

UNDOCUALLY TRAINING: BEST PRACTICES TO SUPPORT UNDOCUMENTED STUDENTS

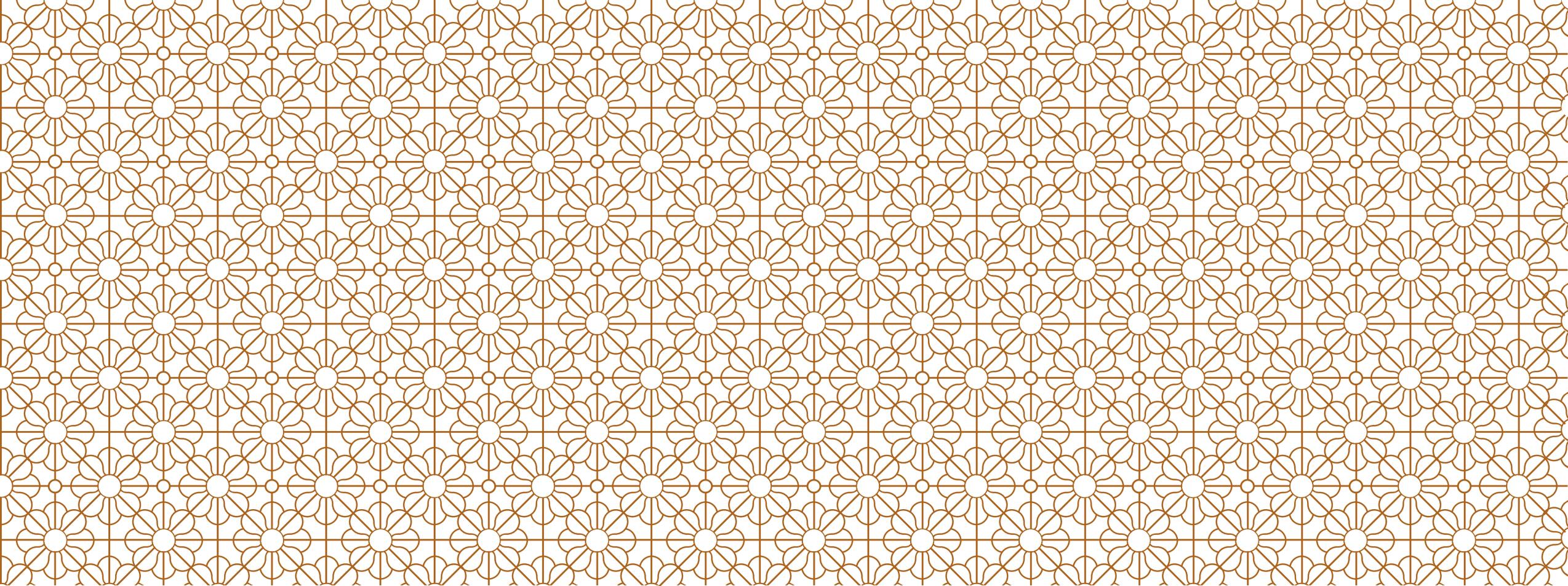
Presented by Alain
Olavarrieta & Rafael Valle

OCTOBER 22, 2019

AGENDA

- Demographic and Terminology
- Laws Affecting Undocumented Students
- Testimonials
- Best Practices
- Resources for UndocuStudents
- Closing Remarks





DEMOGRAPHIC AND TERMINOLOGY



DEFINITION OF UNDOCUMENTED

The term **'undocumented immigrant'** refers to anyone residing in any given country without legal documentation.

It includes people who entered the U.S. without inspection and proper permission from the government, and those who entered with a legal visa that is no longer valid.

*Source: Immigrants Rising

WHAT DOES IT MEAN TO BE UNDOCUMENTED?

For undocumented immigrants living in the United States:

- no permanent social security number,
- cannot work legally,
- may not be able to have a driver's license,
- may be ineligible for many public benefits,
- can't vote,
- can't qualify for federal financial aid,
- limits on travel

For many, it means a life of **limited opportunities, invisibility,** and **fear of deportation**



COMMON LANGUAGE & DEFINITIONS

Common Terms

Undocumented Immigrant: people who enter the United States without immigration clearance.

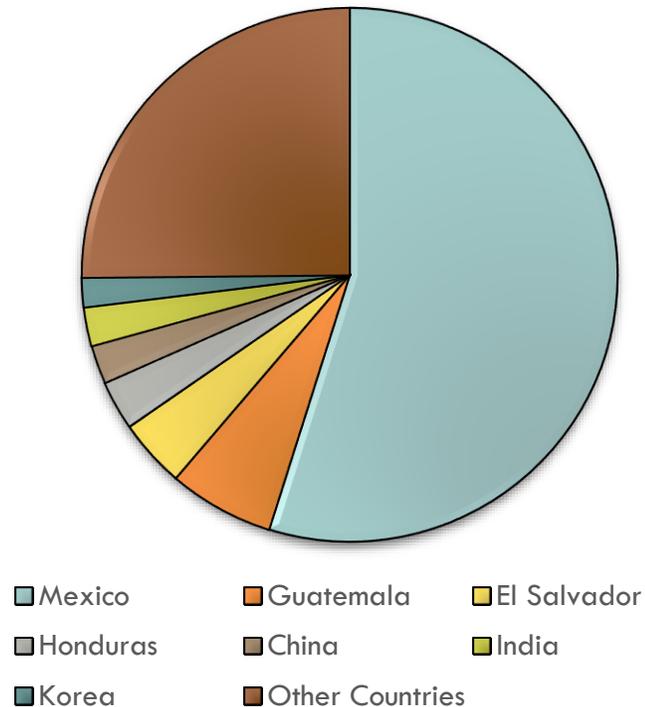
Mixed Status Families: families with at least one undocumented family member and at least one member who is a U.S. citizen. Over one-third of U.S. households with an undocumented person are mixed families.

Unaccompanied Minors: undocumented children who enter the U.S. without a guardian.

Sanctuary Schools and Campuses: educational institutions that adopt policies to protect students who are undocumented.

COUNTRIES OF ORIGIN

Countries of Origin



Trend has been undocumented immigrants from Mexico are declining, while immigrants from other countries is on the rise.

- Mexico = 55%
- Guatemala = 7%
- El Salvador = 4%
- Honduras = 3%
- China = 2%

AGE OF UNDOCUMENTED IMMIGRANTS

A majority of undocumented immigrants are young people.

- Under 16 = 8%
- 16 – 24 = 15%
- 25 – 34 = 28%

51%

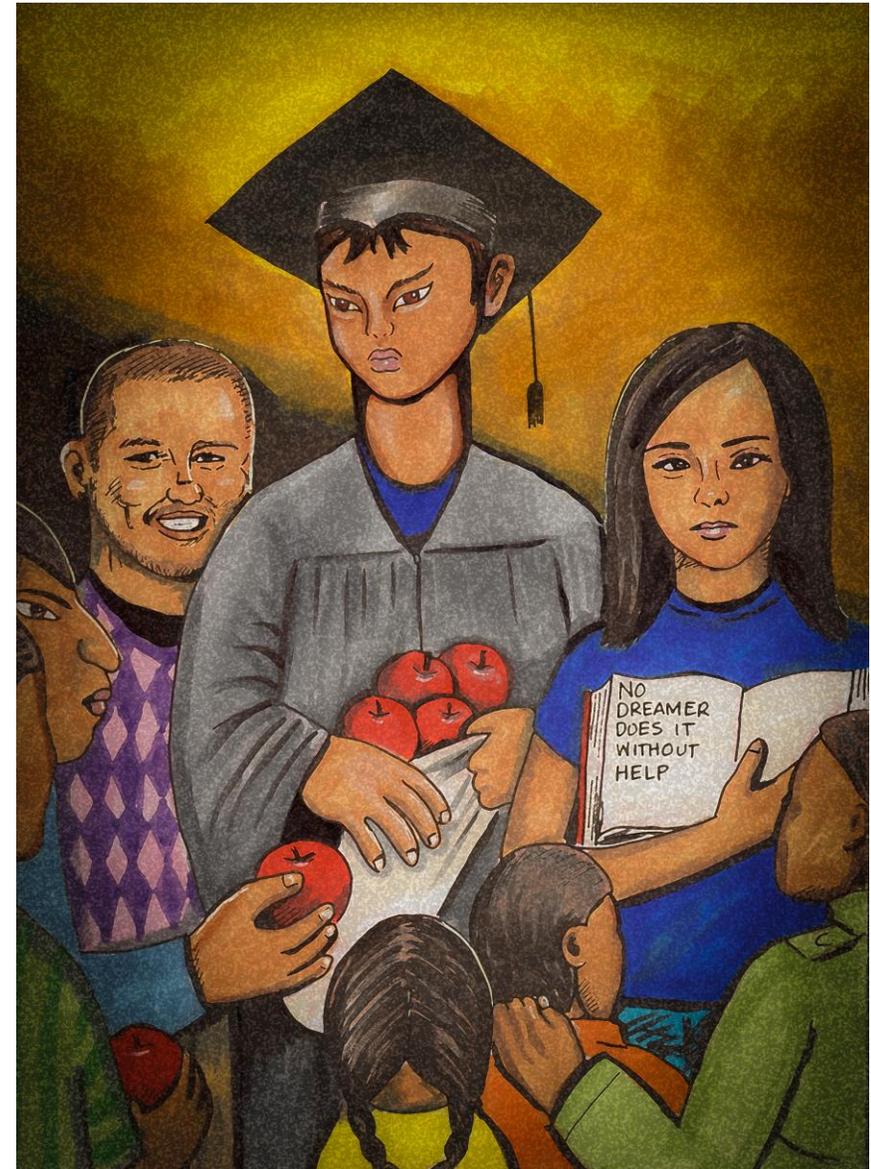
LPC UNDOCUSTUDENTS

Data is difficult to collect and rely on.

- About 150+ undocumented students

Statistically speaking, our UndocuStudents:

- Have a wide variety of countries of origin
- Came to the US at a young age
- Speak English fluently
- Have typically completed K-12 in the United States/
Bay Area region
- Have a diverse school experience & skill level
- Want to go pursue higher education



LPC UNDOCUSTUDENTS

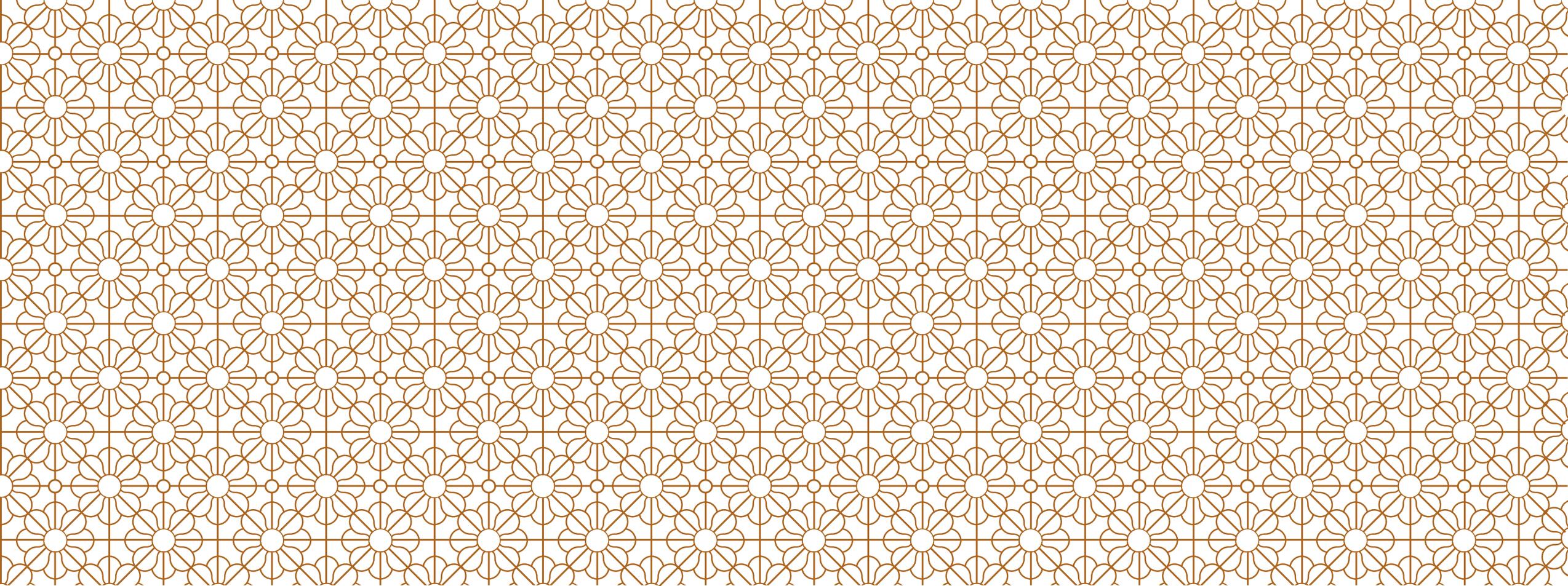


Our UndocuStudents can have different goals:

- Students who want to pursue degree and transfer goals
- Students/adults who want to learn English/Career Skills

Our UndocuStudents can have different statuses:

- Students who have come to the US recently (often **do not meet** AB-540 and/or DACA criteria)
- Students who have been here since childhood (often **will meet** AB-450 and/or DACA criteria)



**LAWS AFFECTING
UNDOCUMENTED STUDENTS**



CA STATE LAWS: TUITION REDUCTION LAWS

AB 540 (2001), SB 68 (2018) & AB 2000 (2015)

- Exempted students from out-of-state tuition fees
- Students must have attended 3 years of HS in CA or the equivalent for a GED, graduated from a CA HS, obtained a certificate of completion, or a GED, and not have a valid non-immigrant visa
- AB 2000 expanded the definition of who is eligible
- SB 68 expands AB 540 to enable students to count years spent at a California Community College and Adult School towards AB 540 eligibility (paying in-state tuition at CCs, CSUs, UCs).

CA STATE LAWS: FINANCIAL SUPPORT LAWS

AB 130 (2012) & AB 131 (2013)

- “California Dream Act”
- Allowed AB 540 students to apply for scholarships administered by public institutions, and for state-funded grants (Cal grants, BOG fee waiver, etc.) and programs (EOPS, EOP)
- **AB 595 (2019)**
- AB 595 authorizes a student enrolled in a community college class or classes pursuant to an apprenticeship training program or internship training program to use an individual tax identification (ITIN) for purposes of any background check required by the class or program.*

CA STATE LAWS: PROTECTION AND SUPPORT

SB 54, CA Values Act

- Among other protections, prohibits cooperation between ICE and state and local Law Enforcement Agencies in a variety of ways.
- Creates safe spaces by limiting assistance with immigration enforcement in a number of public agencies, including schools, healthcare facilities and courthouses, among others.

SB 1645,

- All public colleges in California must have an undocumented liaison officer on campus.

EXECUTIVE ACTION

DACA (2012) “Deferred Action for Childhood Arrivals”

- Allows individuals to receive:
 - Employment authorization card with valid social security number
 - Temporary relief from deportation
 - Advanced parole, in some cases (allowed to leave the country and return)
- Does not provide a path to lawful permanent citizenship or residence
- Does not give eligibility for federal financial aid
- Good for 2 years, option for renewal
- DACA has been rescinded by the Trump Admin and is currently in the courts – future is unknown. Courts ruled that current DACA recipients can continue to renew, but no new applications. The advance parole requests has been suspended.
- About 800,000 DACA recipients in the U.S. - About 240,000 in California.

FEDERAL LAWS OR LACK OF

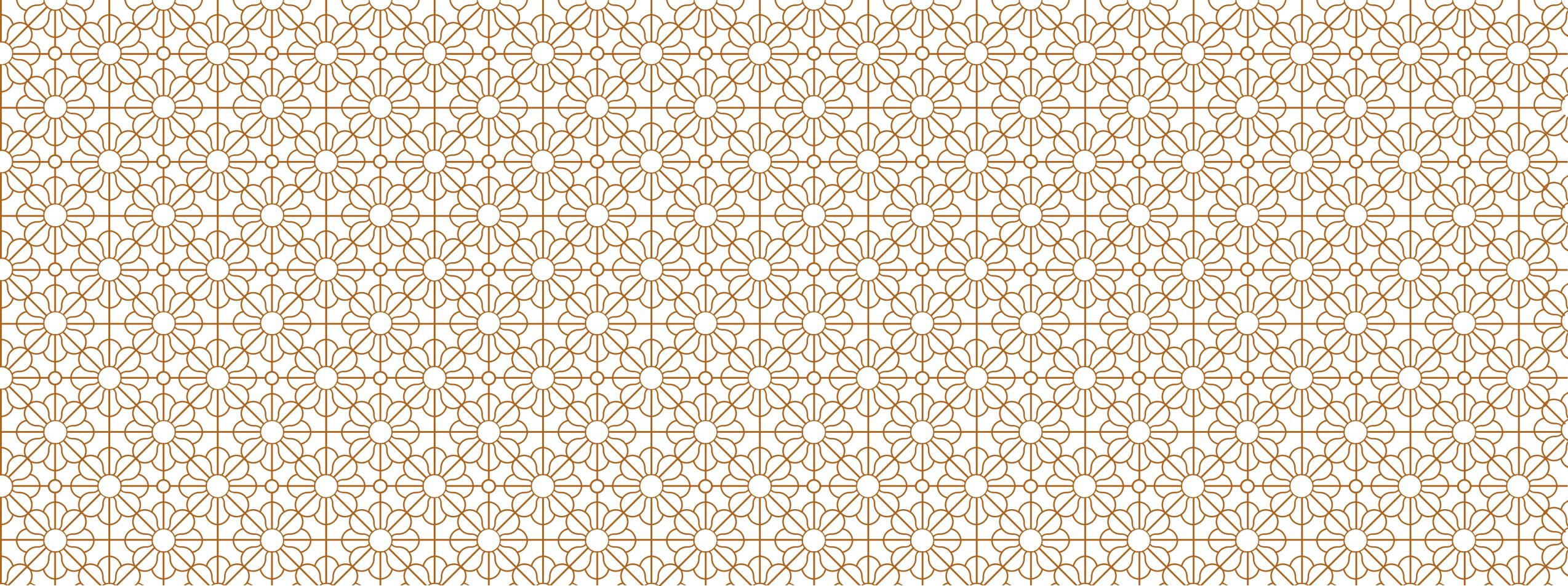
The Development, Relief, and Education for Alien Minors (DREAM) Act (Never Approved)

- A proposal in 2001 that would have provided a path to legal status for qualifying high school graduates who attend college or serve in the military.
- Various attempts over the years, but never passed the Congress.

LAWS PROTECTING PRIVACY



- The information a student shares with a college or university is protected by federal law and CANNOT be shared with anyone, including immigration officials, without a signed judicial warrant, subpoena or court order, unless authorized by the student or required by law.
- Student information is protected by the Federal Family Educational Rights and Privacy Act (FERPA) of 1974. The school legally cannot share this information with third parties including U.S. Immigration and Customs Enforcement (ICE).
- Not all AB-540 students are undocumented. Many are legal residents. AB-540 forms are worded in a way so as to protect undocumented students from having to declare their status (they are grouped with US citizens and permanent residents). The affidavit says “IF” they are an “alien without lawful immigration status,” then they will pursue a means to change their immigration status when it becomes available.
- LPC is working on a student Privacy Policy & Protocol to protect students and their information (TBD).



TESTIMONIALS



LOST AND FOUND

A testimonial of an undocumented student at UCLA.

<https://www.youtube.com/watch?v=jl7J2b3t4WU>

LPC TESTIMONIALS

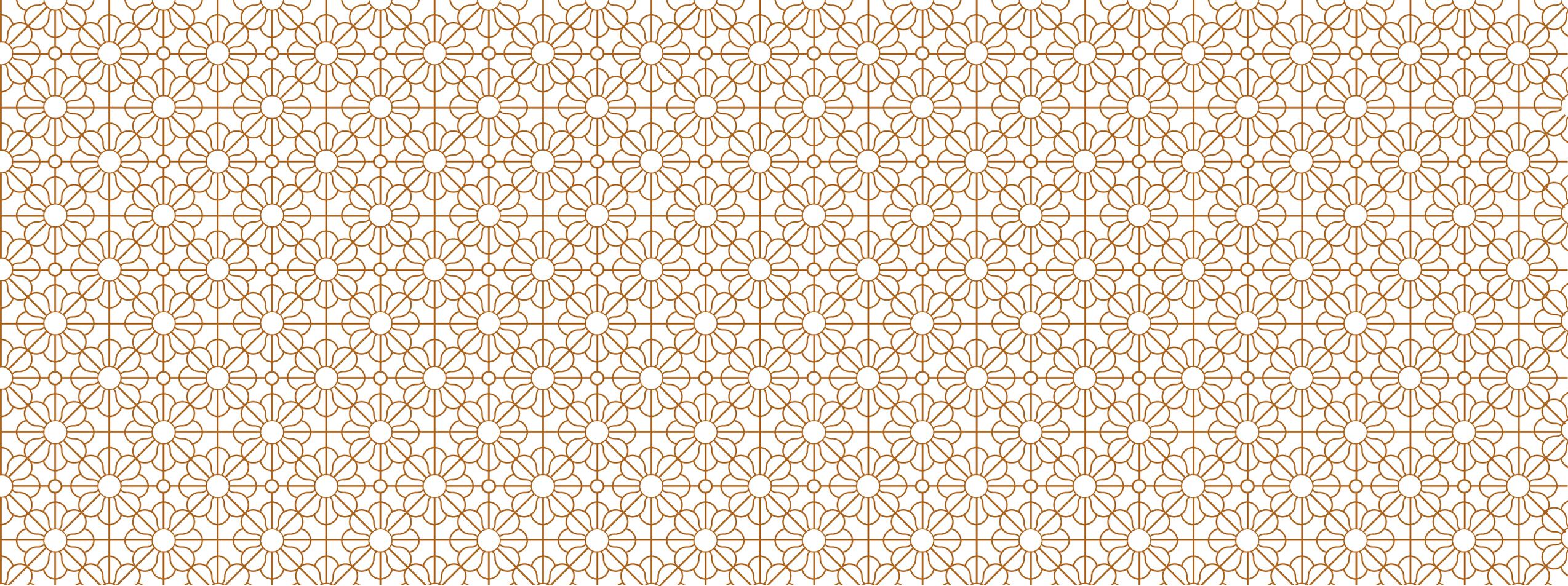
- Our turn to share our immigrant stories



LPC STUDENTS

- Please welcome our student panel.





BEST PRACTICES



HOW TO SUPPORT UNDOCUSTUDENTS

UndocuStudents may be experiencing:

- Stress
- Anxiety
- Depression
- Substance abuse

Due to a variety of factors:

- Uncertainty and fear about their own legal status
- Experiencing the deportation of a family member
- Sense of isolation
- Financial struggles due to limited job/financial aid opportunities
- Being treated unfairly or negatively by faculty, counselors, other students, financial aid officers, administrators, and security guards/campus police.



HOW TO SUPPORT UNDOCUSTUDENTS

- ❑ Be aware that “one term does not fit all” - Undocumented, AB-540 (“Dreamers”), DACA
- ❑ Participate in training opportunities, conferences
- ❑ Always be mindful of language, do not use words like “illegal” or “Alien” when referring to undocumented individuals
- ❑ Be sensitive and discrete when talking about documentation status
- ❑ Be empathetic and supportive – give students a safe space.
- ❑ Add the following to your syllabus:
“Undocumented Students: If you are an undocumented, DACA, or AB540 student, you can learn more about the supports available at the LPC Dreamers website. <http://www.laspositacollege.edu/dreamers/index.php>”

HOW TO SUPPORT UNDOCUSTUDENTS

- ❑ Refer students to resources & supports on and off campus (Dreamers @ LPC website)
- ❑ Be encouraging, but also realistic about possible limitations (i.e. citizenship requirements or background checks for certain programs like Nursing)
- ❑ Discuss career options after graduation:
 - Graduate school
 - DACA students can work legally
 - Alternate options – participating in LLC or Independent Contracting (see Immigrants Rising for entrepreneurship resources)
 - Internships and apprenticeships.

UNDOCUALLY PAMPHLET

- We are working on a pamphlet for our UndocuAlly members so we can better serve our undocumented students.



STUDENT SCENARIO

What would you do?

A student tells you that he is considering applying for financial aid using his older sibling's SSN, who is not attending college. However, he worries that it may affect his sibling.

How should an **Ally** handle this situation?



STUDENT SCENARIO

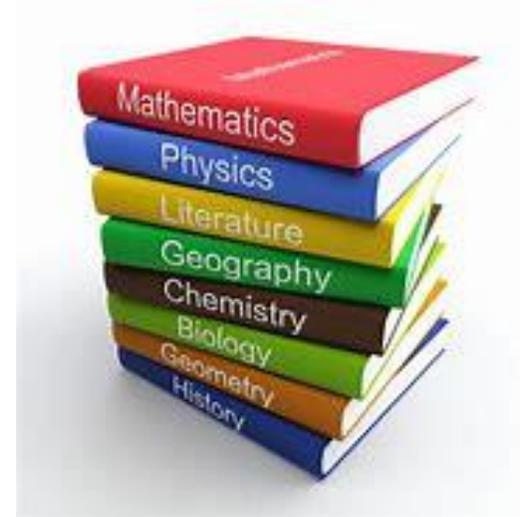
What would you do?

You observe that one of your student is visibly distraught, depressed. After asking them, they share that they feel like giving up on getting their degrees and exclaim “It’s pointless!”. You then learn one of their family members has been deported.

How could an **Ally** respond to the students?



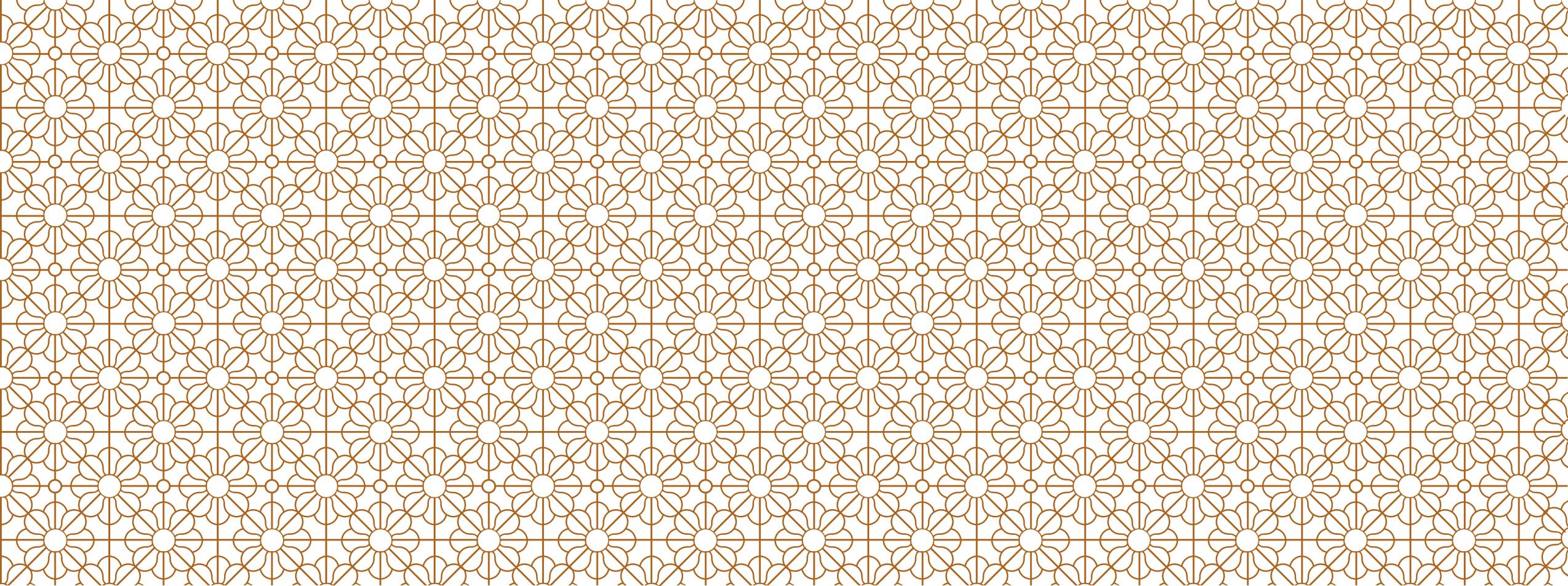
STUDENT SCENARIO



What would you do?

A student of yours is struggling with their courses. They share that they must work to help at home. You learn that they believe they are ineligible for financial aid and cannot afford to buy their textbooks or course materials on time.

How could an **Ally** respond to the students?



RESOURCES ON CAMPUS



DREAMER RESOURCES @ LPC

- ❑ [Dreamers @ LPC website](#). Start here!
- ❑ UndocuAlly Pamphlet (coming soon)
- ❑ Student Health and Wellness Center, #1701
- ❑ Counseling Office, 1st Floor, bldg. 1600
- ❑ EOPS, #1668



DREAMER RESOURCES @ LPC

□ Additional Support Programs/Learning Communities

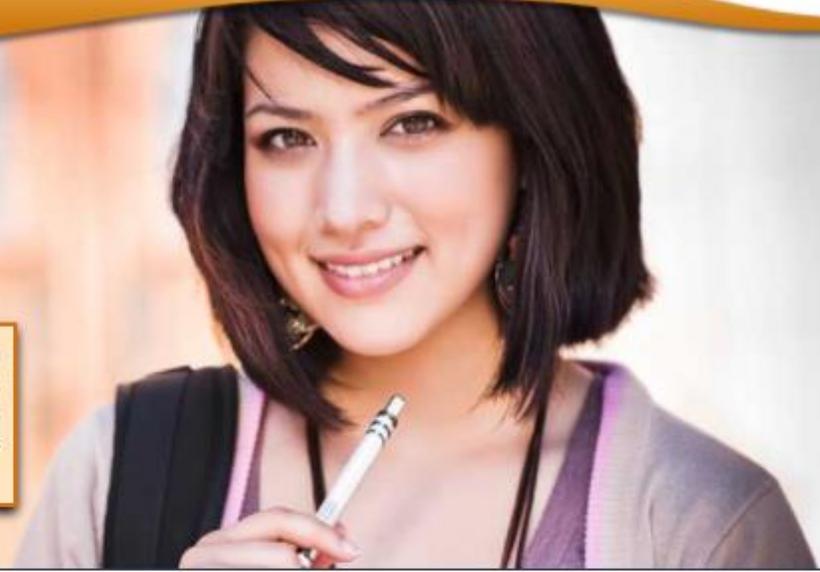
- DSPS/Disability Resource Center, #1615
- Veteran's Resource Center, #1310
- Tutorial Center, # 2401
- Puente
- Umoja
- HSI "Gateway to Success"



GO TO: [HTTPS://DREAM.CSAC.CA.GOV](https://dream.csac.ca.gov)

CALIFORNIA DREAM ACT Apply by March 2

The California Dream Act Application allows students enrolled in eligible California Colleges, Universities and Career Education Programs to apply for state financial aid. This application is unrelated to the federal Deferred Action for Childhood Arrivals (DACA) program.



[Check out our California Dream Act information & resources.](#)

Announcements:



- [Message from the Executive Director for Dreamer students and their families.](#)
- To apply for a Cal Grant submit a California Dream Act Application by **March 2**.
- Due to scheduled site maintenance, the on-line California Dream Act Application will be unavailable every Wednesday and Sunday from 11:30 p.m. to 2:30 a.m. (PST).



NEW to the CA Dream Act? First Time User?

- * Start a NEW application
- * Get Started!



Start



Returning User to CA Dream Act?

- * Complete a saved application
- * Make a correction to your application
- * Renew your application
- * Add a school



Login



Submit Parent Signature

- * Request a Parent PIN
- * Forgot your Parent PIN?
- * Sign the Student Application



Parent
Signature

ON CAMPUS RESOURCES

- Food Pantry
- Transportation
- Textbooks
- The Market
- In the future we hope to include reduced or free printing, free or reduced calculator rentals, ect.
- All of this information will be included on our Pamphlet.

KNOW YOUR RIGHTS

United We Dream – [Know Your Power](#)

Know Your Power

Defend yourself: At Home



- Keep **calm**.
- **Do not open** the door.
- If immigration agents enter your home without your permission, verbally **express that you do not give them permission** to enter your home or search your belongings. Ask for a search and arrest warrant.
- **Do not answer any questions**, exercise your right to remain silent. If you do choose to answer questions, remember to not lie.
- **Do not sign** any documents.
- Ask to speak with your lawyer or a loved one.
- If you feel safe, **record the event** with your cell phone either through video or audio only.

ICE Lies: Do not agree to what ICE asks, for example, do not follow them to their office, to immigration offices like USCIS or do not agree to meet them for coffee.

While asserting our rights does not guarantee the stop of arrest at the moment, it is important to exercise our rights to facilitate our defense. You are not alone. Our movement is ready to support you, fight for your freedom, and reclaim the humanity of our community.



KNOW YOUR RIGHTS

United We Dream – [Know Your Power](#)

Know Your Power



☑ Prepare yourself: At Home

- Fill out your preparedness plan, put it in a folder and label it "**Privilege & Confidential**" and give it to a person you trust.
- **Create a plan in advance** with your family and friends, assigning who will be in charge of your case and who will support at different capacities.
- Make sure your photos and videos are **being synced** to your virtual account like the Cloud or Google photos, in case you record the interaction with ICE so that other people can get it.
- Make sure the fences you have in your **home are closed**. This means that the gating has to be closed with a lock at all the time.
- **Paste a 'Know Your Rights' flyer** and a reminder to record any interaction with ICE inside your door.

- Download the **Notifica app** and add your emergency contacts with an emergency message. We suggest that this message includes the contact of the trusted person that has your preparedness packet and the person who knows your plan.



notifica

COMMUNITY RESOURCES

- California Community College Chancellor's Office
 - [Resources for Undocumented Students](#)
- California Department of Social Services
 - [List of vetted legal aid services](#)
 - Immigration services include the following six service categories: (1) Services to Assist Applicants seeking Deferred Action for Childhood Arrivals (DACA); (2) Services to Assist Applicants seeking Naturalization; (3) Services to Assist Applicants seeking Other Immigration Remedies; (4) Legal Training and Technical Assistance Services; (5) Education and Outreach Activities; and (6) Services to Assist Individuals with Removal Defense.

COMMUNITY RESOURCES

[Immigrants Rising](#)

[United We Dream](#)

[National Immigration Law Center](#)



QUESTIONS?



Thank you for attending!

UndocuAlly Task Force meetings:

1st Thursday of every month

2:00 – 4:00 pm