



## ***Promoting Equity for Undocumented Students in Postsecondary Education***

As Congress considers reauthorizing the Higher Education Act (HEA) and advancing postsecondary education policy, it must promote college access, affordability, and student success for immigrant youth who have strong ties to our communities and know America as home. We urge Congress to pass the [American Dream and Promise Act](#) (H.R. 6) to ease the pathway to citizenship. In addition, we have detailed below a number of other factors that Congress should consider to support undocumented students.

In the United States, an education has long been viewed as the great equalizer for millions of people with low incomes, particularly students of color and immigrants. In 1982, a Supreme Court ruling ([Plyer v. Doe](#)) held that all children, regardless of immigration status, have a constitutional right to a free public education from kindergarten to 12th grade. CLASP believes that every student should also have equitable access to an affordable, high-quality postsecondary education, regardless of immigration status.

Here's why postsecondary education is important for immigrants:

***A postsecondary credential is imperative in today's global economy.*** In a rapidly changing, globally competitive economy, [acquiring some postsecondary education](#) is key to increasing economic and social mobility for students and workers with low incomes. A postsecondary credential can help undocumented students and their families move along pathways out of poverty and into jobs paying family-sustaining wages.

***Undocumented students want and need access to a postsecondary education.*** The Migration Policy Institute (MPI) found that [nearly 100,000](#) undocumented immigrant youth graduate from high school every year. These "Dreamers" who arrived in the United States as children aspire to attend college and contribute to the nation's workforce and economy. Since 2012, more than 820,000 immigrant youth have benefitted from Deferred Action for Childhood Arrivals (DACA) protections that allow Dreamers to work and remain in the United States without fear of deportation. DACA, Temporary Protected Status (TPS), and Deferred Enforced Departure (DED) have made it easier for undocumented youth to access postsecondary education, driver's licenses, and professional certificates and licenses so they can work and provide for their families. Experts estimate that [H.R. 6 could put 2.1 million Dreamers and 460,000 TPS holders and DED recipients](#) on a pathway to citizenship.

***Undocumented youth contribute to the nation's workforce and economy.*** A national study noted that [96 percent](#) of DACA recipients were working or enrolled in school. Immigrant youth are contributing to the workforce, particularly in areas of national need. They are educators; science, technology, engineering, and mathematics (STEM) professionals; health care workers; public servants; business owners; and entrepreneurs, to name a few. Increasing access to a postsecondary education yields higher earnings and increases federal, state, and local revenues. Annually, households with [Dreamers generate \\$15.5 billion](#) in state and local taxes, and they hold \$66.4 billion in spending power.

***Immigrant youth face barriers in postsecondary education and the workforce, including:***

***Economic insecurity.*** Undocumented immigrant youth, including DACA, TPS, and DED recipients, face great economic insecurity because their futures remain uncertain. Since the Trump Administration’s rescission of DACA in September 2017, a federal court announced a preliminary injunction of the decision, allowing DACA recipients to apply for renewal. [However, more than 100,000 eligible individuals have yet to renew their protections this year.](#) Likely factors include the cost of renewal, uncertainty about the future of the program, and fear of providing the federal government with personal information. The [U.S. Supreme Court](#) is set to begin reviewing cases involving the Trump Administration’s termination of DACA on [November 12](#). Without these temporary or permanent protections, undocumented immigrant youth will be unable to pursue a postsecondary education, work to provide for their families, or remain in the United States.

***College access and affordability.*** Under the [Higher Education Act \(HEA\)](#), undocumented students are ineligible to receive Federal Pell Grants and other forms of federal financial aid, which is a significant barrier, particularly for undocumented students with family obligations and extraordinary hardships.

***Congress can make college accessible and affordable for undocumented students by:***

***Expanding access to Pell grants and federal student aid.*** [Pell Grants](#) have been the cornerstone of federal student aid for over 40 years by helping millions of low-income students afford a postsecondary education. With Pell Grants, undocumented students would have greater resources to afford a high-quality postsecondary education, including basic living expenses. Congress must allow undocumented students, including DACA-eligible students, TPS and DED recipients, and others [to access federal student aid](#) to promote attendance, affordability, and success for immigrant youth who know America as home.

***Repealing Section 505 and encouraging states to adopt tuition equity policies.*** [Section 505](#) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) prohibits states from providing any higher education benefit based on residence to undocumented immigrants unless they provide the same benefit to U.S. citizens in the same circumstances, regardless of their residence. Repealing Section 505 would make it easier for states to adopt tuition equity laws that help undocumented students afford college. Additionally, Congress can establish [American Dream Grants](#) that encourage states to increase access to higher education for low-income students, regardless of immigration status. This program would provide need-based student financial aid to states that set equitable in-state tuition rates or offer state financial aid to undocumented students who graduate from U.S. high schools.

***Increasing access to debt-free college.*** Allowing undocumented students to benefit from federal-state partnerships that provide [debt-free college programs](#) as well as state and local “[college promise](#)” programs would make college more affordable for undocumented students, particularly those with low incomes. Immigrant youth with a college degree are more likely to have higher lifetime earnings. Over the course of a career, the typical worker with a [bachelor’s degree earns \\$1.19 million](#), twice what the typical high school graduate earns.

***Protecting the civil rights of undocumented students in the college admissions process.*** HEA must [prohibit discrimination](#) in college admissions and make clear that states and institutions receiving federal funds can’t discriminate against undocumented students due to their immigration status and bar them from admission and enrollment.

***Supporting student success for undocumented students.*** Congress should encourage colleges and universities to provide undocumented students with culturally responsive academic counseling, emergency grants, mental health and legal services, and [other supports](#) that help them graduate, transfer to four-year institutions, and connect to jobs paying family-sustaining wages.

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