

Immigrant Student National Position Paper

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. 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 higher education.

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.

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 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.

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 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 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.

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.

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.

On-Campus - A number of students interviewed mentioned that they experienced culture shock coming to college because the campus demographics were so different from where they came from. 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.

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. Other barriers these students face include working on campus, traveling abroad, and taking on-campus leadership positions such as resident assistants or student government when pay is involved.

Legal Implications - 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.

The Deferred Action for Childhood Arrivals (DACA) program was announced on June 15, 2012. Individuals who receive deferred action from removal may apply for and obtain employment authorization for the period of deferred action. 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} 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. 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. 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.

Staff Survey: Undocumented Students & Jesuit Mission

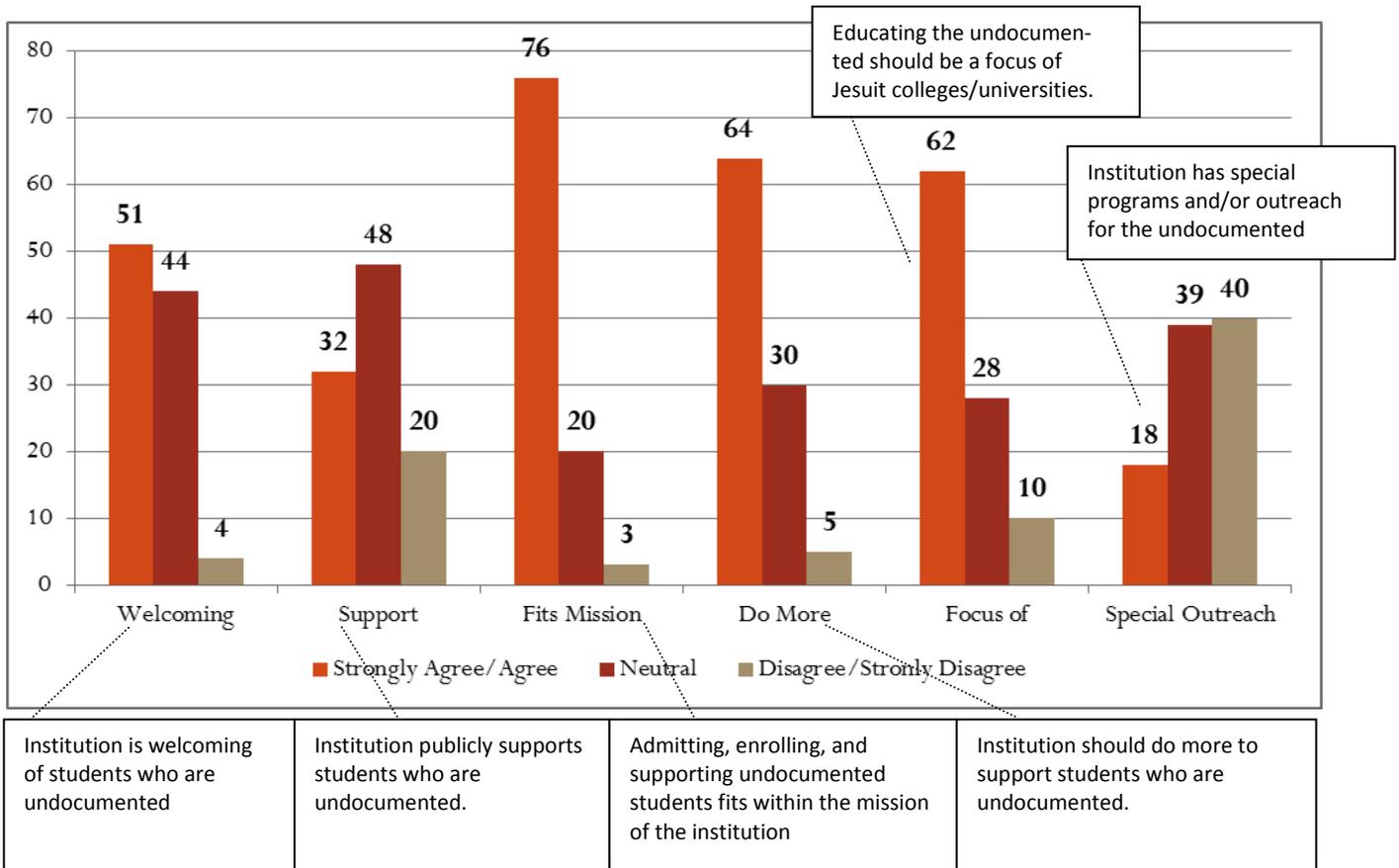


Table 1.

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.