s summary activity, which may entail independent research or a non-funded opportunity with a third party. In providing such funding to an undocumented student, an institution should consider whether provision of the funding, particularly when coupled with experiential learning, is defensible as not giving rise to an employment relationship.

Funding may implicate tax requirements as well.¹⁴ For tax purposes, undocumented individuals who have been in the United States long enough to become U.S. tax residents (roughly 183 days) are subject to the same rules as documented individuals in the same situation. Most undocumented students are thus likely to be U.S. tax residents because they typically have been in the U.S. for more than 183 days. Funding to undocumented students may therefore raise tax considerations. For example:

- a. **Scholarship/Fellowship.** The federal tax code (i.e., the Internal Revenue Code) defines a scholarship to be an amount paid to a student for the purpose of study.¹⁵ Scholarships can be either qualified or non-qualified. Qualified scholarships go toward tuition and other required fees and may not be paid for services.¹⁶ Non-qualified scholarships (also called stipends) are paid toward non-required fees, such as living expenses, travel, room, and board.¹⁷

The qualified vs. non-qualified distinction implicates different tax and disclosure considerations. Institutions are not required to report qualified scholarships to the IRS.¹⁸ Qualified scholarships also are not taxable income.¹⁹ Institutions are not required to report non-qualified scholarships for U.S. tax residents either, unless the scholarships

¹² DOL, *Opinion Letter Fair Labor Standards Act (FLSA)*, 1996 WL 1031777, at 1 (1996).

¹³ There are no similar special rules for students or interns under the Internal Revenue Code (Code). Therefore, payment of a student’s or intern’s expenses could create an employment relationship for tax purposes if anything of value is provided in exchange for services, such as teaching or research. If a student or intern is considered an employee under the Code, not only will the tax treatment of amounts paid to the individual be different (as described in the text of the FAQs), but the individual could be subject to additional requirements. For example, the individual might have to be included in the institution’s employee benefit plans, unless the plans exclude them by their terms, and, if they work more than 30 hours a week, they might have to be offered health insurance under the Affordable Care Act (ACA), which is incorporated into the Code.

¹⁴ For tax purposes, undocumented individuals who have been in the United States long enough to become U.S. tax residents (roughly 183 days) are subject the same rules as documented individuals in the same situation. Thus, for example, the special rules for nonresident aliens do not apply to either group.

¹⁵ Internal Revenue Service (IRS), [Topic No. 421 Scholarships, Fellowship Grants, and Other Grants](#), (last updated Mar. 2021).

¹⁶ 26 U.S.C. § 117(b).

¹⁷ IRS, *Topic No. 421*, *supra* note 12.

¹⁸ 26 C.F.R. § 1.6041-3(n).

¹⁹ *See* 26 U.S.C. § 117(a).

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are for services in which case they must report them on Form W-2.²⁰ But even if they are not reported, non-qualified scholarships are taxable income, and U.S. tax residents may be expected to self-report this income.²¹ For tax reporting purposes of non-employment based funding, undocumented students can obtain and use an Individual Taxpayer Identification Number (ITIN), instead of a social security number.²² Students who receive nonreportable but still taxable scholarships may be subject to quarterly estimated tax payments. In addition, institutions may be required to report on Form 1098-T both qualified and non-qualified scholarships provided to U.S. tax residents.²³

- b. **Awards/Prizes for academic accomplishments.** Institutions must report awards and prizes on Form 1099-MISC if the total amount is over \$600 or if they are for services, in which case they must report them on Form W-2.²⁴ In any event, they are usually taxable income. Students receiving awards and prizes reportable on Forms W-2 or 1042-S may be subject to tax withholding and students receiving other prizes and awards may be subject to quarterly estimated tax payments.
 - c. **Gift payments from private donors.** Gifts are not taxable to the recipient but are subject to a separate gift tax (payable by the donor) unless the gift is \$15,000 or less, or, together with other gifts, are less than the donor's lifetime limit of about \$12 million.²⁵ Award or scholarship-type payments are not considered gifts unless they are motivated by family or philanthropic considerations.²⁶
3. *What are some factors institutions may consider when developing potential experiential and funding opportunities that include undocumented students?*
 - a. **Funding.** If an institution wants to provide funding to students who are participating in a particular experiential opportunity, the funding amount warrants consideration.²⁷ As indicated above, in a 1996 opinion letter, the DOL stated that “the payment of a stipend to . . . the interns does not create an employment relationship under the [federal wage and hour law] as long as it does not exceed the reasonable approximation of the expenses incurred by the interns involved in the program.”²⁸ Therefore, an institution may want to consider whether the amount of proposed funding is a reasonable approximation of the expenses incurred by students in the program. A funding amount that is in excess of a reasonable approximation of expenses raises a risk that regulators may deem the program to create an employment relationship under federal wage and hour law. In addition, consistent with federal student financial aid rules, an institution's financial aid policies may require that a student's financial aid not exceed the student's cost of attendance. Cost of attendance includes a student's tuition and fees, room and board, and other types of expenses, such as reasonable costs associated with study abroad programs approved for credit.²⁹ Institutional financial aid policies may cause funding in connection with experiential opportunities to displace a student's existing financial aid

²⁰ 26 C.F.R. §§ 1.1461-1(c), 1.6041-3(n).

²¹ 26 U.S.C. §§ 61, 1441.

²² See IRS, [Taxpayer Notification Numbers \(TIN\)](#) (last updated Jan. 07, 2021); see also IRS, [About Form W-7, Application for IRS Individual Taxpayer Identification Number](#) (last updated Dec. 07 2020) (application for ITIN).

²³ 26 U.S.C. § 6050S; 26 C.F.R. § 1.6050S-1.

²⁴ IRS, [About Form 1099-MISC, Miscellaneous Income](#) (last updated June 7, 2021).

²⁵ IRS, [Frequently Asked Questions on Gift Taxes](#) (Nov. 9 2020).

²⁶ 26 C.F.R. § 1.117-3(a).

²⁷ Presidents' Alliance, [FAQs on non-employment based educational funding opportunities](#) (2018), p.1.

²⁸ DOL, [Opinion Letter Fair Labor Standards Act \(FLSA\)](#), 1996 WL 1031777, at 1 (1996).

²⁹ 20 U.S.C. § 1087l.

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awards, if the combination of the two would result in financial aid in excess of cost of attendance.

- b. **Curriculum-based activities.** If an institution wants to offer curriculum-based activities, it may want to consider the amount and type of school credit. Under federal wage and hour law, a student is more likely to be the “primary beneficiary” when the experiential opportunity is “tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.”³⁰ To satisfy this “academic integration” factor, institutions may seek to provide coursework with academic credits for experiential opportunities. Courses for academic credit typically entail a fee, so an institution may want to explore non-degree credits to lessen the financial burden on students. While institutions have developed mechanisms to provide non-degree credits on student transcripts for internships in order to tie student participation in internships with academic credit, we should note that it is unclear whether such non-degree credits that do not satisfy student’s graduation requirements qualify for this purpose. Institutions might still seek to satisfy the “integrated coursework” prong through additional approaches.³¹ Courts have previously found that an internship was tied to an intern’s formal education program where a student received formal training during the internship, discussed the internship with a college faculty member, and/or executed various assignments, including papers reflecting the internship experience.³²
- c. **Stakeholders.** Invested stakeholders, including faculty members, HR representatives, financial aid coordinators, business office personnel, and student affairs staff are critical to a program’s success.³³ Experiential opportunities require supervision from faculty members who are invested in the program, in order for students to receive ample feedback and to obtain enriching experience. Human resource administrators and financial aid coordinators can help structure student funding in a way that factors in employment and immigration law and institutional aid policies. Business office personnel can provide general information on tax implications, depending on the kind of funding. Student affairs staff can partner with faculty and other offices to provide outreach and informational sessions for students.

4. *Can an institution offer an experiential program or scholarship that is restricted to undocumented students?*

Even as it can be considered a best practice to ensure that, to the extent possible, all non-employment based funding opportunities, fellowships, scholarships, and internships are available to undocumented students, there are questions about restricting programs or scholarships to undocumented students. Experiential programs or scholarships tailored exclusively to undocumented students may implicate federal or state non-discrimination law. On a federal level, for example, Section 1981 of the Civil Rights Act of 1866 prohibits discrimination based on alienage.³⁴ On a state and local level, several jurisdictions have adopted statutes that prohibit discrimination or preferential treatment based on alienage or

³⁰ DOL, *Fact Sheet #71*, *supra* note 3.

³¹ See *Wang v. Hearst Corp.*, 877 F.3d 69, 74–75 (2d Cir. 2017) (finding that not receiving academic credit does not necessarily undermine the connection between the intern’s formal education program and the internship).

³² See *Id.*; See also *Sandler v. Benden*, 715 Fed.App’x. 40, 44 (2d Cir. 2017) (finding the internship to be tied to the intern’s formal education program when the student received training during her internship; performed one group assignment; and wrote three reflection papers per week that described the student’s experience as a social work intern). At the same time, institutions want to be mindful of students’ limited time and resources and not present undue challenges to a student’s timely fulfillment of degree requirements.

³³ *Immigrants Rising*, *supra* note 7 at 2–3.

³⁴ See *Juarez v. Nw. Mut. Life Ins. Co.*, 69 F. Supp. 3d 364, 367 (S.D. N.Y. 2014) (declining to dismiss claim that policy of hiring only U.S. citizens or lawful permanent residents could constitute alienage discrimination, reasoning that discrimination against a subclass of aliens is actionable under Section 1981).

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immigration status.³⁵ For example, some state and municipal laws specifically address immigration status in awarding scholarships:³⁶

- a. **California.** The California Dream Act³⁷ allows undocumented and non-resident documented students who meet the eligibility requirements of AB 540³⁸ to apply for and receive private scholarships funded through public universities, state-administered financial aid, university grants, community college fee waivers, and Cal Grants. The California Student Aid Commission processes the application and any aid received can only be used at eligible California public or private institutions. Thus, although undocumented students are not eligible for federal financial aid, they may still be eligible for state or college aid under AB 540, in addition to private scholarships under the California Dream Act.
- b. **New York City.** The New York City Human Rights Law (NYCHRL)³⁹ prohibits discrimination in employment, housing, and public accommodations based on race, color, creed, age, national origin, alienage or citizenship status, gender (including gender identity and sexual harassment), sexual orientation, disability, marital status, and partnership status.
- c. **New Jersey.** New Jersey's S699⁴⁰ allows certain undocumented immigrants who meet certain criteria to qualify for state student financial aid programs and prohibits discrimination against eligible students based on their immigration status.

Based on federal and state non-discrimination law, federal harboring law,⁴¹ and institutional policies, an institution may seek to design a program that does not utilize eligibility and admissions criteria that are limited to undocumented students. Institutions may use a mix of varied neutral selection criteria such as (but not limited to):

- a. Period of time living in a particular country or location
- b. Period of time in a particular country or location where they graduated high school

³⁵ See, e.g., California Dream Act, SB 160, Ca. Reg. Leg. Sess. (2007) (California); Educ. L. § 11(7) (N.Y. 2012) (New York); SB 699, 218th Leg. (2018) (New Jersey).

³⁶ For the list of states that currently provide access to state financial-aid or scholarships, see Tuition and Financial Aid Equity section on the [Higher Ed Immigration Portal](#). See also [Higher Ed Guide to Tuition, Financial Aid, & Other Funding Opportunities for Undocumented](#), Presidents' Alliance on Higher Education and Higher Educationlast updated July 2021.

³⁷ See California Dream Act, SB 160, Ca. Reg. Leg. Sess. (2007).

³⁸ AB 540 creates an exemption from the payment of non-resident tuition for certain non-resident students who have attended high school in California and received a high school diploma or its equivalent. See AB 540 (Ca. 2001).

³⁹ See N.Y.C. Admin. Code §§ 8 – 101.

⁴⁰ See SB 699, 218th Leg. (2018).

⁴¹ A program or scholarship restricted to or specifically designed for undocumented students may implicate the U.S. Immigration and Nationality Act (“INA”), which establishes criminal penalties and fines with respect to persons who knowingly employ or “bring in and harbor” unauthorized aliens, among other activities. See 8 U.S.C. § 1101 et seq. The INA’s harboring provision, in part, targets persons who conceal, harbor, or shield from detection in any place, or who encourage or induce an alien to come to, enter, or reside in the United States. Federal courts have held that a defendant “encourages” an unauthorized alien to “reside” in the United States when the defendant takes some action “to facilitate the alien’s ability to live in this country indefinitely.” Defendants have been convicted under this statute, for example, for occasionally employing an alien housekeeper while offering advice on how to avoid deportation. Many typical cases involve employers providing additional aid to unauthorized employees that encourages them to stay. Accordingly, it is unclear how far an educational institution would have to go in order to trigger liability under the harboring provision, especially given the lack of precedent in this specific context and the differences among the circuits in interpreting the statute.

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- c. A particular language, other than English, is spoken in the home, when coupled with need
- d. Commitment to and interest in supporting diversity in academic or other fields, e.g. STEM, health professions, or legal professions
- e. Birth in a large geographic region, such as Africa, Asia, Latin America, or Europe, when coupled with need
- f. Interest in pursuing studies in immigration, or the history or culture of a particular country or location

FERPA AND STUDENT SAFETY



PROTECTING STUDENT DATA IN CALIFORNIA

ENSURING COMPLIANCE WITH FEDERAL AND STATE LAW

Revised 12/2021

OVERVIEW

Many undocumented and immigrant students attending secondary or post-secondary institutions in California are concerned about providing their information and/or information about their families. This fear has prevented many students and aspiring students from applying for college financial aid and other important services for which they are eligible. It is vital that schools ensure students are aware of the protections afforded to them through federal and state law.

Federal and California state laws require that educational personnel protect confidential student records from inadvertent or unlawful disclosure to third parties. Schools and educational institutions must safeguard student records, student data, and any personally-identifiable information. This is also true when the collection and handling of such data is necessary for legitimate educational purposes. Therefore, it is important that school personnel receive the proper training to understand the laws and responsibilities they are required to follow within their institutions when working with student data.

This guide highlights important federal and state laws regarding protecting student data and creating a safe environment on campus, including model policies released by California's Attorney General. Guidance for safely and effectively using student data for legitimate educational purposes is also included. Additionally, the concrete steps listed on the last page provide clear recommendations about how to put these protections into practice. By familiarizing yourself with this content and taking definitive steps to ensure the laws are correctly implemented, you will be able to provide significant protections for undocumented and immigrant students at your school.

IMPORTANT FEDERAL AND STATE LAWS

Family Educational Rights and Privacy Act (FERPA)

[20 U.S.C. § 1232g, 34 C.F.R. Part 99](#)

FERPA is a federal law that prohibits schools from disclosing personally identifiable information in a student's "education records" to a third party without the consent of the student (or parent, if the student is under 18 years old). FERPA applies to all schools that receive federal education funds. *However, if the third party presents a court order or judicial subpoena, schools are required to release information, even without the consent of the student or parent.*

[20 U.S.C. § 1232g, 34 C.F.R. Part 99.31](#)

FERPA states that an educational agency or institution may disclose personally identifiable information from an education record of a student without the consent required if the disclosure is to other school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. *This is also known as the School Official Exception.* However, an educational agency or institution must use reasonable methods to ensure that school officials obtain access only to those education records in which they have legitimate educational interests. [*emphasis added*]

[20 U.S.C. § 1232g, 34 C.F.R. Part 99.37](#)

FERPA states that an educational agency or institution may disclose directory information if it has given public notice to parents of students in attendance and eligible students in attendance at the agency or institution. ['Directory information' is defined as information that would not generally be considered harmful or an invasion of privacy if disclosed. Examples of "directory information" could include name, address, telephone listing, and date of birth, plus other specific items the educational institution defines as directory information.]

SB 54 (The California Values Act)

SB 54 is a California law that declares immigrants are valuable and essential members of the California community. This law's primary elements include, but are not limited to:

- Disentangling state and local law enforcement agencies, school police, and security departments from federal immigration authorities.
- Prohibiting the use of CA resources and personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes.
- Prohibiting law enforcement from inquiring into an individual's immigration status.
- Requiring the CA Attorney General, in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement.

AB 21 Public Postsecondary Education: the Access to Higher Education for Every Student Bill

AB 21 REQUIRES Cal State University (CSU) campuses, Community Colleges of California (CCC), and independent institutions of higher learning—and requests the University of California (UC) campuses—to adopt and implement the following by March 1, 2019:

- Refrain from disclosing personal information, including the immigration status of students, faculty, and staff, unless permitted by state or federal education privacy law.
- Designate a staff person to serve as a point of contact for any student, faculty, or staff person subject to an immigration order or inquiry on campus.
- Immediately notify the institution's chancellor or president if the school or institution suspects or becomes aware that an immigration agent is expected to, will enter, or has entered campus.
- Refer all presented documents by immigration to the office of chancellor or president for purposes of verifying their validity.
- Comply with a request by ICE to enter nonpublic areas only if a judicial warrant is presented.
- Immediately notify the emergency contact of student, faculty, or staff if that person is taken into immigration custody.
- Maintain resources for students, faculty, and staff, including a list of free legal service providers.
- Adopt and implement, by March 1, 2019, the Attorney General's model policy developed pursuant to SB 54 or equivalent policy (see below), AND post this policy on the school website and email policy to students, faculty, and staff each quarter/semester.
- Make all reasonable and good faith efforts to assist in the retention and reacquisition of campus services, including reenrollment, for undocumented students who are experiencing detention, deportation proceedings, or enforcement actions in relation to a federal immigration order.

PUTTING LAWS INTO ACTION: GUIDANCE AND MODEL POLICIES

Under SB 54 and AB 21, the Attorney General of California was charged with providing guidance and model policies on creating safe and accessible school campuses for all California students, regardless of immigration status. The Attorney General has developed a higher education guide, as well as a K-12 school counterpart; every public school must have adopted the Attorney General's model policies or an equivalent by March 1, 2019.

The Attorney General's Model Policies address the following circumstances:

- Gathering and Handling Student Information
- Responding to Law Enforcement Requests for Access to Campuses and Residential Units for Immigration Enforcement Purposes
- Responding to Law Enforcement Requests to Access Student Records for Immigration Enforcement Purposes
- Responding to Immigration Actions Against Students or Family Members

Find the Attorney General's Model Policies Here:

- Higher Education: [Promoting a Safe and Secure Campus for All: Guidance and Model Policies to Assist California's Colleges and Universities in Responding to Immigration Issues](#)
- K-12 Schools: [Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues](#)

ADDITIONAL GUIDANCE FROM THE UCOP, CSU CHANCELLOR'S OFFICE & CCC CHANCELLOR'S OFFICE

Each system of public higher education institutions in California created a Frequently Asked Questions (FAQ) or Advisory explaining what to do if Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) comes onto campus.

- University of California: [Frequently Asked Questions for University Employees about Possible Federal Immigration Enforcement Actions on University Property](#)
- California State University: [FAQs for California State University Employees about Federal Immigration Enforcement Actions on University Property](#)
- Community Colleges of California: [Advisory 18-01: "Sanctuary" Jurisdiction Legislation Senate Bill 54 \(2017\) and Assembly Bill 21 \(2017\)](#)

FIVE WAYS FOR YOU AND YOUR SCHOOL TO PROTECT STUDENT DATA

1. Familiarize yourself with these resources and share them with your colleagues, administrators, and key departments such as admissions, financial aid, and the registrar.
2. Ensure that trained personnel has reviewed your campus' enrollment, residency, and data collection policies and practices to affirm that any data gathered shall remain confidential consistent with federal and state law and shall be used only for the limited purpose for which it was intended.
3. Ensure that any data collection for educational purposes, including outreach, analysis of milestones, etc. adheres to FERPA and the Attorney General's model policies and recommendations.
4. Post your data/information policies regarding the handling of student data, including directory information, within key departments and on the school's website. Additionally, ensure that annual notice of these policies is emailed to current and prospective students.
5. Develop a protocol to respond to the request for student documents by a federal immigration officer (such as an ICE or CBP agent) or other third party. Be sure to share these protocols across the campus.

FIVE WAYS TO PROTECT STUDENT DATA WHILE USING IT FOR LEGITIMATE EDUCATIONAL PURPOSES (AS PERMITTED BY FERPA'S SCHOOL OFFICIAL EXCEPTION 99.31)

1. Use this resource and others to develop policies and procedures regarding the legitimate use of any data. Share it with all appropriate departments.
2. Ensure that everyone involved in these efforts has received extensive training in federal and state laws prior to receiving access to any data.
3. Limit access to protected data to no more than 2-3 trusted student service professionals who have received adequate training and are committed to protecting it.
4. Be sure that all files are password protected and passwords are regularly changed.
5. Verify that all information will be accessed and stored only on institutional servers.

ACKNOWLEDGMENTS

We wish to thank the **National Immigration Law Center (nilc.org)** for their support in creating this resource.

ABOUT US

Founded in 2006, **Immigrants Rising** transforms individuals and fuels broader changes. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and their community. Immigrants Rising is a fiscally-sponsored project of Community Initiatives. For more information, visit immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.

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Frequently Asked Questions for University Employees About Possible Federal Immigration Enforcement Actions on University Property

We know that many members of the University of California community are concerned about immigration enforcement actions occurring across the country and have asked about the possibility that enforcement actions could occur at UC. This FAQ responds to your questions and provides information about how to respond in such a situation. Please keep in mind that Department of Homeland Security (DHS) policies are in transition; we may update this guidance as warranted.

- 1. Will University Police Officers work with federal immigration officers to apprehend and remove individuals from campus?**
- 2. Can UC prevent federal immigration enforcement officers from coming on campus or entering hospitals, clinics or other University property?**
- 3. What federal immigration enforcement officers might seek access to the campus, and what authority do they have?**
- 4. Will federal immigration enforcement agencies target UC campuses?**
- 5. Can federal immigration enforcement officers enter houses, residence halls and apartments without consent from occupants?**
- 6. Can federal immigration enforcement officers enter University hospitals and clinics?**
- 7. What should I do if a federal immigration enforcement officer presents me with a warrant?**
- 8. What should I do if a federal officer asks me for or gives me a subpoena for personally identifiable private information or records about a student, employee or patient?**

9. Does it make a difference if a student is an international student?

#

1. Will University Police Officers work with federal immigration officers to apprehend and remove individuals from campus?

No. On November 30, 2016, the University issued Principles in Support of Undocumented Members of the University Community; you can find the full document [here](#). The Principles explain that jurisdiction over enforcement of federal immigration laws rests with the federal government and not with UCPD. UC Police are devoted to maintaining a safe and secure environment to support the University's research, education and public service missions. University of California police departments will not divert their resources from this mission in order to enforce federal immigration laws.

Campus police officers will not contact, detain, question or arrest an individual solely on the basis of suspected undocumented immigration status or to discover the immigration status of any individual, and UC Police will not undertake joint efforts with federal immigration enforcement authorities to investigate, detain or arrest individuals for violation of federal immigration law.

Nonetheless, if U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP) officers conduct immigration enforcement activities on campus, UC Police may be called in to prevent injuries or property damage. In addition, where other federal law enforcement agencies such as the Federal Bureau of Investigation (FBI) or Drug Enforcement Administration (DEA) have reason to pursue criminal suspects on campus, University Police may cooperate with those efforts to enforce criminal laws.

2. Can UC prevent federal immigration enforcement officers from coming on campus or entering hospitals, clinics or other University property?

Generally, no. UC is a public university and a large portion of UC property is open to the general public. UC does not have authority to prohibit federal immigration enforcement officers from coming on campus or entering health facilities to enforce federal law. The areas on campus that are open to the general public are also open to federal immigration enforcement officers.

However, public access is limited in certain areas of UC campuses and property because of privacy concerns, operational needs or safety considerations. Campus buildings and spaces in which access is physically restricted, such as by key card, locked doors or monitored entryways, including University housing and clinical areas, fall into this category. Limited access spaces also include some that may normally be left unlocked during the workday, including, for example, administrative or faculty offices, classrooms while classes are in session, hospital inpatient

rooms, clinic exam rooms, locker rooms, research laboratories, kitchens and food preparation areas, maintenance areas, storage facilities and physical plant operations.

UC employees are not required to affirmatively assist federal immigration authorities or grant permission to enter limited access space when officers do not have a judicial warrant to enter, and it is appropriate to seek guidance from Campus/Medical Center Counsel to understand your duties in particular circumstances. **However, federal law prohibits you from hiding evidence, concealing or hiding individuals who are the subjects of law enforcement activity, or interfering with an arrest. Further, you should not put yourself in physical danger.**

If an immigration officer seeks your consent to enter limited access space or requests information or documents from you about another individual, ***take steps to ensure that you have authority to provide the requested access, information or documents. Ask the officer for their name, identification number and agency affiliation; ask for a copy of any warrant they may have, inform the officer that you are not obstructing their process but need to contact Campus/Medical Center Counsel for assistance and contact Campus Counsel.*** See Question No. 6 below if you work in a hospital or clinic.

3. What federal immigration enforcement officers might seek access to the campus, and what authority do they have?

The immigration officers who seek to apprehend and remove (or “deport”) an individual unlawfully present in the United States are most often officers of U.S. Immigration and Customs Enforcement (ICE), who are part of the agency’s Enforcement and Removal Operations (ERO). U.S. Customs and Border Protection (CBP) officers could also seek to apprehend and remove individuals on certain campuses. These ICE and CBP officers work for the Department of Homeland Security (DHS) and they are typically acting on civil, not criminal, authority. **The warrants these officers carry to apprehend individuals are generally administrative warrants that do not authorize officers to enter limited access areas of the University without consent.**

In some cases, ICE and CBP officers may be exercising criminal enforcement powers or may work with criminal law enforcement officers who may present a criminal arrest or search warrant that gives them greater authority to enter UC premises that are not open to the general public. Execution of judicial warrants does not require consent.

ICE and CBP officers may appear on campus for reasons unrelated to apprehending and removing an individual they believe is unlawfully present in the United States. For example, many international students participate in the U.S. State Department’s Student and Exchange Visitor Program (SEVP). The University is required to report certain information about SEVP students to ICE, and ICE may come to UC campuses to meet with SEVP students and /or University staff who have responsibilities under the SEVP program. ICE and CBP may also come on campus in connection with regulations that do not involve alleged immigration violations. **It is a mistake to assume that any ICE employee visiting campus is present to apprehend or**

remove a member of the UC community. False rumors about ICE enforcement actions on campus can spread anxiety and panic. If you observe ICE employees on campus and have concerns about their activities, call Campus Police.

4. Will federal immigration enforcement agencies target UC campuses?

We do not know whether federal immigration enforcement agencies will conduct enforcement activities on UC campuses. Under the Obama administration, the Department of Homeland Security (DHS) issued memos to ICE and CBP officers providing that arrests, interviews, searches and surveillance should not generally focus on “sensitive locations,” including schools, university campuses, hospitals and institutions of worship. The ICE memo also includes sites during the occurrence of a public demonstration, such as a march, rally or parade. The CBP memo also includes “community centers.” A DHS “Q&A” dated February 21, 2017 indicates that the “sensitive locations” guidance memos remain in effect. However, these memos could be withdrawn or immigration enforcement officers could fail to follow them. Even while they are in effect, they do not provide a guarantee that ICE and CBP will never take these disfavored actions on campus or at a UC facility. In fact, the sensitive locations guidance is subject to explicit exceptions for enforcement actions involving national security or terrorism matters, or involving the immediate arrest or pursuit of a “dangerous felon, terrorist subject, or [others who] present an imminent danger to public safety.”

5. Can federal immigration enforcement officers enter houses, residence halls and apartments without consent from occupants?

As a general matter, individuals have a reasonable expectation of privacy in their homes, including homes both on and off campus property. **The immigration officers who are seeking to apprehend and remove an individual pursuant to a civil or administrative warrant do not have the authority to enter the premises without the occupant’s consent.** In fact, the occupant need not respond to the officer’s questions or statements. Accordingly, undocumented students have a personal choice whether to grant an immigration officer with a civil or administrative warrant consent to enter their residence, and whether to speak with the immigration officer. Students may access pro bono legal advice relating to their immigration status through the UC Undocumented Legal Services Center, ucimm@law.ucdavis.edu, (530) 752-7996. **In contrast, when a law enforcement officer has a criminal search or arrest warrant, the officer does not need consent to enter the premises or arrest an individual named in the warrant.**

If you are asked as a University employee to allow access into University housing, with or without a warrant, ***ask the officer for their name, identification number and agency affiliation; ask for a copy of any warrant or subpoena presented, inform the officer that you are not obstructing their process but need to consult with Campus/Medical Center Counsel for assistance, and contact Campus or Medical Center Counsel.***

6. Can federal immigration enforcement officers enter University hospitals and clinics?

Some areas of UC medical facilities (medical centers, hospitals and affiliated clinics) are open to the general public, and thus to federal immigration enforcement officers, while others may require a warrant to enter. If a federal immigration enforcement officer seeks to enter a limited access area in your workplace, such as patient rooms, treatment areas or closed wards, contact the senior official (e.g., Administrator on Call or AOC) to whom you would ordinarily direct surveyors (e.g., California Department of Public Health (CDPH), Centers for Medicare & Medicaid Services (CMS), The Joint Commission (TJC)) appearing for unannounced inspections. You should also contact Medical Center Counsel to advise you and to review any warrants or subpoenas and determine whether entry is permitted or required. ***Ask the officer for their name, identification number and agency affiliation; inform the officer that you are not obstructing their process but need to contact your AOC and Medical Center Counsel for assistance.***

7. What should I do if a federal immigration enforcement officer presents me with a warrant?

If you are presented with a warrant by a federal immigration enforcement officer seeking to enter University housing or other limited access areas of your workspace on University property, take steps to ensure that the immigration enforcement officers have authority to enter the property before admitting them. As noted above, civil and administrative warrants **do not** authorize entry without consent, but a criminal search or arrest warrant may authorize entry without consent. Because it can be difficult to distinguish among different kinds of warrants, ***ask the officer for their name, identification number and agency affiliation; ask for a copy of the warrant or subpoena presented, inform the officer that you are not obstructing their process but need to consult with Campus/Medical Center Counsel for assistance, and contact Campus or Medical Center Counsel.***

8. What should I do if a federal officer asks me for or gives me a subpoena for personally identifiable private information or records about a student, employee or patient?

Personal and personally identifiable information in University records, and those records themselves, are protected by a wide variety of privacy laws and University policies (Family Education Rights & Privacy Act [FERPA] and PACAOS 130.00, Health Insurance Privacy and Accountability Act [HIPAA] and Confidentiality of Medical Information Act [CMIA], to name a few). As a University employee, you are required to maintain the confidentiality of personal and personally identifiable information, and records containing such information. The University generally requires federal immigration enforcement officers and other law enforcement officers to produce a valid subpoena authorizing the disclosure of student or patient records that contain personal or personally identifiable information. Federal officers generally have no greater access to student or other University records than any member of the public unless they have a valid subpoena.

If you receive a request for personal or personally identifiable information or records containing such information, or if a federal immigration enforcement officer gives you a warrant or subpoena seeking such records or information, you should ***take steps to ensure that you have authority to provide access to the specified records or information. Ask the officer for their name, identification number and agency affiliation; ask for a copy of any warrant or subpoena presented, inform the officer that you are not obstructing their process but need to contact Campus/Medical Center Counsel for assistance, and contact Campus or Medical Center Counsel.***

For patient records covered by CMIA, the law generally requires disclosure to federal immigration enforcement officials if they produce a judicial warrant or subpoena authorizing the disclosure of patient records containing protected health information. HIPAA permits disclosures that are required by other laws such as CMIA. HIPAA also permits, but does not require, disclosure in other circumstances — e.g., where the law enforcement official is seeking a fugitive or person suspected of committing a crime, where the health care facility suspects that a crime has been committed on the premises, and other circumstances. (Different rules may apply to a subpoena or judicial warrant for psychotherapy notes or records.) If you work in a UC medical facility (medical centers, hospitals and affiliated clinics) contact the Administrator on Call to whom employees ordinarily would direct surveyors appearing for unannounced inspections (e.g., California Department of Public Health (CDPH), Centers for Medicare & Medicaid Services (CMS), The Joint Commission (TJC)) and Medical Center Counsel if any law enforcement official requests access to patient records. As noted above, ***ask the officer for their name, identification number and agency affiliation; ask for a copy of any warrant or subpoena; inform the officer that you are not obstructing their process but need to contact the AOC and Medical Center Counsel for assistance, and make those contacts.***

9. Does it make a difference if a student is an international student?

International students and scholars are subject to different requirements. Universities are required to exchange data with federal immigration agencies on the status of international students on F-1, J-1 or M visas through use of a government database named “SEVIS,” which is part of the Student and Exchange Visitor Program (SEVP). In addition, certain information about those students is required to be retained and produced by the University upon request from DHS and ICE.

According to the Department of Education, the Family Education Rights & Privacy Act (FERPA) permits institutions to comply with information requests from DHS in order to comply with the requirements of the SEVP program. However, this does NOT create a blanket waiver of an international student’s FERPA rights; the information that can be disclosed is limited to the categories listed in DHS regulations, and a request must be made to a campus Designated School Official (DSO). Other information about international students is entitled to the same FERPA protection that otherwise governs student records. **If you are not a DSO, you should**

refer any DHS or ICE request for information about an international student to the DSO and Campus or Medical Center Counsel.

FAQ'S FOR CALIFORNIA STATE UNIVERSITY EMPLOYEES ABOUT FEDERAL IMMIGRATION ENFORCEMENT ACTIONS ON UNIVERSITY PROPERTY¹

Many members of the CSU community are concerned about immigration enforcement actions occurring across the country and have asked about the possibility that enforcement actions could occur at a CSU campus. This set of FAQs provides guidance for how you should respond in such a situation. Please bear in mind that Department of Homeland Security (DHS) policies are in transition²; we may update this guidance as warranted.

1. Will University Police Officers work with federal immigration officers³ to apprehend and remove individuals from campus, absent evidence of a judicial warrant?

Campus police officers will not contact, detain, question or arrest an individual solely on the basis of suspected undocumented immigration status or to discover the immigration status of any individual, and University Police (UPD) will not undertake joint efforts with federal immigration enforcement authorities to investigate, detain or arrest individuals for violation of federal immigration law.

Nonetheless, if U.S. Immigration and Customs Enforcement (“ICE”) or U.S. Customs and Border Protection (“CBP”) officers conduct immigration enforcement activities on campus, UPD may be called in to prevent injuries or property damage. In addition, where other federal law enforcement agencies such as the FBI or DEA have reason to pursue criminal suspects on campus, UPD may cooperate with those efforts to enforce criminal laws.

On July 29, 2016, Chancellor White issued a memorandum to the CSU Presidents, advising that each campus must adopt a policy consistent with the systemwide guidance, providing only limited assistance where legally necessary to federal immigration enforcement officers. These guidelines explain that jurisdiction over enforcement of federal immigration laws rests with the federal government and not with UPD. UPD is devoted to maintaining a safe and secure environment to support the CSU’s mission. UPD will not divert their resources from this mission in order to enforce federal immigration laws, unless legally required to do so.

2. Can CSU prevent federal immigration enforcement officers from coming on campus or entering CSU property?

Generally, no. CSU is a public university and a large portion of CSU property is open to the general public. The areas on campus that are open to the general public are also open to federal

¹ CSU’s Office of General Counsel extends its thanks and appreciation to the University of California’s Office of General Counsel for sharing the UC’s FAQs, upon which CSU modeled this document.

² See DHS Fact Sheets for updates to specific policies, and further guidance: <https://www.dhs.gov/news-releases/fact-sheets>

³ Federal Immigration Enforcement officers could include members of the U.S. Immigration and Customs Enforcement (ICE), or the U.S. Customs and Border Protection (CPB), both arms of the Department of Homeland Security (DHS).

immigration enforcement officers. CSU does not have authority to prohibit federal immigration enforcement officers from coming on campus to those public areas even if their purpose is to enforce federal law.

However, public access is limited in certain areas of CSU campuses and property because of privacy concerns, operational needs, or safety considerations. Campus buildings and spaces in which access is physically restricted, such as by key card, locked doors or monitored entryways, including University housing, fall into this category. Limited access spaces also include some that may normally be left unlocked during the workday, including, for example, administrative or faculty offices, classrooms while classes are in session, locker rooms, research laboratories, kitchens and food preparation areas, maintenance areas, storage facilities, and physical plant operations.

CSU employees are not required to affirmatively assist federal immigration authorities or grant permission to enter limited access space when officers do not have a judicial warrant to enter, and it is appropriate to seek guidance from University Counsel to understand your duties in particular circumstances. **However, federal law prohibits you from hiding evidence, concealing or hiding individuals who are the subjects of law enforcement activity, or interfering with an arrest. Further, you should not put yourself in physical danger.**

If an immigration officer seeks your consent to enter limited access space or requests information or documents from you about another individual, ***take steps to ensure that you have authority to provide the requested access, information or documents. If necessary, confirm the authority you do have by consulting with your Supervisor, and/or the office of the Vice President in charge of your division. Ask the officer for their name, identification number and agency affiliation; ask for a copy of any warrant they may have, inform the officer that you are not obstructing their process but need to contact University Counsel and/or UPD for assistance and then contact University Counsel and/or UPD.***

3. What federal immigration enforcement officers might seek access to the campus, and what authority do they have?

The immigration officers who seek to apprehend and remove (or “deport”) an individual unlawfully present in the United States are most often officers of ICE, who are part of the agency’s Enforcement and Removal Operations (“ERO”). CBP officers could also seek to apprehend and remove individuals on certain campuses. These ICE and CBP officers work for the DHS and they are typically acting on civil, not criminal, authority. **The warrants these officers carry to apprehend individuals are generally administrative warrants that do not authorize officers to enter limited access areas of the University without consent. See Question 6 below for discussion of the differences between types of warrants.**

In some cases, ICE and CBP officers may be exercising criminal enforcement powers or may work with criminal law enforcement officers who may present a criminal arrest or search warrant that gives them greater authority to enter CSU premises that are not open to the general public. Execution of judicial warrants does not require consent.

ICE and CBP officers may appear on campus for reasons unrelated to apprehending and removing an individual they believe is unlawfully present in the United States. For example, many international students participate in the U.S. State Department’s Student and Exchange Visitor Program (SEVP). The CSU is required to report certain information about SEVP students to ICE, and ICE may come to CSU campuses to meet with SEVP students and/or CSU staff who have responsibilities under the SEVP program. ICE and CBP may also come on campus in connection with regulations that do not involve alleged immigration violations. **It is a mistake to assume that any ICE employee visiting campus is present to apprehend or remove a member of the CSU community. False rumors about ICE enforcement actions on campus can spread anxiety and panic. If you observe ICE employees on campus and have concerns about their activities, call UPD.**

4. Can federal immigration enforcement officers enter houses, residence halls, and apartments without consent from occupants?

As a general matter, individuals have a reasonable expectation of privacy in their homes, including homes both on and off campus property. The immigration officers who are seeking to apprehend and remove an individual pursuant to a civil or administrative warrant **do not** have the authority to enter the premises without the occupant’s consent. In fact, the occupant need not respond to the officer’s questions or statements. Accordingly, undocumented individuals have a personal choice whether to grant an immigration officer with a civil or administrative warrant consent to enter their residence, and whether to speak with the immigration officer. Undocumented individuals may seek legal advice relating to their immigration status and can find a list of qualified nonprofit legal service providers [here](#)⁴. In contrast, **when a law enforcement officer has a criminal search or arrest warrant that is signed by a judicial officer, the law enforcement officer does not need consent to enter the premises or arrest an individual named in the warrant.** See Question 6 below for discussion of the differences between types of warrants.

If a federal immigration enforcement officer asks you, as a CSU employee, to allow access into University housing, with or without a warrant, ***ask the officer for his or her name, identification number and agency affiliation; ask for a copy of any warrant or subpoena presented; inform the officer that you are not obstructing their process but need to consult with University Counsel and/or UPD for assistance, and contact University Counsel and/or UPD.***

5. Will federal immigration enforcement agencies target CSU campuses?

We do not know whether federal immigration enforcement agencies will conduct enforcement activities on CSU campuses. Under the Obama administration, the DHS issued memos to ICE and CBP officers disfavoring arrests, interviews, searches, and surveillance in “sensitive locations,”

⁴ A list of legal support services can be found at the following link: https://www2.calstate.edu/attend/student_services/resources-for-undocumented-students/Pages/legal-support-services.aspx.

including schools, university campuses, hospitals, and institutions of worship. The ICE memo⁵ also includes sites during the occurrence of a public demonstration, such as a march, rally, or parade. The CBP memo⁶ also includes “community centers.” A DHS “Q&A” dated February 21, 2017⁷ indicates that the “sensitive locations” guidance memos remain in effect. However, these memos could be withdrawn or immigration enforcement officers could fail to follow them. Even while these memos are in effect, they do not provide a guarantee that ICE and CBP will never take these disfavored actions on CSU campuses. In fact, the sensitive locations guidance is subject to explicit exceptions for enforcement actions involving national security or terrorism matters, or involving the immediate arrest or pursuit of a “dangerous felon, terrorist subject, or [others who] present an imminent danger to public safety.”

6. What does a federal immigration enforcement warrant allow an immigration officer to do?

There are generally two types of warrants used by federal immigration enforcement officers: an administrative warrant, and a judicial warrant. These documents may take various forms, but in general look like the documents seen [here](#).

An administrative warrant might also be called a Warrant of Removal/Deportation. This type of warrant does not allow an officer to enter and search a home (including a University dorm residence), unless a resident of that home gives consent. An administrative warrant might allow an officer to arrest the person described in the warrant, if that person is in a public space.

A judicial warrant might be a search warrant, or an arrest warrant. In either case, it must describe sufficiently the residence that is to be searched, or the person to be arrested (either by name, or clear description). In every instance, a judicial warrant is only effective if it is signed by a federal judge.

⁵ The ICE “sensitive locations” memo can be found here: <https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf>.

⁶ The CBP “sensitive locations” memo can be found here: <https://foiarr.cbp.gov/streamingWord.asp?i=1251>. ⁷ The DHS Q&A can be found here: <https://www.dhs.gov/news/2017/02/21/qa-dhs-implementation-executive-order-border-security-and-immigration-enforcement>.

7. What should I do if a federal immigration enforcement officer presents me with a warrant?

If you are presented with a warrant by a federal immigration enforcement officer seeking to enter CSU housing or other limited access areas of your workspace on CSU property, take steps to ensure that the immigration enforcement officer has authority to enter the property before admitting them. As noted above, administrative warrants **do not** authorize entry without consent, but a judicial search or arrest warrant may authorize entry without consent. Because it can be difficult to distinguish among different kinds of warrants, ***ask the officer for his or her name, identification number and agency affiliation; ask for a copy of the warrant or subpoena presented, inform the officer that you are not obstructing their process but need to consult with University Counsel and/or UPD for assistance, and contact University Counsel and/or UPD.***

8. What should I do if a federal immigration enforcement officer asks me for or gives me a subpoena for personally identifiable private information or records about a student, employee or patient?

Personal and personally identifiable information in CSU records, and those records themselves, are protected by a wide variety of privacy laws and University policies (for example: Information Practices Act [IPA], Family Education Rights & Privacy Act, [FERPA], Health Insurance Privacy and Accountability Act [HIPAA], Confidentiality of Medical Information Act [CMIA], and CSU policy ICSUAM 8025-00). As a CSU employee, you are required to maintain the confidentiality of personal and personally identifiable information, and records containing such information. CSU generally requires federal immigration enforcement officers and other law enforcement officers to produce a valid subpoena authorizing the disclosure of student or patient records that contain personal or personally identifiable information. Federal immigration enforcement officers generally have no greater access to student or other CSU records than any member of the public unless they have a valid subpoena.

If you receive a request for personal or personally identifiable information or records containing such information, or if a federal immigration enforcement officer gives you a warrant or subpoena seeking such records or information, you should ***take steps to ensure that you have authority to provide access to the specified records or information. If necessary, confirm the authority you do have by consulting with your Supervisor, and/or the office of the Vice President in charge of your division. Ask the officer for his or her name, identification number and agency affiliation; ask for a copy of any warrant or subpoena presented, inform the officer that you are not obstructing their process but need to contact University Counsel or UPD for assistance, and contact University Counsel and/or UPD.***

9. Does it make a difference if a student is an international student?

International students and scholars are subject to different requirements. Universities are required to exchange data with federal immigration agencies on the status of international students on F-1, J-1 or M visas through use of a government database named "SEVIS," which is

part of the Student and Exchange Visitor Program (SEVP). In addition, certain information about those students is required to be retained and produced by CSU upon request from DHS and ICE.

According to the Department of Education, FERPA permits institutions to comply with information requests from DHS in order to comply with the requirements of the SEVP program. However, this does not create a blanket waiver of an international student's FERPA rights; the information that can be disclosed is limited to the categories listed in DHS regulations, and a request must be made to a campus Designated School Official (DSO). Other information about international students is entitled to the same FERPA protection that otherwise governs student records. **If you are not a designated DSO, you should refer any DHS or ICE request for information about an international student to the DSO and University Counsel and/or UPD.**

10. What if I am uncomfortable approaching UPD?

As law enforcement professionals, members of UPD likely are best equipped to interface with federal law enforcement officers. UPD also is available at all hours and members of UPD are able to contact University Counsel as needed. For this reason, we encourage members of the campus community to reach out to UPD if you are approached by a federal officer.

For individuals who are uncomfortable contacting UPD, most campuses have designated an alternative resource contact who can assist. Those designations can be found at the particular campus' resource page, which can be found [here](#).

**STATE OF CALIFORNIA****ELOY ORTIZ OAKLEY, CHANCELLOR****CALIFORNIA COMMUNITY COLLEGES****CHANCELLOR'S OFFICE**

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OFFICE OF THE GENERAL COUNSEL

Marc A. LeForestier, *General Counsel*
Jacob H. Knapp, *Deputy Counsel*
Peter V. Khang, *Deputy Counsel*

DATE: January 30, 2018

TO: California Community Colleges

FROM: Marc LeForestier
General Counsel

SUBJECT: **Advisory 18-01: "Sanctuary" Jurisdiction Legislation
Senate Bill 54 (2017) and Assembly Bill 21 (2017)**

This advisory provides information regarding recent California "sanctuary" jurisdiction legislation that prohibits state and local agencies from using resources to further certain federal immigration enforcement efforts. This legislation is contained in Senate Bill 54 (2017)¹ and Assembly Bill 21 (2017).² These new laws went into effect on January 1, 2018.

The Trump Administration contends that sanctuary jurisdiction laws conflict with 8 U.S.C. § 1373, which prohibits local jurisdictions from restricting their employees' communications with immigration and customs enforcement personnel regarding a person's immigration status. On January 25, 2017, President Trump issued Executive Order 13768 which, among other things, grants discretion to the Secretary of Homeland Security and the Attorney General to bar sanctuary jurisdictions from receiving federal funding. (See Executive Order: Enhancing Public Safety in the Interior of the United States Administration, Jan. 25, 2017, § 9.)³ However, a federal court has permanently enjoined enforcement of Executive Order 13768, a ruling that is being appealed. (*County of Santa Clara v. Trump*, 250 F.Supp.3d 497 (N.D. Cal, 2017).) Notwithstanding the injunction, on November 15, 2017, Attorney General Sessions sent letters to 29 "sanctuary cities" threatening to claw back FY 2016 federal funds from the Byrne/JAG account that principally supports local enforcement agencies.⁴ Of potential significance to educational institutions is that the federal government argued in the *Santa Clara* litigation that section 9(a) of Executive Order 13768 does not extend to all federal funding (as its broad language

¹ [Senate Bill 54](#) (accessed Dec. 28, 2017).

² [Assembly Bill 21](#) (accessed Dec. 28, 2017).

³ [Executive Order: Enhancing Public Safety in the Interior of the United States](#) (accessed Dec. 28, 2017).

⁴ [DOJ Press Release](#) (accessed Dec. 28, 2017). California jurisdictions that received these letters included Berkeley, Contra Costa County, Fremont, Los Angeles, Monterey County, Riverside County, Sacramento County, San Francisco, Santa Ana, Santa Clara County, Sonoma County, and Watsonville.

indicates), but implicates only three sources of federal funding in the Departments of Homeland Security and the Department of Justice. (*County of Santa Clara, supra*, 250 F.Supp.3d at p. 508.) California community colleges may wish to determine whether their police departments receive funding from these sources.

A. Senate Bill 54 and Community College Police

The Education Code authorizes the governing board of a community college district to establish a community college police department under the supervision of a community college chief of police. (Ed. Code, § 72330, subd (a).) Community college police are sworn peace officers. (Ed. Code, § 72330, subd (c); Penal Code, § 830 et seq.)

Senate Bill 54 reflects the view that California’s public policy interests are best served “by a relationship of trust between California’s immigrant community and state and local agencies” (Govt. Code, § 7284.2), and that this interest would be undermined, resources would be misallocated, and constitutional concerns would arise, if state and local law enforcement agencies cooperate with federal immigration enforcement officials. Accordingly, Senate Bill 54 eliminates state and local law enforcement discretion to use money and personnel to investigate, interrogate, detain, detect, or arrest persons, or to conduct other activities for immigration enforcement purposes. (Govt. Code, § 7284.6.) Exceptions exist related to individuals who have committed serious crimes. (Govt. Code, § 7282.5, subd (a).) The legislation applies expressly to community college police. (Govt. Code, § 7284.4, subds (a) and (k).)

The California Attorney General’s Office is required to publish model policies to explain these requirements by October 1, 2018. (Govt. Code, § 7284.8.) The purpose of these policies is to explain how to limit assistance with federal immigration enforcement “to the fullest extent possible.” They will be designed for adoption by all public schools, health facilities operated by the state or a political subdivision of the state, and courthouses. (Ibid.) The legislation also states that police agencies must comply with any more stringent policies adopted by local jurisdictions. (See Govt. Code, § 7284.6, subds. (a)(1)(C), (b).)

1. Cooperation with immigration enforcement that is prohibited

Senate Bill 54 identifies six categories of cooperation with federal immigration enforcement efforts that are expressly prohibited, effective January 1, 2018. These provisions’ effects upon community college police are described below.

- ❖ *Use of state and local funds.* The use personnel or funds to investigate, interrogate, detain, detect, or arrest persons is prohibited. This prohibition could be violated by engaging in any of the following conduct: inquiring into an individual’s immigration status, detaining an individual on the basis of an Immigration and Customs Enforcement hold request; providing information regarding a person’s release date from custody, or providing other related non-public information; providing personal information about an individual, including non-public contact information; making or intentionally participating in arrests based on civil immigration warrants; assisting immigration authorities in the activities not authorized by a judicial warrant (see 8 U.S.C. § 1357(a)(3)); or performing the functions of an immigration officer. (Govt Code, § 7284.6, subd. (a)(1).)
- ❖ *Federal supervision.* Community college police may not be under the supervision of federal agencies or be deputized as special federal officers or special federal deputies for purposes of immigration enforcement. California peace officers remain subject to California law governing the conduct of peace officers and the policies of the employing agency. (Govt Code, § 7284.6, subd. (a)(2).)

- ❖ *Immigration authorities as interpreters.* Community college police shall not use immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody. (Govt Code, § 7284.6, subd. (a)(3).)
- ❖ *Transfers to immigration authorities.* Community college police shall not transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or if the person has convicted a serious crime listed in Government Code section 7282.5. (Govt Code, § 7284.6, subd. (a)(4).)
- ❖ *Provision of office space.* Law enforcement agencies shall not provide office space exclusively dedicated for immigration authorities within a city or county facility. (Govt Code, § 7284.6, subd. (a)(5).)
- ❖ *Facilities contracts.* Community college police shall not contract with the federal government to allow local facilities to house individuals as federal detainees, except to conclude an existing contract, or to house unaccompanied minors. , as authorized by the Government Code. (Govt Code, § 7284.6, subd. (a)(6) citing Govt. Code §§ 7310, 7311].)

2. Cooperation with immigration enforcement that is permitted under Senate Bill 54

Senate Bill 54 also identifies categories of state and local police cooperation with federal immigration enforcement that remain permitted after January 1, 2018, provided they are also authorized by local policy.

- ❖ *Re-entry following deportation.* If in the course of an unrelated law enforcement activity a community college police agency detects a violation of the federal prohibition against re-entry following deportation (8 U.S.C. § 1326), that agency may investigate, enforce, detain, or arrest, under applicable standards. (Govt Code, § 7284.6, subd. (b)(1).)
- ❖ *Specific criminal history inquiries.* Community college police may respond to a request from immigration authorities for information about a specific person's criminal history, including previous criminal arrests, convictions, or similar criminal history information accessed through the California Law Enforcement Telecommunications System (CLETS), where otherwise permitted by state law. (Govt Code, § 7284.6, subd. (b)(2).)
- ❖ *Task force participation.* Community college police may conduct enforcement or investigative duties associated with a joint law enforcement task force, including the sharing of confidential information with other law enforcement agencies for purposes of task force investigations, subject to a number of specified conditions, including that the task force's primary purpose is not immigration enforcement. (Govt Code, § 7284.6, subd. (b)(3).)
- ❖ *Crime victim information.* Community college police may inquire into information necessary to certify that an individual who has been identified as a potential crime or trafficking victim is eligible for a specified visa program. (Govt Code, § 7284.6, subd. (b)(4).)
- ❖ *Custodial interviews.* Immigration authorities may be provided access to custodial interviews of an individual in agency or department custody, provided the access is in compliance with the TRUTH Act. (Govt Code, § 7284.6, subd. (b)(5) [citing Govt. Code, § 7283].)

B. Assembly Bill 21

Assembly Bill 21 places a number of affirmative obligations on community college districts to prevent student, staff, and faculty from participation in federal immigration enforcement efforts “to the fullest extent consistent with state and federal law.” The bill is intended to protect the state’s students, faculty, staff, and the public, by ensuring that everyone in California has an opportunity to pursue an education free from intimidation, and without fear or undue risk. (Ed. Code, § 66093, subd. (a).) Effective January 1, 2018, Assembly Bill 21 imposes the following obligations:

- ❖ *Protection of Personal Information.* College districts must refrain from disclosing personal information about students, faculty, and staff. There are five exceptions to this rule: (1) there is proper consent; (2) state and federal privacy laws permit the disclosure; (3) to implement the program for which the information was obtained; (4) as part of a directory that does not include residence addresses or individual persons’ course schedules and that the person has not elected to opt out of; or (5) in response to a *judicial* warrant, court order, or subpoena. (Ed. Code, § 66093.3, subd. (a).)
- ❖ *Notice of Immigration Enforcement Activity.* College districts must advise all students, faculty, and staff to notify the office of the college district chancellor or president immediately if an immigration officer is expected to enter, will enter, or has entered the campus to execute a federal immigration order. (Ed. Code, § 66093.3, subd. (b).)
- ❖ *Notification of Emergency Contact.* If there is reason to suspect that a student, faculty, or staff person has been taken into custody in an immigration enforcement action, the college district shall immediately notify the person’s emergency contact. (Ed. Code, § 66093.3, subd. (c).)
- ❖ *Compliance with Judicial Warrants and Subpoenas.* An immigration officer may only be allowed access to nonpublic areas of the campus upon presentation of a judicial warrant. This subdivision shall not apply to nonenforcement activities, including an immigration officer’s request for access or information related to the operation of international student, staff, or faculty programs, or employment verification efforts. (Ed. Code, § 66093.3, subd. (d).)
- ❖ *Response to On-Campus Immigration Enforcement.* The college district shall advise all students, faculty, and staff having contact with an immigration officer executing a federal immigration order to refer the entity or individual to the office of the district chancellor or president, to verify the legality of the warrant, court order, or subpoena.⁵ (Ed. Code, § 66093.3, subd. (e).)
- ❖ *Single Point of Contact.* College districts shall designate a staff person to serve as a point of contact for any student, faculty, or staff person who could be subject to an immigration order or inquiry on campus. Unless the disclosure is permitted by state and federal education privacy law, faculty and staff persons shall be prohibited from discussing the personal information, including immigration status information, of any student, faculty, or staff person with anyone, or revealing that personal information to anyone. (Ed. Code, § 66093.3, subd. (f).)

⁵ Exemplars of administrative warrants and subpoenas and judicial warrants and subpoenas are attached to illustrate what administrative and judicial warrants and subpoenas look like. Colleges and districts should seek legal advice regarding how to respond upon receipt of such documents.

AO 93 (Rev. 11/13) Search and Seizure Warrant

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

U.S. DEPARTMENT OF HOMELAND SECURITY

Warrant for Arrest of Alien

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:

- checkbox the execution of a charging document to initiate removal proceedings against the subject;
checkbox the pendency of ongoing removal proceedings against the subject;
checkbox the failure to establish admissibility subsequent to deferred inspection;
checkbox 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/or
checkbox 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 _____ (Name of Alien) on _____ (Date of Service), and the contents of this

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

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

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:

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) (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)(B).

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 [Redacted] <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.
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] (Signature) [Redacted Name] (Printed Name) [Redacted Title] (Title) [Redacted Date] (Date)
--

CAREER AND INCOME GENERATING OPPORTUNITIES

IMMIGRANTS RISING

TRANSFORMING LIVES THROUGH EDUCATION

Basic Facts About Entrepreneurship

The ITIN, EIN and SSN

The Internal Revenue Service (IRS) issues ITINs to individuals who are required to have a U.S. taxpayer identification number but who do not have, and are not eligible to obtain, a Social Security number (SSN) from the Social Security Administration (SSA).

ITINs are intended primarily to facilitate federal tax reporting. Having an ITIN does not authorize work in the U.S. However, work authorization is not required to earn a living as an independent contractor or business owner in the U.S.

Individuals may choose to apply for an EIN to identify a business entity and hire employees. An ITIN may be used to obtain an EIN.

An Individual Taxpayer Identification Number (ITIN) is a tax processing number issued by the Internal Revenue Service.

An Individual Taxpayer Identification Number (ITIN) is a tax processing number issued by the Internal Revenue Service.

The IRS issues ITINs regardless of immigration status, because both citizens and noncitizens may have a U.S. tax filing or reporting requirement under the Internal Revenue Code.

ITINs allow individuals ineligible for an SSN to (1) report their earnings to the IRS, (2) open interest-bearing bank accounts with certain banks and, (3) conduct business in the U.S.

Independent Contracting

An independent contractor:

- Is a self-employed person who produces a specific type of work product in a determined amount of time. The general rule for being an independent contractor is that the payer has the right to control only the result of the work, not what will be done or how it will be done.
- Receives all profits and is held liable for all losses and debts.
- Must pay [self-employment tax and income tax](#). An independent contractor may use an ITIN, or EIN to file and pay taxes instead of a SSN.

If a DACA beneficiary were to lose his or her work permit, the company that hired them would not be able to contract with him or her. In the case of DACA getting revoked, a DACA beneficiary could pursue independent contract work or start a business using his or her assigned SSN, as long as he or she contracts with any other entity besides the one that is aware of the expired work authorization.

Regardless of the possible termination of DACA, DACA beneficiaries may continue to use their SSN to work as an independent contractor or start a business; both options do not require work authorization.

All immigrants regardless of immigration status are able to earn a living as independent contractors, or start a business using an ITIN or SSN.

As mandated by IRCA ([federal law](#)), an individual or entity (client) is NOT required to obtain Form I-9, or otherwise inquire about immigration status from independent contractors or sporadic domestic workers.

[Federal Law](#) prohibits an individual or entity from knowingly engaging an unauthorized individual to provide services as a contractor.

Paying Taxes as an Independent Contractor

If you are an independent contractor, you should submit a [W9 Form](#) instead of the I-9 Form to each client you provide independent contractor services to. Fill out a W-9 at the start of work and make sure your client keeps it on record.

A payer (client) must file a [1099 Form](#) for each independent contractor paid \$600 or more. A copy of the 1099 is mailed to the independent contractor at the end of the year and he or she becomes responsible for paying taxes thereafter.

How much you make, and how you file (single, married filing jointly, married filing separately), will determine how much you need to pay in taxes.

The IRS allows business expenses to be deducted from your earnings; expenses must be business expenses and not personal.

An independent contractor must pay [self-employment tax and income tax](#). An independent contractor may use an ITIN, or EIN to file and pay taxes instead of a SSN.

There are federal and state tax brackets depending on how much money you make and how you file.

Choosing a Business Structure

Sole Proprietor

- In most cases, you may use your SSN or ITIN to start a sole proprietorship. Only in certain circumstances, such as hiring an employee, would you have to apply for an EIN (which you may get using an ITIN).
- With a sole proprietorship, you may use a trade name or a business name other than your own legal name to do business; you must check for availability of your business name and file a Doing Business As (DBA) statement with a local government agency, such as the county clerk's office.

Partnership

- Similar to a sole proprietorship, each partner may use his or her SSN or ITIN. A partnership may use the surnames of the individual partners or may use a fictitious business name.
- A partnership must file an annual information return to report the income, deductions, gains, losses, etc., from its operations, but it does not pay income tax. Instead, it "passes through" any profits or losses to its partners. Each partner includes his or her share of the partnership's income or loss on his or her tax return.

A sole proprietorship is a type of business entity owned and run by one individual where there is no legal distinction between the owner and the business.

Working as a sole proprietor still means that you are working as an independent contractor, so you are held liable for all debts incurred by the business.

A partnership is the relationship existing between two or more persons who join to carry on a trade or business.

Choosing a Business Structure (Continued)

Corporations

- Immigrants, regardless of legal status, are able to form C corporations, but not S corporations.
- A corporation is formed under the laws of the state in which it is registered.
- To form a corporation you'll need to establish your business name and register your legal name with your state government.
- Even though employment authorization is not required to form a corporation, there may be additional requirements in the formation process that may require a SSN. Check with a trusted attorney and your local city clerk for specific requirements.
- Although requirements vary across different jurisdictions, C corporations are required to file state, income, payroll, unemployment, and disability taxes. Be on the lookout for double taxation.

A corporation conducts business, realizes net income or loss, pays taxes and distributes profits to shareholders. You must obtain an EIN to start a corporation (which you may get with an ITIN).

A Limited Liability Company (LLC) is a business structure allowed by state statute that provides the limited liability features of a corporation and the tax efficiencies and operational flexibility of a partnership.

Choosing a Business Structure (Continued)

LLCs/Worker Co-ops

- Owners of an LLC are called members (not employees). However, if its workers do not have significant ownership and control over the management of the business, they will likely be considered employees.
- Immigrants, regardless of legal status, and even entities based outside of the U.S. may form and own an LLC in the U.S. However, additional information or licenses may be required by your state or local jurisdiction.
- Businesses who hire a worker cooperative are hiring the cooperative, not a single member. The work being done by the worker cooperative does not qualify as independent contract work and, therefore, does not need to abide by the independent contractor IRS rules.

A worker cooperative is a business comprised of members who are both workers and owners of the business.

Members can control the structure and practices of the work environment.

Choosing a Business Structure (Continued)

LLCs/Worker Co-ops (continued)

- Businesses that hire an LLC are not typically required to obtain any information about the worker-owners of the LLC. In other words, as a worker-owner of a LLC, you should not be required to provide any personal information (your name or even an ITIN) to that business.
- Even though employment authorization is not required to form an LLC, there may be additional requirements in the formation process that may require a SSN. Check with a trusted attorney and your local city clerk for specific requirements.
- Depending on the state that the LLC is established in, there are taxes to be paid. In California an LLC is taxed at the entity level, which means an \$800/ year minimum franchise tax is imposed on every LLC, regardless of gross receipts or net income.

5 TIPS TO GET STARTED AS AN INDEPENDENT CONTRACTOR/FREELANCER

Revised 12/2021

1. DEVELOP AN ENTREPRENEURIAL MINDSET

- Think about what you enjoy doing and/or have a natural talent for that can be turned into an opportunity to generate income.
- Research the type of work entrepreneurs/freelancers/consultants do in your field of study or line of work. For example, you can Google: “What type of contracting work does a Psychology major do?”
- Interview entrepreneurs/freelancers (such as friends, family or faculty) in your field of study or line of work to learn about the type of work you could do and how to get started.
- Register for the FREE [Spark Entrepreneurship Training](#) to learn the basics of entrepreneurship.
- Consider getting certified (e.g. Google Analytics Certificate) or pursuing additional training in a specific line of work (see list of [Professional Licenses](#) available to anyone, regardless of status in CA through [SB1159](#)).
- Get relevant training by participating in accelerators, incubators or local business training programs (find a local service provider on [venturize.org](#)).

2. UNDERSTAND CONTRACTING/FREELANCING CONSIDERATIONS

- Make sure you clearly understand the differences between employment and independent contract/freelance work (read [Basic Facts About Entrepreneurship](#)).
- Make sure the type of work you wish to do follows federal and state independent contractor guidelines (read [Introduction to Working for Yourself](#)).
- Research the standard rates for your product or service (For example, you can Google: “How much to charge for translation services”).
- Complete a [W9 Form](#) for each client you work with for them to keep track of your earnings (does not require SSN or work authorization, only used for tax purposes).
- Become familiar with writing contracts and make sure to sign a contract with every client (free templates are available online).

For more detailed information about income generation through entrepreneurship and freelancing, visit immigrantsrising.org/makingmoney

3. LEARN MARKETING AND PROMOTION STRATEGIES

- Learn to promote yourself via social media (e.g. LinkedIn, YouTube, Facebook), blogs, and websites.
- Learn to create your own website (use free platforms online, such as [wix.com](#)).
- Join an independent consultant network (e.g. [Upwork](#)).
- Become active in your local business community and network; have business cards ready to hand out (consider adding a QR code to link directly to your website/LinkedIn profile).
- Join Immigrants Rising's [Entrepreneurship FB Group](#) to market your products or services and meet like-minded individuals.

4. ACCESS FINANCIAL CAPITAL

- Build credit with your SSN or ITIN and maintain good credit (read [Credit and Financial Capital Guide](#)).
- Determine how much money you need to launch or scale your business.
- Research different types of business/personal capital you can access (e.g. credit cards, bank loans, lines of credit, CDFI loans).
- Research grants and fellowships you can apply for (e.g. Immigrants Rising's [Social Entrepreneurs for Economic Development \(SEED\) Grant](#)).

5. FILE AND PAY TAXES

- Search for a reliable tax preparer or accountant, especially if it's your first time filing as an independent contractor/freelancer/business owner; use the IRS' [VITA clinic locator](#) to find a local tax clinic near you.
- Be prepared to pay both federal and state taxes (set aside about 20% of earnings).
- Keep track of earnings (use an app, such as [MyHours.com](#)).
- Keep track of business expenses (use an app, such as [Foreceipt](#) to keep track of receipts). **Note:** It is recommended you keep receipts from all of your business expenses for at least 6 years.
- W2s will be mailed to you by employers to report earnings as an employee and 1099s will be mailed to you by each client to report earnings as an independent contractor/freelancer/business owner.
- You will only receive 1099s from clients from whom you earned \$600 or more, but you should report all earnings, regardless.

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: immigrantsrising.org. For inquiries regarding this resource, please contact Iliana Perez, Research & Entrepreneurship Director, at iliana@immigrantsrising.org



5 TIPS FOR EDUCATORS TO HELP STUDENTS GET STARTED AS INDEPENDENT CONTRACTORS/FREELANCERS

Revised 12/2021

1. GET TO KNOW THE BASICS ABOUT INCOME GENERATION, REGARDLESS OF IMMIGRATION STATUS

- Know that income generation through independent contracting and freelancing is not a workaround for employment (read [Basic Facts About Entrepreneurship](#)).
- Become familiar with Immigrants Rising's [entrepreneurship resources](#).
- Sign up for Immigrants Rising's [Entrepreneurship listserv](#) to get the latest updates about Immigrants Rising's entrepreneurship programming.
- It's okay to not have all the answers. Get comfortable referring your students to the places they can get them.

2. UNDERSTAND CONTRACTING/FREELANCING CONSIDERATIONS

- Make sure students clearly understand the differences between employment and independent contracting/freelancing (refer them to read our guides).
- Make sure the type of work students wish to do follows federal and state independent contractor guidelines (refer them to read our guides).
- Encourage students to research the type of work they wish to do, so they know the standard rate for their services and the education/licensing/certification that's needed to get started (ask them to Google it).

3. HELP STUDENTS DEVELOP AN ENTREPRENEURIAL MINDSET

- Encourage students to think about what it is that they enjoy doing and/or have a natural talent for that can be turned into an opportunity to generate income.
- Have students research the type of work entrepreneurs/freelancers/consultants do in specific field of study or line of work (have them do a Google search) and what is needed to get started.
- Have students interview entrepreneurs/freelancers (such as friends, family or faculty) in their field of study or desired line of work to learn about the type of work they could do and how to get started.
- Have students register for the FREE [Spark Entrepreneurship Training](#). Encourage group learning to encourage accountability and completion of training.
- Encourage students to get certifications (i.e. Google Analytics Certificate) or additional training in specific lines of work (see list of [Professional Licenses](#) available to anyone, regardless of status in CA through [SB1159](#)).

4. IDENTIFY INSTITUTIONAL SUPPORT

- Identify existing entrepreneurship training programs (incubators or accelerators) that undocumented students can participate in.
- Identify local transactional law clinics (available through law schools) that can offer pro bono business-related legal support; see list of [UC Transactional Clinics](#) (open to the public).
- Collaborate with business schools to host tax and business development workshops.
- Develop partnerships with the business school to create entrepreneurship certificate programs (i.e. LA Trade Tech Entrepreneurship Certificate Program).

5. DEVELOP PARTNERSHIPS WITH COMMUNITY-BASED ORGANIZATIONS (CBO)

- Identify local service providers that offer business training (i.e. Small Business Development Agencies, Workforce Development Programs)—[venturize.org](#) is a good tool to find local service providers.
- Identify local financial institutions that are immigrant-friendly and accept the ITIN to open bank accounts and establish credit.
- Identify local organizations that provide tax services; use IRS' [VITA clinic locator](#) to find a local tax clinic near you.
- Collaborate with local agencies to host tax and business development workshops.

Learn more about income generation through entrepreneurship and freelancing at [immigrantsrising.org/resources](#)

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what's possible: [immigrantsrising.org](#). For inquiries regarding this resource, please contact Iliana Perez, Research & Entrepreneurship Director, at iliana@immigrantsrising.org

IMMIGRANTS RISING SERVICES



Immigrants Rising

We offer a variety of programs and services to support undocumented young people, parents, and educators. With resources and support, undocumented young people are able to get an education, pursue careers, and build a brighter future for themselves and our country.



immigrantsrising.org



Find out if you qualify for in-state tuition (AB 540/SB 68) in California!

Immigrants Rising’s **new and improved** In-State Tuition Tool (ISTT) helps you figure out if you meet the attendance and degree requirements needed for in-state tuition (AB 540/SB 68) in California.

Qualifying for in-state tuition means you can **save money** when attending college because you’ll pay the same amount of tuition as California residents. Those eligible could also **receive additional financial aid** through the CA Dream Act.

Learn more at immigrantsrising.org/istt

A Note to Undocumented Students

You can still go to college in California even with the current political climate. Keep in mind:

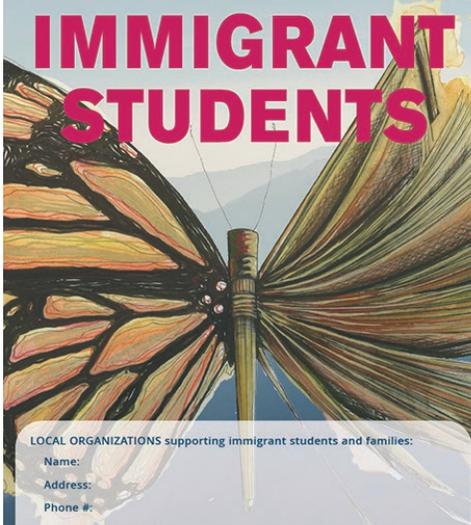
- In-state tuition eligibility has expanded**
You may qualify for lower tuition cost even if you didn't attend 3 years of high school in California. Check if you qualify with our In-State Tuition Tool: immigrantsrising.org/qualifier
- CA Dream Act is still in place**
Submit your application before March 2nd at caldreamact.org. Learn more: immigrantsrising.org/cadreamact
- Scholarships are always available**
Scholarships can help you cover the cost of attending college. Our scholarship resources are open to undocumented students regardless of immigration status: immigrantsrising.org/scholarshiphelp

Keep going. You are not alone.



THIS IS A SAFE & INCLUSIVE SPACE FOR

IMMIGRANT STUDENTS



LOCAL ORGANIZATIONS supporting immigrant students and families:

Name: _____

Address: _____

Phone #: _____

Rapid Response Network:

Rapid Response Number: _____

For more information and resources scan the QR code:







Build a brighter future for yourself.

Immigrants Rising helps undocumented young people make decisions based on potential not perceived limitations. With our information, resources and support, you can see what's possible. Visit immigrantsrising.org.



Show your support and commitment to creating a safe and inclusive space for undocumented students.

Immigrants Rising provides posters that educators and allies can use in their social spaces to show their support for undocumented and immigrant communities.

Download our free posters at immigrantsrising.org/posters



Want to learn how to better support undocumented students at your school? Get your Educational Resource Binder!

Immigrants Rising has created an Educational Resource Binder: College Access for Undocumented Students in California filled with accurate, up-to-date information.

“Having all these materials in one organized place would allow veteran educators and those new to the field the ability to access the information they need to accurately advise undocumented students on college and career paths.” – Allison Martinez, Head Counselor, SF Unified School District

Binder Sections:

- Educator Picks
- Undocumented Student Profiles
- In-State Tuition & Residency
- California Dream Act
- Applying for Scholarships
- Institutional Practices
- FERPA & Student Safety
- Career & Income Generating Opportunities
- Immigrants Rising's Services

Download your own Educational Resource Binder for free or order a printed copy today!



Curious about your immigration options? Take the first step toward taking control of your future.

The Immigration Legal Intake Service is a free, anonymous and personalized online service for undocumented young people. Our team of legal service professionals will help you learn about your immigration options.

Fill out our online intake at immigrantsrising.org/legalintake



Interested in applying to law school? Get support and build community with other pre-law students!

Immigrants Rising's Pre-Law Program provides undocumented individuals with extra support navigating the law school application process and a community of other pre-law students and legal professionals.

Learn more at immigrantsrising.org/prelaw

STAY GROUNDED & ACHIEVE YOUR WELLNESS GOALS

Immigrants Rising provides free mental health resources for undocumented young people.



1-1 support from a therapist through our Mental Health Connector (for California only)



6-week **virtual sessions** in a small group setting through our Wellness Support Groups



Self-care toolkits & additional resources to support your personal goals and healing

Get started at immigrantsrising.org/mentalhealth



\$5K & \$10K GRANTS ARE AVAILABLE FOR IMMIGRANT ENTREPRENEURS IN CA!

Who is eligible?

1. **California residents** who are starting or growing a business/nonprofit in California that addresses a community need
2. **People who identify with at least one of the following:**
 - o Limited English proficiency, regardless of immigration status;
 - o Undocumented status (including individuals with DACA, TPS, DED, etc.)

How do I apply?

1. **Create** a Spark account and register for the entrepreneurship training
2. **Complete** the Spark Entrepreneurship Training (including worksheets)
3. **Submit** the online SEED funding application

Applications will be reviewed in cycles according to the following deadlines:

March 4, 2022 and **June 3, 2022** at 11:59 p.m. PT

What documents are required to apply?

1. **California ID** or any other form of identification with a California address
2. **Business plan** with a detailed budget (we have a template if you don't already have one!)
3. **Evidence** of gross annual business revenue (for existing businesses)

Learn more at immigrantsrising.org/SEED

"I support my community of mobile vendors by connecting them with organizations that care about us."

Faustino (Los Angeles)

