

Undocumented Students and Financial Aid

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State Commissioner

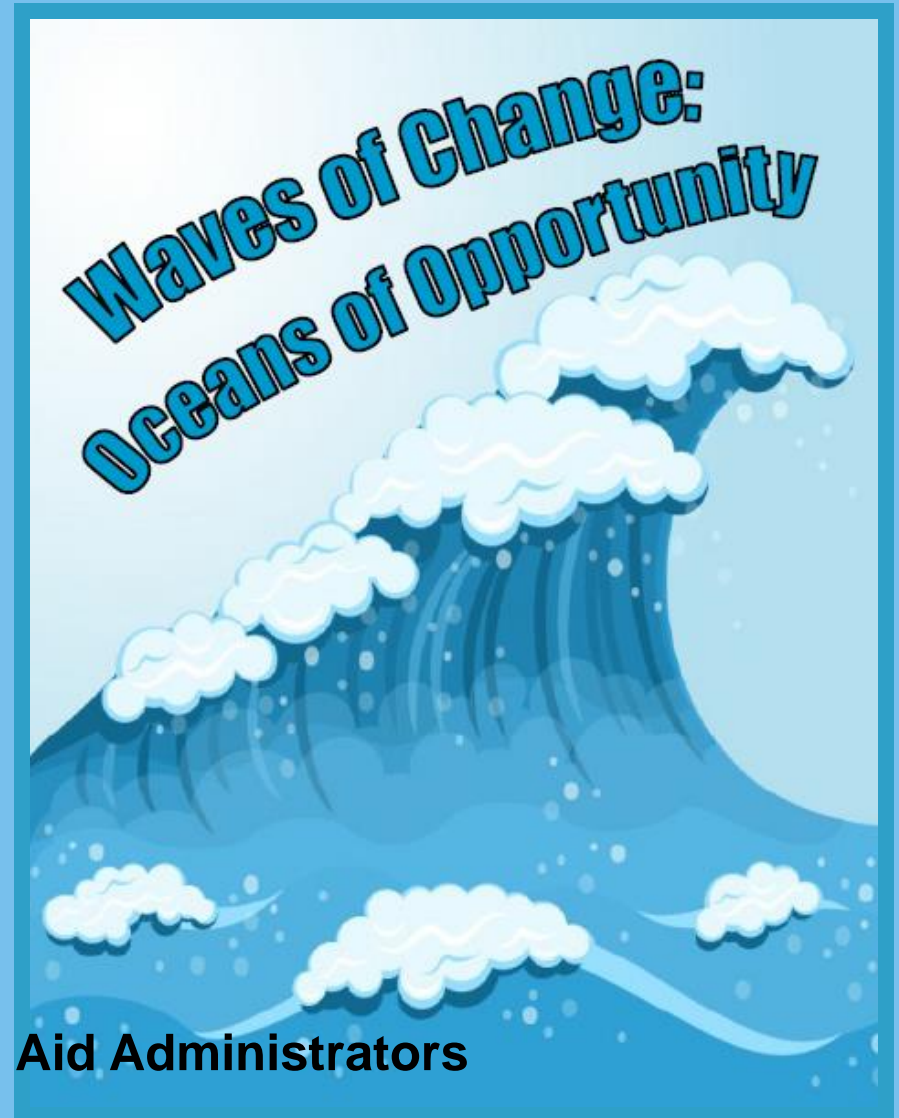
Ohio Commission on Hispanic and
Latino Affairs;

Higher Ed Consultant

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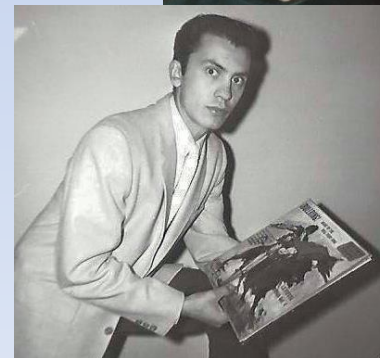
Background of unaccompanied children

Gender: Majority are male, approximately 29% are female

Age: Most children are between 15-17 years of age, however 31% are below the age of 14

Countries of Origin: Guatemala (37% nationally, over 50% in Ohio), Honduras (30%), El Salvador (26%).

Languages: Spanish, indigenous Mayan dialects (Mam, Quiche, Konjobal, etc.)



Immigration Law

*“The Congress shall have Power To . . .
establish an uniform Rule of Naturalization . . .”*

U.S. Constitution Article 1, Section 8, Clause 4

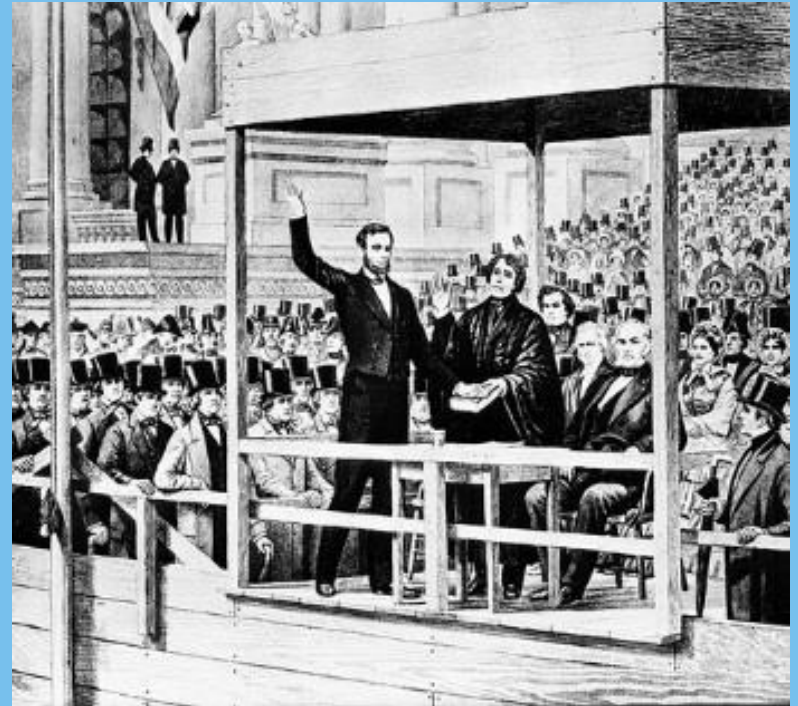
*“All persons born or naturalized in the United States,
and subject to the jurisdiction thereof, are citizens of
the United States and of the state wherein they reside”*

U.S. Constitution 14th Amendment Section 1

Executive Action - Sworn Duty

The President is instructed, within the Declaration, to “take Care that the Laws be faithfully executed.”

Article II, Section 3, Clause 5



Reality



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Deferred Action on Childhood Arrivals (DACA)

On June 15, 2012, President Obama created a new policy, using Executive Order, calling for deferred action for certain undocumented young people who came to the U.S. as children.

U.S. Citizenship and Immigration Services (USCIS) confirmed on January 23, 2017 that USCIS is still accepting and processing DACA applications, despite the possibility that that the DACA program might be terminated.

<https://www.nilc.org/issues/daca/daca-after-trump-q-and-a/>

Where We Stand Today

Release Date:

February 21, 2017 8:30 a.m. EST

Office of the Press Secretary

Federal immigration law both imposes the responsibility and provides the means for the federal government, in cooperation with the states, to secure the nation's borders.

The purpose of this order is to direct executive departments and agencies to deploy all lawful means to secure the nation's southern border with Mexico, to prevent further illegal immigration into the United States, and to repatriate illegal aliens swiftly, consistently, and humanely.

Where We Stand Today

- Enforcing the law.
- Establishing policies regarding the apprehension and detention of aliens.
- Constructing and funding a border wall.
- Expanding expedited removal.
- Processing and treatment of unaccompanied alien minors encountered at the border.
- Putting into place accountability measures to protect alien children from exploitation and prevent abuses of immigration laws.

DACA and Higher Education

- DACA status helps undocumented students access higher education
- Provides temporary relief from deportation
- Access to complete FAFSA for institutional and, possibly, State aid (and in-state cost)

Note: DACA students are not eligible for federal aid.

Source: Data gathered on 9/7/16 from www.USCIS.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca#request%20DACA and <https://citizenpath.com/what-happens-after-filing-i-821d-daca-application/>

DACA and Ohio In-State Tuition

- The State of Ohio rule/law requires a person to have a status as an immigrant or non-immigrant (definitions are provided in law ORC 3333.31).
- Each student meeting one of those definitions is to be reviewed under our residency rule (OAC 3333-1-10).
- The rule discusses expectations of people that are Ohio residents and reviews financial activity and length of time in Ohio as well as other behavior that shows residency in Ohio or show residency in another state.

DACA and State Aid in Ohio

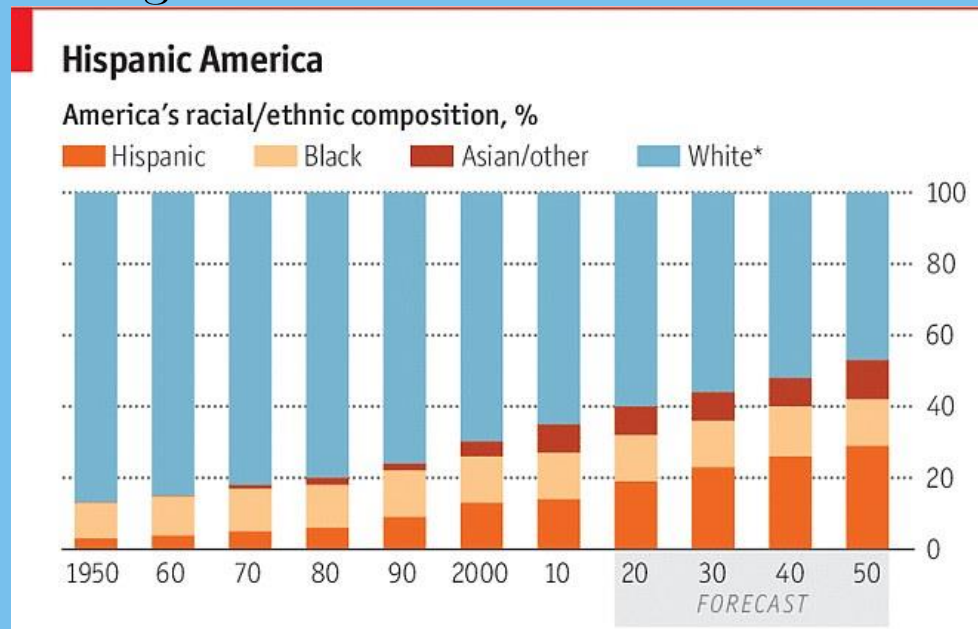
- No State of Ohio collegiate financial aid program specifically excludes DACA students.
- In Ohio, DACA students may be OCOG eligible if the student received their notice of approval I-797 and meet one of the rules outlined by ODE.
 - However, not having a valid FAFSA would make them ineligible for OCOG.
 - Must have permanent resident status for NEALP.
- If student is considering STEMM major, the institution could select them for Choose Ohio First.

How Can FA Professionals Help?

- Build staff capacity and knowledge about undocumented youth.
- Share information and resources with youth and families.
- Actively engage families and community organizations.
- Provide additional academic support to undocumented youth, if needed.
- Create open and welcoming environments – without holding judgement.

Why it Matters - Statistically

- By 2044, Hispanics will be the minority-majority in the United States;
- Currently 85% of Hispanics are legal Residents from birth, not immigration



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<http://www.dailymail.co.uk/news/article-2999574/The-rise-Hispanic-America-Incredible-graphs-went-negligible-biggest-minority-just-two-generations.html>

Why it Matters - Financially

Economy and Jobs

The 2014 purchasing power of Ohio's Latinos totaled \$8.8 Billion - An increase of 470% since 1990.

Education

41% of Ohio's foreign-born population age 25 and older had a bachelor's degree, or higher, in 2011, compared to 24% of native-born persons of the same age.

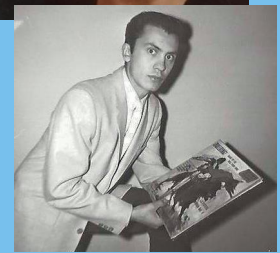
Contribution

Ohio Latinos paid more than \$1 Billion in Federal Taxes and \$504 million in State and Local Taxes in 2014.

Education

Ohio's 33,000 foreign students contributed \$912 million to the State's economy in tuition, fees, and living expenses for the 2014 academic year.

Unaccompanied Children



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nos Gregorio Guzman y
Prudenciana Carranza, e
Leer esta nota y su...

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