Supporting undocumented students and their families

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“To be undocumented is to have people making money out of our stories and speaking for us rather than creating space for us to speak on behalf of ourselves”
-Catalina Velasquez
Human Bingo

1. Go around the room and find a person who knows one of the terms on the sheet.
2. Once you find that person ask them what the term means to them and how they learned about it.
3. Once your conversation is over have them initial the box that has the term that they explained.
4. Continue to go around the room and ask people for their understanding of the terms
5. **NOTE:** You are allowed to initial one box on your own sheet for a term that you know!

The goal is to get a BINGO by finding a different person for each of the terms and fill in an **entire column or row.** Shout BINGO when you’re done!
What does it mean to be an undocumented person?

Undocumented people are ‘foreign’ nationals who came to the United States without legal documentation or overstayed their visas.

Video: Undocumented & Awkward

Source: Educators for Fair Consideration
“Race or people is to be determined by the stock from which aliens sprang” -1914 Bergensfjord ship manifest
1914: “The race from which aliens sprang.”

2016-17: “I attest, under penalty of perjury, that I am an alien.”
Identity and experience
• 1.5 Generation Immigrant
• **Undocumented**

Terms tied to laws and programs
• DREAMer
• HB 1079
• DACAmented

Negative and derogatory
• “Illegal” & “Alien”

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**Human Bingo**

Words that will never be able to define the complexity and reality of being a human begin and an immigrant

<table>
<thead>
<tr>
<th>Undocumented</th>
<th>Unauthorized</th>
<th>Non-Citizen</th>
<th>F-Visa</th>
<th>Citizen</th>
<th>1.5 Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Student</td>
<td>Over-stayed Visa</td>
<td>DREAMer</td>
<td>Mixed-status Family</td>
<td>DACA</td>
<td>Naturalization</td>
</tr>
<tr>
<td>DACAmented</td>
<td>UndocuQueer</td>
<td>Cultural Citizen</td>
<td>Senate Bill 6523 Real Hope Act/Washington Dream Act</td>
<td>Legal Permanant Resident</td>
<td>Dropping the “I” Word</td>
</tr>
<tr>
<td>House Bill 1079</td>
<td>Affidavit</td>
<td>DREAM Act</td>
<td>Immigrant</td>
<td>Temporary Protected Status (TPS)</td>
<td>Comprehensive Immigrant Reform (CIR)</td>
</tr>
<tr>
<td>U-Visa</td>
<td>T-Visa</td>
<td>Refugee</td>
<td>Asylum Seeker</td>
<td>ITIN (Individual Tax Identification Number)</td>
<td>Non-Immigrant Visa</td>
</tr>
</tbody>
</table>
Dismantle the “DREAMer” Narrative

“F” is for the FETISHIZATION of the overachiever Dreamer stereotype. Although you have worked hard in making it to college, the expectation that the only acceptable undocumented students are those with flawless academic records is both unrealistic and oppressive. The psychic weight of being undocumented alone inhibits academic accomplishment.

Everytime you use the word "DREAMer" - an "average" undocumented student, someone’s mom, someone’s dad, el tio, la abuelita, un "low-pro" is thrown under the bus and becomes that much more deportable. #undocumedia

Yosimar Reyes
Yesterday at 11:28 PM · Los Angeles, CA · 🗓️

Kill the Dreamer Narrative 2017

👍😊Ｘ PG and 125 others 7 Comments 2 Shares
Green Card Policies & Practices

Employment Green Cards
- Primarily benefits high skilled professionals requiring high levels of education
- There is a 5,000 cap per year for “unskilled” or “low skilled” workers

Diversity Visa
- 5,500 green cards available in a “lottery” to those from countries with low rates of immigration to the U.S.

Family Immigration
- U.S. citizens can petition for spouses, parents, children and siblings

Political Refugees
- Must prove a well-founded fear of persecution
- Not open to economic refugees

Source: Penn for Immigrant Rights, Dream Activists PA, and Immigration Policy Center
Some relatives of U.S. citizens, known as immediate relatives, do not have to wait for a visa to become available. There is no limit to the number of visas that can be utilized in this category in a particular year.

Immediate relatives include:

- Parents of a U.S. citizen
- Spouses of a U.S. citizen
- Unmarried children under the age of 21 of a U.S. citizen

Source: U.S. Citizenship and Immigration Services (USCIS)
Residency and Citizenship Pathway

Currently takes at least 10 to 25 years to qualify all dependents of personal case and current immigration political context.
Wait times for family visas

Unmarried children of US citizens:
- Vietnam - 4 years | Philippines - 13 years

Unmarried children of legal permanent residents:
- China - 8 years | Philippines - 27 years

Sibling of adult US Citizens:
- India - 49 years | China - 37 years

Married Children of US Citizens:
- China - 37 years | Philippines - 92 years

Source: Penn for Immigrant Rights, Dream Activists PA, and Immigration Policy Center
Federal Legislation & Programs that Influence Undocumented Students

1882: Chinese Exclusion Act
1954: Brown v. Board of Education
1965: Higher Education Act (HEA)
1974: Family Education Rights and Privacy Act (FERPA)
1986: Immigration Reform and Control Act (IRCA)
1996: Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)
2012: Deferred Action for Childhood Arrivals (DACA)
1924: The Johnson-Reed Immigration Act
1965: Immigration and Nationality Act
1965: Free Application for Federal Student Aid (FAFSA)
1982: Plyler v. Doe
1996: Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA)
2001: Federal Development Relief and Education for Alien Minors Act (Federal DREAM Act)
2014: Immigration Accountability Executive Action
Deferred Action for Childhood Arrivals

- Executive action that was announced by the Obama Administration on June 15th, 2012
- Allows eligible undocumented people who came to the United States as youth to apply for temporary two-year deferred action and a renewable work permit

Source: U.S. Citizenship and Immigration Services
Do **NOT** apply for the first time.

**DACA requirements**

**Who?** You might qualify for DACA if you:
- Arrived in the US before age 16
- Born on or after June 15, 1981
- Have lived in the US since June 15, 2007
- Are currently in school
- OR have a high school diploma or GED
- OR served in the US Military

**How?**
- Application fee $495
- A complete application includes:
  - Form I-821 D
  - Form I-765
  - I-765 worksheet

**Why?**
- 2 year deferment period
- Work permit
- Apply for student loans & driver's license
- Social security number

Source: Immigrant Law Group PC

Renewing deferred action for childhood arrivals

For more information: http://www.ilgrp.com/renewing-daca
What is and isn’t DACA

Amnesty
Pathway to Citizenship
Legal Status
Law – not permanent

vs

Renewable two years of deportation relief
Work authorization and social security number
Legal Presence
Executive Action

Source: United We Dream
Education Equity Laws and Policies for Undocumented Students (with and without DACA) by State
National Demographics

• 11.5 million undocumented immigrants in the U.S
  • They account for roughly 1-in-20 workers
  • 2.5 million are youth (20%)

• 4.5 million native-born U.S. children have at least one undocumented parent

• Over 3.5 million people were deported from the United States during the Obama Administration

Source: Pew Hispanic Center
Washington State Demographics

2.5 million people are undocumented youth in the United States

- 250,000 undocumented people in Washington State
- 59,000 undocumented people below the age of 24
- 43,000 undocumented people eligible for DACA in our state
- 2 students in an elementary classroom has an undocumented parent

Source: Migration Policy and KUOW
• 77,000 undocumented people live in King County
• 24,000 in Yakima County
• 22,000 in Snohomish County
• 16,000 in Pierce County

Source: Pew Research and Migrant Policy
Signed on March 7th, 2003, allows eligible undocumented students to pay in-state tuition at public higher education institutions

Eligibility

• Graduate from a Washington State high school or have obtained a GED

  AND

• Lived in Washington State for three years prior to, and continuously since receiving a high school diploma or GED

Source: Washington Student Achievement Council (WSAC)
HB 1079 Category

- Graduate from a Washington State high school or have obtained a GED

AND

- Lived in Washington State for three years prior to, and continuously since receiving a high school diploma or GED

DACA Category

- Have been granted Deferred Action for Childhood Arrivals (DACA)

AND

- Have established residency in Washington State for at least one year prior to attending a higher education institution in the state

Source: Washington Student Achievement Council (WSAC)
WASFA Filing Process

Start filing on **October 1\textsuperscript{st}** of every year at:

www.readysetgrad.org/wasfa

Source: Washington Student Achievement Council (WSAC)
WASFA Completion: Seniors & College Students

Source: Washington Student Achievement Council (WSAC)
Educators guide on raids

bit.ly/EducatorsRaidsGuide
There are service providers in our organizations who are undocumented too. How do we create safe spaces for them too?
Know your rights

wearehere
tostay.org

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you slide a warrant under the door signed by a judge or magistrate with my name on it. I do not give you permission to search any of my belongings based on my 4th Amendment rights.
Scholarship resources

Washington State Opportunity Scholarship

Scholarship Junkies

ActSix

Beyond HB 1079

College Success Foundation

the WashBoard.org
“Simply speaking out is a political act. Forming a group of educators and collaborating to create a program or assert a demand is a political act. Activist professionalism then is exhibited in such assertions and actions as helping students and their families when the current programming is not enough or is misguided. It is educators “reclaiming moral and intellectual leadership over educational debates” (Sachs, 2000, p. 81).

Source: Activist Educators: Breaking Past Limits
Join the movement

• Knowing the language: undocumented
• Being visible about your support, come out as unafraid
• Do not rely on undocumented people to teach, update you
• Educate, call out your community on undocumented issues
• Inform students and families about their rights in safe spaces
• Financially invest in the lives of undocumented people
• Protest, walk-out, put your life on the line: risk your privilege
• Allyship and advocacy is not your identity, it's an action
• **Always**, work with undocumented people
Coming Out
Undocumented Led Organizations
Immigrant Justice Groups

COLECTIVA
LEGAL DEL
PUEBLO

BARRERA
LEGAL GROUP

Northwest IMMIGRANT RIGHTS Project
Sandy Restrepo, Colectiva Legal del Pueblo (Burien, WA)
  • 206-931-1514; www.colectivalegal.org

Luis Cortes, Barrera Legal (Kent, WA)
  • 253-872-4730; www.barreralegal.com

Karol Brown Attorneys at Law, PLLC (Bellevue, WA)
  • 425-519-3617; www.blog.karolbrown.com
Additional Guides

- NWIRP Information Regarding Northwest Detention Center: [https://goo.gl/7Tlvkn](https://goo.gl/7Tlvkn)
- ICE Online Detainee Locator: [www.ice.gov/odls](http://www.ice.gov/odls)
- Deportation 101 Guide: [https://goo.gl/8VLO5O](https://goo.gl/8VLO5O)
- Migra Watch Toolkit: [https://goo.gl/wamOVX](https://goo.gl/wamOVX)
- Colectiva Legal’s Preparing for a Raid (Spanish): [https://goo.gl/bjSWuh](https://goo.gl/bjSWuh)
- Sin Fronteras Resource Guide (King & Pierce County): [https://goo.gl/qhQFmV](https://goo.gl/qhQFmV)
Action Items for Educators

• Distribute “know your rights” materials to students and communities about what to do if a raid occurs or an individual is detained.

• Connect with the Washington Immigrant Solidarity Network and find out if there is a local immigration raid rapid response team. These teams usually consist of attorneys, media personnel and community leaders who may be able to provide support.

• Partner with an attorney, legal aid organization, or immigrant rights organization to schedule a “know your rights” workshop on campus to inform students and families about their rights.

• Maintain a list of resources, such as the names of social workers, pro bono attorneys and local immigration advocates and organizations, that can be shared with your students and their families.

Source: United We Dream’s Educational Empowerment Program, the National Immigration Law Center, First Focus, and the American Federation of Teachers
Action Items for Educators

• Provide a safe place for students to wait if a parent or sibling has been detained.

• Provide counseling for students who have had a family member detained by ICE.

• Identify someone at your school who can serve as the immigration resource advocate in your building or on your campus.

• Work with your school board to pass a resolution affirming schools as welcoming places of learning for all students, distancing the schools from enforcement actions that separate families.

• Participate in National Educators Coming Out Day and “come out” in support of undocumented students.

• Participate in National Institutions Coming Out Day, held on April 19th.

Source: United We Dream’s Educational Empowerment Program, the National Immigration Law Center, First Focus, and the American Federation of Teachers.
If a student gets detained

- Contact the family—check-in and get/give updates
- Plan for contacting immigration lawyers - Northwest Immigrant Rights Project, Colectiva Legal del Pueblo, Barrera Legal Group
- Contact NW Detention Center to find out if student is being held there and obtain their A # (Immigration ID number)
  - ICE Online Detainee Locator System at: https://locator.ice.gov/odls/homePage.do
  - Call ICE: 253.779.6000 Ext 14 and ask if the individual you are looking for is at the facility.

Source: Colectiva Legal del Pueblo
Actively support the family:

• Need to find out if there is a desire from student and/or family members for making case public and applying public pressure for release in addition to legal strategy. Such as calling and petition campaign to ICE, media strategies (see detention guides)

• Fundraising campaign for bond and legal fees

• Attending Court Hearings

• Helping collect letters about student that can assist with legal case

• For longer term detention - students have rights to continue their education while being detained. Contact One America for more information.

Source: Colectiva Legal del Pueblo
Your role as an educator

• Make a plan to visit student in Detention Center
  • Who will visit student (if family members are undocumented they should be advised of risks going to the detention center)
  • Talk with family about who to have visit. Family member, teacher, and lawyer

• Find out how student is
  • What legal situation is
  • What legal options are

• How to make sure to not pass on the fear to students and families

Source: Colectiva Legal del Pueblo
Detention Numbers & Websites

- Research an immigration attorney: [www.ailalawyer.org](http://www.ailalawyer.org)
- Attorney’s licensed in Washington: [www.mywsba.org/LawyerDirectory.aspx](http://www.mywsba.org/LawyerDirectory.aspx)
- Immigration forms: [http://www.uscis.gov/forms](http://www.uscis.gov/forms)
- ICE website: [https://locator.ice.gov/odls](https://locator.ice.gov/odls)
  - To locate someone that may be detained, make sure that you have the full name of the person detained, Immigration Number (Alien #), birthdate, and country of origin
- Northwest Detention Center (NWDC) in Tacoma, WA: (253) 779-6000
- NWDC Message Line: (253) 396-1611
- Immigration Information System: 1-800-898-7180 24 hours a day
Additional Community Resources

www.undocustudentcoalitionwa.org

www.wadreamcoalition.org

www.beyondbhb1079.org

www.unitedwedream.org
WE ARE
#HERETOTOSTAY
THANK YOU for participating!

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