

Immigration Terminology For Educators and Service Providers

Affidavit: In the context of education it is a supporting document used to confer in-state tuition for undocumented students. It serves two purposes: 1) to verify that the student meets the educational requirements and 2) to certify the intent to establish legal residency once given the opportunity. An affidavit is used only in states that offer in-state tuition rates to undocumented students, Washington State being one of them.

Asylum Seeker: A person who has left their home country as a political refugee and is seeking asylum in another. Both asylees and refugees are considered persons who are subject to persecution because of their race, religion, nationality, political opinion, or membership in a particular social group. Asylum seeker applies to persons that are *already* within the United States or at a U.S. port of entry when applying. In most cases, asylum seekers must apply within one year of arrival. They will receive a work permit and social security number while waiting for their asylum hearing.

Comprehensive Immigration Reform (CIR): Reform of the immigration system as a whole. Some issues that are discussed in CIR are border enforcement, border security, adjusting the status of the undocumented population living in the U.S., visa reforms, among others.

DACAmented: The term is used by *some* undocumented individuals who have received DACA.

Deferred Action for Childhood Arrivals (DACA): Program announced on June 12, 2012 by President Barack Obama to protect eligible individuals from deportation and access a work permit for 2 years. The individual must have arrived before the age of 16, have a clean record, etc. Deferred Action does not provide a green card or pathway to citizenship.

DREAM Act: The Development Relief and Education for Alien Minors (DREAM) Act is a piece of legislation proposed to provide a pathway to permanent residency and U.S. citizenship for qualified undocumented immigrant students. The DREAM Act has been proposed several times in Congress since 2001, but has not been approved.

DREAMer: An undocumented person who was also part of the DREAM Act movement.

Dropping The I-Word: "Illegals" is a racially charged slur used to dehumanize and discriminate against immigrants and people of color regardless of migratory status. The Applied Research Center (ARC) and Colorlines have presented the Drop The I-Word campaign to eradicate the slur "illegals" from everyday use and public discourse.

Entry without Inspection: In the context of immigration laws, this refers to entering the U.S. borders without being inspected by a U.S. immigration official. The phrase is often shortened to EWI. This term is most commonly used to refer to crossing the Mexican or Canadian border without having any contact with an immigration official.

Family Educational Rights and Privacy Act (FERPA): A Federal law that was enacted in 1974. FERPA protects the privacy of student education records, which applies to all schools (K-12 and Post-Secondary). Overall, this law protects record of immigration status of all students.

F-Visa: Visa issued to students who are not from the United States but who are attending an academic program or English language program at a U.S. college. These eligible students are required to maintain a full-time course load for the entirety of their approved stay.

Generation 1.5: Refers to immigrants who were brought to the U.S as young children. The label comes from the groups' special place as first generation people who migrate to this country during childhood and feel strong identification with the U.S. and their native country.

House Bill 1079 (HB 1079): Washington State law signed on March 7th 2003, which allows eligible undocumented students to pay in-state tuition at public higher education institutions. Must fill out HB 1079 Affidavit and send it to the higher education institution to qualify as a Washington State resident and to be able to pay in-state tuition.

Immigrant: In U.S. context, this term refers to all people who are born outside of the United States. Some people also use the term foreign born.

Individual Tax Identification Number (ITIN): A U.S. tax processing number, issued by the Internal Revenue Service to individuals who are required to have a taxpayer identification number but who are not eligible to obtain a social security number.

International Student: Most colleges and universities consider any student who currently holds a visa of any type or is seeking a visa to be international. Undocumented students are not viewed as international applicants because many do not qualify for a visa, in addition undocumented students should not have to go through the international admission process as they cannot provide an international student visa.

Legal Permanent Resident (LPR): LPR is also known as a "green card" holder and is defined by immigration law as a person who has been granted lawful permanent residence in the U.S. This provides a pathway to citizenship after 3 or 5 years.

Mixed Status Family: Refers to a family whose members include people with different citizenship or immigration statuses. One example of a mixed-status family is one in which the parents are undocumented and the children are U.S.-born citizens. As of 2012, more than a quarter of young children in the United States were children of immigrants, and over 90 percent of these children were U.S. citizens.

Naturalization: The process by which U.S. citizenship is conferred upon a lawful permanent resident after they fulfill the requirements established by Congress in the Immigration and Nationality Act (INA).

Non-Citizen: The non-citizen category applies to people born outside of the U.S. and who have not applied for or have been granted citizenship. Permanent residents also fall into this category.

Non-Immigrant Visa: Issued to the citizens of other countries coming to the U.S. temporarily. Some of the nonimmigrant categories are students (F visas), tourists (B visas), treaty investors, foreign government officials, etc.

Pathway to Citizenship: Refers to the fact that some immigration statuses are temporary and some include a green card and eligibility to apply for citizenship after 3 or 5 years of being a green card holder.

Plyler v. Doe: Supreme Court ruling of 1982 stating that the United States cannot constitutionally deny students a free K-12 public education, due to their immigration status. However, this does not apply to higher education.

Overstayed Visa: Refers to individuals who have stayed in the U.S. after their tourist, visitor, or student visa has expired and thus they become undocumented by overstaying their visa.

Refugee: A person who has been forced to leave their country in order to escape war, persecution, or natural disaster and has been granted refugee status before entering the US. Refugee status includes a work permit and a pathway to legal permanent residency and therefore citizenship.

Senate Bill 6523 (SB 6523): Washington State law signed on February 23rd, 2014, which allows HB 1079 eligible undocumented students to have access to the State Need Grant for their undergraduate degree by applying through the Washington Application for State Financial Aid (WASFA). This law is commonly known as the Washington State DREAM Act or REAL Hope Act.

Sensitive Locations: According to a policy memorandum released by the Immigration and Customs Enforcement agency in 2011, commonly referred to as the “sensitive locations memo,” ICE officers and agents are to refrain from enforcement actions at least at the following locations and events: schools (including preschools, primary schools, secondary schools, colleges and universities, and other institutions of learning, such as vocational and trade schools); hospitals; churches, synagogues, mosques and other institutions of worship, such as buildings rented for the purpose of religious services; during funerals, weddings and other public religious ceremonies; and during public demonstration.

Temporary Protected Status (TPS): A temporary immigration status granted to nationals of certain countries who are already in the U.S. and unable to safely return to their home country because of ongoing armed conflict, an environmental disaster, or other extraordinary and temporary conditions. TPS provides a temporary work permit but no pathway to permanent residency or citizenship.

Tourist Visa: Visitor visas are nonimmigrant visas for persons who want to enter the United States temporarily for business (visa category B-1), tourism, pleasure or visiting (visa category B-2), or a combination of both purposes (B-1/B-2). They are temporary and do not provide work authorization or a pathway to citizenship.

T-Visa: T Nonimmigrant Status (T visa) is a set aside for individuals who are or have been victims of human trafficking. It protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.

Unaccompanied Minors: An unaccompanied child is a child who has no lawful immigration status in the United States; is under the age of 18; and has no parent or legal guardian in the United States, or has no parent or legal guardian in the United States available to provide care and physical custody.

Unauthorized: This term is used to highlight the fact that all peoples have documents (i.e. birth certificate, a form of identification card, and so forth), but that they are residing in the U.S. without legal authorization, thus unauthorized.

Undocumented: Undocumented people are “foreign” nationals who came to the United States without legal documentation or overstayed their visas and therefore are residing in the U.S. without authorization.

U.S. Citizen: Individuals who obtain U.S. citizenship by birth in the U.S. or by process of naturalization.

U-Visa: An immigration benefit that can be sought by victims of certain crimes who are currently assisting or have previously assisted law enforcement in the investigation or prosecution of a crime.

Washington Application for State Financial Aid (WASFA): The application that eligible *undocumented students* who live in Washington State can fill out annually to determine their eligibility for state financial aid. Students granted Deferred Action for Childhood Arrivals (DACA) should complete the WASFA. Undocumented students, with or without DACA, are unable to file a Free Application for Federal Student Aid (FAFSA) due to immigration status. WASFA opens on October 1st of every year at www.readysetgrad.org/wasfa and must be submitted by the higher education institution’s FAFSA/WASFA priority deadline.