



## **IMPROVING HIGHER EDUCATION OPPORTUNITIES FOR UNDOCUMENTED STUDENTS:**

### **A Resource Guide for DREAMERS and Their Advocates**

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**Provided by the Washington State Educational Access Coalition for HB 1079 Students**

## About the Washington State Educational Access Coalition for HB 1079 Students

The *Washington State Educational Access Coalition for HB 1079 Students* is comprised of faculty and staff from colleges, universities and other interested organizations around the state to assess the services that are available to support non-United States citizens who are attending or may attend college through Washington State House Bill 1079 and to educate providers, families and policymakers about the issues facing these students in higher education.

### The Mission of the Coalition

A shared goal is to ensure that no student in Washington misses out on college due to a lack of informational resources. Funded by a grant from the College Spark Foundation the coalition's goal is to assist HB 1079 students with applying to, enrolling in, and graduating from college. The coalition provides information to educate families and communities about the resources that are available to support students and provide links between providers to improve access to support services for HB 1079 students. Dissemination through online, website, and printable information for students, families, educators, social service providers, and policymakers is a primary activity for this coalition.

### About the Resource Guide for DREAMERS and their Advocates

This Resource Guide provides information for HB 1079 students and their advocates to facilitate and gain the knowledge and skills necessary for college access and success. The guide provides resources related to HB 1079 law, college applications, and financial aid information and resources. While every effort has been made to ensure the accuracy of the information contained in these materials, errors and omissions may occur, and information is subject to change. Some sections of this guide have adaptive and/or verbatim wording from existing online guides and other web-based sources for undocumented students.

### Core Advisory Group

The Core Advisory Group of the Coalition is formed by a partnership of the following institutions: Washington State University, Eastern Washington University, Central Washington University, University of Washington, Seattle Community Colleges, Latino/a Educational Achievement Project (LEAP), Western University, and The College Spark Foundation.

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## HOW TO USE THIS GUIDE

### STUDENTS

It's simple! This guide will help you prepare for college. It will provide important information about applying to college, finding money to pay for college, and connecting with the right sources that will support you from the moment you arrive on your college campus until the day you graduate. This guide is designed not just to help you, but to help college and university staff so that they know how best to assist you. You can also share this guide with your parents so that they are aware of the journey you are about to take. Your road to graduation will be challenging, but with the support of your family, the campus community, and this resource guide, you will be well-prepared to reach your goals.


**Important student information begins on page 26!**

### ADVOCATES

If you are concerned about providing an undocumented student with information about preparing for, applying to, and acquiring funds for college, then you are an advocate! Please use this guide to be well-informed about the post-secondary options for undocumented students, and use it to supplement the information you have received from other sources. More important, please share this guide with other advocates in your campus environment and community. Since it is difficult identifying the undocumented students on your campus, providing this guide to as many departments, student centers, residence halls, and other settings will improve the likelihood that this important information will reach those students most in need. Once students know that they do have options and feel that they can trust you, they are more likely to come to you for additional assistance.

**Important advocate information begins on the next page!**

# ADVOCATE INFORMATION



“I didn’t  
know what  
to do. I  
didn’t  
know how  
to start or  
even how  
to register  
for  
classes.”

-WSU Vancouver  
Student

## UNDERSTANDING THE UNDOCUMENTED STUDENT

Undocumented students face multiple barriers to higher education. While most students grapple with the expected transition to college, undocumented students’ challenges are often compounded by legal, racial and cultural-based feelings of isolation. Undocumented students have fewer academic, social, and financial resources and greater work and family responsibilities than their peers. Building networks of support and advocacy are critical for the success of undocumented students. Barriers, legal and otherwise, help explain the complex reasons behind the low rate of undocumented students seeking postsecondary degrees. Despite these challenges, many undocumented students are class valedictorians, active community members, and are capable and eager to continue with post-secondary education. As their numbers increase, we need to know more about their unique needs and how best to communicate with them about the opportunities provided by getting a post-secondary education.

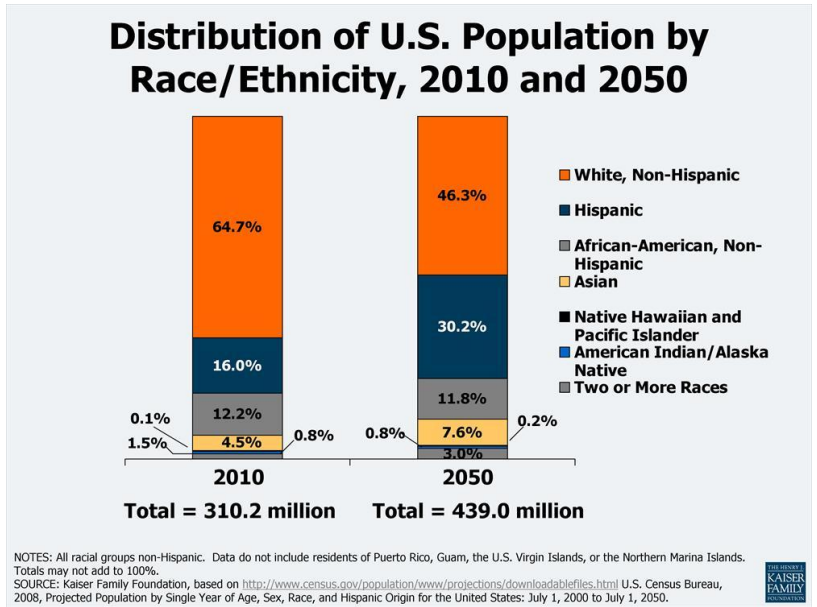
Undocumented students have historically faced many challenges acquiring an education. These hurdles stem from systematic factors that have contributed to the high dropout rate in the K-12 system as well as the low enrollment in higher education. Their undocumented status, often wrongly leads teachers, counselors, and other school administrators to assume a college education is not a possibility for these students. The lack of training and information available to school officials about state policies such as House Bill 1079 (HB 1079), which allows undocumented students residing in the state of Washington to pay college instate tuition, has inhibited their ability to properly advise these students leading to disproportionately low rates of college enrollments.



## WHO ARE THE UNDOCUMENTED?

A student is considered **HB 1079** if he or she is not a legal permanent resident and does not possess a green card, visa, or other legal documentation. This includes those who were born outside of the United States and have lived in this country for a significant portion of their lives, but reside here without legal permission of the government.

HB 1079 students are also considered **undocumented**. Undocumented status means an individual is not a legal US citizen or resident. This would include a person(s) who entered the U.S. with fraudulent documents or came into the country without inspection. Some undocumented students and their families entered the country legally with tourist or work visas and chose to stay in the US after their visas expired. Students can come from any country outside the United States and be considered undocumented.



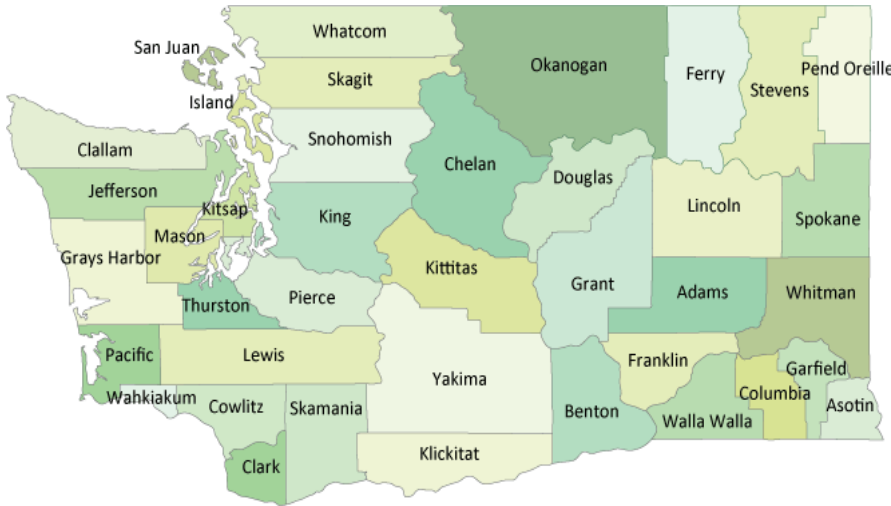
The term **Generation 1.5** refers to these immigrants who were brought to the United States as young children and identify as American. They often have no memory of growing up in another country.

HB 1079 students might come from **mixed status families**, meaning they have some family members who are undocumented while others have documentation. Typically those who have documentation are the youngest members who were born in the United States and are citizens by birthrights.

As of 2010, an estimated 11.2 million undocumented immigrants were living in the United States. This makes up 3.7% of the total population and 5.2% of the labor force.

Approximately 65,000 undocumented students graduate from U.S. High Schools each year and it is estimated that only 5-10% of these students pursue post-secondary education.





**Washington State has the 3rd largest undocumented population in the West and 11<sup>th</sup> largest in the nation.**

In Washington State, there are estimated to be 34,000-42,500 undocumented individuals *under the age of 18*. Since the enactment of HB 1079 in 2003, the population lacks a clear understanding of the law and the process for HB 1079 students enrolling into college.

There are many myths that surround undocumented students and the pursuit of their education. There is no Federal law or policy that prohibits undocumented students to enroll in a college or university. Federal law does not prohibit states from offering in-state tuition. Undocumented students are not provided with special privileges when it comes to in-state tuition. Section 505 of the Illegal Immigration Reform and Immigrant Reconciliation Act of 1996 (IIRIRA) prohibits states from providing any higher education benefit based on residency to undocumented immigrants unless they provide the same benefit to U.S. citizens in the same circumstances, regardless of the students' residence.

In Washington State, an undocumented student has to graduate from a Washington state high school and must have been a Washington resident for three years.

The thought has been out there that state-specific legislation was overruling federal law. The way that the federal law was written was intentionally vague to give states the authority to handle the issue themselves. States that offer in-state tuition require a certain amount of time of in-state secondary education to qualify for residency. Since this same rule can be applied to a U.S. citizen in order to establish state residency, then an undocumented student may do this as well.



## ABOUT HOUSE BILL 1079 AND OTHER FEDERAL LAWS



On May 7, 2003, House Bill (HB) 1079 was signed into law by Governor Gary Locke. This new law allows students who have lived in Washington State for three years or more to be considered “residents” but only for purposes of paying tuition fees at Washington colleges and universities.

HB 1079 does not change a student’s legal citizenship status.

The new law means that HB 1079 students qualify to pay tuition rates that all other resident students pay. To qualify, students must have: earned a high school diploma or equivalent (GED) from a Washington State high school; lived in Washington State for three years prior to receiving a high school diploma or GED, and lived continually in Washington since earning the high school diploma or GED, and can meet college or university admission requirements expected of all other students.

The Affidavit that HB 1079 Students are required to sign is a confidential statement verifying that he/she qualifies to pay resident tuition, and that he/she will seek legal permanent residency when legally permitted to do so. If an Affidavit is not provided or available, the 1079 Student should ask a trusted relative, friend, teacher, or counselor to request it from the institution he/she plans to attend.

**As an undocumented student or an HB 1079 advocate,  
it is important to be informed of the laws  
affecting student rights.**

### Federal Level Laws

According to the US Supreme Court ruling in 1982 (Plyler v. Doe), public schools must provide an equal education to all children, regardless of citizenship status. Undocumented immigrant students are obligated, as are all other students, to attend school until they reach the age mandated by the state law. Schools are prohibited from asking for documentation of a child’s immigration status and schools cannot use Social Security numbers as a prerequisite for enrollment. School personnel are forbidden from sharing any information about a child’s immigration status with any individual or institution, including government agencies that enforce immigration laws.

No federal law specifically prevents undocumented students from attending colleges or universities, but since these students are not state “residents,” they must pay out-of-state tuition which is more costly.

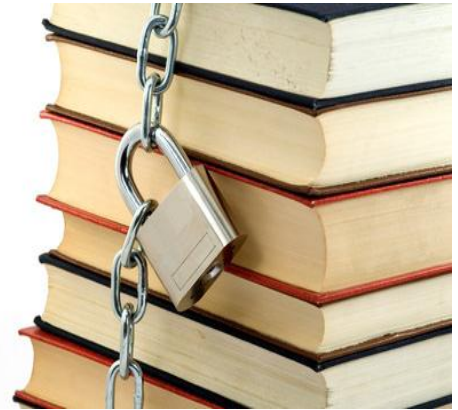


Undocumented students are also ineligible for many services. These services include:

**Loans:** Social Security Numbers are required for most loans and therefore the students and their parents have difficulty borrowing money.

**Federal Financial Aid:** Undocumented students cannot apply for federally subsidized loans, work study, or teaching assistant positions.

**College Access Programs:** For example, TRIO and The College Assistance Migrant Program (CAMP) are federally funded programs. TRIO is a set of college access and retention programs to help students from disadvantaged backgrounds, but is not available to undocumented students.



## Dream Act

The Development, Relief and Education of Alien Minors Act (DREAM Act) is current bipartisan federal legislation. If passed, the DREAM Act will provide certain undocumented students a path to citizenship.

To qualify for benefits under the DREAM Act the undocumented student must:

- ✓ Have graduated from a United States high school or obtained a GED, or have been admitted to an institution of higher education.
- ✓ Be of “good moral character.”
- ✓ Have proof of having arrived in the United States before their 16th birthday.
- ✓ Have proof of residence in the United States for at least five consecutive years prior to the bill’s enactment.
- ✓ Be between the ages of 12 and 35 at the time of bill enactment.



If the undocumented student meets the requirements of the DREAM Act, he or she qualifies for a conditional permanent resident status. This status allows the student to work and obtain most federal and state financial aid for six years. If the undocumented student receives his or her higher education degree during the six-year period, an unrestricted permanent residency status is granted. The student can therefore legally obtain employment in the United States.

**Important: The DREAM Act does not grant amnesty. The DREAM Act is a proposal that has been consistently introduced into the Senate but has not yet been approved.**



## Deferred Action For Childhood Arrivals (DACA)



Conversations about the DREAM Act often include discussion about deferred action, or DACA. On June 15, 2012, the Obama Administration announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization. Deferred action means that the Department of Homeland Security (DHS) agrees *not* to start deportation proceedings against an individual. If an individual is currently in the process of deportation, DHS

agrees to drop their demand for deportation. This policy is called Deferred Action for Childhood Arrivals, or DACA.

People may apply for deferred action if they meet all of the following criteria:

- came to the U.S. under the age of 16;
- are not above the age of 30;
- have resided in the U.S. for 5 consecutive years as of June 15, 2012;
- are currently in school, have graduated from high school, obtained a GED or have been honorably discharged from the armed forces; and
- have not been convicted of a felony offense, a significant misdemeanor, multiple misdemeanors or who do not pose a threat to national security or public safety.

Once deferred action is granted, people may seek employment authorization, but it does not grant any kind of permanent residence, citizenship status, or amnesty. Also, until an individual is granted deferred action, DHS may initiate deportation proceedings at any point of the application process.

Applying for deferred action comes with the risk of deportation. You should only apply after consulting with a qualified attorney. For instance, if you are in the US unlawfully and ICE finds out that you do not meet the criteria for deferred action, they may start deportation proceedings against you. Also, even if you do get approval for deferred action, it is possible that the policy may be revoked at a later date, which would mean you are eligible for deportation.

DACA was passed as a way to provide temporary relief of a complicated immigration system. Only the DREAM Act seeks to grant legal status to individuals. It is essential that we continue to work towards the passage of the DREAM Act.

You may find more information about the Deferred Action for Childhood Arrivals (DACA) policy by visiting: <http://www.dhs.gov/deferred-action-childhood-arrivals>



## State Level

On May 7, 2003, Washington Governor Locke signed House Bill (HB)1079 allowing undocumented students to attend college and pay in-state tuition in the State of Washington. Because of the law, undocumented (1079) students who have lived in Washington State for three years, signed the affidavit stating they will file to adjust their status as soon as possible, and be accepted into a public college in Washington can be considered “residents,” **but only** for purposes of paying in-state tuition fees at Washington colleges and universities. **HB 1079 does not change a student’s legal immigration status.**



This law means that HB 1079 students are now permitted to pay tuition rates that all other resident students pay. State policy regarding educational rights of undocumented students is constantly changing.

<b>Texas</b>	<b>2001</b>	<b>Illinois</b>	<b>2004</b>
<b>California</b>	<b>2001</b>	<b>New Mexico</b>	<b>2005</b>
<b>New York</b>	<b>2002</b>	<b>Nebraska</b>	<b>2006</b>
<b>Utah</b>	<b>2002</b>	<b>Minnesota</b>	<b>2009</b>
<b>Oklahoma</b>	<b>2003</b>	<b>Maryland</b>	<b>2011</b>
<b>Washington</b>	<b>2003</b>	<b>Connecticut</b>	<b>2011</b>
<b>Kansas</b>	<b>2004</b>	<b>Rhode Island</b>	<b>2011</b>

Twelve states have laws allowing students who meet specific requirements, regardless of their status, to pay in-state tuition rates at public postsecondary institutions: California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, and Washington. Wisconsin’s law, enacted in 2009, was repealed in 2011.

Rhode Island's Board of Governors for Higher Education also adopted a policy permitting eligible students to pay in-state tuition rates, regardless of their status. Minnesota offers a “flat” tuition rate to students, regardless of

their status. Laws in three states — California, New Mexico, and Texas — provide access to state financial aid to students who meet certain criteria, regardless of their status. Illinois and California offer access to privately-funded scholarships for these students.

Four States—Arizona, Colorado, Georgia, and Indiana – banned undocumented students from receiving in-state tuition rates. Two States—South Carolina (2008) and Alabama (2011)—prohibit undocumented students from enrolling in its state colleges and universities.



## EDUCATING SCHOOL PERSONNEL

Characteristics of Undocumented Students
Parents migrated when they were a young child.
They were brought to the United States at a very young age.
Have lived in the United States most of their lives.
Attended school from kindergarten through high school.
Many undocumented students think themselves as American because English is the first language they were taught; America is the only home they know.
Undocumented students are just like other students in most respects. They have excelled as honor students, class valedictorians, and are active members of their communities.
Some have excelled academically in high school and want to attend college.


School administrators in the K-12 system as well as in postsecondary institutions are ill prepared to address the needs of marginalized students with undocumented status. This is true even in states, like Washington, that have passed laws that permit undocumented students to pay in-state tuition and whose educational institutions may be composed of a diverse workforce. The undocumented student population is already vulnerable and marginalized due to various factors including their socioeconomic factors.

Most undocumented students tend to be first-generation and low-income and have very little knowledge of how to navigate the educational system. Furthermore, these barriers are further amplified due to their enrollment in overcrowded schools with low morale, poor quality teachers, and an overall lack of availability of resources to help them develop the skills they need to graduate from high school and attend higher education.

Additionally, the lack of training and standard operating procedure on how to serve this population has further marginalized and predestined the undocumented student population from improving their educational attainment. Educating school personnel about how best to serve undocumented students should not be a responsibility of the students themselves who often feel compelled to reveal their undocumented status to school officials they do not trust.

This process exposes their vulnerabilities, hence contributing to the further victimization and psychological strain they are already experiencing as a result of their undocumented status. Undocumented students face many challenges and just like their fellow peers, they have hopes, aspirations and dreams for a better future.





“I am not eligible for federal financial aid so I can’t fill out FAFSA and I can’t ask for loans. I am eligible for private scholarships.”

-WSU Student

## COUNSELORS, EDUCATORS, AND ADMINISTRATORS NEED TO UNDERSTAND THE BARRIERS FOR UNDOCUMENTED STUDENTS.

Undocumented students face multiple barriers to higher education. Without legislative changes, legal barriers cannot be changed. There are other, non-legal barriers to overcome as well. Learning these barriers helps explain the complex reasons behind the low rate of undocumented students seeking postsecondary degrees.

### **BARRIER #1: FINANCIAL INSUFFICIENCY**

Higher education is expensive and undocumented students do not have access to many of the resources other students have to pay the bill.

- **Difficulty borrowing money.** Students legally do not qualify for state or federal loans. Without a Social Security Number, it is difficult for students to borrow money.
- **Not eligible for financial aid.** Undocumented students cannot work in work study positions or as teaching assistants. They cannot seek any scholarships that are funded with state or federal money. Undocumented students can seek private scholarships but there are few (if any) scholarships just for undocumented students.
- **Lack employment opportunities.** Employers that do hire undocumented individuals sometimes pay them less than minimum wage and provide working conditions that are not ideal. The work is not steady and they can be fired easily.
- **Financial priorities.** In addition to the expenses other students incur, many undocumented students have to contribute to their family’s income or send money to support relatives in their home country.
- **Non-tuition expenses.** Going to a college or university includes expenses beyond tuition such as books, fees, and supplies. Transportation and housing can be extremely expensive. Plus landlords might require Social Security Numbers for credit checks.



## **BARRIER #2 LACK OF ADMINISTRATIVE SUPPORT**

“Everyone needs to be connected to know about programs, scholarships, and internships for professional development.”

- EWU Student

Academic advisors and career counselors in high schools and colleges have the responsibility to provide all students with clear information regarding postsecondary education. Similarly, recruitment officers from colleges and universities are responsible to gain the knowledge needed to communicate a clear picture of what services are available to undocumented students. Yet there is a range of possible reasons why the information is not properly communicated.

- **Over-worked counselors and advisors.** Recent fiscal difficulties decreased the number of academic and career counselors across Washington high schools. It is difficult for students to get one-on-one time with advisors. Since undocumented students have unique circumstances, classroom-wide advising is less likely to be helpful.
- **Lack of training and resources.** Academic advisors and career counselors are not trained in the options undocumented students have after high school. Few printed resources exist for undocumented students, advisors, and counselors. While there are individuals at colleges and universities that are knowledgeable on the issues undocumented students face and are willing to support such students, there is not a clear way to connect students, or high school faculty and staff to such individuals.
- **Lack of knowledge by recruitment staff of colleges and universities.** Individuals that recruit students to institutions of higher education often do not understand the specific implication of being undocumented.
- **Few mentors and role models.** Mentors can be teachers, school staff, members of the community, or fellow students. The best mentors for students are individuals that are in similar situations and are successful despite hardships. Undocumented students will not find successful undocumented adults at school since legal status is necessary to work at a school. Older students can also be mentors. Since they are already very few undocumented students in higher education, it is unlikely that a younger student will be able to find an older undocumented student in higher education to be a mentor. Some schools do have employees that are very supportive and understanding of the undocumented student’s needs. Currently, there are not enough of these supportive adults.







“I was very  
lonely and  
frustrated.  
No one  
knew  
anything.”

-WSU Vancouver Student

**BARRIER #4: PSYCHOLOGICAL**

Undocumented students demonstrate remarkable resilience, determination, and optimism when pursuing a higher education. However, in many cases, undocumented students' experiences can result in feelings of isolation, fear, anxiety and hopelessness.

- **Painful memories.** The undocumented students may be reliving the days spent crossing the border into the United States. Crossing the border was likely a scary experience. Undocumented students also have to deal with upsetting events like divorce, domestic violence, and death. For the undocumented student it is more common that violence goes unreported because of legal status and fear of police. Few (if any) support groups exist for undocumented students to help them get past these painful experiences.
- **Hiding their real self.** Many undocumented students do not share their status. This is based on the fear of deportation or being treated differently. Living in constant fear and hiding their status creates stress on the students. If a student is worried about their legal status becoming public, he or she has a hard time concentrating on school.
- **Hopelessness.** The reality is that with current laws, undocumented students cannot legally work regardless of their education level. Undocumented students may realize this as early as middle school and quickly stop caring about school.
- **Feeling different.** Interviews from undocumented students reveal how different they felt when their friends began applying for college. They felt left out, discouraged, angry, and isolated. Being referred to as “undocumented,” “illegal,” or “alien” creates separation from their peers.



“In high school, my counselor was clueless. And I was surprised when I came to college that they also didn’t know anything.”

*-Clark College Student*

**BARRIER #5: LACK OF SUPPORT IN COLLEGE**

Students in higher education need to take responsibility for themselves in ways that they did not have to in high school. First-year students experience challenging situations and have questions regarding their education. There are few college retention programs that target undocumented students and address their specific needs.

- **Unqualified to participate in programs.** Many programs that assist students in colleges and universities are funded with federal money and therefore required participants are citizens and permanent residents.
- **Unique situations.** Undocumented students, generally, are Latino/a and socioeconomically disadvantaged. However, the undocumented student may not feel like they belong in student groups that cater to these circumstances. It is rare that a student group or student service exists based around the needs of undocumented students.
- **Unclear of which employees are sympathetic of their situation.** Many higher education institutions have employees that work with a certain demographic of student. However, it cannot be assumed that employees that work with Latino/a students or employees that work with low-socioeconomic status students are knowledgeable in issues specific to undocumented students. Most school websites do not clearly state who undocumented students can contact. Who they should talk to is primarily learned by word of mouth or just by chance.



## HB 1079 ADVOCACY

In very practical ways, an HB 1079 advocate serves as an ally to HB 1079 students, and is entrusted with providing an atmosphere of safety for the undocumented by maintaining confidentiality. Allies send the message that information shared will not be shared with others, unless the student has given permission to do so. This is important for students who have not openly declared that they are undocumented, since one of the most common concerns is whether they should even tell anyone, and subsequent fears that someone will “out” them. Outing someone refers to telling others about a person’s immigration status without that person’s permission.

**Confidentiality is essential in order for students to share their reactions, opinions, and feelings.**

HB 1079 and other undocumented students look just like their peers and may be in your classes and in your programs. It is only when they feel comfortable with you that they will reveal their status. Therefore, it should be seen as a compliment to you and appreciated as an honor that these vulnerable students see you as a person who can give them honest, direct, and informed advice while protecting their confidentiality.

These guidelines provide some suggestions for creating an environment that is open, comfortable, respectful, and welcoming for students who are undocumented.

- Treat the topic of the student’s concern as you would any other human difference.*
  - Avoid making assumptions about a student’s status based on their race, ethnicity, accent or appearance.*
  - Avoid judgment language that creates barriers. Do not communicate that the student or their parents are at fault or should be ashamed of their status.*
  - Refuse to tolerate derogatory or anti-immigrant jokes, name calling, or remarks.*
  - Discourage others from assuming that immigrants are scapegoats for economic ills and burdens on society.*
  - Do not grill the student to reveal the details of their immigration status. Respectfully ask for the information you need to find alternatives for the presented problem, but do not inquire into other private matters.*
  - After coming out to the campus, some students are emboldened to become advocates. This is their choice. Advisors should avoid encouraging students to take risks that could jeopardize their future application for naturalization.*
-



## WHAT I WANT AN ADVOCATE TO BE

- I want an advocate to be a reliable person, someone I can approach and talk about my school needs.
- A confidential advisor.
- A person who is willing to tell me about resources.
- An advisor who is knowledgeable.
- Understand each individual's personal story.
- Someone with understanding of and sensitivity to topics and issues of HB 1079 students.
- Understanding of HB 1079 law and issues.

**Someone who will not judge me.**

**Someone with understanding of and sensitivity to topics and issues of HB 1079 students.**

- Someone with knowledge on scholarships, internships, grants, money, and jobs.
- A person that one could approach without fear or shyness.
- Person should have the knowledge that will have an answer to all of our questions and doubts.
- An advocate can be a professor, counselor, or a staff member that can help me move around school.
- A person who is able to see that we face different challenges than other non-HB 1079.
- Someone who is willing to listen to our problems.

- Someone who supports our cause.
- Moral support is very important.
- Someone who is willing to pass on what they learn to others.

Source: Washington State Educational Access Coalition for HB 1079 students

# HB 1079 AIiy

- ✓ Acknowledges that undocumented students have a right to be enrolled in college and becomes informed about the rights afforded by law to HB 1079 students.
- ✓ Finds legal alternative ways that assist students meet academic requisites when the students are excluded by law from regular participation in employment, federal and state aid, federal programs, paid internships, travel, or the use of identification forms that they do not have, etc.
- ✓ Believes that children and youth ought not to be targets of anti-immigrant discrimination; i.e., children should be left out of the immigration “wars.”
- ✓ Knows that because of negative attitudes toward illegal immigration and the lack of legal rights accorded to children and youth who are undocumented, that a person who has legal status has more power in initiating institutional support and can advocate against prejudice and discrimination.
- ✓ Listens openly, yet does not interrogate the student on their immigration status. Creates a climate of trust that allows the student to reveal their situation at their own pace and does not “out” the student to others, without the student’s permission.
- ✓ Handles student’s emotions with reserve, empathy, and support, and refers to appropriate professional campus staff as needed. Follows up on referrals to assess the effectiveness of the referral.

**Unless you have given some indication of your feelings or beliefs about the undocumented, they may have no way of knowing in advance whether your reaction will be positive or negative.**

## The Four Basic Levels Of Becoming An Ally:



### Level 1

#### Awareness

Gain awareness by opening yourself to the possibility that some of the students in your class or program are undocumented. Attend training sessions on HB1079; go on-line and read about HB1079 and the DREAM Act.



### Level 2

#### Knowledge

Begin to understand policies, laws, and practices and how they affect the undocumented students. Educate yourself on the many communities of undocumented immigrants.



### Level 3

#### Skills

Take your awareness and knowledge and communicate it to others. You can acquire these skills by attending workshops, role-playing with friends and peers, and developing support networks.



### Level 4

#### Action

To effect change that improves undocumented immigrant student success, you must act. This can be as simple as allowing substitutes for paid internships, placements in non-public agencies where a background check is not required, to assisting students by getting to know them so that you can write effective letters of recommendation when they apply for the only financial aid available to them—scholarships.

## Interacting with your HB 1079 Students



When a student comes to see you as an ally, they may share information about their immigration status with you with the keen awareness of the risks involved—the risk of jeopardizing their relationship with you, the risk of being rejected, and the risk of being denied success in your class or program.

How you react to their disclosure is critical. It can potentially help them or discourage them enough that they will abandon seeking help from you. The more positively you receive the information, the more comfortable you will make the student. The student may even share their ambivalence about telling you. Assure them of

confidentiality, do not try to “fix” everything without knowing what could jeopardize a student’s immigration status, do not give them false hope or “guesstimates”.



## Remember the following guidelines when interacting with HB 1079 students

Be aware of your own assumptions about the undocumented. HB 1079 and other undocumented students are a diverse group who are not individually distinguishable from every other student. If you do not understand something or have questions, do not expect the student to be your informant on the undocumented.

- Clarify with them what level of confidentiality they expect from you. They may not want you to tell anyone.
- If a student reveals that he or she is HB 1079, do not interrogate them about their immigration status. Listen attentively. If you do not know how to help them, tell them that you will find out and then get back to that student.
- Recognize that some others may be intolerant of the undocumented and that you may be a target as well.
- Do not ever give immigration advice, or suggest that one can identify himself or herself as a US citizen, drive without a license, or use false identification.
- Do not ask questions that would be considered rude. Never ask, "Are you illegal?"

***Consider it an honor that the student has trusted you with this very personal information. Thank them for trusting you.***





## HELPFUL RESOURCES

### Financial Resources

Gineseo Migrant Center  
Washington Apple Education Foundation  
Latino Educational Achievement Project  
Seattle Foundation  
Que Lluvea Café Scholarship  
The College Board

[www.migrant.net/migrant/scholarships.htm](http://www.migrant.net/migrant/scholarships.htm)  
[www.waef.org](http://www.waef.org)  
[www.leapwa.org/](http://www.leapwa.org/)  
<http://www.seattlefoundation.org/Pages/Default.aspx>  
[http://ca-core.org/que\\_llueva\\_cafe](http://ca-core.org/que_llueva_cafe)  
<http://professionals.collegeboard.com/guidance/financial-aid/undocumented-students>

### Community Resources

Coalition for Higher Education Immigrant Students  
I079 Coalition  
Beyond HB1079  
Casa Latina  
Chinese Information and Service Center  
Community Support Network  
College Access Now  
College Spark  
La Causa  
Latino Advocacy

<http://dreamact.info/node/61413>  
<http://www.youtube.com/watch?v=Ihtaw6aYdnA&feature=plcp>  
<http://www.beyondHB1079.org>  
<http://www.casa-latina.org/>  
<http://www.cisc-seattle.org/>  
<https://sites.google.com/site/washington1079/>  
<http://www.collegeaccessnow.org/>  
<http://www.collegespark.org/>  
<http://causaoregon.org/>  
<http://www.latinoadvocacy.org/>

### Legal Resources

American Legal Defense and Education Fund  
Asian Pacific American Legal Center  
Justice for Immigrants  
American Immigration Council  
American Immigration Council - Legal Action Center  
American Immigration Lawyers Association  
Asian Law Caucus  
NW Immigrant Rights Project  
National Immigration Law Center  
Poyecto MoLE  
TeamChild  
Washington Law Help  
One America  
Refuges Women's Alliance  
Seattle Immigrant and Refugee Advisory board

<http://maldef.org/leadership/scholarships>  
[www.Apalc.org](http://www.Apalc.org)  
[www.justiceforimmigrants.org](http://www.justiceforimmigrants.org)  
<http://www.americanimmigrationcouncil.org/>  
<http://www.legalactioncenter.org/>  
<http://www.aila.org/>  
<http://www.asianlawcaucus.org>  
<http://www.nwirp.org>  
<http://www.nilc.org/>  
<http://northwestleadership.org/programs/proyecto-mole/>  
<http://teamchild.org/>  
<http://www.washingtonlawhelp.org/WA/index.cfm>  
<http://www.weareoneamerica.org/>  
<http://www.rewa.org/>  
<http://www.seattle.gov/landRboard/>

Seattle Office of Immigrant and Refugee Affairs  
Seattle Educational Access  
Skagit Immigrant Rights Coalition  
Washington Dream Act Coalition

<http://www.seattle.gov/council/issues/oira.htm>  
<http://www.seattleeducationaccess.org/>  
<http://www.skagitirc.org/>  
<http://www.wdac.info/>  
[americanbar.org/groups/public\\_services/immigration.html](http://americanbar.org/groups/public_services/immigration.html)

### **National Resources**

National Immigration Law Center  
Dream Act Portal  
Dream Activist  
Dream Resource Center at UCLA  
Educators for Fair Consideration (EF4C)  
National Pursuit of Dreams  
The National Immigration Youth Alliance (NIYA)  
United We Dream

[www.nilc.org](http://www.nilc.org)  
[www.dreamact.info](http://www.dreamact.info)  
<https://www.facebook.com/dreamactivist.org>  
<http://www.dreamresourcecenter.org/>  
<http://www.e4fc.org/>  
<http://www.nationalpursuitofdreams.org/>  
<http://theniya.org/>  
<http://unitedwedream.org/>

# STUDENT INFORMATION



## **UNDOCUMENTED STUDENTS HAVE RIGHTS.**

**You cannot be denied admission to a Washington college or university based on your immigration status.**

**You are not required to show a state-issued ID and social security card to apply for admission to a Washington college or university.**

**You are not required to pay out-of state, international, capital outlay, or penalty fees (which may be charged to out-of-state and or international students) to enroll at a Washington college or university if you qualify for HB 1079.**

**You are not required to show proof of legal residency status or proof of application for legal residency status.**

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IF YOU NEED HELP: Some college/university staff may be unaware of HB 1079 or may interpret the law incorrectly. If you feel that your rights under HB 1079 have been denied, contact the Mexican American Legal Defense and Educational Fund (MALDEF) for assistance.





## WHAT IS AN ALLY?

For the purposes of HB 1079 students, allies are citizens or permanent residents of the US who are supportive and sympathetic to the issues faced by undocumented Americans.

### Allies can:

- Write letters of support.
- Help organize documents like school records or medical records.
- Help undocumented families and students find reputable legal representation.
- Help review scholarship essays, and find scholarships that undocumented students are eligible for .
- Educate others about the lack of resources.
- Keep undocumented status 100% confidential.

Allies will be a tremendous resource for you as you explore various aspects of higher education. The process of applying for admission to college can be a confusing and expensive process, and undocumented students should seek assistance with their college applications to ensure that all immigration-related questions are completed correctly, and all fee waivers are received when possible.

**If you think you meet the eligibility requirements for HB 1079, we urge you to seek out allies and then, together, utilize this guide as a resource.**





## PREPARING FOR COLLEGE

A college education facilitates new knowledge, exposure to diverse topics, broad experiences, and lifelong friendships. In addition, a college education has the potential to improve job opportunities (as advanced labor skills are gained), thus providing a higher income and making students more employable. The employability of students may encourage companies to sponsor an undocumented person for temporary legal visas. Investing in your college education will create positive returns in your life, so make higher education the ultimate goal to follow!

Planning for college should begin as early as the eighth grade because that is when you need to decide whether or not you are going to follow a college preparatory track. A college preparatory track should include, as a minimum:

- 4 years of English and Literature
- 3-4 years of Math (including advanced algebra and trigonometry)
- 2-3 years of Foreign Language
- 2-4 years of Laboratory Science
- 2 years of History and Social Science
- 3 years of Electives from the above list

This schedule demands that you take at least 4 college preparatory classes in every year of high school. This still leaves room for you to take additional electives in music, art, yearbook, etc.

If you are interested in engineering, math, science or computers, take all the math and science you can. If your strengths are history, writing, literature or the arts, take extra classes in these subjects. It is always a good idea to take extra foreign language courses.

If you reached your senior year without following a college preparatory track, talk with your school counselor to plan the best short-term college prep track possible!



## College Preparation Timeline

<b>Junior Year</b>	
<b>September</b>	<ul style="list-style-type: none"> <li>• Inquire about the PSAT test date, time and location in October—this test is a preparation for the SAT Reasoning Test and is a qualifying test for several national scholarship programs, including: National Merit, National Achievement, and National Hispanic scholarships.</li> <li>• Meet with your guidance/track counselor and your college counselor to make sure that you are taking college preparatory (A-G) courses and plan for your senior year.</li> <li>• Strive for mostly A's—your grades are especially important this year. Many colleges and universities require you to earn a C or better in your courses.</li> </ul>
<b>October &amp; November</b>	<ul style="list-style-type: none"> <li>• Take the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT).</li> <li>• Think about colleges you are interested in attending; research them online, at your school's college center, at college fairs, and call them to request brochures.</li> <li>• Start a file on the colleges that appeal to you.</li> </ul>
<b>December</b>	<ul style="list-style-type: none"> <li>• Receive results of the PSAT. Read the score report and consult your school counselors about your strengths and areas where you can improve.</li> <li>• Think about when you'll take your college entrance exams (SAT Reasoning Test or ACT). If you take the exam in the spring of your junior year, you'll have another chance to retake the test in the fall.</li> </ul>
<b>January</b>	<ul style="list-style-type: none"> <li>• Begin searching for scholarships.</li> <li>• A list of scholarships for HB 1079/undocumented students can be found at: <a href="http://www.maldef.org">www.maldef.org</a>.</li> <li>• Look at your high school's college center for scholarship information.</li> </ul>
<b>February</b>	<ul style="list-style-type: none"> <li>• Meet with your guidance/track counselor and your college counselor to talk about the colleges you are interested in.</li> <li>• Start preparing for the SAT Reasoning Test or ACT if you'll be taking them in the spring. Guidebooks with testing strategies and sample questions are available at public libraries, bookstores, at your school, or online.</li> <li>• Ask your college counselor if your school will offer an SAT prep course.</li> </ul>



<p><b>March</b></p>	<ul style="list-style-type: none"> <li>• Evaluate the college literature that you have collected.</li> <li>• Begin visiting the campuses of the colleges that interest you. Call ahead to participate in a campus tour and presentations about academics, admissions, and financial aid.</li> <li>• Register for AP Exams.</li> </ul>
<p><b>April</b></p>	<ul style="list-style-type: none"> <li>• Select challenging senior year courses.</li> <li>• Sign up for the May/June SAT II subject tests (if applicable for the school you are considering).</li> <li>• Look into summer jobs, campus, study programs, or internships—some of them offer scholarships.</li> <li>• Check with your counselor to decide if you should take the SAT Subject Tests in any subject that you will complete in your junior year.</li> <li>• Continue evaluating colleges and narrow down the list of schools that you will apply to.</li> </ul>
<p><b>May</b></p>	<ul style="list-style-type: none"> <li>• Take the SAT Subject Tests (if applicable).</li> <li>• Take Advanced Placement exams for AP subjects you studied junior year.</li> <li>• Enroll in a summer program, if possible.</li> </ul>
<p><b>June, July, &amp; August</b></p>	<ul style="list-style-type: none"> <li>• Visit your favorite colleges with your family.</li> <li>• You'll receive mail from colleges over the summer: be sure to return the reply cards to the schools that interest you.</li> <li>• Prepare for the SAT Reasoning Test or ACT.</li> </ul>

**Senior Year**

<p><b>September</b></p>	<ul style="list-style-type: none"> <li>• Apply for a FAFSA Pin, only if you are already in the process of establishing residency.</li> <li>• Sign up for the SAT Reasoning Test or ACT.</li> <li>• Meeting with your guidance/track counselor or college counselor to review you academic records for accuracy and to be sure that you have met the edibility requirements for the colleges that you plan to apply to.</li> <li>• Get applications from the colleges you will apply to. Many colleges now require students to apply online, so be sure to look at each college's website to determine how to apply for admission.</li> <li>• Be sure to keep your grades up during your senior year. THESE GRADES MATTER!</li> </ul>
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<p><b>October</b></p>	<ul style="list-style-type: none"> <li>• Consult with your college counselor to review your final list of colleges.</li> <li>• Get information about college application fee waivers from your college counselor if the application fees would be a financial burden to your family. <b>NOTE:</b> HB 1079 students may be eligible for fee waivers at many colleges and universities, so contact the schools to find out.</li> <li>• Attend college fairs at your high school.</li> <li>• Gather information needed for college applications and mark deadlines on your calendar.</li> <li>• Begin requesting letters of recommendation.</li> <li>• If applying for early decision or early action, send application now and prepare applications for back-up schools.</li> <li>• Sign up for December/January SAT Subject Tests (if recommended by schools you plan to apply to).</li> <li>• Start submitting admission applications to colleges.</li> </ul>
<p><b>November</b></p>	<ul style="list-style-type: none"> <li>• Take SAT Reasoning Test and have scores sent to colleges you will apply to.</li> <li>• Check with your counselor for information about scholarships awarded by your school, local companies, and community groups.</li> </ul>
<p><b>December</b></p>	<ul style="list-style-type: none"> <li>• File your last college application! Make sure you meet the deadlines.</li> <li>• If you are eligible, obtain the Free Application for Federal Student Aid (FAFSA) form from your college counselor.</li> <li>• Take the ACT (if applicable to schools you are applying to), and have scores sent to colleges.</li> <li>• Early decision notifications should arrive.</li> </ul>
<p><b>January</b></p>	<ul style="list-style-type: none"> <li>• Take the SAT Subject Tests (if applicable) and have scores sent to colleges.</li> <li>• Request that your counselor send the transcripts of your first semester grades to colleges you have applied to.</li> <li>• Attend a FAFSA workshop at a location near you.</li> </ul>
<p><b>February, March &amp; April</b></p>	<ul style="list-style-type: none"> <li>• Submit FAFSA forms earlier than March 2<sup>nd</sup>.</li> <li>• Call colleges to make sure your application materials were received.</li> <li>• Receive acceptance letter and decide on the college you will attend.</li> </ul>



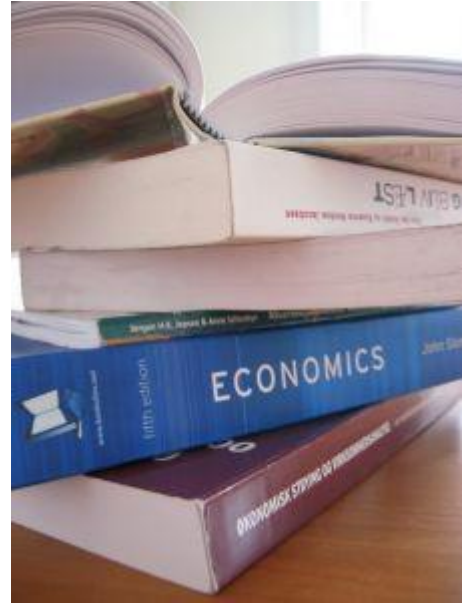
<b>May</b>	<ul style="list-style-type: none"><li>• By May 1<sup>st</sup>, notify your selected college that you will be attending.</li><li>• Notify other colleges that accepted you that you have selected another college.</li><li>• Take Advanced Placement exams for any AP subjects you took senior year.</li></ul>
<b>June</b>	<ul style="list-style-type: none"><li>• Request that your counselor send you final high school transcript to the college you will attend.</li></ul>



## WHAT YOU NEED TO DO TO GET INTO COLLEGE

The college application process really begins during the junior year of high school since that is when students typically begin studying for and taking the required college admissions tests, which may include the optional PSAT practice test, the SAT, ACT, and SAT subject tests. Most colleges require that students take the SAT or ACT tests, which students usually take for the first time junior year and may retake senior year. Additionally, some schools require SAT subject tests. Junior year is also a good time to begin looking for scholarships since there are some scholarships that are only available to juniors and others that students can apply to both junior and senior year to increase their chances.

Students typically work on their actual college applications in the fall of their senior year. The college application process is a long and arduous one. College applications require, among other things, essays, letters of recommendations, and transcripts. This process takes time since students need to write and revise various essays for different applications. For undocumented students this process can be more daunting because, unlike US citizens, they do not qualify for any government financial aid. You will need to find alternate sources of private funding, which are limited and highly competitive.



In order to be competitive for college and for scholarships, you will need to work hard to maintain good grades, do community service every year of high school, and develop a good relationship with teachers so they will write supportive letters of recommendation. If you decide to apply to private colleges, financial aid will be an important consideration in determining where you apply, as well as where you decide to attend. Before even beginning the application process, you should determine which colleges are likely to give significant financial aid to undocumented students.

### Scholarship Tips

Scholarships are a great way to fund your education, especially if you do not qualify for state or federal financial aid. Below are some tips to help finance your education:

- There are organizations and individuals that provide scholarships to undocumented students; however, these are limited in number and becoming increasingly competitive.
- Students must contact individual scholarship providers for eligibility requirements, specific deadlines, and application process information. Make sure to obtain information from a representative since the information printed on the list may be outdated. Also, be sure to **CHECK ELIGIBILITY**



REQUIREMENTS. You do not want to spend hours putting a scholarship application packet together only to find out that you are ineligible or that the scholarship is no longer offered.

- You should also ask about how the scholarship is awarded. Is the money given to you in the form of a check? Is the money deposited directly with the college? Answers to these questions are important because they determine whether the money may be used for tuition only or for housing, food, books, or other costs you may incur as a student. Some scholarship providers may provide students with a check and others may send it directly to the school you will attend.
- It is recommended that students begin looking for scholarships as early as possible. What does this mean? Do not wait until the summer before entering college to apply! Begin your search while in high school and within your high school, school district, and local community.
- Scholarship lists can be found by contacting support groups, such as non-profit organizations, student groups, or your campus scholarship office for more information.

## Private Funding

Some private universities, companies, and organizations may provide financial assistance to help undocumented students pay for college. Contact individual groups or colleges/universities about resources that may be available to you.

## Networking

HB 1079 Student networks are a great way to get connected with other undocumented students at your college/university. When visiting college campus, talk to:

- HB 1079 advocates, allies, and student organizations
- Chicano and Latino Studies departments
- Diversity/Minority recruiters

## Other Tips

- Find out if it's possible for you to get a Social Security number.
- Familiarize yourself with HB 1079.
- Ask counselors at fairs about and other schools or contacts they may have.
- Attempt applying to some scholarships that require a social security number, but make your status very clear to the committee. You may be surprised with the outcome!
- Get to know your high school counselor early! Let them know how they can help you.



- Think about individuals you might ask to sponsor or support you in college. This may include relatives, friends, neighbors, or the employers of your parents. If you need help writing a formal letter requesting help, ask! Writing skills will become indispensable!
- Consider ways you might earn money that do not require a social security number (i.e. tutoring, yardwork, babysitting, etc.).
- If you have the opportunity, live at home. This will save you housing costs!

## RESIDENT TUITION FOR HB 1079 STUDENTS

The costs of college attendance will differ greatly depending on the college or university. Community colleges are the least expensive colleges to attend, as tuition is typically less than \$1,000 per year. The costs of tuition and housing at private schools can range from \$20,000-\$50,000 per year. State colleges tend to be in the mid-range between community and private institutions. Regardless of the university, college attendance is considerably less expensive when students do not live on campus.

### Am I Eligible To Pay Resident Tuition?

To be eligible for in-state tuition, a student must have:

- Earned a high school diploma or equivalent (GED) from a Washington State High School.
- Lived in Washington State for three years prior to receiving a high school diploma or GED.
- Lived continually in Washington since earning the high school diploma or GED, and can meet college or university admission requirements expected of all other students.
- Signed the affidavit stating they will file to adjust their status as soon as possible.
- Been accepted into a public college in Washington.

**The differences between resident and non-resident tuition rates for 2011-2012 are shown below:**

	Resident	Non-Resident
<b>Washington State University</b>	\$9,886	\$21,164
<b>University of Washington</b>	\$10,346	\$27,830
<b>Eastern Washington University</b>	\$6,689	\$16,368
<b>Central Washington University</b>	\$7,974	\$18,645

\*Please note: tuition rates change yearly. This is just an example to show you the difference in rates.



## Follow these steps to pay resident tuition rates for college

- STEP 1.** Graduate from a Washington State high school or obtain a GED.
  
- STEP 2.** Live continually in Washington State for three years prior to receiving a high school diploma or GED.
  
- STEP 3.** Complete the admissions application from the college or university.
  
- STEP 4.** Fill out and sign an **Affidavit** that should be available at any public high school, college, or university in the state.
  
- STEP 5.** Submit the admission application and **Affidavit** to the college/university by the deadline stated by the institution.
  
- STEP 6.** Check with institution of interest if additional documentation is needed to access financial need (such as the FAFSA form).
  
- STEP 7.** Connect with school advocates and programs that can support college success.

### The Affidavit

The **Affidavit** that HB 1079 students are required to sign is a confidential statement verifying that he/she qualifies to pay resident tuition, and that he/she will seek legal permanent residency when legally permitted to do so (see page 44). If you would like to view the affidavit online, go to the following website:

[http://www.leapwa.org/ep/ep\\_HB\\_1079.asp](http://www.leapwa.org/ep/ep_HB_1079.asp)



## WHAT CAN I DO AFTER COLLEGE?

### Graduate School

There are no restrictions to prevent undocumented students from attending public Graduate/Professional schools. However, some professional schools require employment as part of their curriculum (e.g. graduate teaching credentialing programs). There may be some exceptions if you are interested in attending a School of Education, for instance, but the difficulty is securing employment once you have earned your degree. These types of professions require that you be legally eligible to work. Obtaining Certifications/State Licenses required for some professions is also difficult for undocumented immigrants due to requirements such as background-checks, a social security number, and state examinations.

Because undocumented HB 1079 graduate/professional students are not eligible for any type of federal or state financial aid, paying to attend college remains a concern. You are strictly dependent on your own financial resources, such as private scholarships, grants, and/or loans. Obtaining loans is one possible method of paying for your tuition. The most suggested methods of obtaining a loan are private lending institutions. Sometimes, a legal permanent resident/US citizen co-signer is required.

### Employment

Some undocumented HB 1079 students who are in the legalization process are eligible for a US work permit. This permit may be adequate for you to work legally. There also may be opportunities to start your legalization process through employer sponsorship under rigorous requirements. For more information, consult a licensed immigration attorney. Violating the terms of your visa status may be enough to prohibit you from future adjustment of your status.

Sometimes, entrepreneurship is an option. For example, you may be able to apply for a business license and start your own business.

### Internships/Fellowships

Internships are often made available to high school students, college students, and/or recent graduates interested in receiving supervised practical training in their field or profession of interest. Internships are a great way to get “real world” experience while applying to graduate/professional school. In doing so, you will get work experience and/or community service experience. Internships are also a great way to meet people and develop networks that may help you while you are in college, and after you graduate and are seeking employment. Fellowships refer to money granted by a university, foundation, or other agency for advanced study or research. Fellowships are often financial grants made to a fellow in a college or university. Fellowships can be viewed as paid internships, for which some undocumented HB 1079 students may be eligible.





## Research

Working on your own research with faculty members at a college or university is one way to get research experience and possibly earn money. Sometimes undocumented HB 1079 students are paid for this type of work in the form of a “stipend.” A stipend is a sum of money allotted on a regular basis, such as a salary for services rendered or an allowance. Undocumented HB 1079 students may be eligible for stipends if the source of funding is tax-exempt. If the stipend comes directly from a public college or university’s funds, undocumented HB 1079 students are not eligible. Remember, government funds are not available to undocumented HB 1079 students.

## Networking

If you want to increase your opportunities for employment upon graduating, networking with college/university staff members and faculty while you are in college is extremely important. You should also try to connect with local professionals in your field of study to determine the types of job opportunities that may be available to you after college. Other students on your college campus may also be able to provide you with this type of information or connect you with people who can help. The size and quality of your academic/professional network will largely determine your access to opportunities and information while in college and when you begin exploring potential careers.



## HOW CAN PARENTS SUPPORT THEIR COLLEGE-BOUND UNDOCUMENTED STUDENTS

### Advice For Parents



It is especially important that students know their immigration status well before they start the college application process. During senior year of high school, students apply to colleges and scholarships and should, therefore, be aware of their legal status because there will be scholarships and schools for which they might not be eligible.

With a college education your son/daughter has greater opportunities. A college degree is also important since it can be useful to find job opportunities outside of the US.

If living in the United States is no longer possible for an undocumented student, a college degree can be used to find jobs in another country.

Become educated about opportunities for undocumented students, including Washington's House Bill 1079 which enables undocumented students to pay in-state tuition, and the federal DREAM Act (see page 10). It is very important for you to assure your child that, despite the limitations he or she will encounter as an undocumented student, there will still be many resources to help him or her complete a college education.

Also if the DREAM Act is passed, then a college education may help your child obtain legal status. Assuming he or she qualifies for the bill, he or she would be able to qualify for permanent residency status when two years of college (or military service) is completed. Depending on your child's immigration history and his or her academic focus, going to college may also be the first step in eligibility for certain employment-based visas.

You do not need to worry about your child revealing his or her immigration status when filling out admissions or financial aid applications. The Federal Education and Privacy Act (FERPA) protects the privacy of student records at all educational institutions, including colleges and universities. These protections are the same for ALL public as well as private institutions. However, it is important that students do not lie about citizenship. Undocumented students who are caught lying about their citizenship will likely have their admissions acceptances revoked. Students do not need to provide a Social Security Number (applicants will be assigned a Student ID Number for use in the application process and while attending the school). Undocumented students should answer "None of the Above" for Citizenship Status. Students should answer the following questions as accurately as possible: Country of Citizenship, State of Permanent Residence, and State of Parent's Permanent Home. Any unanswered questions will result in processing delays for admission.



If parents are undocumented but their child is a US citizen that does not affect your son or daughter from applying for financial aid. Their parents' legal status does not matter.

A college education is expensive, but there are various forms of financial assistance available for undocumented students. Undocumented students do not qualify for federal financial aid, but other opportunities that help finance their education include government state aid, scholarships, private loans, in-state tuition, and fellowships for graduate school.

Students who are on the free or reduced-price lunch program at school, which is available to low income students regardless of whether they are undocumented, are eligible for numerous fee waivers. For example, they may receive 2 waivers for each of the college entrance exams (SAT, ACT, and SAT subject tests) and 4 waivers to cover the cost of applications to private colleges (additional waivers to private colleges may be granted directly by the schools themselves). Students usually have to be responsible for other small costs associated with the college and scholarship process, such as paying for transcripts, postage for items that need to be sent by mail, etc.

Other sources that can help fund your child's education are matched savings programs called Individual Development Accounts (IDAs). IDAs allow individuals with jobs to get \$2 for every \$1 they save. So, if your child saves \$2,000, then he/she gets a total of \$6,000! See Opportunity Fund's IDA program as example: <http://www.opportunityfund.org/ida>.

Keep in mind that public colleges charge more to students who live out of state than they do to those students who are residents of the state where the college/university is located. Only a handful of states allow undocumented students to pay instate tuition. Texas, Rhode Island, Connecticut, California, New York, Maryland, Utah, Illinois, Washington, Nebraska, New Mexico, Oklahoma, Wisconsin, Kentucky, and Kansas have passed laws providing in-state tuition benefits to undocumented students who have attended high school in their states for three or more years.

# APPENDICES

## Washington Higher Education Residency Affidavit/Declaration/Certification

Effective July 1, 2003, Washington state law changed the definition of “resident student.” The law makes certain students, who are not permanent residents or citizens of the United States, eligible for resident student status – and eligible to pay resident tuition rates – when they attend public colleges and universities in this state. The law does not make these students eligible to receive need-based state or federal financial aid. To qualify for resident status, students must complete this affidavit/declaration/certification if they are not permanent residents or citizens of the United States but have met the following conditions:

Resided in Washington State for the three (3) years immediately prior to receiving a high school diploma, and completed the full senior year at a Washington high school,

**or**

Completed the equivalent of a high school diploma and resided in Washington State for the three (3) years immediately before receiving the equivalent of the diploma,

**and**

Continuously resided in the State since earning the high school diploma or its equivalent.

\_\_\_\_\_   
Print full name Date of birth (mo/day/yr)

\_\_\_\_\_   
Student Identification Number (if available)

Relationship to the college or university:     Applicant     Current Student

Name of high school: \_\_\_\_\_

I certify that:

I will file an application to become a permanent resident of the United States as soon as I am eligible to apply. I am also willing to engage in activities designed to prepare me for citizenship, including citizenship and civics review courses. I certify or declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

\_\_\_\_\_   
Date

\_\_\_\_\_   
Signature Place (city, state)

**To the student:** Please submit the original copy of this completed affidavit to the admissions office of the college or university to which you are applying. Faxed or e-mailed forms, or forms without an original signature, are not acceptable.

June 25, 2003 -- HECB form No. 03-01-HB 1079

## ENGROSSED HOUSE BILL 1079

58th Legislature 2003 Regular Session

Passed by the House April 21, 2003

Yeas 82 Nays 15

Passed by the Senate April 8, 2003

Yeas 48 Nays 0

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### ENGROSSED HOUSE BILL 1079 AS AMENDED BY THE SENATE

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#### State of Washington 58th Legislature 2003 Regular Session

**By** Representatives Kenney, Cox, Fromhold, Jarrett, McIntire, Chandler, Miloscia, Quall, Sullivan, Veloria, Chase, Hunt, Pettigrew, Darneille, Conway, Cody, DeBolt, Delvin, Hudgins, Lantz, McDermott, Haigh, Kagi and Mastin  
Read first time 01/15/2003. Referred to Committee on Higher Education.

AN ACT Relating to resident tuition at institutions of higher education; amending RCW 28B.15.012; adding a new section to chapter 28B.15 RCW; creating a new section; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec. 1.** RCW 28B.15.012 and 2002 c 186 s 2 are each amended to read as follows:

Whenever used in chapter 28B.15 RCW:

- (1) The term "institution" shall mean a public university, college, or community college within the state of Washington.
- (2) The term "resident student" shall mean:
  - (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational;
  - (b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;
  - (c) A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;
  - (d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year;
  - (e) Any person who has completed the full senior year of high school and obtained a high school diploma, both at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an institution of higher education under subsection (1) of this section; and who provides to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses;
  - (f) A student who is on active military duty stationed in the state or who is a member of the Washington national guard;
  - ((f)) (g) A student who is the spouse or a dependent of a person who is on active military duty stationed in the state;

((g)) (h) A student who resides in the state of Washington and is the spouse or a dependent of a person who is a member of the Washington national guard;

((h)) (i) A student of an out-of-state institution of higher education who is attending a Washington state institution of higher education pursuant to a home tuition agreement as described in RCW 4 28B.15.725; or

((i)) (j) A student who meets the requirements of RCW 28B.15.0131: PROVIDE D, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(3) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of RCW 28B.15.012 and 28B.15.013. Except for students qualifying under subsection (2)((h)) (e) or (i) of this section, a nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent or temporary resident status or does not hold "Refugee-Parolee" or "Conditional Entrant" status with the United States immigration and naturalization service or is not otherwise permanently residing in the United States under color of law and who does not also meet and comply with all the applicable requirements in RCW 28B.15.012 and 28B.15.013.

(4) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the higher education coordinating board and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the board may require.

**NEW SECTION. Sec. 2.** It is the intent of the legislature to ensure that students who receive a diploma from a Washington state high school or receive the equivalent of a diploma in Washington state and who have lived in Washington for at least three years prior to receiving their diploma or its equivalent are eligible for in-state tuition rates when they enroll in a public institution of higher education in Washington state.

**NEW SECTION. Sec. 3.** A new section is added to chapter 28B.15 RCW to read as follows: The provisions of RCW 28B.15.012(2)(e) apply only to families of those who hold or entered the United States with work visas, temporary protected status visas, or green cards, or who have received amnesty from the federal government.

**NEW SECTION. Sec. 4.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect 23 July 1, 2003.

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# WE SHARE THE DREAM

W A S H  N G T O N

These partners listed contributed to this publication for undocumented students and their advocates necessary information to access higher education in the state of Washington.

