

Immigrant Student National Position Paper Executive Summary

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Immigrant Student National Position Paper

Executive Summary

Overview

Every year, approximately 65,000 undocumented students graduate from American high schoolsⁱ to face a future of uncertainty. Many were brought to the United States as young children by parents who either overstayed a legal visa or entered the country without inspection. Having broken no law themselves, these undocumented students face young adulthood without the benefit of U.S. citizenship and face tremendous legal barriers in seeking lawful immigration status. An estimated 5-10% of these students enter post-secondary education.ⁱⁱ A handful at the top of their graduating class are awarded merit-based scholarships or otherwise find a way to finance attendance at a Jesuit university or college – institutions with a storied history of serving immigrants and first-generation populations.

This Immigrant Students National Position Paper is a study of the situation of undocumented students at the 28 Jesuit colleges and universities in the United States and the institutional practices that affect those students. The research was conducted over two years (2010-2012) by legal and social science research teams at Fairfield University in Connecticut, Santa Clara University in California, and Loyola University in Chicago. The three lead institutions each partnered with another Jesuit university in their geographical region. Together, the six institutions represent the breadth and depth of Jesuit education, from a research university with graduate programs, law schools, and a medical school, to an all-undergraduate university with a large number of commuter and part-time students.

The study employed a mixed methods research model that included in-depth structured interviews with key staff and students at selected Jesuit colleges and universities, as well as community advocates. Additionally, a total of 110 key staff (admissions, financial aid, student services) from all 28 institutions responded to an online survey that included both fixed-choice answers and open-ended questions.

Background and Context

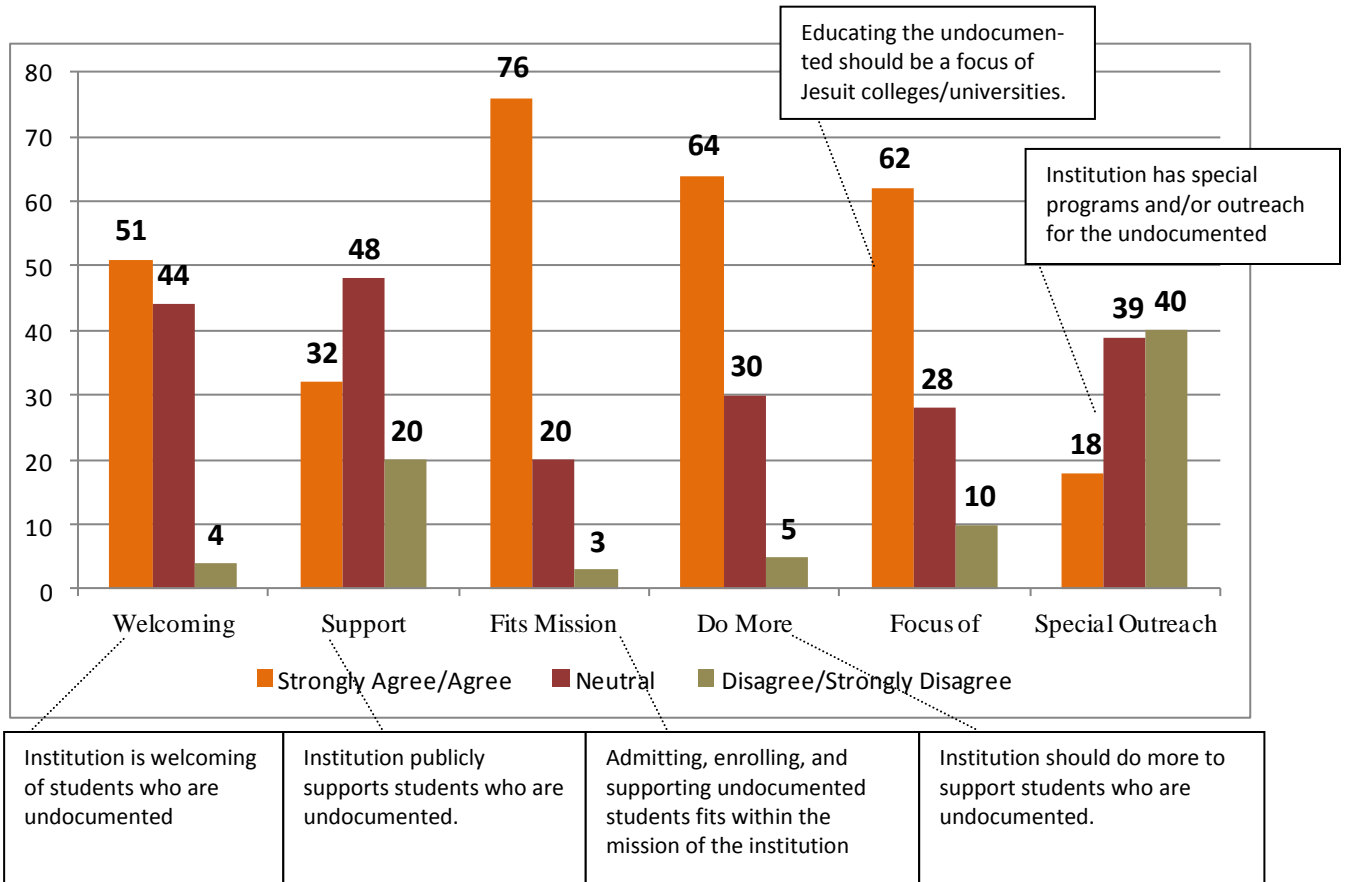
In the 2010 ACJU mission and apostolate statement, the U.S. Jesuit presidents reaffirmed their commitment to “continuing the historic mission of educating first generation students ... [and to] prioritize the education of these often vulnerable and underserved students.”ⁱⁱⁱ In addition, with solidarity as a guiding Jesuit principle, we have a global and local responsibility to help one another as co-travelers on the path of life. The Church teaches that we have a moral responsibility to help others, especially the poor and the most vulnerable, and not restrict that responsibility to our fellow American citizens but to extend it to all men and women. As citizens of the world and members of the human family, we must work toward the greater good in practical and meaningful ways.

This study takes an in-depth look at where we are today with undocumented students. What are the practices, attitudes, challenges, and opportunities in our current institutions? How do current federal and state laws and practices impact the undocumented student's college experience? Finally, how can we, as a morally-committed network of Jesuit higher education institutions, join together to collaboratively support the human dignity of undocumented students who find themselves adrift in a world hostile to their future because of a past they did not choose for themselves?

Social and Legal Research Findings

Mission & Identity of Jesuit Institutions - Staff overwhelmingly agreed that enrolling undocumented students is compatible with the mission of their institution, with over 60% supporting the idea that educating undocumented students should be an institutional priority. However, most staff recognized that their institutions do not publicly identify their support for the undocumented, and few have specific outreach programs to encourage undocumented students to apply.

Staff Survey: Undocumented Students & Jesuit Mission



The Student Experience - Across the 28 American Jesuit colleges and universities, one finding from our research is clear: there is no consistent policy regarding undocumented students. Instead, informal, ad-hoc systems involving a small number of university staff are commonplace. The consequence of this wide array of informal procedures is inconsistency and a lingering perception among undocumented students that they are not fully supported.

Admissions - All of the undocumented students interviewed for this study found the admissions process challenging. They relied on an informal network of community advocates, high school advisors and teachers, university admissions staff, community organizations, peers, and their own hard work to find their way to the Jesuit universities. Underlying the admissions process for undocumented students is the ongoing fear of exposure of lack of lawful immigration status - for themselves and especially for their families. From application to graduation, they are worried about who they can trust and whether this detail will "slip" and change their life or a family member's forever. Most Jesuit colleges and universities use the Common

Application, which includes questions about citizenship and space to provide a social security number. While most of the schools do not require an answer to either question, all the undocumented students faced a difficult dilemma regarding whether or not to reveal their citizenship status during the admissions process.

Financial Aid - Another major barrier for undocumented students is finances, as they cannot apply for or receive any federal aid, including federal work-study stipends, and state aid is limited or non-existent for them. Scholarships become essential to those lacking the financial resources to pay for college. Undocumented students at Jesuit universities receive merit-based scholarships, and those interviewed were among the highest academic achievers in their high schools. However, even with such scholarships, undocumented students still struggle financially, with even modest costs such as books presenting additional financial strain.

On-Campus - A number of students we interviewed mentioned that they experienced culture shock coming to college because the campus demographics were so different from where they came from. Usually first-generation college students from families with limited financial means have difficulty adjusting to college life among affluent fellow students. They reported experiencing discomfort in class if the discussion turned to immigration issues, and most have encountered hostility toward the undocumented from their classmates and some faculty. However, students report that they are much more comfortable revealing their status to their peers than university staff for fear of legal repercussions to themselves and their families. This reluctance limits the ability of the university to respond appropriately to their needs. They also have found many university staff unhelpful or unqualified to provide assistance to overcome the challenges created by the students' immigration status.

Career Counseling - Staff unanimously agreed that the largest barrier facing undocumented students is post-graduation employment, because without lawful immigration status, job options are severely limited in the United States. From the time undocumented students decide on a major, they begin turning to university staff with post-graduation concerns. Interviews with students revealed that being undocumented sometimes swayed their choice of major. They expressed interest in careers such as teaching, accounting, engineering and health, but realized that those careers required certification that they were unable to apply for because of their status, or included an internship requirement they could not meet. Other barriers these students face include working on campus, traveling abroad (for study and/or alternative break trips), and taking on-campus leadership positions such as resident assistants or student government when pay is involved. Students also face limitations to participating in research, attending academic conferences, and obtaining outside work experience - especially if the activity is supported by government funding or requires a background check.

Legal Implications - Confusion surrounds the legality of admitting students to institutions of higher learning, both private and public. The 1982 U.S. Supreme Court decision in the case of *Plyler vs. Doe* guarantees the undocumented population a free public K-12 education under the Equal Protection Clause of the Fourteenth Amendment. It did not, however, address the issue of access to higher education. Federal law does not prohibit the admission of undocumented students to public universities or colleges; however states may admit or bar undocumented students from enrolling as a matter of policy or through legislation. A vast majority of states do not prohibit the admission of undocumented students to public institutions, while private universities are free to admit undocumented students regardless of state laws.

On June 15, 2012, the undocumented community welcomed the opportunity to receive work authorization under the new Deferred Action for Childhood Arrivals (DACA) program. Individuals who receive deferred action from removal may apply for and obtain employment authorization for the period of deferred action if they can establish an economic necessity for employment. However, while DACA offers some relief to the barriers undocumented students face, it only covers a limited segment of the undocumented population that meets all the specified qualifications, including age and residency restrictions.^{iv} While DACA does open up the possibility of international travel to grantees whose subsequent application for advance parole travel documents for "humanitarian, education, or work purposes" has been approved, it is not at this time advised that students leave

the country. DACA is discretionary, and there are unresolved and emerging issues about triggering the three- or ten-year unlawful presence bar through travel.^v The DACA program could be applied unevenly, and worse, be revoked or modified at any time, thus instilling fear and uncertainty. It neither confers a valid immigration status nor offers a path towards one; it does not include the students' family unless they independently qualify.

Jesuit Reflection and Moral Framework

The system of Jesuit higher education in this country mirrors in many ways the breadth and diversity of private higher education in the United States. What sets Jesuit schools apart is their collective reputation for promoting the common good through their approaches to serving students and the community and through the incorporation of Catholic Social Teaching in their educational projects. Jesuit schools have, since the time of Ignatius, been intentionally structured to educate without discrimination and to provide *cura personalis* (care for the entire person). As institutions, we seek to enhance the common good, including directing our efforts toward creating the social conditions where everyone in society can flourish and reach their full human potential.

If the whole Jesuit system of higher education in the United States were to become fully engaged in the challenges and issues of undocumented students, other colleges and universities could be emboldened with their own unique senses of mission and identity to exercise new models of leadership in this area of immigration. In the United States today many bright, talented, and motivated – but undocumented – high school students who were brought to this country by their parents are prevented from developing their full potential and are therefore limited in their ability to contribute to the civic life of this country. Through its research and broad support, this study has sought to explain the current situation and practices at Jesuit institutions and examine the concerns and perceptions of students, staff, and faculty on this critical issue. We have tried to present a deeper understanding of the complex lives of undocumented students with the hope that this study will generate more public compassion for them.

This policy paper presents a way of proceeding on this issue that informs and helps shape the national educational discourse on this area of immigration and attempts to make a substantive contribution to the common good of the nation from a principled Catholic perspective. We strenuously defend the position that giving these young people legal status will enable them to make their unique contributions to the common good of the United States, and fulfill our Jesuit and Catholic mission to serve immigrant students – a mission rooted in our past and capable of energizing our future.

Summary of Recommendations

Both ongoing problems and successful institutional practices have been unearthed through this study, and we recommend developing a collaborative model of new practices among Jesuit colleges and universities that will support undocumented students in these unsettling and turbulent times. A summary of recommendations follows.

Mission

- Articulate clearly and publicly (through a Mission Statement, Viewbook, catalogue, website, etc.) that the university's mission includes providing access to higher education for *all* students, including the undocumented.
- Be prepared to explain that providing financial aid to the undocumented, within the parameters of the university's resources, is part of the university's mission.
- Support reform of U.S. immigration law and include a path to citizenship for undocumented students. Publicize the fact that a majority of the Jesuit Presidents has already signed an ACCU document supporting a path to citizenship.

Admissions

- Designate specific admissions staff who will have the responsibility to work with applicants who are undocumented. When key staff leave the institution, insure this responsibility is passed on to a successor.
- Provide training for all admissions staff so they understand and can help undocumented students through the admissions process.
- Modify application forms to be clear that a student does not have to include a social security number or their citizenship status to apply.

Financial Aid

- Clearly identify the financial aid that is available for undocumented students.
- Create a list of outside scholarships that undocumented students can apply for, and assist them in completing such applications.
- Recognize that the financial challenges these students face continue throughout their education, including the challenge of paying for books, transportation, lunch, lab fees, and more.
- Explore the creation of a “Common Fund,” initially with outside sources, to provide financial aid to undocumented students at all Jesuit universities.

On-Campus

- Train student services/ support staff to understand the challenges undocumented and other students with limited financial resources face, particularly how to protect the privacy of undocumented students.
- Design specific staff to support undocumented students and insure that the students are aware of who they are.
- Understand that many undocumented students have family obligations that can create significant demands on their time.
- Insure that undocumented students, who often live at home and commute to campus, can fully participate in university life, both academic and extracurricular.
- Identify legal resources at the university and in the community that can provide counseling for undocumented students.

Career Counseling

- Train career placement staff on what undocumented students can do after graduation.
- Create a database of alumni who were undocumented or who can assist undocumented students with their post-graduate career.

ⁱ R.G. Gonzalez, *Young Lives on Hold: the College Dreams of Undocumented Students* (New York, NY: College Board, 2009).

ⁱⁱ A. Russell. *State Policies Regarding Undocumented College Students: A Narrative of Unresolved Issues, Ongoing Debate and Missed Opportunities* (Washington D.C.: American Association of State Colleges and Universities, 2011).

ⁱⁱⁱ “The Jesuit, Catholic Mission of U.S. Catholic Jesuit Universities,” 7. Association of Jesuit Colleges and Universities, Washington D.C., 2010.

^{iv} For a more complete elucidation of DACA requirements, see USCIS DACA FAQ.

^v Dan Berger and Stephen Yale-Loehr, *Deferred Action for Childhood Arrivals: Should Undocumented Young People Apply?*, 2012 LexisNexisEmerging Issues 6632 (September 2012).