



## **FACT SHEET**

### **AN OVERVIEW OF COLLEGE-BOUND UNDOCUMENTED STUDENTS**

#### **The Definition of an Undocumented Student**

An undocumented student is a foreign national who: (1) entered the United States without inspection or with fraudulent documents; or (2) entered legally as a nonimmigrant but then violated the terms of his or her status and remained in the United States without authorization (as defined by the National Immigration Law Center).

Most college-bound undocumented students:

- have lived in the United States most of their lives
- have been brought to the United States by their parents at a young age
- have learned English
- have attended elementary, middle, and high school in the United States
- have excelled academically in high school and want to pursue a college education
- currently lack a way to become legal residents or citizens in the United States

#### **The Undocumented Population\***

11.2 million	Undocumented immigrants of all ages living in the United States
2.1 million	Undocumented students in the United States potentially eligible for most recently proposed federal DREAM Act (S. 729 in the 111th Congress)
1.1 million	Undocumented children under the age of 18 living in the United States
65,000	Undocumented students who have lived in the United States for five or more years graduating from high school each year
7,000 – 13,000	Undocumented students enrolled in college throughout the United States

California is the state with the largest number of undocumented immigrants (2.6 MM). They represent 25% of all undocumented immigrants nationwide and 6.8% of the total CA population. About 553,000 undocumented students would be eligible for the most recently proposed DREAM Act in CA.

\*Sources for these statistics include the Migration Policy Institute, the Pew Hispanic Center, the Public Policy Institute of California, and the Urban Institute.

#### **Challenges that Undocumented Students Face in Pursuing a College Education**

##### *Financial Obstacles*

The primary obstacle for a college-bound undocumented student is financial. Based on current government policies, undocumented students cannot qualify for federal and most state-based financial aid, including grants, work study jobs, or loan programs. The cost of full-time enrollment as a college student ranges from \$15,000 - \$40,000 per year. Without financial aid, the costs of attending a college can often be prohibitive for undocumented students and their families.

### In-State Tuition & Financial Aid

Only thirteen states have passed laws that allow undocumented students to qualify for in-state tuition at the public colleges and universities in their state of residence: California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Rhode Island, Texas, Utah, and Washington, and Wisconsin. To receive the in-state tuition discount, undocumented students must reside in state, attend high school for a specified period (1-4 years) in state, and graduate or receive their GED in state. In addition to allowing students to qualify for in-state tuition, California, Illinois, New Mexico, and Texas provide undocumented students access to financial aid.

Arizona, Colorado, Georgia and Indiana have banned undocumented students from receiving in-state tuition. South Carolina was the first state to ban undocumented students outright from attending public colleges and universities, followed by Alabama and Georgia.

### *Private Colleges and Universities*

Almost all private colleges and universities classify undocumented students as international students and consider their financial situation in determining admissions. In this process, undocumented students compete with students from every country in the world for a handful of enrollment slots. For these schools, an undocumented student's ability to fund their entire four years of college is considered in admissions decisions. The cost of attending a private college for four years ranges from \$80,000 - \$200,000. Because of these policies, thousands of qualified and competitive undocumented students are denied admission to private colleges every year.

## **Current Federal and State Legislation Affecting Undocumented Students**

### *Federal Law*

Plyler vs. Doe - In 1982, this Supreme Court ruling determined that a K-12 education is a fundamental and protected right and will be provided to all children in the United States, regardless of citizenship or residency status.

Family Educational and Privacy Act (FERPA) – This federal law protects the privacy of student records at educational institutions, including elementary and secondary schools, colleges, and universities.

### *California State Law*

Passed in 2001, Assembly Bill 540 (AB 540) allows certain non-resident students who complete at least three years of high school in California to receive reduced in-state tuition at public colleges and universities (Cal State University, University of California, and CA Community Colleges). In 2009-2010, 40,076 students qualified for AB 540.

Assembly Bills A30 and 131 (AB 130 and AB 131) packaged as the California Dream Act allow qualifying AB 540 students to access state and non-state resourced funds to finance their college/university educations. Students will be able to access non-state funded scholarships directly through their colleges in 2012 and state-funded financial aid in 2013.

## **Resources for Additional Information**

Dream Act Portal

DreamActivist

Mexican American Legal Defense Education Fund

National Immigration Law Center

Pew Hispanic Center

Public Policy Institute of California

United We Dream

Urban Institute

[www.dreamact.info](http://www.dreamact.info)

[www.dreamactivist.org](http://www.dreamactivist.org)

[www.maldef.org](http://www.maldef.org)

[www.nilc.org](http://www.nilc.org)

[www.pewhispanic.org](http://www.pewhispanic.org)

[www.ccpic.org](http://www.ccpic.org)

[www.unitedwedream.org](http://www.unitedwedream.org)

[www.urban.org](http://www.urban.org)

For more information about Educators for Fair Consideration, please visit us at [www.E4FC.org](http://www.E4FC.org).