# Building Pathways for California Undocumented Students in a Post-DACA Climate

Educators for Fair Consideration (E4FC)

# Today's Agenda

- Welcome & Organizational Intro
- Undocumented Students in California
- Important Legislative & DACA Updates
- Entrepreneurship Opportunities
- Effectively Supporting Undocumented Students
- Institutional Models of Support
- Additional Resources

# Educators for Fair Consideration

We help undocumented young people pursue education and careers that create new, brighter futures for them, their families, and their communities.

# Nancy Jodaitis

- **Director of Higher Education Initiatives**
  **Educators for Fair Consideration**
- **San Francisco State University**
- AB 540/Undocumented Student Advisor
- Financial Aid Counselor/Dream Act Coordinator
- Community College Outreach Coordinator
- Social Justice Advocate/Community Organizer

# National Immigrant Resilience Day

## TODAY

## April 26, 2018

**United We Dream**

Largest Immigrant Youth-Led Network In The Country

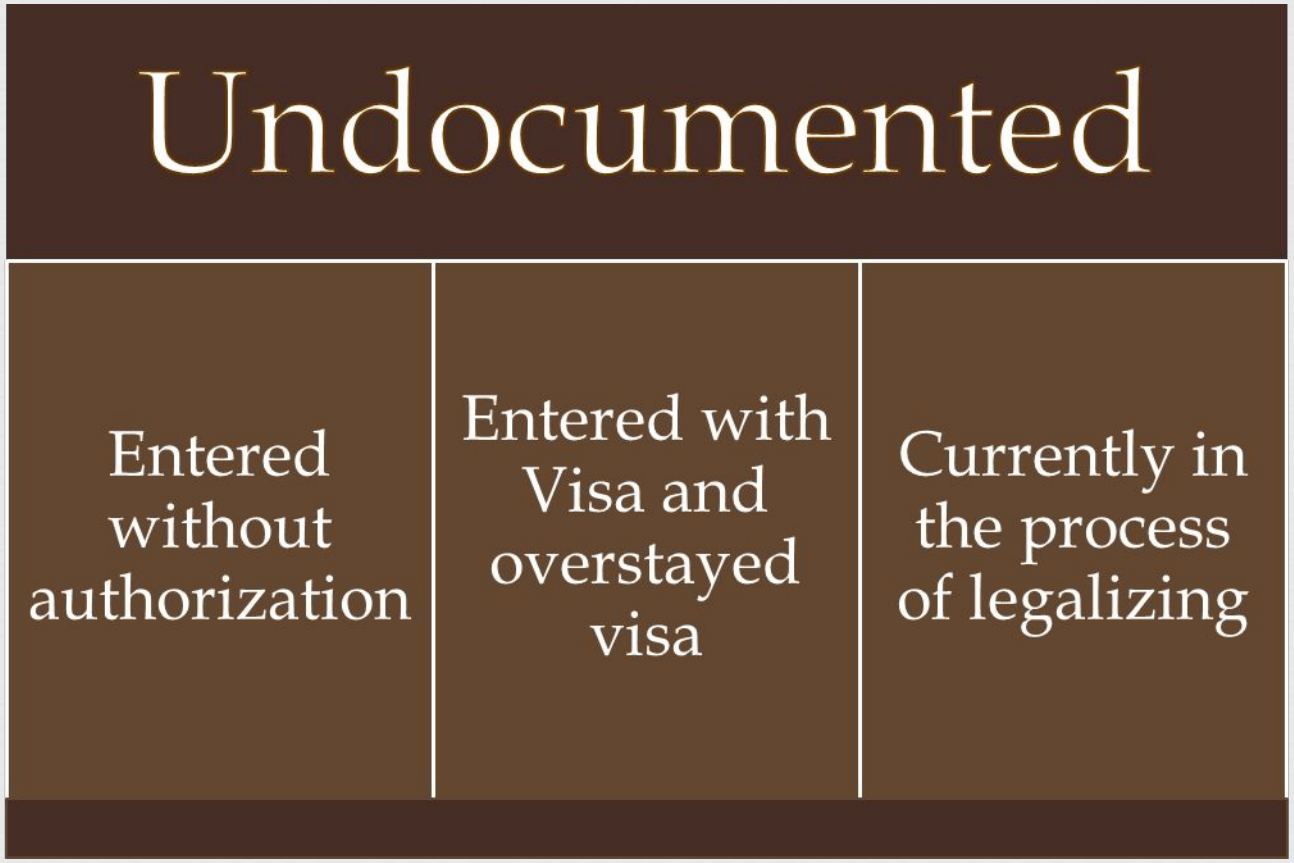
SHOW Your Support & Tag @UnitedWeDream

https://unitedwedream.org

Check out their amazing national institutional toolkit!

# Undocumented Students in CA

# Creating a Common Understanding

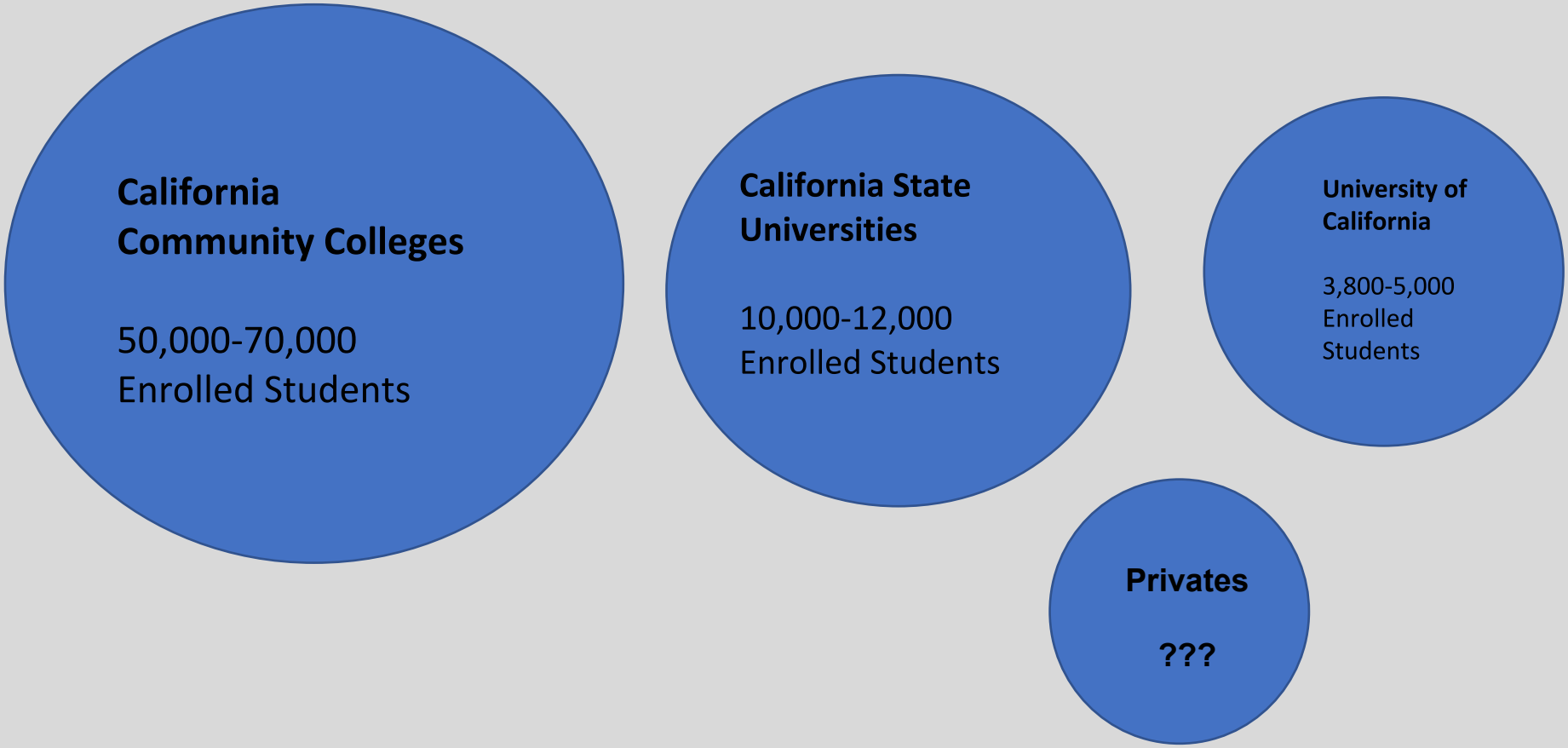


# Things YOU & Your Students Should KNOW

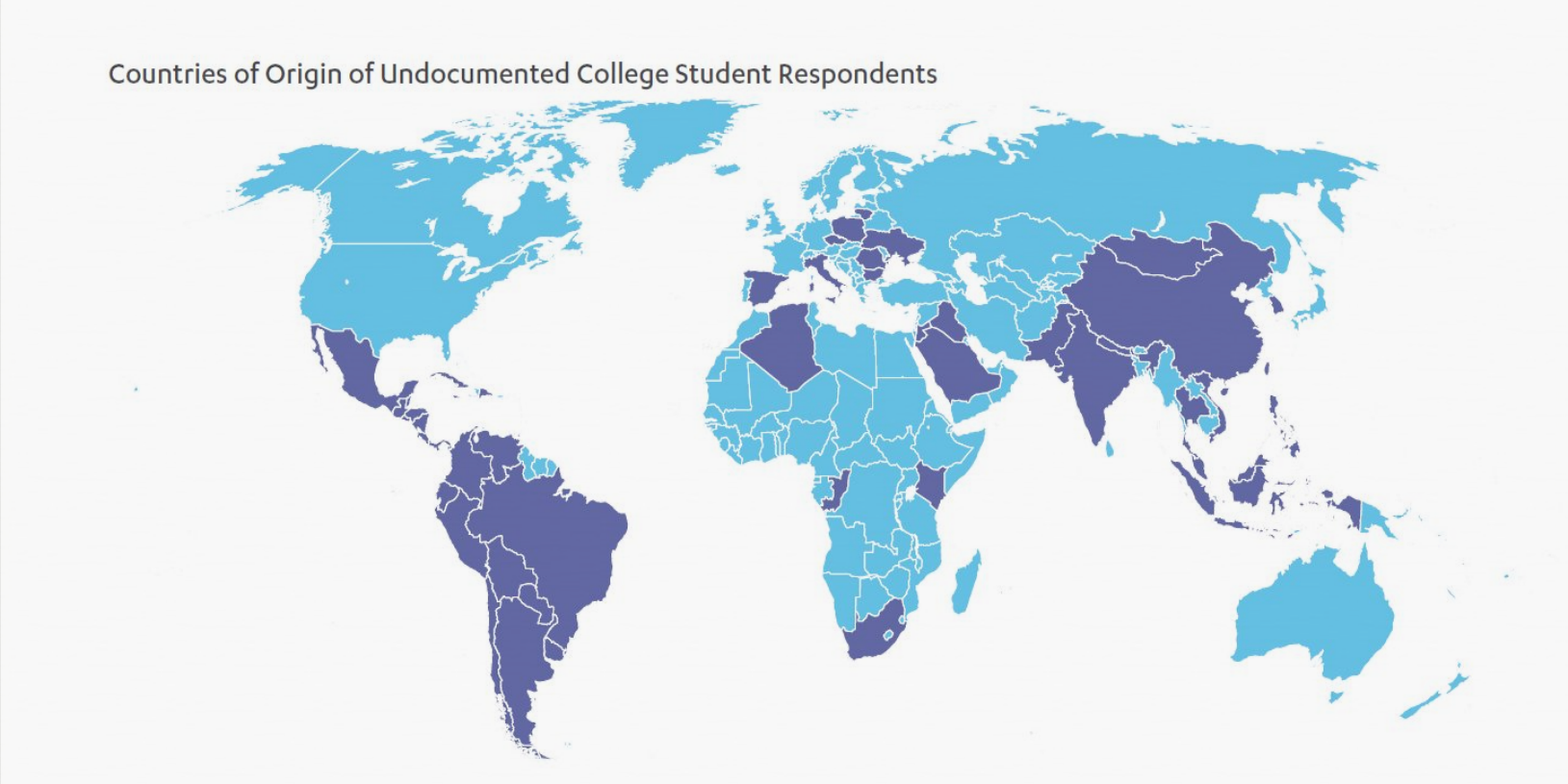
- The CA Dream Act and AB 540 do NOT depend on DACA!
- Access to the CA Colleges & Universities REMAINS OPEN!
- Info on the CA Dream App will NOT be shared with ICE!
- FERPA makes it a crime for schools to share student records without their permission

# Undocumented Students In California

Estimated 74,000 to 87,000 Enrolled Students



# Recognize Diversity




*In the Shadow of the Ivory Tower, 2015, UCLA*

# CALIFORNIA STATISTICS
## 25% of all undocumented immigrants live in

- **Population per county:**
  - Alameda: **124,000**
  - Santa Clara: **180,000**
  - Contra Costa: **79,000**
  - San Mateo: **55,000**
  - Sonoma: **41,000**
  - San Francisco: **30,000**
  - Solona: **24,000**
  - Santa Cruz: **21,000**
  - Napa: **16,000**
  - Marin: **14,000**
  - Yolo: **12,000**

# Important Legislative & DACA Updates

# Important Legislation at a Glance

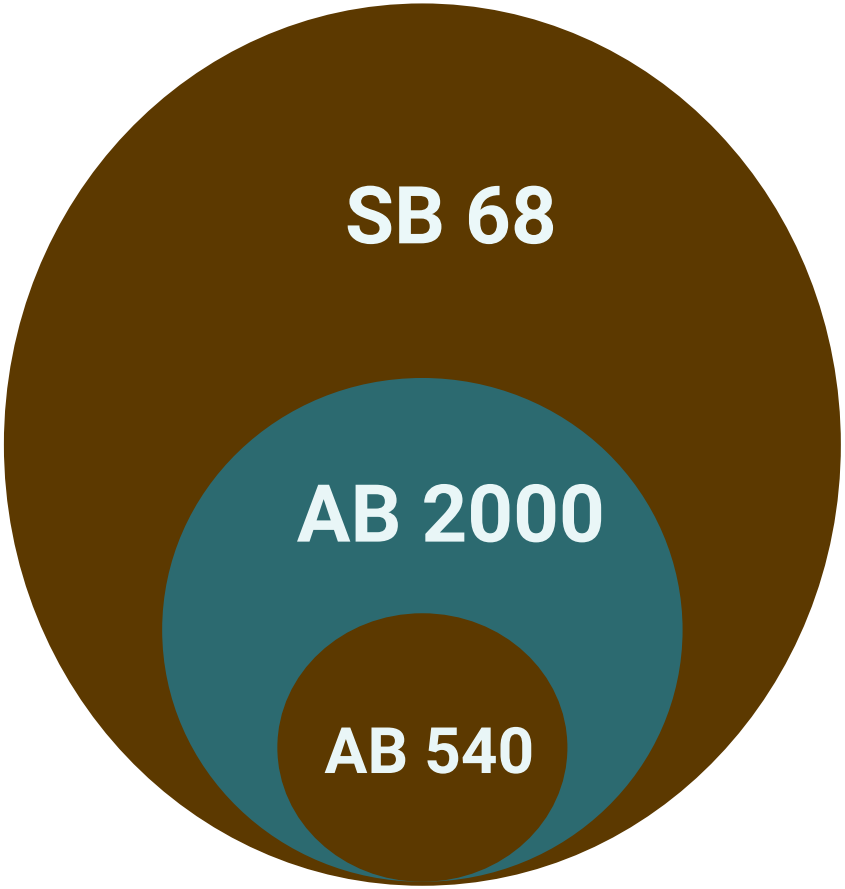
EDUCATORS FOR FAIR CONSIDERATION

## UNDERSTAND THE DIFFERENCES!

### IN-STATE TUITION VS. CA DREAM ACT VS. DACA

| Jurisdiction | STATE OF CALIFORNIA | | | | UNITED STATES OF AMERICA |
|---|---|---|---|---|---|
| **Law or Policy** | **In-State Tuition (AB 540)** | **In-State Tuition (AB 2000)** | **CA Dream Act (AB 130)** | **CA Dream Act (AB 131)** | **Deferred Action for Childhood Arrivals (DACA)** |
| **Status** | **STILL AVAILABLE Does not require DACA** | **STILL AVAILABLE Does not require DACA** | **STILL AVAILABLE Does not require DACA** | **STILL AVAILABLE Does not require DACA** | No longer accepting new applications. Renewal applications for those expiring before March 5, 2018 had to be received by 10/5/17 |
| **What It Does** | Exempts students from out-of-state tuition fees | Expands AB 540 to include students who graduate early from high school with 3 years or HS credit | Opens certain scholarships administrated by public institutions to AB 540 students | Opens state-funded grants (including Cal grants, State grants, UC Grants & the BOG Fee waiver) and state programs (EOP & EOPS) to AB 540 students | Allowed individuals to receive:<br>• Employment authorization card with valid Social Security Number<br>• Temporary Relief from Deportation<br>• Advanced Parole, in some cases |
| **What It Does Not Do** | Does not change their state residency status | Does not change their state residency status | • Does not include eligibility for federal grants or funds<br>• Should not be confused with the Federal Dream Act | | • Did not provide a path to lawful permanent residence or citizenship<br>• Did not give eligibility for federal financial aid awarded through the FAFSA |
| **Who Can Apply** | U.S. citizens, lawfully present immigrants, T and U visa holders & undocumented individuals that meet eligibility criteria | | U.S. citizens, lawfully present immigrants, T and U visa holders & undocumented individuals that meet eligibility criteria | | Undocumented individuals that met the eligibility criteria were eligible to apply prior to 9/5/17 |

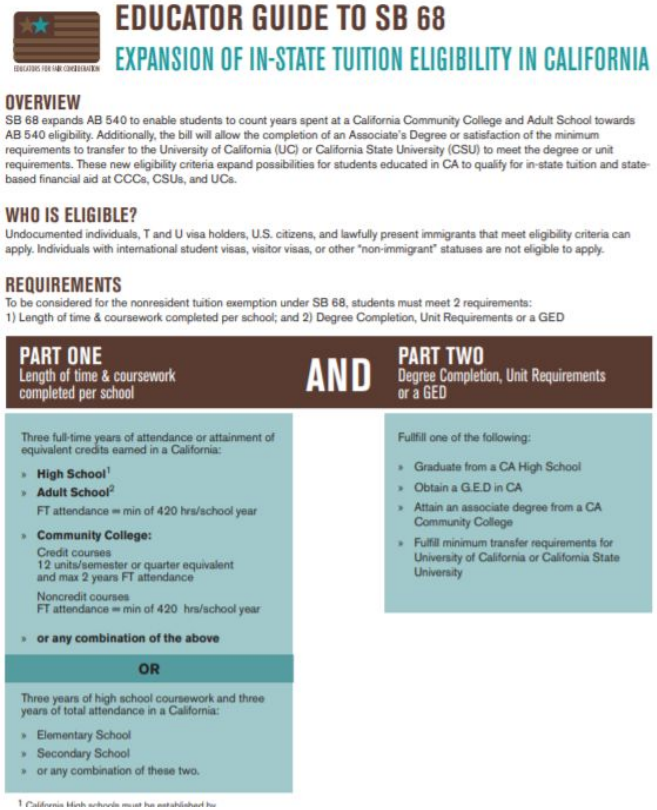
# California Tuition Equity Bills



# SB 68 is a Further Expanison

SB 68 was a bill passed in California in 2017

- Allows eligible students to pay in-state tuition at CA public colleges or universities



EDUCATOR GUIDE TO SB 68

EXPANSION OF IN-STATE TUITION ELIGIBILITY IN CALIFORNIA

**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's 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 SB 68, students must meet 2 requirements:
1) Length of time & coursework completed per school; and 2) Degree Completion, Unit Requirements or a GED

**PART ONE** Length of time & coursework completed per school

Three full-time years of attendance or attainment of equivalent credits earned in a California:

- **High School**[1]
- **Adult School**[2]
  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**

**OR**

Three years of high school coursework and three years of total attendance in a California:

- Elementary School
- Secondary School
- or any combination of these two.

**AND**

**PART TWO** Degree Completion, Unit Requirements or a GED

Fullfill one of the following:

- Graduate from a CA High School
- Obtain a G.E.D in CA
- Attain an associate degree from a CA Community College
- Fulfill minimum transfer requirements for University of California or California State University

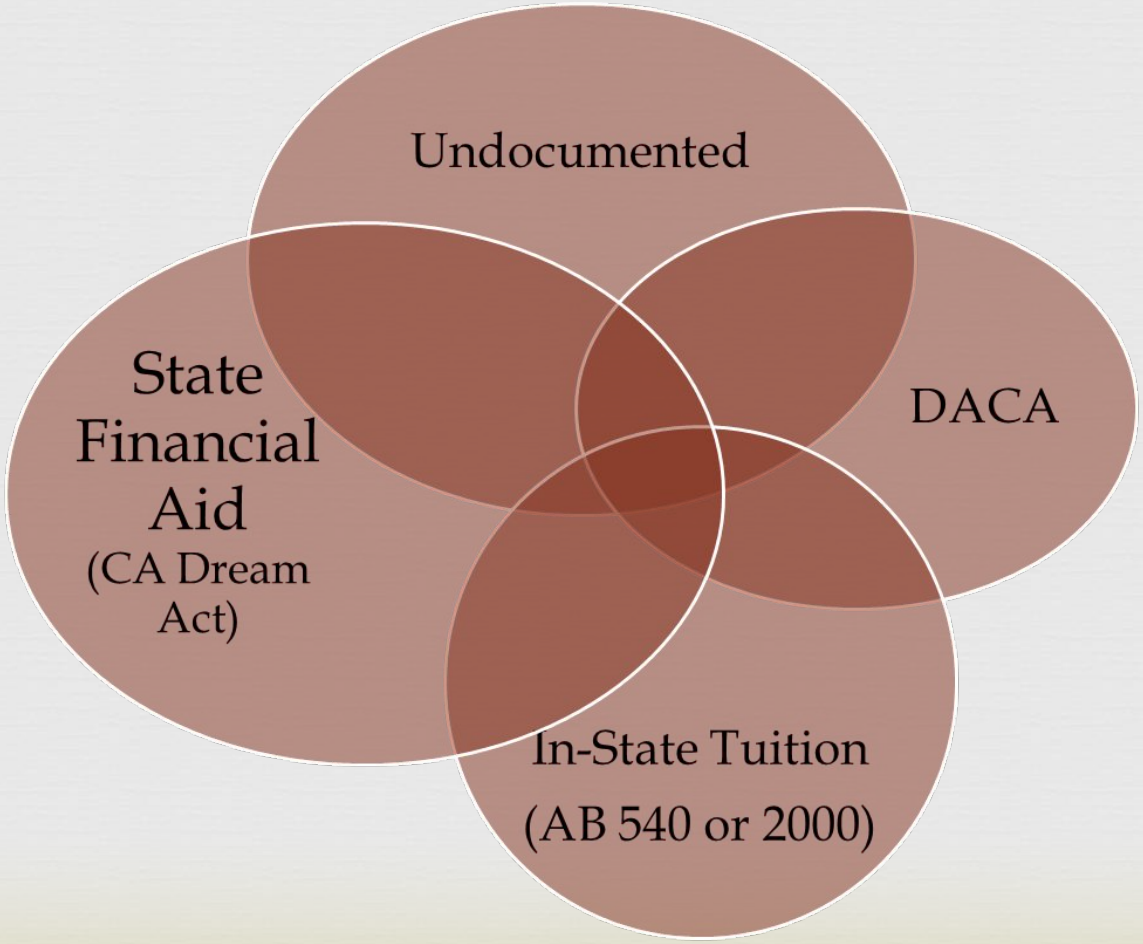
1 California High schools must be established by

- **Requirements**

1. Must attend three years full-time at a CA High School, Adult School, or California Community College; OR
2. Three years of high school credits and elementary and secondary school; AND
3. Must graduate from a California High School, attain an GED or CHSPE, Associates Degree or minimum transfer Requirements at a CSU or UC

*Students with a USCIS nonimmigrant visa status, except T or U visa holders, are <u>not</u> eligible for this exemption.*

# Not All Undocumented Students Have Access to the Same Support



# Resident vs NonResident Fees in CA

| 2017-18 Yearly Estimated Average Tuition & Fees | California Community College | California State University | University of California | Eligible for the CA Dream Act |
|---|---|---|---|---|
| In-state tuition for Residents | $1,104<br>Plus local campus fees | $5,472<br>Plus local campus fees | $12,630<br>Plus local campus fees | Yes<br>Plus local campus fees |
| In-state tuition for Non-Residents | $3,846<br>Plus local campus fees | $11,328<br>Plus local campus fees | $28,014<br>Plus local campus fees | No<br>Plus local campus fees |

# California Student Aid Commission Promises to Protect Dream Act Students

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

-Executive Director Lupita Cortez Alcalá
September 7, 2017

# DACA Update ~ April 24, 2018*

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

- **DACA Recession found UNLAWFUL by U.S. District Court In WA, DC.**
- Administration has 90 days to come up with a better justification or rescission will be vacated
- DACA Program remains open for those who had already participated
  - Renewals are currently accepted, even if expired (as of 09/05/2016)
  - NO New DACA applications are accepted
- DACA and work permits are valid until Expiration Date
- Advance Parole to travel abroad is no longer an option

*Only a small percentage of undocumented youth are eligible for DACA*

# How DACA Recision Affects Higher Education

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

ilrc

My Undocumented Life

UP-TO-DATE INFORMATION & RESOURCES FOR UNDOCUMENTED IMMIGRANTS

United We Dream

National Immigration Law Center

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

# #Undocujoy by Yosimar Reyes

DEFINE AMERICAN

# Entrepreneurship Opportunities

# SB 1159
# Career Licensing

- Require licensing bodies to require an applicant to provide ITIN OR SSN
- Prohibit, except as specified, denying licensure to an applicant based on his or her citizenship status or immigration status
- Require every board to implement regulatory and procedural changes no later than January 1, 2016

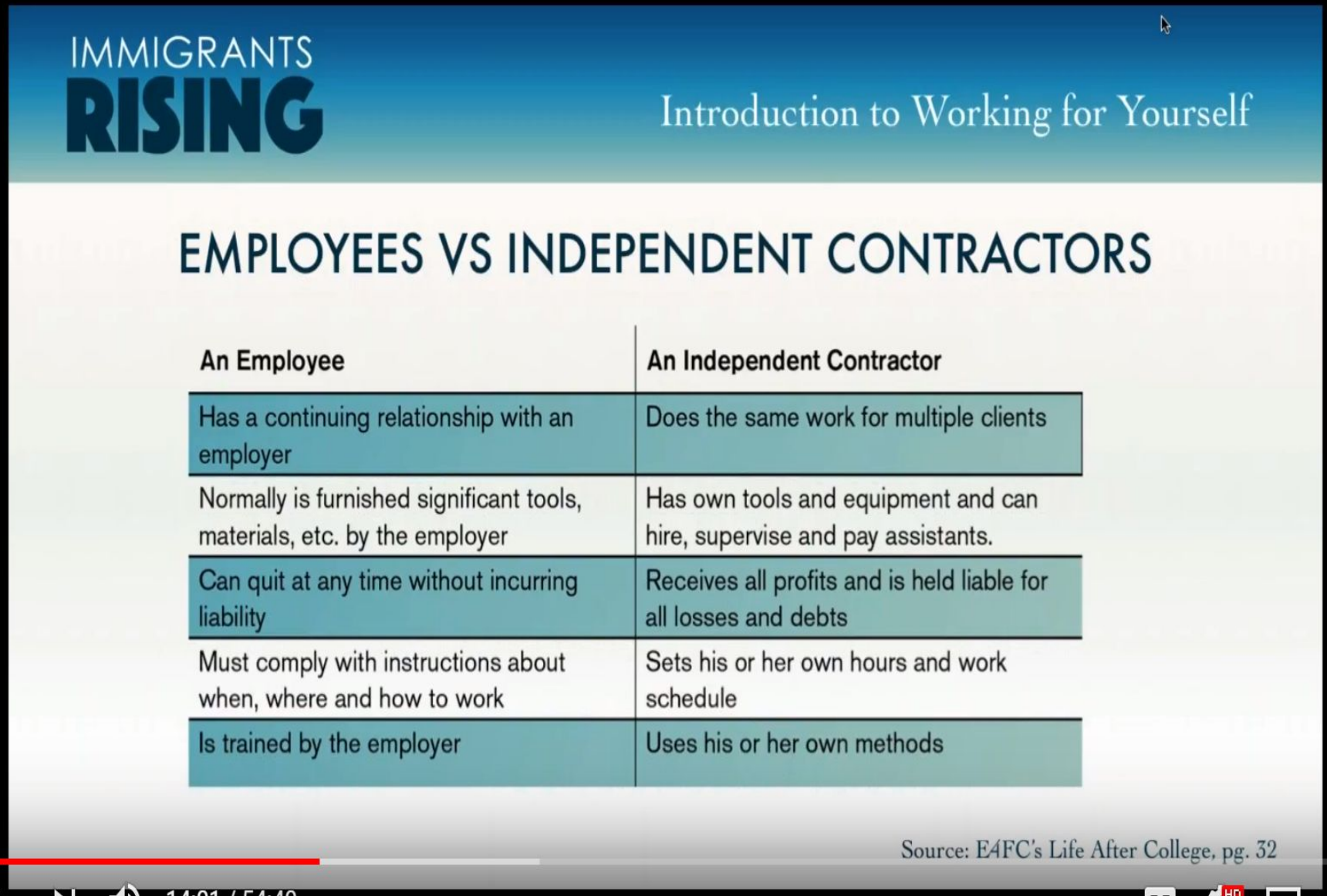
# ImmigrantsRising.org

*FINALLY, a site for Immigrant Entrepreneurs*

- Expanding entrepreneurship opportunities for ALL Immigrants, regardless of status

- Webinars & Resource Materials
  - Working for Yourself
  - Starting Your Own Business
  - ITINS & Taxes
  - Credit & Financial Capital

Educators for Fair Consideration


IMMIGRANTS
RISING
Introduction to Working for Yourself
EMPLOYEES VS INDEPENDENT CONTRACTORS
An Employee
An Independent Contractor
Has a continuing relationship with an employer
Does the same work for multiple clients
Normally is furnished significant tools, materials, etc. by the employer
Has own tools and equipment and can hire, supervise and pay assistants.
Can quit at any time without incurring liability
Receives all profits and is held liable for all losses and debts
Must comply with instructions about when, where and how to work
Sets his or her own hours and work schedule
Is trained by the employer
Uses his or her own methods
Source: E4FC's Life After College, pg. 32
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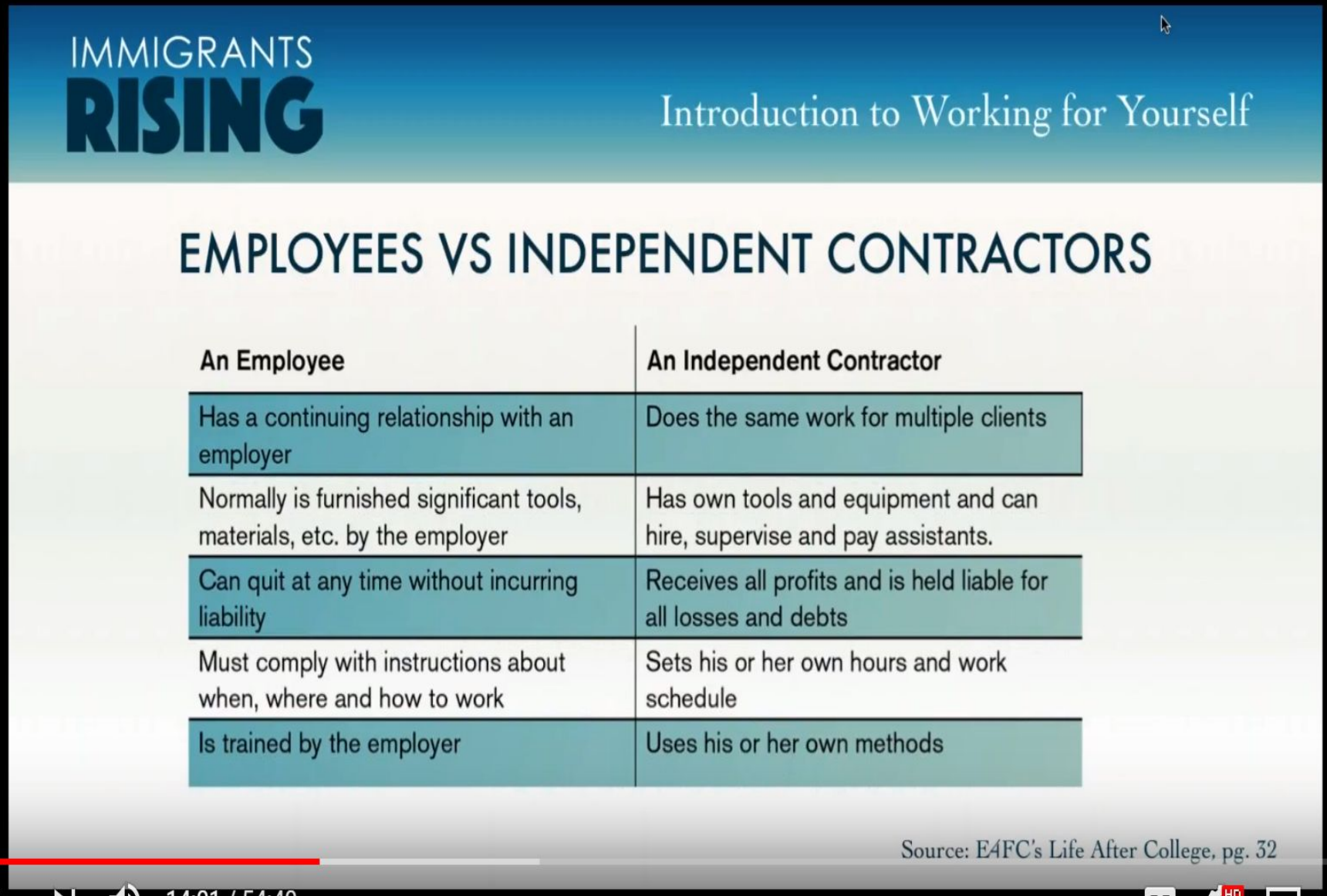
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14:01 / 54:40

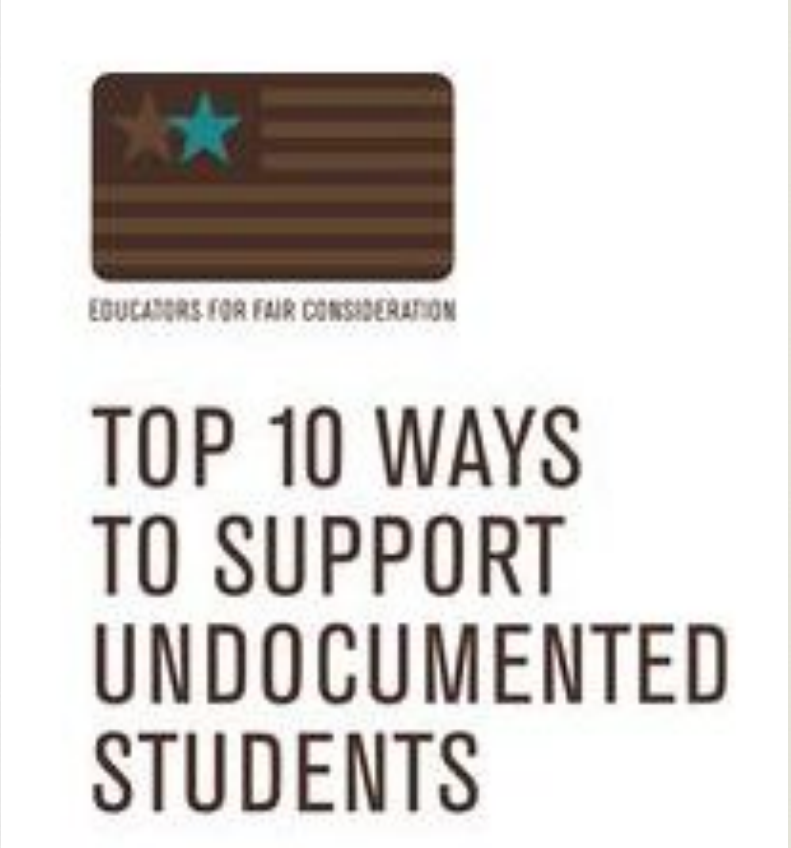
# WHAT YOU DO MATTERS….

# Effective Frontline Support

- DON'T Ask Students to Self-Identify
- LISTEN & LEARN….
- Know that **BELIEVING in college** is hard to do…
- Recognize how the community **political climate** impacts undocumented students' emotional health
- Creates spaces that honor **intersectionality**
- Don't offer pity; students want teachers to positively impact their success. **Problem solve creatively**!
- If you don't know the answer… don't make one up.

# Educators for Fair Consideration
# www.e4fc.org/resources

1. Engage with an Open Mind
2. Create a Safe Space; don't out a student
3. Learn About Legislation
4. Advocate for Financial Support
5. Build Your Educator Network
6. Identify & Connect Role Models
7. Involve Parents
8. Access Reputable Legal Info
9. Build Agency & Power
10. Create Spaces for Storytelling



Institutional Models of Success

# Undocu-Friendly School

## #HeretoStay K-12 Toolkit for Educators

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

# Framework for Conceptualizing Institutional Support

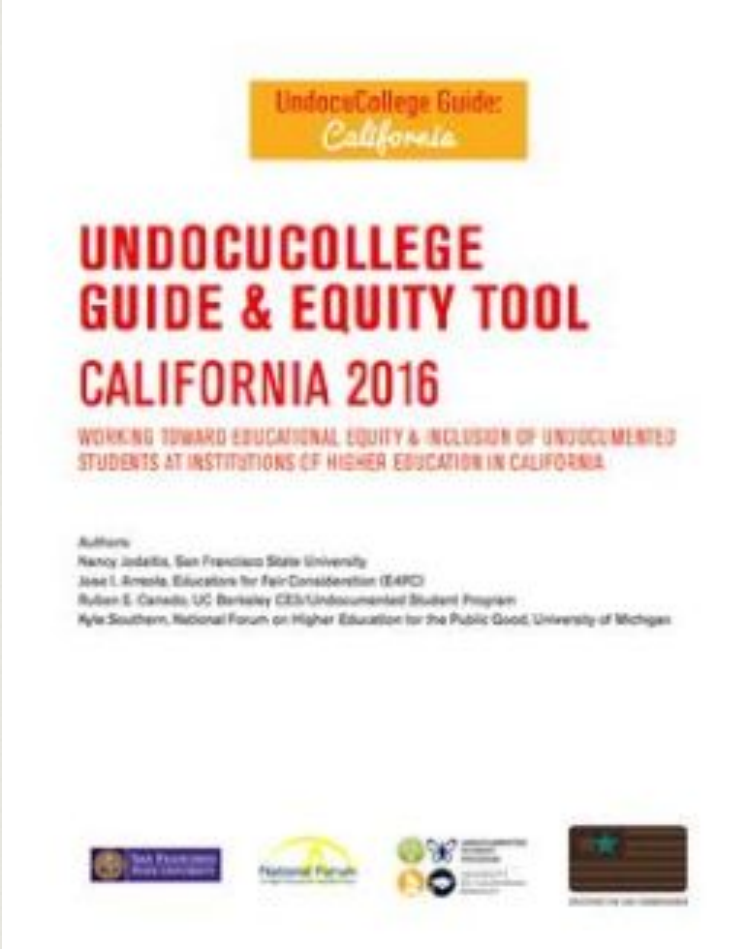
Individual
- Foundational

Group of People
- Emerging

Institutional
- Comprehensive

# UndocuCollege Guide & Equity Tool

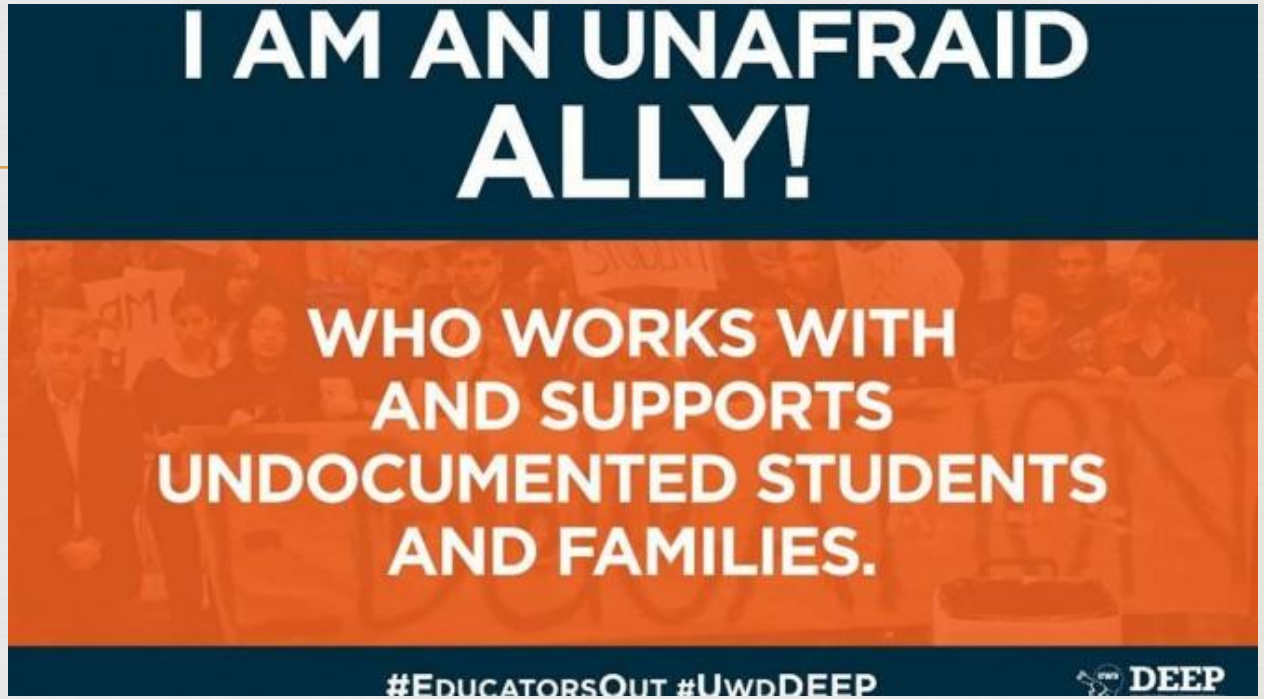
## www.e4fc.org/resources



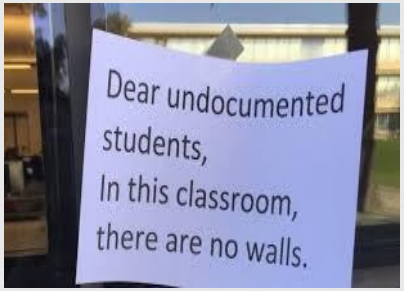

- Institutional Focus
- Identifies Statewide Challenges
- Highlights Best Practices
- Equity Tool Provides Structure to Foster Campus Conversations

- GOAL: Strengthen Institutional Practices

# Make Your Support VISIBLE!

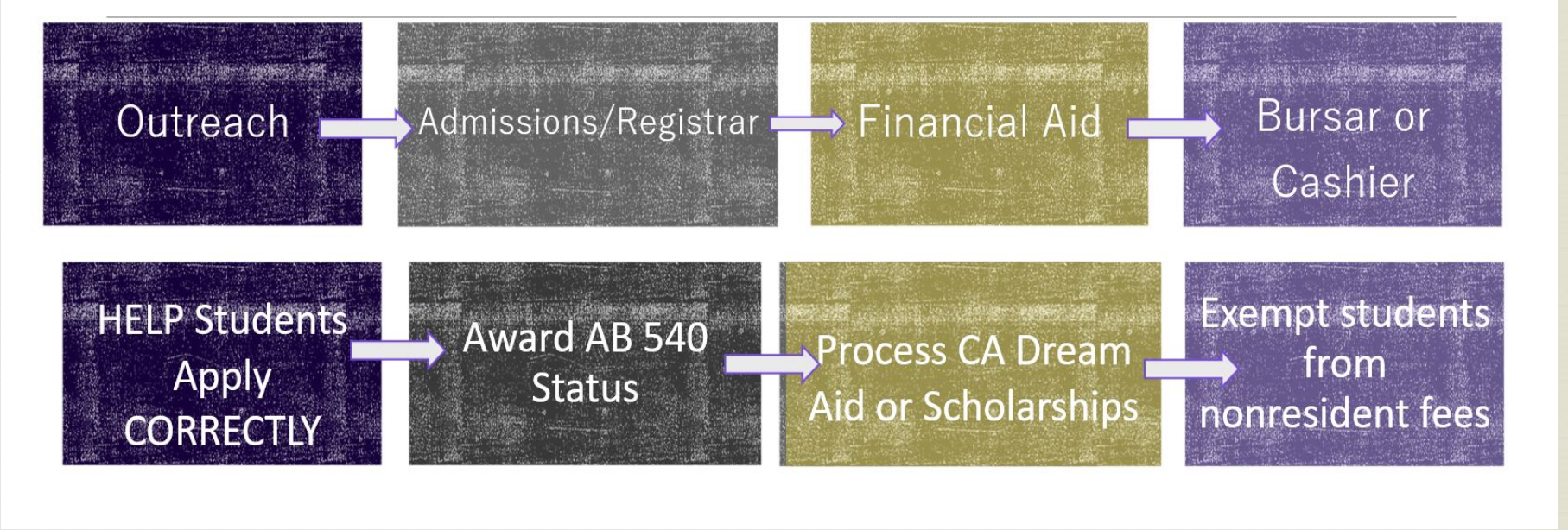



UNDOCUALLY
UNIVERSITY OF CALIFORNIA, BERKELEY




SUPPORTING
UNDOCUMENTED
STUDENTS
AT SF STATE

# Work TOGETHER with Key Departments!




*Are All These Departments participating in your Undocumented Campus Task Force?*

# excellent RESOURCES

# Educational Resource Binder

EDUCATORS FOR FAIR CONSIDERATION

EDUCATIONAL RESOURCE BINDER: COLLEGE ACCESS FOR UNDOCUMENTED STUDENTS IN CALIFORNIA

Order an Educational Resource Binder

Binder.E4FC.org
Downloadable
or Order $ 39.95

# ALL in ONE! e4fc.org/resources

EDUCATORS FOR FAIR CONSIDERATION

## QUICK GUIDE TO COLLEGE ACCESS FOR UNDOCUMENTED STUDENTS IN CALIFORNIA

### AB 540, RESIDENCY REQUIREMENTS AND IN-STATE TUITION

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

**California Nonresident Tuition Exemption Affidavit (AB 540)**
Includes instructions to apply for AB-540 status & be exempt from non-resident fees at CA public colleges & universities.

**2017-18 Estimated Per Year College Costs for California**
An estimated per year cost of attendance chart by institution type in California, including available types of financial aid.

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

### CALIFORNIA DREAM ACT & STATE-BASED FINANCIAL AID

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

**How to Guarantee You Use the Correct Financial Aid Application in California**
If you have questions about which financial aid application students should complete or their eligibility, use this chart to be sure they apply for and receive all CA state financial aid for which they are eligible.

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

### STEPS AND TOOLS TO APPLY FOR CA DREAM ACT

**Phase 1. Apply for CA Dream Act - October 1 - March 2**
**Checklist for the 2018-19 California Dream Application**
Applying for the California Dream Act it is only the first step to receive state financial aid. This checklist can be used to help undocumented students successfully apply for and be considered for all state financial aid, including the Cal Grant.

**Phase 2. Apply for Cal Grant - October 1 - March 2**
**Checklist to Apply for the 2018-19 Cal Grant**
Undocumented students can only apply for the Cal Grant as a high school senior or community college transfer student. This checklist highlights the necessary steps to successfully apply for the High School or Transfer Entitlement Cal Grant.

**Phase 3. Claim Your Aid - March - May**
**Successfully Completing Income Verification Worksheet**
Help families accurately complete the paperwork required to verify income, assets, & household size. Be able to explain the differences between dependent vs. independent students as well as the information required for tax filers vs. non-tax filers.

**Phase 4. Use your Aid - May - September**
**Selective Service and the California Dream Act**
Men who are between the age of 18 and 25 years old, even undocumented individuals, must show proof of registration for the selective service in order to receive state financial aid. Help students be aware of and follow these steps so their state-based financial aid is not put on hold.

### SCHOLARSHIPS THAT DO NOT REQUIRE PROOF OF CITIZENSHIP

**List of undergraduate and graduate scholarships that don't require proof of citizenship**
All undocumented students in California can go to college and receive private or institutional scholarship - even if they don't

# NEW Dream Act WEBSITE!

## www.e4fc.org/thecaliforniadreamact.html

# FAFSA or DREAM...

EDUCATORS FOR FAIR CONSIDERATION

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

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

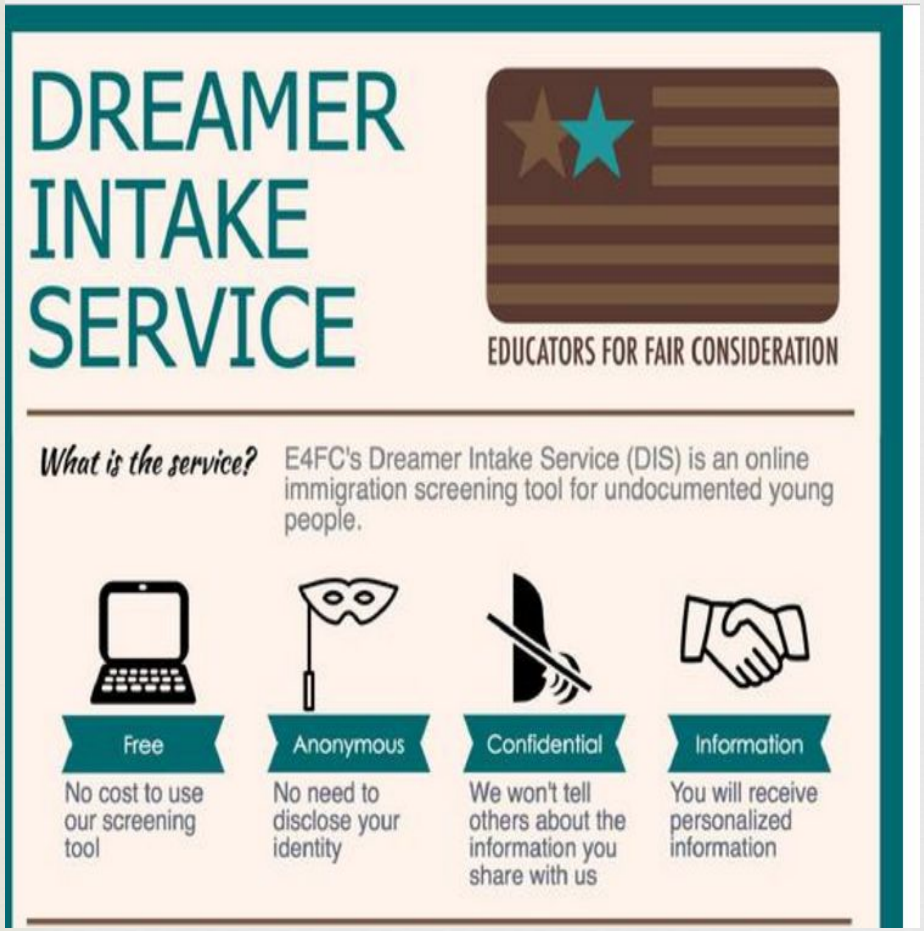
| Questions | FAFSA | CA DREAM Application |
|---|---|---|
| **Who is Eligible?** | • Citizens<br>• Legal Permanent Residents<br>• Eligible Non- Citizens (per FAFSA)<br>• T visa holders | **AB 540 Eligible Students Who Are:**<br>• Undocumented individuals;<br>• DACAmented individuals; and<br>• U visa holders |
| **Who is NOT Eligible?** | • Any other immigration status that is not listed above including:<br>• DACAmented students<br>• Undocumented individuals | • Any visa holder (except U)<br>• Citizens<br>• Legal Permanent Residents<br>• Eligible Non-Citizens (per FAFSA) |

# E4FC Scholarship Resources

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

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

# Dreamer Intake Service intake.e4fc.org




- Legal Intake Services
- Online
- Free
- Confidential

- Personal Response

# Pre Health Dreamers

# Help Students Know Their RIGHTS

[www.unitedwedream.org/knowyourrights](www.unitedwedream.org/knowyourrights)

# THANK YOU &Next Steps

- THANKS SO MUCH for Attending Today!

- PLEASE Share What You Learned
- LEARN MORE!
- Raise Awareness
- Wave Your Ally Flag
- Join the Network! http://e4fc.org/contactus.html

# Building a Support Network

# Contact Information

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nancy@e4fc.org

facebook.com/e4fcfans