DREAMING of Higher Education

Working with DACAmented/Undocumented Students in Charter Schools
Who we are:

- **Fatima Cristerna-Adame**: Regional Director - Inland Empire - CCSA
  - [FCADAME@CCSA.ORG](mailto:FCADAME@CCSA.ORG) Phone Number (213) 634-3937

- **Fiorella Del Carpio**: Director, Special Projects and Staff Relations – CCSA
  - [FDELCARPIO@CCSA.ORG](mailto:FDELCARPIO@CCSA.ORG) Phone Number (213) 634-0604

- **Adan Lupercio**: Regional Director, Santa Clara County – CCSA
  - [ALUPERCIO@CCSA.ORG](mailto:ALUPERCIO@CCSA.ORG) Phone Number (510) 344-7229
Dreaming of higher education...

“Caught in unfair circumstances, undocumented students—most of them coming of age in the United States—face uncertain futures, their dreams and potential thwarted by roadblocks to higher education. Undocumented students have to navigate a complex web of federal, state, and postsecondary institution policies in order to achieve a postsecondary education. The fact that they are too often locked out of colleges, universities, and other institutions of higher education is a loss not only for them but for the country as well. This lack of access to higher education means that potential entrepreneurs, highly skilled workers, and middle-class consumers and taxpayers will not be there to grow our economy. It is up to policymakers to unblock the path to a brighter future for thousands of young, eager students and for the country as a whole.”

Zenen Jaimes Pérez is the Policy Advocate for Generation Progress at the Center for American Progress.
 Disclaimer:

- **What is this?**
  - An opportunity to learn how we can help ALL children under our care attain higher educational opportunities
  - Learn the language being used to describe some youth under our care
  - Understand how to be an ally and or educated professional who can help

- **What this isn’t?**
  - This is not an opportunity to debate immigration policies
  - This is not legal advice and should bot be used as such

- **Who we are?**
  - We are dedicated professionals with a deep yearning to teach and educate the charter community about students like you and me

- **What we are not?**
  - We are not lawyers
  - “What charter schools should know and do in response to the increase Immigration Enforcement affecting their students and families” (Tuesday, March 21 @ Hyatt Regency Room F)
What is it and what is it called?

Words matter
Migration/Immigration/Emigration

**Migrate** seasonal movement, not permanent - like bird in the winter.

**Emigrate** means to leave one's country to live in another.

**Immigrate** is to come into another country to live permanently.

- Each individual country has different categories for legal migration.
- Each individual country has different criteria for adjusting legal status after authorized and non-authorized migration.
- Some countries have a set number of visas and after maximum is reached no more can be added (congress determines numbers).
- “Back of the Line”: depending on the country of origin some people can be on the “wait list” for a visit for several decades. While for others there is no place in line or a line.
What Is Deferred Action for Childhood Arrivals (DACA)

- On June 15, 2012, the Secretary of Homeland Security announced after a Presidential Order that certain people who came to the United States as children and meet several guidelines may request consideration of deferred action for a period of two years, subject to renewal. They are also eligible for work authorization. Deferred action is a use of prosecutorial discretion to defer removal action against an individual for a certain period of time. Deferred action does not provide lawful status. - USCIS

- NOT a permanent fix and eligible applicants must re-apply every two years

www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca
Active State Laws

**AB 540/AB 2000**

- On October 12, 2001, Governor Gray Davis signed into law Assembly Bill 540 adding a new section to the California Education Code.

- Section 68130.5 created a new 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. AB 2000 expanded the scope of AB 540 in 2014.

- A student may qualify for exemption from nonresident tuition...either by high school attendance in California for three or more years

- or by either elementary or secondary school attendance,

- or both in California for a total of 3 or more years and

- attainment of credits earned in California from a California high school equivalent to 3 or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of these schools.”

- Must register or is currently enrolled at an accredited institution of public higher education in California;

- Must file or will file an affidavit as required by individual institutions, stating that the filer will apply for legal residency as soon as possible;

- Must not hold a valid non-immigrant visa (F, J, H, L, A, E, etc.)
California DREAM Act (Application) 2012

- AB 13 and AB 131
- The California Dream Act allows undocumented and nonresident documented students who meet certain provisions to apply for and receive private scholarships funded through public universities, state-administered financial aid, university grants, community college fee waivers, and Cal Grants
- Tied to AB 540 eligibility
- The CA Dream Act Application (CADAA) is used by undocumented students who meet the eligibility requirements of AB 540. The application can be found at www.caldreamact.org. The California Student Aid Commission (CSAC) processes the application and any aid received can only be used at eligible California public or private institutions.
Key Dates for the California DREAM Act Grant:

**October**
- Cal Grant GPA submission begins
- Talk to your high school about submitting your GPA before March 2
- Online CA Dream Act Application opens
- Make sure you submit the CA Dream Act Application before March 2
- Get help at a Cash for College workshop in your area

**March 2**
- March 2, is the priority financial aid filing deadline for most colleges and universities and the absolute deadline for submission of your Cal Grant application (CA Dream Act Application + GPA)
- If you or your school submits your certified GPA using your DACA SSN, make sure you include that DACA SSN on question #8 of your CA Dream Act Application
- Better yet, submit a Non-SSN GPA to the CA Student Aid Commission

**After March 2**
- Some colleges, especially community colleges, accept the CA Dream Act Application throughout the year. Check with your campus Financial Aid Office.

http://www.csac.ca.gov/dream_act.asp
NON-Active and Upcoming Federal Bills

Federal DREAM Act (proposed 2001-2011)

- The Development, Relief, and Education for Alien Minors Act, or DREAM Act, would have provided a pathway to legal status for the thousands of undocumented students who graduate from high school each year. On May 11, 2011, Senator Richard Durbin (D-IL) and Representative Howard Berman (D-CA) introduced the DREAM Act as S. 952 and H.R. 1842, respectively.
- Would have provided a semi-permanent/permanent pathway for students who qualify to achieve legal status
- Did not pass and is NOT active

BRIDGE Act (current)

- Introduced in 2016 by Senators Lindsey Graham (R-SC) and Dick Durbin (D-IL)
- "Bar Removal of Individuals who Dream and Grow our Economy Act" would provide temporary relief from deportation and employment authorization to individuals who are eligible for the Department of Homeland Security's Deferred Action for Childhood Arrivals ("DACA") program.
- The BRIDGE Act would not provide a pathway to U.S. citizenship. It would only allow people who are eligible for—or who already have—DACA to receive work authorization and provisional protected presence.
SAFE SPACE TOOLS
Becoming an Ally

- Create a welcoming and supportive campus environment for immigrant students, **thus assisting their integration into campus life**
- Encourage faculty and staff to become **knowledgeable** about the needs, concerns, and issues of DACAmented/undocumented (unprotected) immigrant students and their families
- Educate faculty and staff about relevant **immigration laws impacting students and related student issues and challenges**
- Establish a school wide network of easily visible allies that can provide support, information, and assistance to undocumented students

Provide DACAmented/undocumented immigrant students with comfortable access to: trustworthy, knowledgeable, and sensitive people that can provide a safe and nondiscriminatory environment

http://undocu.berkeley.edu/undocumented-student-support/become-an-ally/
I want to do more
I want to do less

The most important thing is to listen first
Offer help or referral when help is asked for
Reserve judgment for actual court Judges
Only do as much or as little as you are comfortable with

https://youtu.be/svtkDV_xVNo
Helpful Resources:

U.S. Citizenship and Naturalization Services

California Student Aid Commission
http://www.csac.ca.gov/

California Charter Schools Association
http://www.ccsa.org/2017/01/charter-schools-are-safe-spaces-for-all-students-a-toolkit-for-ca-charter-schools.html#tab-immigration_rights_resources

AB 540
http://ab540.com/

Catholic Legal Education Network
https://cliniclegal.org/sites/default/files/advocacy/stateandlocal/Stay-Up-To-Date-on-Your-State%E2%80%99s-Political-Process.pdf
http://www.apa.org/topics/immigration/

Living in fear of deportation is terrible for your health. They tell me now that fears and powerlessness and uncertainty are causing many to be increasingly anxious and angry, depressed and withdrawn. Over time, such chronic stress, unaddressed, will make them far more vulnerable to heart disease, asthma, diabetes and post-traumatic stress disorder.

We’re learning that disrespect, discrimination and detention can have long-term physical and psychological consequences — on those who observe as well as those who experience them. Over the past few years, surveys and qualitative research have begun to reveal the extent of the physical and emotional effects. And a study published last month in the International Journal of Epidemiology by University of Michigan researchers provides hard biological evidence that these changes can be transmitted to the next generation.
“They shouldn’t be very worried,” Trump told ABC News. “I do have a big heart. We’re going to take care of everybody. ... Where you have great people that are here that have done a good job, they should be far less worried.”


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