

AN OVERVIEW OF COLLEGE-BOUND UNDOCUMENTED STUDENTS

COMPILED AND PUBLISHED BY EDUCATORS FOR FAIR CONSIDERATION (E4FC)

The Definition of an Undocumented Student

An undocumented student is a foreign national who: (1) entered the United States without inspection or with fraudulent documents; or (2) entered legally as a nonimmigrant but then violated the terms of his or her status and remained in the United States without authorization (*as defined by the National Immigration Law Center*).

Most college-bound undocumented students:

- have lived in the United States most of their lives
- been brought to the U.S. by their parents at a young age
- learned English and think of themselves as American
- attended elementary, middle, and high school in this country
- excelled academically in high school and want to pursue a college education
- currently lack a way to become legal residents or citizens in the U.S.

The Undocumented Population*

<i>11.5 to 12 million</i>	Undocumented immigrants of all ages living in the United States
<i>1.8 million</i>	Undocumented children under the age of 18 living in the United States
<i>65,000</i>	Undocumented students who graduate each year from high school in the United States
<i>7,000 – 13,000</i>	Undocumented students who are enrolled in college throughout the United States

California is the state with the largest number of undocumented students. With about 40% of undocumented immigrant students living in the state, an estimated 3,500 – 5,000 of these students are enrolled in California's colleges and universities.

**Sources for these statistics include the Pew Hispanic Center and the Urban Institute.*

Challenges that Undocumented Students Face in Pursuing a College Education

Financial Obstacles

The primary obstacle for a college-bound undocumented student is financial. Based on current government policies, undocumented students cannot qualify for federal or state-based financial aid, including grants, work study jobs, or loan programs. The cost of full-time enrollment as a college student ranges from \$15,000 - \$40,000 per year. Without financial aid, the costs of attending a college can often be prohibitive for undocumented students and their families.

In-state Tuition for Public Colleges and Universities

Ten states currently have laws that allow undocumented students to qualify for in-state tuition at the public universities in their state of residence. To receive the in-state tuition discount, undocumented students need to have attended for at least three years and graduated from a high school in their state of residence.

The states with in-state tuition policies for undocumented students include California, Illinois, Kansas, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, and Washington. In November 2006, voters passed a proposition in Arizona eliminating in-state tuition for undocumented students, which has resulted

in significant protests. Additionally, Texas and Oklahoma allow qualifying undocumented students to receive state-based financial aid.

Private Colleges and Universities

Almost all private colleges and universities classify undocumented students as international students and consider their financial situation in determining admissions. In this process, undocumented students compete with students from every country in the world for a handful of enrollment slots. For these schools, an undocumented student's ability to fund their entire four years of college is considered in admissions decisions. The cost of attending a private college for four years ranges from \$80,000 - \$200,000. Because of these policies, thousands of qualified and competitive undocumented students are denied admission to private colleges every year.

Federal and State Legislation Affecting Undocumented Students

Federal Law

Plyler vs. Doe - In 1982, this Supreme Court ruling determined that a K-12 education is a fundamental and protected right and will be provided to all children in the United States, regardless of citizenship or residency status.

Family Educational and Privacy Act (FERPA) – This federal law protects the privacy of student records at educational institutions, including elementary and secondary schools, colleges, and universities.

California State Law

Assembly Bill 540 (AB 540) was passed in 2001 and allows undocumented students who complete at least three years of high school in California to receive the reduced in-state tuition at the state's public colleges and universities (Cal State University, University of California, and CA Community Colleges).

DREAM Act

The Development, Relief, and Education for Alien Minors or DREAM Act has been proposed in federal and California state government. While there have been several variations of the law, the goal of the DREAM ACT has been to increase higher education opportunities for undocumented students. Versions of the law have proposed allowing a path to legal residency based on students' enrollment in college, the military, or community service work and making financial aid programs (such as grants, loans, and work study) available to undocumented students.

There has been widespread bipartisan support of the DREAM ACT in the past and there is speculation that this bill will be a focus of Congress and immigration reform in 2007.

Resources for Additional Information and Action Items

Educators for Fair Consideration	www.e4fc.org
National Immigration Law Center	www.nilc.org
Mexican American Legal Defense Education Fund	www.maldef.org
Pew Hispanic Center	www.pewhispanic.org
Urban Institute	www.urban.org

For more information about Educators for Fair Consideration, please visit us online at www.E4FC.org.