

The Impacts of Deferred Action for Childhood Arrivals on the Mission of Community  
Colleges

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Abstract

Deferred Action for Childhood Arrivals (DACA) has opened access to hundreds of thousands of young undocumented immigrants to temporary legal documentation, work authorization, and higher education. Despite these legitimizing items, “DACAmented” immigrants are denied access to tax-funded benefits including financial aid for higher education and are often required to pay international tuition rates at state-funded colleges. This limits opportunities to achieve higher paying positions that are now accessible with the temporary documentation granted by DACA. With its unique missions and values, close community ties, open access, lower tuition rates, and variety of academic opportunities, community colleges serve a unique capacity that can further facilitate the progress of DACA students. As such, this brief will examine the impacts of DACA in the community and in higher education, challenges faced by DACA students, and recommendations regarding how community colleges can better serve this minority population.

*Keywords:* DACA, community college, mission, deferred action, higher education

### The Impacts of DACA on the Mission of Community Colleges

Recent changes in White House administration has once again placed immigration reform, in particular Deferred Action for Childhood Arrivals (DACA), in the forefront of the political controversy in the United States. Community colleges face a unique undertaking due to their open access mission, substantially higher enrollment of undocumented students, and disparities in institutional resource availability (Valenzuela, et al., 2015). Research indicates that the implications of DACA and the authorization to work directly impacts community colleges in several areas including, but not limited to, student affairs and support, student financial aid, state-funding, and community relations between institutions and local businesses. What originally started as the *Development, Relief, and Education for Alien Minors (DREAM) Act*, DACA gave roughly 1.2 million undocumented immigrants lawful presence if they arrived in the United States as a child and met stringent requirements (Pfleger, 2016). The lawful presence offered by DACA, however, is not the same as legal status: legal presence grants access to legal documentation including a driver's license, a temporary social security number, new job opportunities, health care, and banking options while also providing temporary relief from the threat of deportation (Gonzales, et al., 2014). While there are several benefits to being "DACAmended," it lacks in several areas including no entitlement to federal financial aid for higher education, limited admission to colleges due to increased tuition rates, and as a result of higher education barriers, restricted access to advanced job opportunities. DACA also fails to provide a pathway to legalization for illegal immigrants who arrived in the United States as a child (Amuedo-Dorantes and Antman, 2017). Often, individuals who are eligible for DACA arrived in the United States young enough to not remember or have functional knowledge of their country of origin and are more likely to have intentions of remaining in the United States

versus other undocumented immigrants or visa recipients. According to Arellano (2012), “Generally, immigrants include all those who intend to move here permanently,” even if considered illegal or undocumented. Because DACA is a federal executive order and not authorized by Congress, individual states are able to implement sanctions and additional executive orders at the state level, resulting in varied state inequalities for DACA recipients (Arellano, 2012). Due to the financial aid and admissions restrictions posed on DACAmented and undocumented individuals, community colleges are taxed with finding new ways to assist DACA and undocumented students financially, politically, emotionally, and academically by understanding the foundations behind these support needs, adapting student services, and working with area employers and politicians to advocate for DACAmented students. The purpose of this paper is to provide practitioners with documented evidence related to the current known impacts of DACA on students in higher education specifically addressing challenges faced by DACA and undocumented students and recommendations regarding how community colleges can better serve this minority population.

### **History of DACA**

Undocumented immigrants have long faced challenges in accessing higher education opportunities even before the announcement of the Deferred Action for Childhood Arrivals Act on June 15, 2012 by President Obama. Disclosing an undocumented or illegal status while applying to a higher education institution could result in denial of entry, discrimination, or deportation of the student and their family. With the executive order, DACA granted hundreds of thousands of undocumented immigrants, who arrived in the United States as minors, the opportunity to gain access to critical documentation such as temporary social security numbers, drivers licenses, and health care making it possible to apply for higher paying jobs or continue

their education beyond high school. To be eligible for DACA, the undocumented immigrants must (1) be under the age of 31 as of 15 June 2012; (2) have arrived in the USA before reaching his or her 16<sup>th</sup> birthday; (3) have continuously resided in the USA since 15 June 2007, up until the time of application; (4) have been physically present in the USA on 15 June 2012 and at the time of making the request for deferred action with USCIS; (5) have entered without inspection prior to 15 June 2012 or had graduated from high school or obtained an equivalent degree, or have been honorably discharged from the Coast Guard or Armed Forces of the USA; and (7) have no criminal records or pose a threat to national security or public safety (“Consideration of Deferred Action for Childhood Arrivals (DACA)”, 2017). As a result of DACA, 59% of surveyed DACAmented immigrants stated they obtained a new job and 45% reported increased job earnings (Gonzales, et al., 2014, p. 1863).

What DACA lacks though, is permanence or any substantive benefit under DACA including no true legal immigrant status or pathway to citizenship (Arellano, 2012). Despite the fact that DACA students pay taxes which support community projects, schools, and state and federal programming (Pfleger, 2016), DACAmented individuals have limited access to or are ineligible to receive tax-funded benefits (Arellano, 2012). Those with DACA status are also subject to inconsistent and unequal state-level policies, which contributes to a higher perceived notion of discrimination by DACAmented and undocumented immigrants (Celbulko and Silver, p. 1569). DACA also does not provide legal grounds to challenge denial of employment on basis of race, gender, ethnicity, or other discriminating factor (Arellano, 2012).

### **Challenges Faced by Students of Non-Legal Status**

Students of non-legal status, including those who have received DACAmented status, face a wide-array of challenges in their aspirations to obtain higher education. Between the

complexity of eligibility, difficulties navigating the DHS website, and limited languages offered in the application, undocumented students confront challenges even before applying for DACA. Once DACA status has been granted, immigrants still face perceived or actual discrimination at institutions through the admissions process due to the general lack of knowledge of DACA.

The decreased enrollment and graduation rates of non-legal status immigrants are directly affected by conflicting regulations and policies at the federal or state level. These inconsistencies between state and federal executive orders cause significant issues in DACAmented students' access to in-state tuition rates, state documentation, and federal or state grants and scholarships. In some states, such as Missouri and Arizona, governors and state legislatures have issued state-level orders or bills instructing state agencies to deny public benefits to individuals granted deferred action, however, other populations with legal presence were not denied similar public benefits (Pfleger, 2016). Several states have threatened to reduce or remove funding for immigrant-friendly state and community colleges in addition to requiring DACA students to pay out-of-state or international tuition rates (Pfleger, 2016) ultimately causing significant financial impact on the institution. In addition, legal presence, as defined earlier, does not allow DACA students to access federal financial aid and often limits eligibility to receive state grants or scholarships (Pfleger, 2016). In her study, Terriquez (2014) examined the self-reported reasons why DACA and undocumented students withdrew from school. "The most common reason for withdrawing was not being able to afford college; this value was notably higher for undocumented students (81%) than for their peers (43%)" (Terriquez, 2014). States that implement tuition rate increases for non-legal status are aiming to "protect state resources from undocumented aliens and to encourage their self-deportation" (Arellano, 2012). According to

Arellano (2012), “Power of the executive in granting or taking away rights ultimately is constrained by the power of the legislature.”

These conflicting regulations between state and federal executive orders and state statutes leads to a perceived notion of discrimination which discourages enrollment in higher education institutions. Furthermore, a study completed by Amuedo-Dorantes and Antman (2016), found DACA significantly reduced the likeliness of higher education enrollment for individuals who met the education requirements for DACA eligibility. There was also evidence showing the increased probability of DACA-eligible males to seek employment, demonstrating the work authorization today outweighs the impacts of higher education on improved employment opportunities in the future (Amuedo-Dorantes and Antman, 2016). It is important to note with this study that statistical results are based on the short-term impacts of DACA on higher education and the labor market, with the uncertainty of DACA playing a significant role on potential long-term outcomes as well. However, as a result of the short-term impacts of DACA, fewer DACA-eligible immigrants are enrolling in school and are instead utilizing their authorization to work to provide for families. In addition to limited access to higher education and their likeliness to utilize the employment opportunities associated with DACA, students of non-legal status often experience isolation and fear of potential deportation of self, family, or friends due to ever-changing political environments (Andrade, 2017, p. 8) which further compounds the challenges faced by this unique minority group.

### **Community College Support for Non-Legal Students**

Community and state colleges can better serve the legal and non-legal presence population by providing additional support services on campus and by training faculty and staff in order to counteract notions of discrimination (Valenzuela, et al., 2015, p. 93). This support

begins with validation theories which “posits that nontraditional, underrepresented, culturally diverse, and marginalized students do not integrate or become involved in college campuses the way that traditional students do” (Andrade, 2017, p. 3). This suggests that institutions must study and promote an understanding of students who do not fit the traditional student mold and adapt to the needs of these students. Often, nontraditional and minority students have reported feelings of isolation, exclusion, or lacked the sense of belonging in mainstream campus environments (Andrade, 2017). Due to this, in a study completed by Gonzales, et al. (2014) nine out of ten undocumented immigrants eligible for DACA sought assistance in signing up for DACA and legal guidance from community organizations (22%), legal clinics (28%), school or college (9%), religious institution (7%), private attorneys (15%), or friends/family members (23%) (Gonzales, et al., 2014, 1862-1863). Andrade (2017) suggests the use of academic, interpersonal, and positive validation when working with the non-legal status population, as this validation “translates into positive emotional well being because [it] requires a holistic understanding and appreciation of a student, which, in turn fosters productive relationship-building and self-confidence” (Andrade, 2017, p. 3). By incorporating validation theories with faculty and staff training and education, institutions can create safe spaces where DACAmented and undocumented immigrants are able to receive assistance without the stigmas associated with their status (Valenzuela, et al., 2015).

Valenzuela, et al. (2015) introduced Institutional Undocu-Competence (IUC), which draws from social justice frameworks and assesses the institutions ability to serve the undocumented and DACAmented student population. IUC calls on institutions to take action in “training faculty and staff, advocating for students, building appropriate college outreach and recruitment procedures, increasing financial aid, supporting undocumented student organizations

on campus, providing appropriate health and psychological services, and creating a visible welcoming campus environment” (Valenzuela, et al., 2015, p. 88). When President Obama announced DACA, he centered on the idea a “unified imagined community” (Cebulko and Silver, 2016) stating:

These are young people who study in our schools, they play in our neighborhoods, they’re friends with our kids, they pledge allegiance to our flag. They are Americans in their heart, in their minds, in every single way but one: on paper. (June 15, 2012).

By demonstrating acceptance of DACA and support for DACAmented immigrants, higher education institutions set the standard for the community to follow. With community college’s unique and open access mission, “they are the principal gateway into higher education” and are “at the forefront in promoting increased educational access and attainment for undocumented youth” (Andrade, 2017, p. 2). Through community partnerships, inclusion of DACA students in civic engagement, local outreach, and public education, community colleges possess the unique opportunity to directly impact and further the benefits of DACA, not only for the individuals who are eligible for the program, but the community as a whole (Valenzuela, et al., 2015). In addition, by fostering community support for DACA students, community colleges have the chance to partner with local groups to raise funds for community scholarships and help offset the differences between international tuition and in-state tuition rates (Valenzuela, et al., 2015, p. 92). The increased financial accessibility, advocacy, and overall acceptance of DACA-eligible students could result in higher enrollment, persistence, and retention rates for institutions further demonstrating the community college mission of open access to higher education. By supporting DACA-eligible immigrants in higher education, the surrounding community benefits from the success of graduated DACA students. For many DACA recipients, use of deferred action serves

as a platform to secure lawful presence until they can petition for legal residency, demonstrating their intent to remain in the country they perceive as home (Pfleger, 2016) and give back to the local communities. These students in combination with advanced education have higher employability rates with new skills that benefit local established companies; open local businesses that can help reduce community unemployment rates; and are positioned for better paying jobs which increases household incomes, reducing the need for publicly funded programs and resources.

All of these benefits and opportunities for DACA advocacy are not without significant challenges and risks to the community and state college. As previously discussed, institutions residing in states that are not DACA-friendly face possible loss of state funding for admitting non-legal status students or for providing these students with financial aid. These institutions also face additional sanctions from state governments as well as potential discontent from community members. This community discontent stems from the notion of increased competition for higher paying jobs between “native-born Americans” and DACAmented individuals upon graduation. Arguments also exist around the depletion of community-funded resources that would be needed to further support DACAmented individuals as well as concerns that allowing DACA recipients access to state resources would drain these public benefits (Arellano, 2012).

Community colleges also face difficulties in changing state legislature to allow DACA students to be eligible for in-state residency tuition rates. Opponents of DACA recipient’s eligibility for in-state tuition rates argue that charging this population international tuition rates will be more beneficial for community and state colleges. According to this argument, which limits access to higher education for DACA students, resources are prevented from overstressing their effective reach resulting in improved graduate quality and rate for other

native-born students. As a result, DACAmented students are faced with additional financial hardships increasing the likeliness of needing to withdraw from courses, ultimately losing the opportunity to pursue higher yielding jobs through education.

### **Conclusion**

DACA-eligible students are an underserved minority that lacks the ability to reap the full benefits of deferred action due to intentional political and financial barriers to higher education established by state governments. Many DACAmented immigrants arrived in the United States following their parents without functional knowledge of their country of origin. This population faces unique challenges including policy, financial, and emotional barriers that prevent them from pursuing or obtaining higher education opportunities. Community colleges play a critical role through their open access mission, student-centric values, and community ties that directly impact the success of DACA students. By providing a “status safe space” through faculty and staff training; financial support to offset the lack of state and federal aid; community education and partnerships; and DACA advocacy in state legislature, community colleges offer DACA students the opportunity to continue education and skills that will later serve their communities. While this article provides initial direction for institution leaders, continued research including additional literature review and long-term studies are needed to further develop best practices that meet the needs of DACA-eligible students. While community colleges face many challenges in meeting the full needs of the DACA student population, the first step is to educate institutional staff and faculty on DACA and the difficulties these students face, thus creating a DACA-friendly campus environment. Through mindfulness of the DACA student population and initiation of campus and community wide conversations, community colleges can continue

fulfilling their open access mission for all people of the United States through best practices, community engagement, and student advocacy.

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