

Undocumented Students and the Community College

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Undocumented Immigrants

- Undocumented immigrants are individuals who either entered the U.S. legally but remained past the expiration date of their temporary non-immigrant status or entered the U.S. by avoiding inspection through designated points of entry
- Not all undocumented immigrants are illegal

Undocumented Immigrants

- Estimated 12 million undocumented immigrants
- Could be as high as 20 million
- An estimated 500,000 of these immigrants enter every year
- 4 to 5.5 million enter with a visa but overstay
- 250,000 to 500,000 cross the border legally but overstay
- 6 to 7 million have crossed the border illegally
- Two-thirds (66%) of the unauthorized population have been in the country for ten years or less. The largest share, 40% of the total, or 4.4 million people, have been in the country five years or less.

Source: Pew Hispanic Center 2006

Undocumented Immigrants and the Labor Force

- About 7.2 million unauthorized immigrants were employed in March 2005, accounting for about 4.9% of the civilian labor force.
- They made up a large share of all workers in a few more detailed occupational categories, including 24% of all workers employed in farming occupations, 17% in cleaning, 14% in construction and 12% in food preparation.
- 65% pay federal and state income taxes

Source: Pew Hispanic Center, 2006

Where are they from?

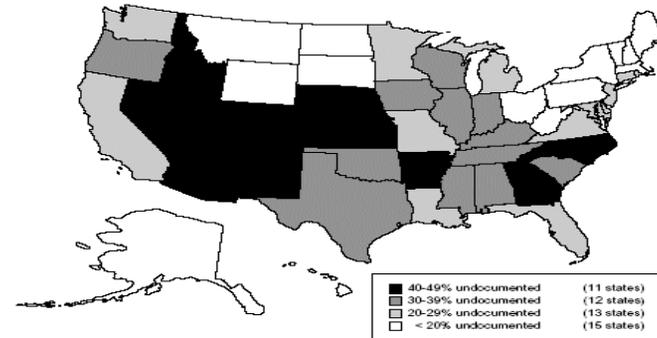
■ Latin America	80%
■ Mexico (57%)	
■ Central and South America (23%)	
■ Asia	10%
■ Philippines	
■ Vietnam	
■ Europe and Canada	5%
■ Ireland	
■ Poland	
■ Hungary	
■ Rest of the World	5%
■ Nigeria	
■ Jamaica	
■ Russia	

Source: Urban Institute, National Immigration Law Center-2004

Where do they live?

- Distribution by state:
Almost two-thirds of the undocumented population lives in just six states: California (26 percent), Texas (12 percent), Florida (10 percent), New York (8 percent), Illinois (4 percent), and New Jersey (4 percent). But, the most rapid growth in the undocumented population since the mid-1990s has been outside these states.

FIGURE 2. SHARE UNDOCUMENTED OF FOREIGN-BORN POPULATION, BY STATE, 2000



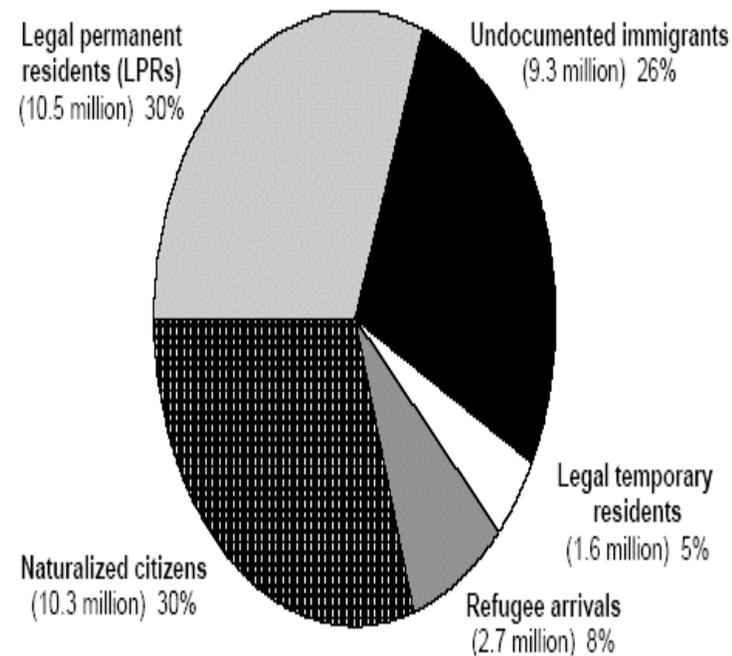
SOURCE: Urban Institute estimates based on Census 2000.

- High-growth regions are the Rocky Mountains, the Midwest, and the Southeast. The undocumented populations of Arizona, Georgia, and North Carolina have grown so rapidly that they may already have surpassed New Jersey's

Foreign Born Population

- 30% Legal permanent residents
- 30% Naturalized Citizens
- **26% Undocumented**
- 8% Refugee arrivals
- 5% Legal temporary residents

FIGURE 1. LEGAL STATUS OF THE FOREIGN-BORN POPULATION, 2002



34.5 Million Foreign-Born

SOURCE: Urban Institute estimates based on March 2002 Current Population Survey.

Undocumented Students

- There were approximately 1.8 million undocumented minors in the U.S. in 2005
- An estimated 500,000 undocumented students are enrolled in high schools the U.S.
- 65,000 of these students graduate each year
- Only 11%- 20% continue to higher education
- 7,000-13,000 or more undocumented students enrolled in post-secondary institutions in the United States.
- Majority of these students start in community colleges

Source: Pew Hispanic Center and Urban Institute

Who are these community college students?

- Most undocumented community college students:
 - have lived in the U.S. most of their lives
 - were brought to U.S. by parents
 - are mostly assimilated to American culture
 - require and learn English at some point in their American education
 - attend grammar and/or secondary schools in U.S.
 - are young females
 - work while attending community college
 - are low on the socioeconomic scale

What attracts Undocumented Students to the Community College

- Flexible open door admissions policies
- English as a second language
- Accessible locations
- Eligible for institutional scholarships
- Practical Majors
- Academic support
- Smaller classes
- Diversity
- Affordable cost of tuition

Obstacles for Undocumented Students

- Financial
- Language
- Transfer to private colleges and universities
- Commuting
- Extra-curricular activities
- Internships
- Intercollegiate sports
- Exclusion from certain majors
- Professional employment
- Licensing for certain professions
- In-State Tuition

Overview of In-State Tuition

- 1965 Higher Education Act
- 1982 Plyler v. Doe
- 1985 Leticia v. University of California Board of Regents
- 1992 Bradford v. University of California Board of Regents
- 1994 California Proposition 187
- 1996 Illegal Immigration Reform and Immigration Responsibility Act
- 2001 States develop in-state tuition policies
- 2004 Day v. Sibelius, upheld 2007-10th Circuit
- 2007 Arizona Proposition 300
- 2008 (September) California court of Appeals, 3rd Appellate District

In-State Tuition Policies

- California
- Illinois
- Kansas
- Nebraska
- New Mexico
- New York
- Oklahoma
- Texas
- Utah
- Washington

States offer in-state tuition based upon graduation from high school and some years of physical residency

Domicile Requirements for In-State Tuition: New Jersey Case Study

- There is no law or regulatory language that prevents undocumented individuals from attending college in New Jersey
- The New Jersey Administrative Code, Volume 9A:5, establishes criteria for in-state residency for tuition purposes, based upon the concept of “domicile”.
- Domicile may be demonstrated by a variety of documents, including NJ tax returns, driver’s license, property leases, and affidavits
- Immigration status is not listed as a criteria for residency for tuition purposes; however, “Residency established solely for the purpose of attending a particular educational institution does not constitute domicile for tuition purposes”. Therefore, an F-1 student who resides in New Jersey cannot be considered an in-state resident.

In-State Tuition Policy for Undocumented: New York Case Study

- There is no law or regulatory language that prevents undocumented individuals from attending college in New York.

- Regardless of your immigration status, you qualify for in-state tuition if you:
 - a) were enrolled in CUNY or SUNY community college for the Fall 2001 semester, and qualified for in-state tuition at that time;
 - b) attended a New York State high school for two or more years, graduated, and applied to attend a CUNY or SUNY community college within five years of receiving a New York State diploma; or
 - c) attended an approved New York State program for the GED exam preparation, received a Graduate Equivalency Diploma (GED) from New York State, and applied to attend a CUNY or SUNY within five years of receiving your New York State GED.
 - To get in-state tuition, undocumented immigrants must file an affidavit stating that they have applied to legalize their status, OR that they will apply to do so as soon as they are eligible. Your college can provide you with a sample affidavit.

Overview of Access

- 1882, Chinese Exclusion Act
- 1921, Texas Attorney General Opinion
- 2004, United States District Court ruled public colleges have the right to deny admissions based on status
- June 2008, South Carolina bans undocumented from attending public colleges
- July 2008, Department of Homeland Security concluded that federal law does not prevent public colleges from accepting undocumented students
- August 2008, , North Carolina's State Board of Community Colleges bars admission to these institutions for undocumented students
- September 2008, Alabama State Board of Education bars undocumented students from community colleges

At-Risk Factors

- English proficiency
- Remediation
- Low socioeconomic status
- Ethnic minority status
- Lack of family support
- Lack of institutional support
- Investment without return
- Mobility
- Psychological issues

Negative Psychological Issues

- Isolation
- Stress
- Fear
- Anger
- Depression
- Discrimination
- Mental exhaustion
- Homesickness
- Assimilation
- Adaptation
- Cultural issues
- Priority issues

Positive Psychological Issues

- High self efficacy*
- High self concept*
- High self esteem
- Low effort avoidance*
- High self motivation
- High resilience

Source: Richard D. Cortés, presentation at ASHE 2006 conference

Academic Issues

- Educational resilience
- Academically successful
- Become proficient in English
- Persistent
- Scholarships winners
- Honor roles and award winners
- Valedictorians

What we can do?

- Counselors can provide undocumented students with social support and stress reduction interventions.
- Train counselors on basic immigration law guidance.
- Educator-training institutions can educate future administrators, professors and counselors about the challenges and stressors that are commonly experienced by these individuals.
- Establish multicultural support programs at the community college level.

Source: Richard D. Cortés, presentation at ASHE 2006 conference

What we can do?

- Community colleges should engage in more fundraising to increase scholarships and book grant opportunities for the undocumented.
- Update online application to help facilitate student enrollment process (i.e., allow to submit application without SS#)
- Send community college outreach representatives to low-income high schools to promote dual enrollment programs. Undocumented students can benefit from this tuition-free program.

Source: Richard D. Cortés, presentation at ASHE 2006 conference

What we can do?

- Community colleges should begin to collect data on undocumented student performance and degree attainment
- Examine counselor, professor, and staff attitudes and knowledge of undocumented students.
- Explore factors that promote positive psychosocial characteristics of the highly talented undocumented student

Source: Richard D. Cortés, presentation at ASHE 2006 conference

Resources

- Student Groups
- International Student Offices
- Case Studies for Financial Aid
 - New Mexico
 - Texas
- Scholarships for undocumented students
 - College Foundations
 - Community organizations
 - Private Organizations

Advocacy

- Dream Act
- Immigration reform
- State legislation
- Federal Government
- Partnerships with high schools
- Research
- Professional organizations
- Community College Consortium for Immigrant Education



CCCIE recognizes that providing effective education for immigrants is crucial, not only to ensure immigrants' personal success in America, but to promote social vibrancy and economic growth locally, regionally and nationally.

Our **mission** is *to raise awareness of the important role community colleges play in delivering educational opportunities to immigrants, and to promote and expand the range and quality of programs for immigrant students among community colleges around the country.*



Who are we?

CCCIE is composed of representatives from community colleges that demonstrate a commitment to immigrant education through their innovative programming and services for immigrants.

Representatives from community college associations, experts in TESOL and researchers of immigrant education issues are also members of CCCIE.



Objectives

- Raise the visibility of the importance of immigrant education among the nation's 1200 community colleges and related professional organizations.
- Strengthen relationships with key community college professional associations to increase awareness of the immigrant education issue and resources available to association members.
- Establish a new vehicle through which community colleges can share best practices, technical expertise and ideas to meet the educational needs of immigrants.



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Future

- Closing access to undocumented
- Challenges to in-state tuition
- Immigration reform
- How would immigration reform affect community colleges?
 - ESL
 - Degree attainment
 - Reform process
 - Significant increase in enrollment

Q&A

