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Undocumented Students in Higher Education: How Liminal Legality Influences the
College Experience

by

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Bachelor of Arts
The Pennsylvania State University, 2013

Submitted in Partial Fulfillment of the Requirements

For the Degree of Master of Education in

Higher Education and Student Affairs

College of Education

University of South Carolina

2016

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Acknowledgements

This research has spanned my two years in graduate school. I expected that writing a thesis would be a challenging process and one that would push me academically. Never did I anticipate that pursuing a research topic could lead to personal growth. This experience has shaped my worldview, just as much as my worldview has shaped this research.

I cannot express enough gratitude to the participants who were brave enough to share their stories with me. Their patience, openness, strength, and perseverance in the face of significant challenges inspire me. Thank you, and keep fighting.

Thank you to my thesis chair Dr. Spencer Platt for your guidance and reassurance throughout this process. You've helped me talk through ideas before the words ever made it on paper. Thank you for believing in me and in this project, and for always being in my corner. Thank you to my committee members Dr. Julie Rotholz and Dr. Susan Bon. You have both been nothing short of supportive and motivational. Thank you for pushing me to keep writing in moments of doubt and for being my voices of reason.

Thank you to my family and friends whose unwavering support has nurtured my curiosities, passions, and whims. The participants in this research articulated the impact having people who believed in them. Thank you for being my people; you have helped me get this far, and I cannot wait to see what is next.

"The end of all education should surely be service to others." – César Chávez

Abstract

Undocumented students' pursuit of higher education mirrors in many ways the path of traditional American students. However, there are policies in place that create barriers unique to undocumented students. While the policies directly influence these students' educational plans, their emotional states are influenced as well. This paper will explore the policies that have had historical impacts on undocumented students' access to higher education. Through interviews with students at universities in the southeast region of the United States, this paper will identify the impact these policies have on students' educational pursuits. The hope is that this paper will serve as a guide for higher education professionals to better understand undocumented students' plight in effort to better meet their needs.

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Glossary

1.5 Generation: First-generation immigrants who came to the United States as children, and thus have more in common with second generation immigrants and citizen peers.

Deferred Action for Childhood Arrivals (DACA): Temporary legal status that gives undocumented immigrants who meet certain criteria relief from detainment and deportation risks for two years

Development, Relief, and Education for Alien Minors Act (DREAM Act): A proposed Act that would provide a pathway to citizenship for eligible minors.

DREAMer: An individual who would benefit from the passing of the DREAM Act.

Liminal Legality: The transitional nature of immigration status. This relates to belonging in some contexts and not in others due to legal status, and most noticeable during rites of passage.

***Plyler v. Doe*:** The landmark 1982 Supreme Court Case, sometimes referred to as *Plyler*, which secured K-12 education for all students regardless of citizenship.

Undocumented Student: A student who does not have legal immigration status or hold a visa for the United States.

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Chapter 1: Introduction and Research Questions

Purpose of Study

The purpose of this study is to examine the role of liminal legality, or transitional legal status, in undocumented students' college experiences. Much of the current research focuses on federal and state policies and in-state tuition rates. This research project seeks to understand how these external factors affect undocumented students' college experiences, and in turn how educators can improve the experience. The hope is that this research will serve as a reference for higher education and student affairs professionals who work with undocumented students.

To begin, it may be helpful to have some background on the population. Below there is a brief overview of the demographics of undocumented students. The data demonstrate where undocumented persons have immigrated from and the numbers of undocumented students estimated to be in America. There is also a note on terminology used throughout this paper.

Demographics

Undocumented immigrants are individuals who do not have legal immigration status in the United States. They are not legal residents, nor do they technically have permission to be in the country. This results from two situations. The first situation describes a person who arrived in the country legally and overstayed a visa. The second scenario involves illegally crossing the border. Wong and Valdivia's (2014) survey, "In Their Own Words: A National Survey of Undocumented Millennials" was the first

survey of its kind. With approximately 1,500 unique undocumented millennials completing the survey, the results demonstrated that about two-thirds of respondents came to the United States by crossing a border illegally, while about a third overstayed a visa after entering legally. Of those who overstayed visas, almost all of the respondents arrived on a tourist visa (p. 12).

Deferred Action for Childhood Arrivals (DACA) is a type of lawful permission that undocumented immigrants apply for from the federal government. More information will be provided about DACA later in this research. However, at this point it is important to understand the how far-reaching DACA is. According to Lopez and Krogstad (2014) at the Pew Research Center, when the Deferred Action for Childhood Arrivals program began in 2012, roughly 950,000 youth were immediately eligible for DACA, although not everyone applied. This figure represents the known undocumented youth in 2012. In the same year, the Immigration Policy Center estimated that over 70% of the students eligible for DACA were immigrating from Mexico, with an additional almost 15% coming from other countries in North and South America (“Who and Where,” 2012). Chan (2010) reviewed the Migration Policy Institute’s data and found that undocumented students are coming from across the entire globe, especially from Asia. An estimated 1.4 million Asian American and Pacific Islanders represent 11.4% of the undocumented population in the United States (The UndocuScholars Project, The Institute for Immigration, Globalization, & Education, 2015). These statistics show that the overwhelming majority of immigrants are coming from North and South America, but the whole world is represented (including Canada and western Europe). There are 65,000 undocumented high school students who graduate annually (Palacios, 2010, p. 2). Of the

65,000 undocumented high school graduates, 7,000-13,000 of them are entering higher education in the United States each year (Gildersleeve, 2010, p. 3). Ten to 20% of the undocumented high school graduates enter college each year. In the same year (2010), 62.5% of all high school graduates enrolled in college (“College Participation Rates”). This number of citizen students has increased since 2010. In 2014, the Bureau of Labor Statistics estimated 68.4% of all high school graduates enrolled in college (“College Enrollment”). Suárez-Orozco et al. (2015) cite that there are between 200,000-250,000 undocumented students in higher education around the country. This is about 2% of all students in college (p. 428). Higher education professionals need to be prepared to support this population. This research will provide suggestions for how educators can improve the college experience for this population.

Terminology

When referring to the population of interest, this paper will use the term “undocumented students” to talk about immigrant students who have yet to legalize their status in America. The term “immigrant” will be used to refer to non-citizens. These are currently the most accepted terms to refer to the students without citizenship or visas. Some literature uses the terms alien or illegal alien, but these will only be used when directly quoting those sources.

Recently an opinion piece from The Guardian was circulating about the difference between being an expatriate versus an immigrant. The article refers to this word choice as hierarchy in the lexicon of human migration (Koutonin, 2015). No hierarchical bias is intended with this word choice. For the sake of continuity with the scholarly literature, this research will be limited to the terms undocumented and immigrant.

The 1.5 generation is another term that appears in the literature. “Born abroad and brought by their parents at any early age to live in the United States, undocumented children are among those youth referred to in academic literature as the ‘1.5 generation’” (Gonzales, 2009, p. 7). They are considered 1.5 because they are somewhere between the first and second generations. They did not choose the life of an immigrant, rather this life was chosen for them. Thus, these children are deemed the 1.5 generation and “in a sense, they straddle two worlds” (p. 7). The 1.5 generation also eludes to the sense of liminality. As they straddle two worlds, they are not fully in either. They are on the threshold of being fully accepted or part of either world. The 1.5 generation are the students who inspired and are the focus of this research.

Another term used to represent undocumented students is DREAMers. This term stems from the DREAM Act, which is introduced below, and represents the students who would be eligible should such an Act pass. More information the DREAM Act criteria is outlined in chapter two.

It is important to understand the difference between an undocumented student and a DACA student. All students referenced in this research are undocumented, as this refers to persons without U.S. citizenship. If a student has DACA, he or she is still undocumented. Sometimes literature will refer to these students as DACAmented to make it clear exactly who is being referenced. However, this is not always the case. This research will use ‘undocumented’ as a blanket term. More specification will be provided when necessary (for example, a certain policy only applies to students with deferred action and not all undocumented students). For a quick reference of terms, you can refer to the glossary in the beginning of this paper.

In chapter one, demographics and terminology used when talking about undocumented students were introduced. The research questions of how liminal legality affects the college experience for undocumented students, as well as what higher education professionals can do to improve the experience were also presented. The chapters that follow seek to answer these questions. Chapter two features a review of the relevant literature on undocumented students, including policies and practices. Following this, chapter three explains the research methods for this study and provides the beginning participant demographics. In chapter four, the results of this study are explained. This chapter also includes background information on each participant, as well as corresponding state profile information to give context for each participant's situation. Lastly, chapter five discusses the implications and recommendations of this study, as well as suggestions for future research.

Chapter 2: Literature Review

There are several issues of access when it comes to undocumented students and higher education. All students have legal access to education regardless of citizenship through secondary education (K-12), but there are no federal laws that mandate or guarantee access to post-secondary education. This section will give an overview of the legal history for undocumented students in the American education system. Both federal and state policy will be examined because state policy picks up where federal laws end. “Although immigration is considered the responsibility and authority of the federal government, there is no clear federal policy regarding undocumented students and higher education. This leaves the power to regulate undocumented students in higher education to state governments” (Halloran, 2015, p. 9). Each state has its own policies, which makes this an increasingly difficult concept on which to stay current. In the same vein as state policy, institutions can make their own regulations regarding enrollment, in-state tuition, and financial aid as long as they don’t violate the law. Financial aid is becoming a state policy as well. Barriers such as unequal access to college resources, poverty, and psychological factors also limit access. These are all concerns of access to higher education. This section will progress thematically rather than chronologically. Policies will be introduced according to how they fit into previous legislation.

Policies & Laws

To discuss access to higher education, the policies that directly apply to undocumented students will be examined first. These include a Supreme Court case, an

act that never made its way through Congress, and an executive order from President Obama's administration.

Plyler v. Doe. The 1982 Supreme Court case, *Plyler v. Doe*, granted free public K-12 education to undocumented children because “the Equal Protection Clause of the Fourteenth Amendment also protected undocumented immigrants” (Pérez, 2009, p. xix). The Supreme Court ruled in a 5-4 vote, “denying undocumented children access to free public education ‘imposes a lifetime of hardship on a discrete class of children not accountable for their disabling status’” (Drachman, 2006, p. 92). The Supreme Court and Drachman are nodding to the fact that blocking undocumented students from K-12 education would be unethical since this would be punishing young people for circumstances beyond their control. Adults and children should not be treated the same under the law. The decision, however, did not address postsecondary education; meaning access to free education was not mandated after high school.

While the *Plyler* ruling did not extend beyond secondary schooling, there is some logic behind this. About a decade earlier, the Supreme Court case *San Antonio School District v. Rodriguez* resulted in a ruling that said education should not strictly be protected at the federal level. The case “effectively removed the constitutional burden for providing public education away from the federal government and placed it squarely on the states” (“State role in education finance,” para. 1). As a result of this ruling, states fund the majority of public education (more so than local or federal governments). To be more specific, the federal government's contribution to higher education comes from funding individual students and funding research; state government's contribution is paying for public institutions' operating costs (“Federal and state funding of higher

education,” para. 2, 2015). Since the *Plyler* decision followed the case relegating education to be financed by the state, it makes sense that the ruling could not apply beyond the K-12 setting.

Gonzales (2009) asserts, “trapped in a legal paradox, undocumented students in the United States have the right to a primary and secondary education, but then face uncertainty upon graduation from high school” (p. 4). Over thirty years later, the *Plyler* Supreme Court case is still relevant and used to advocate that all students, regardless of immigration status, should have access to K-12 education. Gonzales points out, “by initiating education only to deny it later, our current laws fail not only the students but also the community at large, and on a purely practical level, the investment already made in their education is lost” (p. 11). Gonzales questions the value of what *Plyler* granted, seeing little purpose in granting access to K-12 education when the students will be, in a sense, cut off from the educational system after the high school level. This is reinforced with Title IV of the Higher Education Act of 1965, which, “forbids undocumented students from receiving federal aid for postsecondary education” (Drachman, 2006, p. 91-92). While the *Plyler* decision does not include postsecondary education, the DREAM Act and subsequent legislation speaks directly to college access and admission.

DREAM Act. In 2001, the Development, Relief, and Education for Alien Minors Act (DREAM Act) was introduced as an amendment to the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA or 1996 Act; see below in the tuition section). Senator Orrin Hatch (Republican, Utah) introduced it to the Senate on August 1, 2001. Representatives Roybal-Allard, Cannon, and Berman introduced its counterpart, the Student Adjustment Act of 2001, to the United State House of Representatives in

May of 2001, neither of which moved forward at that time (Pérez, 2009, p. xxi). The DREAM Act was a plan “to repeal the denial of an unlawful alien's eligibility for higher education benefits based on State residence unless a U.S. national is similarly eligible without regard to such State residence” (“S.1291,” 2001). The benefits referred to in the DREAM Act include college access, in-state tuition, and financial aid. Ruge and Iza (2005) explain that using the word “unless” in the DREAM Act means that states cannot give any special, preferential, or additional consideration to undocumented students that they would not normally give to residents with United States citizenship (p. 11). That means tuition rates would be determined on a set of criteria and not based on citizenship. If a student meets the criteria but does not have U.S. citizenship, this student can still receive in-state tuition. This does not eliminate out of state tuition rates; it redefines eligibility for in-state tuition based on specific criteria. The DREAM Act sought to level the playing field in regards to higher education access. This is discussed further in the tuition section below.

The proposed DREAM Act would allow students to pursue higher education by adjusting immigration status to U.S. residential status. Additionally, this Act would prohibit deporting immigrants who had not yet received high school diplomas or GEDs, but who would have the opportunity to earn their degree with the DREAM Act (“S.1291”). The Senate amended the bill for the DREAM Act several times in hopes of passing it. The amendments clarified and detailed a plan for a six-year conditional resident status. With the 2003 amendment, immigrants who completed at least two years of higher education and/or served in the US armed services for a minimum of two years

became eligible to obtain permanent resident status (“S.1545,” 2003). In 2009, Gonzales explained:

The current version of the DREAM Act would permit students to obtain legal permanent resident status if they satisfy the following conditions: (1) they entered the United States at the age of 15 or younger and are under 35 on the date of the bill’s enactment; (2) they have been continuously present in the country for at least five years prior to the bill’s enactment; (3) they have obtained a high school diploma or its equivalent; and (4) they can demonstrated good moral character (p. 22).

Gonzales explained that those who meet these four criteria would be eligible for a conditional legal status that lasts for six years. If, in that time, the applicant finishes at least two years of college, graduates with a two-year degree, or serves in the United States armed forces, then the conditional aspect would be lifted, granting the applicant permanent residency. After obtaining permanent resident status, the individual could then apply for citizenship. This criteria is significant because it makes the DREAM Act a pathway to citizenship. It would have enabled undocumented students to work and go to school legally, and would give students a purpose to do so. Without this pathway to citizenship, students are working toward degrees that they may not be able to finish or may not be useful after graduating if they cannot obtain legal employment that matches their education level due to citizenship requirements. Halloran (2015) explained that the 2011 version of the Dream Act would “eliminate the federal regulations found in Section 505 of IIRIA [*sic*] that discourages states from allowing undocumented students access to in-state tuition” (p. 24). More information on the Illegal Immigration Reform and

Immigrant Responsibility Act (IIRIRA) and Section 505 as referenced by Halloran will be explained in the tuition section that follows.

Deferred Action for Childhood Arrivals. Although the DREAM Act has been modified several times, it has yet to be approved. “The legislative branch has proposed the Dream Act in almost every session of Congress since 2001 to no avail” (Woodruff, 2013, p. 30). While the DREAM Act has yet to make substantial progress, the Deferred Action for Childhood Arrivals (DACA) policy came out of the Obama administration in 2012 (with a pending expansion in 2014). Janet Napolitano, former Secretary of homeland Security and current President of the University of California system, issued the memo from which deferred action came to be. Similar to the DREAM Act, DACA allows students to study and work in the country. Unlike the DREAM Act, deferred action is not a pathway to citizenship.

Under deferred action, the Department of Homeland Security will not place certain, eligible individuals into removal proceedings. It is sort of like the government saying: “we know you are in the country without permission or immigration status, and we could deport you, but we will defer any action on deporting you (“Deferred Action Summary,” 2012).

As of 2012, a student would be eligible for DACA based on the following requirements: arrived in the United States before age 16; lived continuously in the United States since June 5, 2007; was in the United States on June 15, 2012 and has not left US soil since August 15, 2012; did not have lawful immigration status as of June 15, 2012; is at least 15 years old; has either 1) graduated from high school, 2) earned a GED, 3) was honorably discharged from the United States armed forces, or 4) is still in school; has not

been convicted of a felony or misdemeanor; and is not a security or safety threat (“Frequently asked questions,” 2015). The 2014 DACA expansion made the reprieve last for three years instead of two years. The expansion to DACA also extended eligibility to a larger age bracket by eliminating the age restriction completely. The new eligibility requirements cut off three years of how long a person needed to have continuously lived in the United States. The former requirement was from 2007, and the updated requirement states a person must have lived in the U.S. continuously since 2010. With the 2014 updates, DACA remains renewable after the three-year period (“Frequently asked questions,” 2015). The benefits of receiving DACA include obtaining a work permit and social security number (Pérez, 2014, p. 9). There is currently no limit to the number of times DACA can be renewed. As of the beginning of 2015, about 640,000 people have received DACA. This is nearly 90% of everyone who applied (Malik, 2015). While the Dream Act has yet to succeed, deferred action has directly benefitted undocumented people and our nation as a whole by providing work authorization and temporary social security numbers to increase educational attainment and job options. This is a sign that more legislation is necessary to support the undocumented population.

Tuition

The cost of college tuition is another question of access to higher education. This section gives background on three federal policies that have impacted undocumented students’ tuition and financial aid. This section also addresses how different states have interpreted these policies and what they have implemented.

Higher Education Act of 1965. The Higher Education Act (HEA) of 1965 came from President Johnson’s social programs. “The HEA was designed to make higher

education more accessible to populations of persons who were previously unable to attend these educational institutions because of economic circumstances (“Higher Education Act”). In 1965, President Johnson was not intentionally discriminating against the undocumented population. However, the irony is that while the program was designed to make education more accessible, it has actually blocked undocumented students from the funding that could support their education. “Title IV of the federal Higher Education Act, or HEA, requires that applicants for federal financial aid, including Pell Grants and the Federal Work-Study Program, be legal U.S. residents. This excludes undocumented students” (Pérez, 2014, p. 5). Since undocumented students cannot access federal assistance in the form of financial aid or grants, they are left with tuition bills that are completely unsubsidized. As discussed more in chapter four, 85% of full-time degree-seeking students at four-year non-profit institutions received federal financial aid in the 2012-2013 academic year (“Financial aid”). When Title IV of HEA blocks students from receiving these funds, it is limiting their ability to persist and obtain an education.

The 1996 Act & The Welfare Act. The Illegal Immigration Reform and Immigrant Responsibility Act (known as the 1996 Act or IIRIRA) was signed by President Clinton and focused on immigration reform. This was a strict crackdown on immigration and discussed a variety of measures, including border enforcement and welfare provisions (Fragomen, 1997). IIRIRA granted immigration officers the ability to remove aliens at their will if they arrived without documents or with false documents to a port, without allowing for a hearing with an immigration judge, which was not allowed previously (p. 445). Section 505 of IIRIRA is referred to and debated frequently when talking about undocumented students going to college. It increased criminal penalties and

law enforcement's authority (Halloran, 2015, p. 22). The 1996 Act, in conjunction with the Personal Responsibility and Work Opportunity Reconciliation Act (known as PRWORA or the Welfare Act) essentially reinvented welfare.

Between these two Acts, immigrants would no longer be able to access federal public benefits for their first five years in country (Fragomen, 1997, p. 447). However, under the 1996 Act, "states have been given the authority to enact legislation that would make an alien who is not lawfully present in the United States eligible for any state or local benefit for which the alien would otherwise be ineligible" (p. 450). This means that states have the authority to give their residents state and local benefits at their discretion. This language is similar to what is happening now regarding in-state resident tuition. States are given authority to pick up where federal law ends. Both Acts said that "undocumented students may attend colleges, private and public, but states that wish to enable these students to be eligible for in-state public college tuition must pass legislation allowing them to establish in-state residency" (Olivas, 2009, p. 408). Olson and Potochnick (2015) also explain that the 1996 Act "barred states from giving undocumented immigrants in-state resident tuition unless all American citizens and nationals were eligible for the same benefit" (p. 2) but continue by noting that many states have worked around this law and found ways to implement policy that makes it easier for undocumented students to pursue a college education (p. 2). The 1996 Act and the Welfare Act were strict immigration crackdowns and created many barriers that are still being incorporated in some fashion today. Fortunately, as discussed below, states have begun interpreting the language in the 1996 Act more inclusively.

In-State Tuition Eligibility. Although the DREAM Act has yet to be approved, DACA allows students to receive post-secondary education. “In the absence of federal policies, states have increasingly attempted to create their own legislative solutions” (Abrego & Gonazales, 2010, p. 149). States that have passed tuition-equity laws have overcome this federal prohibition by allowing anyone—including undocumented students or U.S. citizens from other states—to pay in-state tuition rates at state colleges and universities if they meet the state’s eligibility requirements (Pérez, 2014, p. 5). In 2001, Texas was the first state to allow undocumented students to pay in-state tuition and give students access to financial aid. This set the precedent for other states to adopt similar policies. Texas’ eligibility for in-state tuition includes graduating from a high school in the state, having lived in the state for at least three years by the time the student graduates, registering at a higher education institution, and signing an affidavit promising to apply for residency status as soon as possible (Dougherty, Neinhusser, & Vega, 2010, p. 136). This is what many states have used as a basis for redefining residency and making undocumented students eligible for in-state tuition. As is evident from the criteria, this is not preferential treatment for undocumented students. Instead, it is inclusive and open to everyone who meets the requirements. The number of years that a student lived in the state or attended high school also varies. This alternative interpretation provides more leeway and inclusivity. States have the flexibility to provide an education to all of their population by adjusting the residency requirements.

In December of 2014, the Center for American Progress outlined that there are six categories in which states fall when it comes to tuition for undocumented students. They are: 1) the state has a law that allows undocumented students to receive in-state tuition,

state grants, and scholarships, 2) the state has a law that allows undocumented students to receive in-state tuition, 3) the state has some public colleges and universities that allow undocumented students to receive in-state tuition, 4) the state has a policy that only allows DACA students to receive in-state tuition at certain colleges and universities, 5) the state has a law or policy where certain college and universities ban undocumented students from enrolling, but allows DACA students to enroll, 6) the state has no known law or policy (Pérez, 2014, p. 7). For reference, South Carolina falls in the fifth category listed above. This outline distinguishes between undocumented students and DACA recipients. As explained in chapter one, the difference in these classifications is that all DACA students are undocumented, but not all undocumented students have DACA. That is, people must still apply and be granted DACA. Neither DACA nor undocumented students have citizenship. In this paper, the term “undocumented student” is used; “DACA student” will be used for emphasis when something applies specifically to undocumented students who have DACA. Here DACA recipients are considered “documented” due to their DACA paperwork and receipt of their social security number. Given that there is such a variety in the ways that states give in-state tuition, it is difficult to quantify the number of states that actually offer this benefit. However, based on the October 2015 Resource Guide issued by the U.S. Department of Education, as of May 2015, nineteen states offer in-state tuition for undocumented students.

Just as states can choose how to approach in-state versus out-of-state tuition eligibility, they also have the ability to offer undocumented students state financial aid and grants (since, as mentioned above, this is currently not an option on the federal level). Receiving financial aid at the state level may still involve completing the Free

Application for Federal Student Aid (FAFSA) form. Students would complete the FAFSA in order to receive what is called the Expected Family Contribution number. This number is then submitted to states and individual institutions to request aid money (Malik, 2015). They are able to complete the FAFSA only if they have deferred action, because this is what gives students a social security number, which is needed to complete a FAFSA. While there are several states offering in-state tuition today, that number is likely to fluctuate, for better or for worse, over the coming months, especially with the 2016 election in sight. “Access to in-state tuition plays an important role in undocumented students’ decision to enroll and persist to earn a college degree” (Suárez-Orozco et al., 2015, p. 432). Because of this, states with more equitable tuition policies will likely see higher enrollment and graduation of their undocumented population. Pérez (2009) noted, “Without federal legislation, state efforts to support undocumented students can provide only temporary relief. [...] It does not make sense for states to pay for postsecondary education only to have those students forbidden to work” (p. xxii) after graduating from college. The author pointed out that even if states do improve their supports for undocumented students, this would never be enough. Having residents who are uneducated and working is just as poor of an investment as having educated residents who cannot work. Pérez noted the flawed system and nodded to the fact federal legislation is the most appropriate measure to invest in our communities with opportunities for both work and education.

Structural Barriers

Structural barriers are obstacles or circumstances that create significant disparities. These tend to include social, economic, and environmental systems (“Barriers to

Equality,” n.d., para. 4). Resources on college information, poverty, and psychological factors will be addressed in this section as structural barriers for undocumented students.

Pérez (2014) views undocumented students’ structural barriers to higher education as:

lack of adequate mentoring, limited information on eligibility from postsecondary institutions, and a lack of continued financing for tuition and other living costs. Furthermore, the burden of high poverty rates and the need to work to help support their families – as well as a fear of sharing information about their and their family members’ legal status; unsupportive college environments; and changing state laws that change residency requirements for in-state tuition rates, leaving students uncertain about their rights – all conspire to lock the door to higher education for undocumented students. (p. 2)

These are all concerns of access to higher education, especially given the circumstances of this population. All of Pérez’s barriers are valid and many of them will be addressed here. Tuition and changing state laws were discussed above. For the sake of this research, those barriers are considered political and financial.

Resources. One component of accessing higher education is the availability of information. Scholars at University of California’s Los Angeles and Irvine campuses researched the difference in accessing college information for undocumented Latino and non-Latino students. They found that “race differentiates where undocumented students access undocumented-specific information about college attendance” (Salinas Velasco, Mazumder, & Enriquez, 2015, p. 3). While this research draws on the California environment, it suggests, “this divergent access to informational resources is in part due to the fact that most public events and organizations that provide immigration-related

workshops and resources target Latina/o populations” (p. 4). According to their research, Latino undocumented students are more likely to rely on community organizations, campus organizations, and counselors while non-Latino undocumented students will seek information from the Internet, family and friends, and private attorneys (p. 4). This may also be due to the number of Spanish-speaking community organizations that are in California. While this is hugely beneficial to the Latinos in the region, this does not help the undocumented students with other native languages.

Forming trusting relationships with counselors and educators are another resource for college. Abrego and Gonzales (2010) reflect on the importance of school counselors’ role in the lives of undocumented students. “By helping them [undocumented students] move on to college, school personnel can prolong the legal protection school provides and help students access important financial support” (p. 154). Here they are referring to keeping students in high school and moving on to college, rather than dropping out of high school when students are confronted with limited options for their futures. Abrego and Gonzales (2010) note, “Positive school-based relationships can help students to excel in school by providing them with access to information about college, much-needed support, and assistance in applying for college” (p. 154). Both the lack of available college information and guidance can act as barriers for students, and can prevent access and matriculation to college for undocumented students. Educators play an important role in this and can make this transitional period much smoother.

First-generation college students. Along the same lines as accessing resources to college is the fact that undocumented students are often first-generation college students. As mentioned in chapter one, undocumented students are sometimes referred to as part of

the 1.5-generation. They are first-generation immigrants since they were born in another country and migrated to the States. However, because they migrated at a young age, they have much in common with their citizen peers and second-generation immigrants. They have shared experiences and commonalities because they are surrounded with American peers in school. However, when it becomes time to go to college, family influences can be a structural barrier. For first-generation students, not having the prior family knowledge and understanding of the American college system can set students back.

According to Teranishi, C. Suárez-Orozco, and M. Suárez-Orozco (2015), nearly 70% of undocumented students are first-generation (p.7). Suarez-Orozco et al. (2015) summarize that being a first-generation student poses obstacles such as not having the resources and information to apply, not being able to access the funding needed to attend, and not being able to relate to persons of authority on campus. Adding to the challenges of being the first family member in college, undocumented students have additional hurdles. The authors reiterate the limited financial options since federal aid is unavailable, as well as the need to work multiple jobs to pay for their education (p. 429). Pascarella, Pierson, Wolniak, and Terenzini (2004) write, “first-generation college students tend to be at a distinct disadvantage with respect to basic knowledge about postsecondary education (e.g., costs and application process), level of family income and support, educational degree expectations and plans, and academic preparation” (p. 250). They do not have the background and lived experience of taking standardized tests, filling out applications, paying fees, and so on, that go into applying for college. Being a first-generation college student, regardless of immigration status, is a huge obstacle to overcome.

Poverty. Living in poverty is a structural barrier to pursuing higher education. Abrego and Gonzales (2010) were specifically looking at Latino undocumented students, which is the majority (but not the entirety) of the undocumented student population. Abrego and Gonzales (2010) also noted in their research, specifically on Latino undocumented students, that poverty acts as a structural barrier. They described how “most undocumented youth end up in de facto segregated areas of dense poverty” (p. 147), that are known for high crime rates and low-performing schools (p. 147). De facto segregation is what happens less overtly. For example, if there is only one area of town that is affordable, people of the same socio-economic status will all live there. It is not that they are not allowed somewhere else by law, but circumstances dictate and tell people what is feasible. The authors note that poverty is even more likely for children of immigrants. “They are much more likely to be poor, live in crowded housing, lack health care, and reside in families who have trouble paying the rent and affording food” (p. 148). All of these factors work against students trying to earn an education, and actually increase the dropout chances. “Without legalization, undocumented students are permanently locked into the lowest socioeconomic class, perpetuating poverty among immigrant communities” (Pérez, 2009, p. xxv). Pérez argues here that there is little hope for students to be able to escape poverty without their legal status changing first. Gonzales, Heredia, and Negrón-Gonzales (2015) discuss poverty as a hindrance to capitalizing on meritocracy (meritocracy is discussed more below). They argue that undocumented students “often grow up in communities of concentrated poverty and attend schools in large, overcrowded, under resourced, and segregated school districts. These structural contexts limit their access to critical experiences that assist young people

in achieving social and economic mobility” (p. 320). The same authors estimate most “undocumented immigrant youth enrolled in K-12 are poor [...], a third of the children of undocumented immigrants live in poverty (nearly double the poverty rate for children of US-born parents), and nearly half of all undocumented children are uninsured” (p. 322). Growing up in poverty makes it harder for students to get ahead. They are beginning their educational pursuits further from the starting line than their peers nationwide and are competing for the same places in colleges.

Psychological Factors. There are a lot of uncertainties when a student enters college, many of which may be stressful for students. Undocumented students have all of the typical stressors that citizen students have, plus an array of hidden stressors linked to their immigration status. Stress and fear are some of the main psychological factors that undocumented students report. Fear of deportation is common. Dozier (1993) reports, “This issue appears to be so central to these students that it influences their decision making in almost every aspect of their lives” (Fear of Deportation, para. 1). Even the students who have DACA and know they will not be deported for a certain period of time still live in fear. However, what they fear is that their loved ones without DACA will be deported. About 70% of non-DACA recipients report worrying that their loved ones will be deported. This compares with a surprising 90% of DACA recipients constantly worrying about this (Teranishi, C. Suárez-Orozco, & M. Suárez-Orozco, 2015, p. 15). “It appears that for DACA recipients crossing over to the safety that DACA affords comes at a cost; a hyper-awareness of the vulnerability of loved ones left behind the line of the DACA threshold” (p. 15). While they still worry for themselves, they now worry more for their families and friends who do not have the protection that DACA affords. The

UndocuScholars report also found that “35.4% of students with DACA reported anxiety rates above the clinical cut-off point in comparison to 28% of non-DACA recipients” (p. 16). The UndocuScholars Project was part of Suárez-Orozco et al.’s (2015) work. When that project was combined with other methods to distribute their survey, they gathered responses from over 900 participants. From their mixed methods survey, they found that “76% reported worrying about being detained or deported themselves, and the overwhelming majority (85%) reported worrying about the deportation or detainment of family members or friends” (p. 443). One may expect the percentage of students with anxiety to decrease once receiving DACA. However, it is interesting that the percentage increases and students report living in fear for their loved ones, not just their own safety. Drachman (2006) notes that undocumented students generally “are reluctant to disclose their undocumented status for fear of deportation or other serious consequences” (p. 98). Fear of deportation is a major concern for undocumented students – for themselves and for their loved ones. The anxiety of hiding one’s status and fearing deportation are stressful. Managing this, on top of the expected concerns of going to college, would be overwhelming. Having DACA does not eliminate the psychological impact that negative immigration policies have on students. The policies that influence their families are also points of stress.

Social Mobility

The state of the economy has changed drastically over the last several decades. Years ago, a high school diploma was enough of a credential. Times have changed and employers now call for higher levels of education. A 2014 Burning Glass report commented that employers are becoming more particular in whom they hire for two

reasons: jobs are becoming more complex than in years prior and upcredentialing.

Upcredentialing is what Burning Glass refers to when employers require a college degree for a job that never needed one before and the skills have not changed (Burning Glass, 2014, p.1). This has drastic impacts for all college students, especially undocumented students. Frum (2007) noted:

At the time of the *Plyler* decision a high school diploma could very well lead to a well-paying job that could help one move up the socio-economic ladder [...]. Today [...] a high school diploma creates fewer opportunities for those entering the labor market. Arguably, the ticket to social and economic mobility has increasingly become a college degree, with college graduates' average annual earnings almost double those of high school graduates and nearly three times those of high school drop outs. While in 1982 the Supreme Court sought to prevent the creation of an underclass of undocumented individuals by assuring access to free public K-12 education, the new educational "ticket to the middle class" may well be a college degree. By today's standards, then, not extending similar protections to undocumented students once they reach college age may create the very socio-economic chasms the court had originally sought to avoid. (p. 83)

Frum's commentary is an insightful reminder of the need to critically examine current policies and laws. The *Plyler* case won in the Supreme Court for the very reason of creating equal opportunity and avoiding the creation of second-class citizens. The current state of our nation requires a bachelor's degree for entry to the middle class. Gonzales (2009) points out, "participation in postsecondary education is no longer a luxury but a necessity for nearly anyone who wishes to successfully compete in today's labor market

and command a living wage” (p. 13). A college degree is essential in order to earn competitive wages. However, undocumented students are in a unique position. State laws fail to address what happens to undocumented students after graduating from high school, let alone from college. “Without legal residency, college-educated undocumented immigrants will find it difficult or impossible to enter professional positions and thus may be relegated to lower paying, unskilled positions that they would have obtained without a college degree” (Frum, 2007, p. 91). DACA is renewable and provides a social security number and work permit, which can prolong students’ reprieve after college. However, this is not a permanent situation and keeps students in legal limbo. Gonzales (2011) explains the same dilemma:

Blocked mobility caused by a lack of legal status renders traditional measures of inter-generational mobility by educational progress irrelevant: the assumed link between educational attainment and material and psychological outcomes after school is broken. College-bound youths’ trajectories ultimately converge with those who have minimal levels of schooling. These youngsters, who committed to the belief that hard work and educational achievement would garner rewards, experience a tremendous fall. They find themselves ill-prepared for the mismatch between their levels of education and the limited options that await them in the low-wage clandestine labor market. (p. 616)

Without a pathway to citizenship, it can be challenging to imagine the hard work and financial burden of obtaining and paying off a degree. This may even deter some undocumented students from pursuing a college degree at all. If undocumented students persist through America’s education system, there needs to be a legal method to allow

these graduates to continue contributing to society. As mentioned above, DACA is currently renewable and gives recipients the ability to work. However, it is only a temporary patch on a larger issue. These students grew up in America, have been educated here, and some may have even served in the US Armed Forces. “Without full legal rights, undocumented youth will be barred from the traditional paths of upward mobility available to other immigrants throughout U.S. history” (Pérez, 2009, p. xxiv). Passing the DREAM Act into law is the most logical way to ensure these students will continue contributing to the nation they call home.

Immigrants’ Economic Impact. The economic impact that immigrants have on our nation is a common selling point for pushing immigration reform. Pérez (2009) notes, “The widespread belief is that the undocumented cost more in government services than they contribute to the economy. This belief is demonstrably false as noted by almost every empirical study on the economic impact of undocumented immigrants” (p. xv). In Texas when the first state DREAM Act was developing in 2001, businesses supported the legislation. Dougherty, Neinhusser, and Vega (2010) note that sometimes the social justice argument is overshadowed by the facts of economic self-interest. “College-educated immigrants would meet labor market demands, earn higher incomes, and pay more in taxes” (p. 139). That alone is a strong argument to encourage higher education. The same authors quote the Texas House of Representatives Research Organization saying:

The cost of not helping motivated students to attend college is greater than the cost of helping them. The long term implications of high rates of attrition to the state include a growing unskilled, undereducated workforce, accompanied by

increased spending on social programs, higher rates of crime, and decreased opportunities for a higher quality of life. (p. 140)

The same argument of economic interest is addressed in Lynch and Oakford's (2013) Center for American Progress report. They discuss how immigration reform, specifically legal status and citizenship, would benefit the American economy. The reforms would "ripple through the economy because immigrants are not just workers – they are also consumers and taxpayers. [...] That spending, in turn, will stimulate the demand in the economy for more products and services, which creates jobs and expands the economy" (p. 3). While there are many myths and misconceptions of undocumented people not paying their taxes or contributing to the economy, these scholarly sources all beg to differ. Drawing on Ortiz and Hinojosa's work, Halloran (2015) wrote, "the goal of state laws that ensure access to higher education for undocumented students is not only to give undocumented students an opportunity to further their education, but also to let the country and state benefit from the talents and education of the graduates" (p. 40). With this, Halloran demonstrates that educating undocumented youth is mutually beneficial.

The Georgia Budget and Policy Institute issued a policy report in 2015 regarding the economic impact of undocumented students in the state. The report noted that Georgia is less competitive than other states, including other states in its region, due to restrictive policies that limit higher education access for undocumented students (specific details of the limiting policies are covered in chapter four). The report pointed out that the barriers contradict the state's goal of increasing jobs. Additionally, the report noted that the state is not capitalizing on the investment that it has already made in these students by providing K-12 education. This translates to all states that stop investing in their

undocumented population post high school. In Georgia alone, about \$10 million could be made in the state annually by developing a more skilled workforce (Johnson, 2015).

Imagine this impact nationwide. While this report is specific to Georgia, the information is relevant to all states. Halloran (2015) cites Salsbury (2003), “providing access to higher education is the key to providing future opportunities, success and stability to both undocumented students and the communities in which they live” (p. 30). By hindering access to education for any part of the population, states become less competitive; it hurts the economy and it is a waste of an investment that has already been made.

Liminal Legality

Undocumented students are granted free K-12 education in the United States and have little reason to understand their legal status as children. However, the moment they realize the circumstances of their immigration status (often when applying for a job, trying to get a driver’s license, or applying to college), a transition begins. This is also where the term liminal legality starts to have more meaning. Menjívar (2006) introduced the idea of liminal legality. When creating this concept, she drew on work from other scholars. The idea behind liminality is that it is a transitional period, namely the crossing over between two points. Liminality is directly connected to rites of passage. In the original sense that liminality was created, this transitional period was meant to be one of empowerment and positivity. However, Menjívar argues that for immigrants, liminality poses periods of uncertainty and emphasizes exclusion (p. 1007). The phrase liminal legality “underscores that documented and undocumented categories do not adequately capture the gray areas experienced by many migrants” (Gonzales, 2011, 605). The transition out of K-12 education coincides with legal status changes and is a period of

transition. Going to college is a rite of passage, one in which many teens expect to participate. Torres and Wicks-Asbun (2014) further develop Menjívar's liminal legality definition by arguing that undocumented youth

occupy an "in-between" space of liminal citizenship that profoundly influences their aspirations for higher education. Immigrants are suspended in a state of "permanent temporariness" (Bailey et al. 2002) or "legal limbo" (Mountz et al. 2002; Menjívar 2006), precariously straddling realms of legality and illegality. (p. 196)

The term is aptly named, demonstrating the temporary nature of being protected in K-12 education and then having to apply for DACA to avoid deportation risks. Calling it "liminal" legality also captures the idea that this is a transitional term: students start on one side of legality and cross over to another.

Menjívar (2006) combined liminality with the legal constraints that undocumented immigrants face. Immigration status is characterized by uncertainty and ambiguity. She wrote that liminal legality "is neither an undocumented status nor a documented one, but may have characteristics of both" (p. 1008). What Menjívar means here is that immigration status and legality is ever-changing. Even if a person receives DACA, this is only a temporary fix. This same person can transition to a legal status for a short period of time, or only be eligible for certain aspects of a documented life (in-state tuition or financial aid, for example). Liminal legality "also points to the two-sided nature of citizenship, which can allow the same person, citizen or not, to experience belonging in one context but not in another" (Gonzales, 2011, p. 606). This is likely what happens when students first learn that they are undocumented. Perhaps they fit in at school

because they grew up in that setting and thought they were the same as their peers, but once learning the gravity of their status, there is a jarring awareness that they are not like everyone else. “Schools foster what Rumbaut (1997:944) calls a ‘unity of experiences and orientation’ among their pupils that aid in the development of a ‘community of purpose and action’ with ‘primary social contacts’” (Gonzales, 2011, p. 604). This means that the 1.5 generation fits in due to their unity of experiences that accompanies coming of age in the United States. They arrived in their youth and have come of age here. This is distinct for these youth compared to their parents, who do not share a unity of experience with their American peers.

Building off of the idea that undocumented youth have a unity of experiences with their peers, Gonzales (2011) goes on to note that being undocumented as a child does not have much of an impact. It is not until adolescence when immigration status becomes apparent and is likely a defining aspect of students’ teenage years. As hinted at above, liminal legality prevents “youth from following normative pathways to adulthood. Therefore, coupled with family poverty, illegal status places undocumented students in a developmental limbo” (p. 605). Unable to progress at the same rate as their peers because they have additional obstacles to overcome, Gonzales continues by explaining, “The transition to illegality brings with it a period of disorientation, whereby undocumented youth confront legal limitations and their implications and engage in a process of retooling and reorienting themselves for new adult lives” (p. 606). Rites of passage, for example, may not be experienced with their peers. Obtaining a driver’s license is a common milestone that is often blocked or deterred, as is applying for a job and applying for college. This limits independence and detours students from social lives and the start

of employment that tend to coincide with the freedom to legally drive. The liminal legality that accompanies being an undocumented teenager presents its own milestone: having to reframe how students see their own futures and the realistic paths they are willing to venture down in pursuit of their dreams.

Counter-Argument for Undocumented Student Presence

There are many myths and misconceptions about immigrants in this country. It is important to consider these and weigh them against the facts and literature presented in this chapter, as well as with the participants' personal stories that follow in chapter four. For example, the American Civil Liberties Union (ACLU) cited some of the myths to include immigrants are draining social services, are negatively impacting the economy, are taking jobs from citizens, do not want to earn their citizenship or learn English, and are criminals ("Immigration Myths and Facts," 2008). However, each of these myths is subsequently dispelled in the same report.

Goo's (2015) report through the Pew Research Center explains the American public's perspective on immigrants. Despite the anti-immigration rhetoric being used in the current election season, "among the public overall, there is little support for an effort to deport all those in the U.S. illegally" ("What Americans want to do about illegal immigration"). Birthright citizenship has also been a contentious issue. The majority of the nation supports this constitutional right ("Public favors tougher controls and path to citizenship," 2011). The American Immigration Council (AIC) noted that ending birthright citizenship, as some states have tried to do, would be a paperwork disaster. It would increase the undocumented population and leave many children stateless. They argue that this distracts from the real issue of immigration reform toward citizenship. AIC

also pointed out that as immigration has increased (including among unauthorized immigrants), there have been lower crime rates (“Giving the facts a fighting chance,” 2015). Despite the facts that scholars report, the public remains skeptical and split along party lines regarding immigration. Another Pew Research Center report from 2015, “On views of immigrants, Americans largely split along party lines,” demonstrates a more favorable perception of all immigrants (not just undocumented immigrants) from democrats, and a negative perception by republicans. However, regardless of party affiliation, all those represented in the Pew survey agreed that the immigration system needs to be rebuilt (Krogstad, 2015).

These perspectives on immigrants, regardless of legal status, feed into why many people may oppose policy reformation such as the DREAM Act and DACA. While there is not much scholarly research to expand on, browsing news sites and blogs gives a sense for some concerns. Drawing on the previous arguments of the economy suffering and crime rates increasing (neither based on fact), it would make sense that some people may oppose these policies. Some people see legislation that helps undocumented students as morally unjust, and that it rewards parents for breaking the law (Mehlman, 2011). Other concerns about undocumented students and passing the DREAM Act, or other policies that extend privileges to undocumented youth, include the fact that college tuition prices are increasing and allowing undocumented students to enroll is taking a citizen’s seat. There is also the concern that the DREAM Act will spur migration and the United States will see an uptick in new migrants (“The DREAM Act illegal alien amnesty,” 2009). It is important to acknowledge the counter-argument to supporting undocumented students. Understanding the facts and looking beyond media representation is essential. This

literature review serves as a guide for learning multiple perspectives and presenting the facts.

Assets of Undocumented Students

Much of the literature provided above demonstrates the barriers that undocumented students have working against them. This section seeks to highlight undocumented students' positive attributes. The barriers outlined above are external factors. How all people cope with their circumstances vary. However, making generalizations by drawing on existing research and literature, undocumented students can be characterized as resilient and civically engaged.

In Gonzalez, Stein, Prandoni, Eades, and Magalhaes' (2015) article, "Perceptions of Undocumented Status and Possible Selves Among Latino/a Youth," the authors look at the influence of mixed status communities (where some members have citizenship and others do not). The authors note that despite the hardships and unfair circumstances when peers or even family members have privileges that are not afforded to all members of the community, undocumented students persevere. "Many undocumented youth and advocates have found ways to move forward, maintaining a resilient attitude and creating meaning out of the challenges" (p. 5). When the same authors review earlier studies of undocumented students from 2009 (Contreras, 2009; W. Pérez, Espinoza, Ramos, Coronado, & Cortes, 2009), they note that across the board, undocumented student success can be attributed to being resilient, valuing education, maintaining determination, and having support (p. 5). The sheer act of continuing an education when the cards are stacked against them, undocumented students' perseverance and resilience is clear. Suárez-Orozco et al.'s (2015) research with over 900 undocumented students measured

academic resilience. They asked questions on their survey relating to “college readiness, persistence, and completion” (p. 437) based on the literature. On a 5-point Likert-scale, participants responded to questions such as “‘I am a positive thinker,’ [...] ‘I am very determined to reach my goals,’ [...] ‘I know how to get the help I need’” (p. 438). Their results demonstrated high levels of academic resilience (mean of 3.8, standard deviation of 0.6). “Undocumented students demonstrate incredible academic resilience. Having made it to college in the face of extraordinary odds, respondents by definition are academically resilient” (p. 443). Diane Coudu wrote in a 2002 Harvard Business Review article, “How Resilience Works,”

Resilient people [...] possess three characteristics: a staunch acceptance of reality; a deep belief, often buttressed by strongly held values, that life is meaningful; and an uncanny ability to improvise. You can bounce back from hardship with just one or two of these qualities, but you will only be truly resilient with all three.

The literature repeatedly demonstrates undocumented students are resilient. Judging their resilience off of Coudu’s definition, it becomes even more evident. The students accept the reality of their immigration status and the policies and laws that are systemically working against them. They hold on tightly to their values, which hold education in high regard. They improvise and work as many jobs as necessary to finance their education. They apply for scholarships and stand up for their beliefs. These students are nothing short of resilient.

Another key asset that undocumented students nationwide have exhibited is their level of civic engagement. Student activism is a kind of civic engagement. Nájera (2015) explains that a big part of the immigrant rights movement (where the DREAMers and

other undocumented student movements fall) is educating the community.

“Undocumented pedagogy describes how undocumented students assume roles as *teachers*, educating immigrants and citizens [...] about immigrant issues” (p. 37). Taking on the role of teachers and assuming responsibility for educating their community is a form of activism and civic engagement. Specifically, Nájera (2015) looks at civic engagement at the University of California, Riverside within an undocumented student group. Her conclusion is in line with what other scholars have written about the students they have interviewed: “They do not cast themselves as exceptional, but rather as young people who stand on the shoulders of family members who have sacrificed for them to have a place at the university” (p. 44). The students in this research emulate what many civically engaged undocumented students do: humility. This increases their approachability and their communities’ receptiveness to their message. Other students can come to them for help and undocumented students can serve as a resource for their peers. Gonzales, Heredia, and Negrón-Gonzales (2015) note that K-12 education does not necessarily foster opportunities for civic and political engagement. Despite this, they argue that many undocumented students are finding ways around this, particularly if and when they enroll in higher education (p. 334). “Most of the activists only began to get involved in civic and political activities while in college” (p. 335). Being enrolled in school (K-12 or college), to some degree, creates a sense of belonging in the midst of the exclusion that undocumented students experience overall. “Many undocumented students, invigorated by a conditional form of membership that comes with their inclusion in school, utilize this space to advocate for membership with the broader polity” (p. 335). Becoming civically engaged and active for immigrant rights is a way to have agency and

some sense of control over their own circumstances. In the Suárez-Orozco et al. (2015) study mentioned earlier that involved 909 undocumented millennial participants, civic engagement was a common finding. The authors reported that 92% of students had been civically engaged within the month. Nearly half of the students in the study were civically engaged several times per week or daily. Seventy-two percent of the students in the study said their engagement served as motivation for continuing their education (p. 443). In this study, engagement took the form of mentoring and helping those in their community. Not only are undocumented students serving their communities, but they recognize that their service also has personal value and motivates them to persevere.

Part of civic engagement is the idea of giving back. “Undocumented students often report that their pursuit of a higher education serves to honor the sacrifice and struggle of their families, friends, and an educational system to which they feel indebted” (Hernandez et al., 2010, p. 82). Giving back and being civically engaged is a way to honor and serve when finances are tight. Abrego and Gonzales (2010) argue that undocumented students’ “stories of exceptional hard work and exemplary civic engagement are often reminiscent of the stories that Americans like to tell of this country’s previous waves of immigrants and their quest for personal success” (p. 146). The United States is a nation of immigrants, and these stories of struggles and the triumphs of overcoming them should sound familiar. Undocumented students today are part of our nation and deserve to be recognized and treated as such.

Myth of Meritocracy

The myth of meritocracy is alive and well in the United States. Rooted in the American Dream, we have become a nation that believes that individual hard work results in earned social mobility. McNamee and Miller (2004) argue,

According to the ideology of the American Dream, America is the land of limitless opportunity in which individuals can go as far as their own merit takes them. According to this ideology, you get out of the system what you put into it. Getting ahead is ostensibly based on individual merit, which is generally viewed as a combination of factors including innate abilities, working hard, having the right attitude, and having high moral character and integrity. Americans not only tend to think this is how the system should work, but most Americans also think that is how the system does work. (para. 1)

This explains the idea of merit and its close ties to ideology in America. After explaining the role of meritocracy in our nation, the authors later argue that while merit is important to getting ahead, there are other factors that are equally influential. Cultural capital (the value of what and who you know) for example, is a valuable part of social mobility that is not captured in merit. They summarize, “where we start out in life has the greatest effect on where we end up. In the race to get ahead, the effects of inheritance come first and merit second, not the other way around” (“The meritocracy myth”). McNamee and Miller are saying that regardless of merit’s role, who people are and the circumstances that they are born into have more influence than merit. Liu (2011) adds to this sentiment by quoting Rob Moore, saying that a true “meritocratic system allows people to ‘achieve social status by virtue of their actual abilities and contributions rather than having it

merely ‘ascribed’ by accident of birth” (p. 391). Abrego (2008) adds that in a true meritocracy, social standing would not interfere with the ability to succeed, and all outcomes are deserved (for better or for worse), because they are based on talent and effort (p. 711). The idea of a true meritocracy may be appealing, but based off of the earlier literature reviewed in this research, it becomes clear that the United States is not actually a meritocracy. Along with these scholars, I argue that the American Dream is not a reality; merit alone is not enough.

McNamee and Miller (2004) comment on education’s role in social mobility. “Education is widely perceived as a gatekeeper institution which sifts and sorts individuals according to individual merit. Grades, credits, diplomas, degrees, and certificates are clearly ‘earned’” (“The Meritocracy Myth”). What people earn is supposed to serve almost as a currency in social mobility and the pursuit of a better life. However, as noted in this chapter and will be emphasized in chapter four, education as a form of merit is not equally valid for undocumented students as it is for citizen students. The same rewards, privileges, and opportunities are not presented to these students because of who they are and where they were born. Citizenship is a barrier that even merit does not trump. This in itself makes meritocracy a myth. Liu (2011) argued that defining merit is part of a hierarchy and is influenced by the “distribution of power in the larger society” (p. 386). It is important to consider the positions of authority and the forces that decide what constitutes merit and whose accomplishments are worthy.

If education is a gatekeeper, perhaps it is admissions counselors who hold the key. Good grades are the number one item that schools look for when accepting students (Kulman, 2008; “What Matters Most to Colleges”). Beyond good grades, especially in

curriculum that proves rigorous and challenging, College Board adds that colleges seek students who demonstrate leadership, initiative, willingness to take risks, devotion to service, and social responsibility (“Character Counts”). These sources all point to the fact that merit and intrinsic qualities that accompany merit should ensure students receive acceptance envelopes in the mail. However, the literature and research presented below beg to differ. Regardless of grades or character, there are policies in place that seek to limit undocumented students’ achievements and progress.

In order to pursue their education, undocumented students need to be mature and determined to persist through the transition to college. Torres and Wicks-Asbun (2014) comment:

Undocumented students form legal subjectivities, drawing on a sense of justice informed by meritocracy, claims of legitimacy, and entitlement to higher education based on their work ethic and high achievement, rather than their documentation status. [...] Indeed, in the face of adversity, many students demonstrate resilience and persistence (Contreras 2009; Castro-Salazara and [sic] Bagley 2010) through their achievement and enduring commitment to their future educational goals and aspirations. (p. 197)

Education is thought to be a method of social mobility and economic advancement. The myth of meritocracy also scrutinizes the validity of the American Dream. “Contemporary journalistic representations of undocumented youth often focus on college students attending selective universities precisely because their experiences powerfully support the myth of meritocracy that pervades U.S. society” (Abrego and Gonzales, 2010, p. 147). This research takes a different approach; it demonstrates how merit alone is not enough,

even for qualified, humble, motivated and resilient students to make the progress that a meritocratic nation indicates possible. As if anticipating the 2016 presidential debates, Pérez (2009) wrote:

Rounding up and deporting 12 million undocumented immigrants who own property in this country, and whose children are U.S. citizens, would violate all of the fundamental values and ideals on which our country was built. We must not forget the ideals and values that gave birth to this country: *freedom, equality, independence*. As we begin our immigration reform efforts, we must remain committed to our time-honored values. We must not lash out irrationally against hard-working and decent human beings, but, instead, we must remain faithful to those ideals. (p. xxxiv)

Staying true to liberty and justice for all, Pérez sees value, practicality, and morality in an inclusive society that is grounded in this country's beliefs. Removing the barriers to accessing higher education, as discussed above, would allow undocumented students to pursue college. Finding ways to support undocumented students, provide resources and financial access and assistance are all ways that educators can help alleviate the burden that undocumented students face when applying for college. The results of this research will be analyzed through a myth of meritocracy lens, and will look at how students' merit has helped them and has held them back in their pursuit of education.

This literature review provides an overview of the relevant aspects of policies and barriers to consider when examining the role of liminal legality in undocumented students' college experiences. There is a history of federal policies and laws followed by an outline of in-state tuition policies that affect the undocumented population. After policies are

addressed, structural barriers to access are considered. These barriers include access to resources, living in poverty, and psychological stress due to immigration status.

Following these barriers, social mobility and the economic impact of the undocumented population is discussed. Next, liminal legality is brought into context and undocumented students' assets are addressed, including their resilience and civic engagement. Lastly, the myth of meritocracy is introduced as the theoretical framework from which this research will be analyzed. The chapters that follow will draw on this literature and use it as the groundwork when analyzing participants' interviews.

Chapter 3: Methodology

Chapter three includes the research questions, study design, and recruitment procedures. Next it will cover basic participant demographics, data collection procedures and data analysis. Lastly, my role as a researcher and my worldview are included.

Research Problem & Questions

This research looks at undocumented students' experience in college. Undocumented students' legal right to education ends after high school and does not include higher education. The protection of K-12 educational rights and subsequent denial of access to higher education is considered when discussing liminal legality. Liminality implies being at a transitional point. When paired with legal status, this is the crossing over from legality to illegality. Thus, liminal legality describes being on a boundary of two legal status positions and is an appropriate description of the temporary legal status of undocumented students. Undocumented students transition from legally accessing primary and secondary K-12 education to confronting barriers when pursuing higher education. Therefore, this study will consider two research questions: How does liminal legality affect undocumented students' college experience? How can student affairs professionals support undocumented students?

Study Design

This is a qualitative study that used semi-structured interviews. I chose to conduct interviews because qualitative research emphasizes “nuance, setting, interdependence, complexities, idiosyncrasies, and context” (Halloran, 2015, p. 44). This was necessary

when studying a complex issue that is highly personal to the participants and controversial in the media. Getting the story from students, learning the context and how different complex pieces fit together made conducting interviews the ideal method for this research. An interview protocol was established with a set of baseline questions to ask each participant. The Institutional Review Board approved this protocol. The protocol was my framework for each interview and helped maintain consistency across the participants. I asked rapport-building questions throughout the interviews and asked follow-up questions for clarification as needed.

Recruitment Procedures

Interview participants were recruited via email, social media, word of mouth, and in person. The initial students who I contacted were students who I had met previously. These students connected me with their peers who were interested in sharing their stories. Additionally, I researched student organizations and non-profits and contacted them asking to share my information. Many of these organizations are active on social media and I was able to connect with them on different platforms. I also recruited students in person. On October 16, 2015, I attended the Georgia Supreme Court's oral arguments for the *Olvera v Georgia Board of Regents* case in Elijay, Georgia. I met many students who agreed to be interviewed for this research. I exchanged contact information with these students and followed up in the days afterwards. Through each of these routes, I used snowball sampling to spread the word and gather more participants.

Participants

I interviewed seven students for this study. The participants in this study were born in three countries: Bolivia, Mexico, and Honduras. There are three females and four

males, ranging in age from 19-22 years old. They attend community colleges and public and private four-year institutions in the southeast region of the United States. The students immigrated between the ages of 2 and 12 years old. More detailed background information on each participant can be found in Table 3.1 at the end of this chapter and in their biographies in chapter four.

Data Collection

In 2014 I conducted a pilot study and interviewed three students. The content of these interviews encouraged me that there was a need to keep researching the topic and hearing students' stories. For this study, seven students were interviewed, and these are the only stories that are recounted here. All interviews took place over Skype, FaceTime, or phone and were audio recorded. Data were collected from September through December of 2015.

Data Analysis

The data found in this research were analyzed using the constant comparative method (Leech & Onwuegbuzie, 2007). After collecting the data, I transcribed each of the interviews and utilized the line number function in Microsoft Word for easier reference when coding. Next I reviewed the transcripts several times. As I read each transcription, I wrote main ideas and notes in the margins. When I reviewed the notes in the margins, I was able to recognize some initial chunks of recurring concepts. Saldaña (2009) wrote that codifying is a process that allows for categorization. It is a way to classify items and start to see a pattern based on shared characteristics. What Saldaña explains as coding is what I was doing by writing notes in the margins: categorizing and classifying the patterns I was seeing in the major points that participants emphasized.

These notes I took in the transcript margins can be considered codes, and were entered into spreadsheets. The spreadsheets included several columns for each participant. In the first column would be the code, followed by the line numbers that correspond to the lines in each transcript where the codes could be found in order to refer back to the interview transcripts for context. The notes were then color-coded across all seven interviews and chunked into groups in another spreadsheet. This reinforced which ideas were being repeated throughout the seven interviews. The process of using the color-coding in the spreadsheet and separating the concepts into categories follows what Leech and Onwuegbuzie (2007) described as chunking in constant comparative analysis.

According to Ryan and Bernard (2003), themes are constructs that are usually abstract and can be found in text, images, sounds, and objects. The abstract chunks and categories in this research were narrowed down to become the four main themes: the myth of meritocracy, financial barriers, the importance of support, and the desire to give back. To see how the concepts fit into the four themes, refer to Figure 1 at the end of this chapter. The results section, found in chapter four, is based on guiding research questions and the codes applied in chapter three.

In order to make sure that my analysis and themes were correctly interpreted, I sent each of the participants an electronic copy of chapter four. I informed them of my findings and their respective pseudonyms in the research, several of which the participants chose for themselves. Through member checking, I requested their feedback. Specifically, I asked for errors in interpretation, details that they would like to be added or removed, and any additional thoughts that they had. I received no feedback from the participants in the member checking process.

Role as Researcher

I acknowledge my personal bias on the issue. I support access to education for all persons. I do not believe qualified individuals should be barred from education, especially for circumstances outside of their control. I believe all students have the ability to contribute. Students' immigration status is not a determination of what they can contribute in the classroom, on campus, or in society. Banning students because of immigration status is inequitable. Allowing access (admission and enrollment) to education is equality, but providing access with in-state tuition and financial aid is equity. These beliefs influence and inform my passion for this topic and likely create some bias within this research. When meeting several of the participants prior to our interviews, as well as in all communication leading up to the interviews, I made my position on the issue clear. I gave the participants freedom to ask me any questions. Some participants questioned my stance on undocumented students' access to education and I was clear in my support. With several of the participants, we discussed their ideal role of an ally in this fight against injustice. My role as a citizen ally is one that at times made it challenging to gain access to participants and earn trust, but once students got to know me and as I improved my skills as an interviewer and researcher, the trust came more naturally. Being open about my beliefs overall was one of the best choices I made in this research and helped the interviews flow more naturally. Creswell (2013) described a transformative worldview as one that is "intertwined with politics and a political change agenda to confront social oppression at whatever level it occurs" (p. 38). My worldview, equity and access to education for all persons including undocumented students, collides with a political agenda and social oppression that dictates the current narrative in our

nation. My aim is to produce research that informs those who are not familiar with the issue and transforms how educators view and serve students.

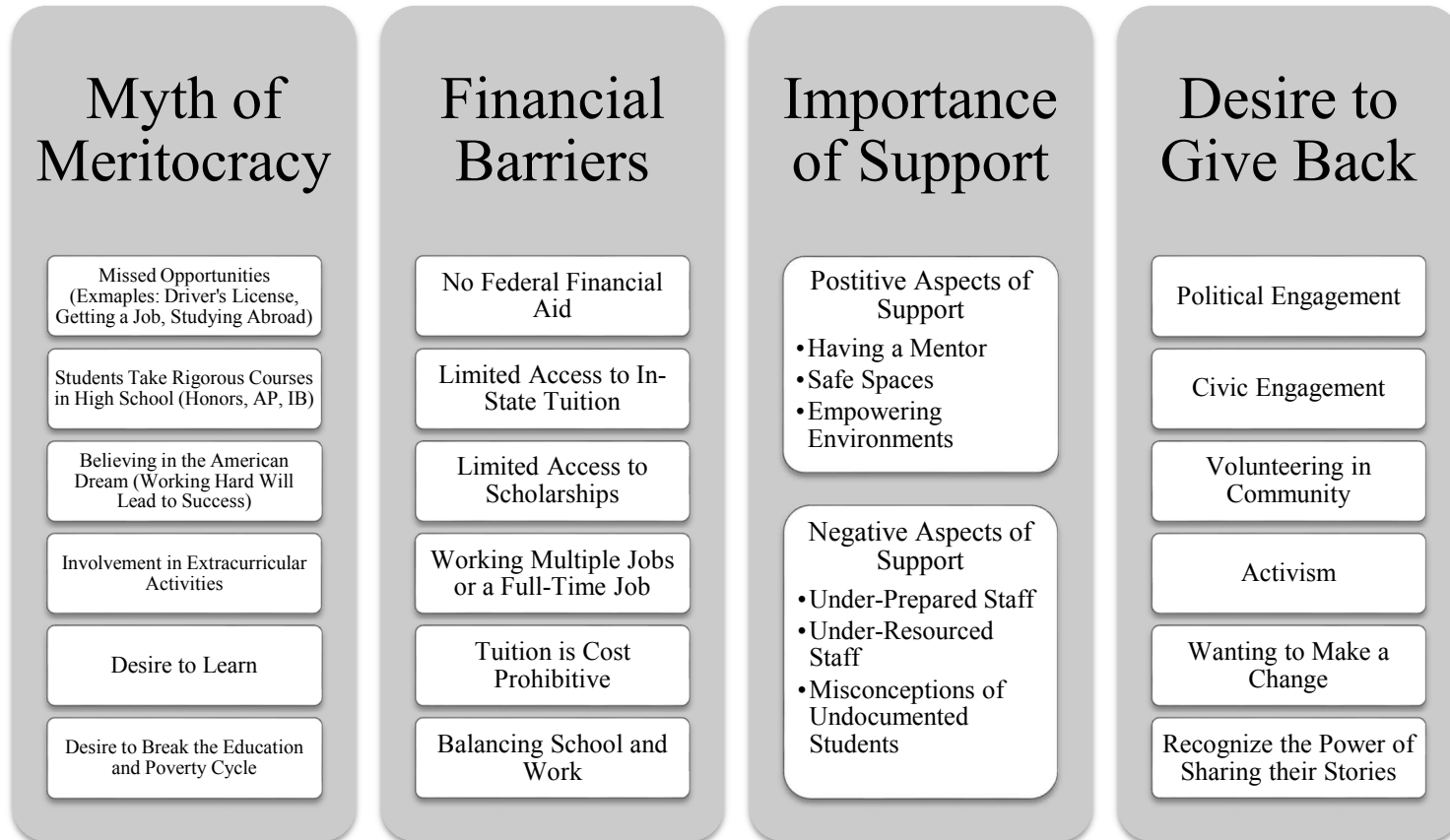
Table 3.1

Participant Demographic Information

Name	Gender	Country of Origin	Age on Arrival	Current Age	Age at DACA Implementation	State of Residence	Current College Enrollment Status	Any College-Going Experience
Victor	Male	Bolivia	5	21	18	Virginia	Enrolled	Yes
Manuel	Male	Mexico	7	21	17	Georgia	Enrolled	Yes
Amalia	Female	Mexico	2	22	18	Georgia	Not Enrolled	Yes
Luna	Female	Mexico	6.5	21	17	Georgia	Enrolled	Yes
Rio	Male	Honduras	6	19	15	Georgia	Not Enrolled	No
Javier	Male	Mexico	2	20	16	South Carolina	Not Enrolled	Yes
Juanita	Female	Mexico	12	20	16	South Carolina	Enrolled	Yes

Figure 3.1

Breakdown of Themes



Chapter 4: Results

Below are the results from the seven student interviews for this research. This section begins with biographies of each student, organized by the state in which they each reside. In each section, there is also background information on the state policy information to provide context for each student's situation. After the participant biographies, there is a breakdown of the four main themes that arose in this research: the myth of meritocracy, financial barriers, the importance of support, and the desire to give back.

Participant Biographies

Before delving into the key findings in this research study, below are short biographies with background information on each of the participants. These bios also provide essential state policy information. Since the state policies differ considerably and federal immigration policy only goes as far as granting deferred action (DACA), states have the responsibility and burden of creating their own policies. Below is the most current information from each state. In some states across the country both undocumented students without DACA and students with deferred action can enroll, while in some states only DACA recipients can benefit from higher education. Undocumented students are ineligible for federal financial aid, regardless of having DACA or not. All state financial aid is at the discretion of the individual state. All seven students in this research have come of age in the southeast region of the United States but are experiencing different hurdles in their educational pursuits based on their state of

residence. See Table 4.1 at the end of this chapter for a more condensed breakdown of the policies.

Virginia. In April of 2014, Attorney General Mark Herring (Democrat, Virginia) determined that Virginia state law allows DACA recipients to receive in-state tuition and establish residency in Virginia if they are otherwise qualified and they are accepted to a school in the state (Herring, 2014). In a press release Herring explained that besides being the right thing to do to allow undocumented students with DACA, who then have lawful presence, to become eligible for in-state tuition, it is also the proper legal move. Also of note is his reasoning that it is a waste of talent to deny undocumented students access to in-state tuition and by enabling access keeps the state competitive. Herring is quoted saying:

If the Commonwealth is to remain competitive in a global economy, we must embrace a strategy that maximizes our talent pool and helps all Virginians reach their full potential," said Attorney General Herring. "These 'DREAMers' are already Virginians in some very important ways. In most cases they were raised here, they graduated from Virginia schools, and they have known no home but Virginia. They might be the valedictorian or salutatorian of their high school, but because they were brought here as children many years ago, an affordable education remains out of their reach. Instead of punishing and placing limits on these smart, talented, hard-working young people, Virginia should extend them an opportunity for an affordable education. It's what the law requires, it makes economic sense for Virginia, and it's the right thing to do (Herring , 2014).

This policy in Virginia differs from the other two states in this research. Herring's advice to the state as the Attorney General demonstrates the political situation and mentality of the state.

Victor was born in Bolivia and arrived in the United States in 1999 when he was five years old. Now at age 21, he lives in Virginia and attends four-year public university. Victor entered the United States on a U visa, which "is set aside for victims of certain crimes who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or persecution of criminal activity" ("Victims of Criminal Activity"). The U Visa applies to the victim and family members. Part of a mixed status family, Victor has a younger brother who is also undocumented, and two younger twin sisters who are U.S. citizens. He traveled to the United States with his parents, who later divorced when he was in high school. Victor considers himself raised by a single mom.

Victor will graduate in May of 2016. When he enrolled in 2012, he was unable to receive federal financial aid through FAFSA, state financial aid, or in-state tuition. He was reliant on institutional and private scholarship opportunities to afford his education. Recently he was able to adjust his status from the U Visa to Legal Permanent Resident. In his senior year, this allowed him to fill out the FAFSA and receive federal financial aid for the first time in his college career. Denied and discouraged from applying to several institutions due to his non-citizen status, Victor was accepted to a university in Virginia that looked past his status and recognized his hard work. Supporting himself by working multiple jobs and feverishly applying to scholarships, Victor is months away from

graduating with a Bachelor's degree. He is in an accelerated Master's program for Women and Gender Studies, and looks forward to earning a PhD in the future.

Georgia. Georgia allows undocumented students with and without DACA to enroll at certain institutions in the state. However, tuition rates are less welcoming. In 2008, Georgia's legislature passed a bill banning "undocumented students from receiving in-state tuition rates" ("Undocumented Student Tuition"). The Board of Regents in Georgia updated the 2008 legislation in 2010. "The 35 institutions in the University System of Georgia must verify the "lawful presence" of all students seeking in-state tuition rates" ("Undocumented Student Tuition"). Despite the fact that deferred action grants students permission to live in the U.S., go to school, and work, the Georgia Board of Regents does not recognize this as sufficient documentation for granting in-state tuition rates. Undocumented students in Georgia cannot receive federal or state financial aid. Most institutions charge out-of-state tuition, and some charge the international rate, which tends to be higher than the out-of-state rate. A common scholarship for citizen students in Georgia includes the Helping Outstanding Pupils Educationally (HOPE) scholarship. According to the Georgia Student Finance Commission, the HOPE scholarship applies to residents who graduate from high school with a 3.0 GPA and attend an eligible higher education institution where they maintain the 3.0 GPA. Similar to the HOPE scholarship is the HOPE grant. The biggest difference is the grant only requires a 2.0 GPA as opposed to a 3.0. The regulations for both the scholarship and the grant require students to be U.S. citizens ("Hope"). The scholarship claims to be merit-based, but even if undocumented students meet these benchmarks, their lack of papers renders them ineligible.

In February of 2016, the Georgia Supreme Court issued an opinion on *Olvera et al. v. University System of Georgia Board of Regents*. The suit was initially brought by 39 undocumented students against the Board of Regents to allow DACA recipients the ability to receive in-state tuition. The students sued because they wanted clarification on the policy manual's language. The student residency section of the manual outlines:

A non-citizen student shall not be classified as in-state for tuition purposes unless the student is legally in this state and there is evidence to warrant consideration of in-state classification as determined by the Board of Regents. Lawful permanent residents, refugees, asylees, or other eligible noncitizens as defined by federal Title IV regulations may be extended the same consideration as citizens of the United States in determining whether they qualify for in-state classification.

(“Board of Regents Policy Manual”)

When the students filing the suit requested clarification of the language used to define eligibility, the Board of Regents refused to answer, claiming sovereign immunity allowed them the privilege of no response. While this suit may have reached its limits at the Georgia Supreme Court for now, the judges suggested during the oral arguments and in the opinion that the students could sue the Board of Regents in their individual capacities. So while in-state tuition remains out of reach for the time being, the student activists keep pursuing an affordable pathway to higher education.

Besides in-state tuition being off limits, undocumented students are banned at some schools in Georgia. “Any institution that has not admitted all academically qualified applicants in the two most recent years is not allowed to enroll undocumented students” (“Undocumented Student Tuition”). With this legislation, undocumented

students are banned from the five most selective research institutions in the state (Georgia State University, University of Georgia, Georgia Institute of Technology, Georgia College and State University and Medical College of Georgia). In the interviews, participants often referenced the ban and the frustrations they felt being locked out of a system they thought they would be eligible to access.

Manuel was born in Mexico and arrived in the United States when he was seven years old. He is now 21 years old and lives in Georgia. Manuel recalls crossing the border for about three days with his younger brother and older sister. His family lived in Los Angeles for a short time before they migrated to Georgia to be with more of their family in the southeast. His parents were already living in the United States for a couple of years and his father returned to Mexico to retrieve him and his siblings. Since he was so young when his parents moved away, he did not have many memories of them prior to reuniting in America.

Manuel graduated from high school in 2012, a month before the announcement of deferred action. He then took a gap year and worked full-time to save money for school. After receiving DACA, Manuel recalled, “I bought a small car for school to commute, school to work and back.” He reflected on buying the car and enrolling in college as a “pretty fun moment.” Once receiving DACA during the gap year, Manuel enrolled in a two-year college that is part of the University of Georgia System. He is considered an international student and pays approximately \$6,000 each full-time semester as he works toward an Associate’s degree. Because of this large expense without financial aid, he now attends part-time as he continues working full-time to afford his education. He is currently working toward his Associate’s degree in Sports Management and then wants to

transfer to Georgia State University or Emory where he would like to study physical therapy.

Amalia was born in Mexico and arrived in the United States in 1996 when she was two years old. She is now 22 years old. She is part of a mixed status family. Her younger brother is sixteen and was born in the United States, making him a US citizen by birth. Her older brother married his long-term girlfriend who is a U.S. citizen, and he is in the process of adjusting his status through his wife. A college degree has remained out of reach for Amalia for the time being. She graduated high school in 2011 and started an Associate's degree in accounting at a for-profit institution where her older brother was enrolled. After spending about \$5000 on her first semester, she could not afford to continue her education. Since December of 2011, Amalia has been out of school. In her time out of school, she has been working and has been highly active in the immigrant rights movement both locally and nationally. After devoting many years of hard work to the cause, she found a silver lining to her educational situation. She reflects:

But after I dropped out and became involved with organizing and with undocumented students and pushing for in-state tuition and all of these work-related, immigration-related things, I realized accounting isn't really what I want to do in the long-run. I'm good at math, but it isn't what drives me. It isn't really my passion, it isn't what makes me come alive. I realized that once in-state tuition happens here in Georgia, I'll be able to go back to school. I've realized the last couple of years, what I really enjoy doing, what I really like doing, what really drives me and is my passion is immigration work. So I want to go back to school for either social work, or law school or politics or something along the lines. But I

think it was a good thing for me to drop out. I think it made me learn more about myself and learn what I really want to do. So when in-state tuition happens, I'd like to go back for social work, or sociology, psychology or maybe law school. For the time being, her educational pursuits are cost-prohibitive. As she looks to the future, she sees options that align with her passions. Optimism and passion have helped Amalia keep her dreams in sight. Reevaluating her dreams while simultaneously working toward a solution for the greater good has shown Amalia what she wants out of life.

Luna is 21 years old and arrived in the United States from Mexico when she was six years old. Her father had migrated to the U.S. with his brother-in-law, and the work opportunities in the construction industry during the late 1990s and early 2000s gave them reason to settle in the Atlanta area. When she was six years old, Luna left Mexico and reunited with her family in the States. She is an only child.

Luna is enrolled at a local community college pursuing her Associate's degree in education prior to transferring to a four-year college. She would like to be a first grade teacher. She had considered a few four-year colleges (both public and private) in the state while she was still in high school, but the price tag of enrolling as an out-of-state or international student kept these schools out of reach. Luna is trying to transfer this upcoming fall.

Rio is 19 years old and arrived in the United States from Honduras when he was six years old. He remembers the journey from Honduras, through Mexico and Texas, and then over to Georgia. He already had family living legally in the States, and his immediately family came to America to join them. His father was living in the United States with other family members and already had his U.S. work permit. Despite having

his work permit, he risked losing it by returning to Honduras to collect his son, and then crossed back in to the United States with Rio. Part of a mixed status family, Rio has three younger sisters who all have birthright citizenship.

Rio graduated high school and is working full time with plans to enroll in a technical school next spring semester. Because of the high tuition rates and needing to pay between \$5000-6000 for a single semester toward an Associate's degree, he is not rushing his plans. He recognizes that enrolling at a technical school, while expensive, is significantly cheaper than what it would cost him at a traditional four-year institution given his immigration status. Rio aspires to work in academia as an economics professor.

South Carolina. South Carolina is known to be one of the most prohibitive states for undocumented students, even when they have DACA. "The state of South Carolina explicitly prohibits undocumented students from attending any public postsecondary institution. Since DACA recipients have lawful presence, they are eligible to enroll in public colleges and universities" ("South Carolina policy"). Although DACA students are still undocumented, South Carolina makes a clear distinction between those with and without this governmental permission when it comes to enrollment. "In 2008, South Carolina, in legislation titled the "Illegal Immigration Reform Act," prohibited undocumented students from enrolling in its state colleges or universities" ("Undocumented Student Tuition"). In 2013, however, the state's Commission on Higher Education issued a memorandum requirement that higher education institutions in the state needed to adhere to the federal government's definition of lawful presence. That meant that students with DACA would now be eligible to enroll ("South Carolina

policy”). Despite this positive change in 2013 after the introduction of deferred action, DACA recipients would still be treated as out-of-state students financially.

Javier is 20 years old and arrived in the United States when he was two years old. He and his family migrated from Mexico because of a medical issue causing blindness in Javier. He received treatment at the Medical University of South Carolina hospital in Charleston, South Carolina. After spending a few years in Charleston, Javier returned to Mexico when he was about six years old because his parents did not want him to forget his Spanish. When he was in third grade, he returned to Charleston. In Charleston, he finished middle school and graduated from private high school. Although he was accepted to several schools in South Carolina and out of the state, the lack of financial aid prevented him from enrolling in any of them. He began pursuing a degree at a technical college in the state, but has since stopped out because of the financial limitations of paying nearly \$16,000 per year toward an Associate’s degree.

Also part of a mixed status family, Javier has a younger sister who is a U.S. citizen. Most of his mother’s side of the family has U.S. citizenship. Despite having what Javier describes as a wealthy family in Mexico, his family moved to the United States to escape gang violence and for a better life. Javier has worked many jobs to earn money and is eager to get experience in several different fields. He has worked in the food, landscaping, construction, real estate, school counseling, and aviation industries. He is business savvy and always looking to challenge himself to learn more and be able to provide for himself and his family.

Juanita is 20 years old and arrived in the United States from Mexico when she was 12 years old. She has memories of resisting the move to the United States, leaving a

life she knew and was familiar with as a pre-teen back in Mexico. Juanita and her family moved to a small town in South Carolina eight years ago and have lived there ever since. Three years prior to her migration, Juanita's father moved to the United States for work. He chose the town in South Carolina because he already had family living there. After three years apart, Juanita left the rest of her family behind in Mexico and traveled to the United States on a tourist visa. She recalled the sadness and discomfort of moving from a life she knew to a brand new country, and the disappointment when the small town in South Carolina looked the same as her town in Mexico instead of like a Hollywood film. Juanita has two undocumented sisters and now has several nieces and nephews who are all U.S. citizens.

Juanita has the most variety and number of institutions to draw on when thinking about her college experiences. She initially enrolled at a private university in South Carolina, but only stayed for a year because of the exorbitant cost associated with the institution. After spending her lifetime of savings on one year at the private institution, she took a semester off to work and attend a local technical school and returned to live with her family. After a year and a half at the technical school, she transferred to another private four-year university where she is pursuing a degree in education. It will take her another two years before she is able to graduate because many of her credits did not transfer between institutions. Even once she finishes her degree, she will not be able to teach in South Carolina. While she can take the Praxis (teacher educator exam), she will not be able to get licensed in the state. Currently, Juanita is exploring options to move to a state where DACA recipients are able to get licensed to teach. In order to maintain her

institutional scholarship and keep her education more affordable, she must be enrolled as a full-time student. Juanita is a full-time student while she works full-time.

Each interview for this study kept me curious and eager to understand more about the participants' experiences. While the study participants all shared unique experiences, four main themes became clear. The first theme is the myth of meritocracy. This theme encompasses the mismatch between what students have achieved and what society presents them with as options for progressing through the higher education system. The next theme is financial barriers. None of the states in this research allow undocumented students to receive state financial aid, and federal law makes undocumented students ineligible for federal aid. Regardless of where undocumented students live, even with DACA, they are struggling financially to afford college. These students are all reliant on scholarships and the long hours they continually work to fund their education. The third theme in this research is support. This theme is the most broad of the four, as it encompasses students' positive relationships with mentors, as well as the gaps in the education system where built-in supports have failed undocumented students. Support, in this research, includes resources that educators need in order to do their jobs, as well as resources undocumented students need in order to succeed in college. The final theme in this study is the desire to give back. All of the students in this research are grateful and humbled by the opportunities they have been given. They are all aware of the people who have helped them get to this stage of their lives and are paying it forward in their communities. The sections below will provide a more in-depth analysis of each of the four themes.

Myth of Meritocracy

An overarching theme in the interviews was the myth of meritocracy. As detailed in chapter two, meritocracy is the belief that hard work alone will be enough to achieve social mobility, and that success is based on attributes within a person's control. The myth of meritocracy falsifies meritocracy, demonstrating that there are other factors at play and merit, on its own, is not enough to ensure social mobility as the American Dream suggests. Moving to the United States as children, these students were all raised with an mentality. That is to say, they all were taught from a young age that their hard work would pay off and lead to upward mobility. They could go to school and elevate their families' social status based on what they accomplished. As youth, their achievements came in the form of letter grades and GPAs. It was not until late in their high school years that they were presented with the harsh reality that the US government did not want them fighting for the American Dream. This insinuates that this dream does not belong to them. These participants, all of whom excelled academically, learned that their achievements would not pay off for them the way it would for their peers. Locked out of universities, either by state policy or by financial barriers, they learned that not all merit was created equal.

For the average high school student, earning good grades, taking Advanced Placement and honors classes, and being involved in extracurricular activities is enough to ensure that colleges will pay attention to their applications. It is a matter of checking a box regarding immigration status that stands between the participants in this study and fulfilling their aspirations. For Javier, his frustration was evident when he talked about the unfair situation of his limiting college-going status. "I'm a bright student. I graduated

with a 3.9 [GPA]. Not a 4.0, but I was close. But because South Carolina doesn't allow students like myself to have basically any scholarships or loans, I wasn't able to [go to school]." He listed a number of selective schools in South Carolina and in the southeast where he was accepted, but knew that his merit was not enough to secure a seat at his institution of choice when the tuition bill would be so high. Limited financially, Javier did not enroll as he had planned.

Juanita shared the same sentiment. "It's hard for someone who has worked so hard for their grades in school and just get to the point when you want to apply for your dream college, and they tell you no because you're undocumented." After working so hard to earn her grades in K-12, her status was the deal-breaker when it came to college acceptance letters. Rio experienced the same frustrations and disbelief. "I thought as an AP student I could go to any college. I was dreaming of going to Georgia State. It's like, realizing your dreams are not going to come true. There's something wrong." Until the college application process and discovering Georgia's ban for undocumented students at those institutions, Rio had his eyes on the Georgia State. As discussed above, the ban here is referring to the Board of Regents of Georgia not allowing the top five most selective institutions in Georgia to admit undocumented students. Georgia State University is one of these five schools that cannot enroll undocumented students at this time. His Advanced Placement courses prepared him for college, and he had good intentions to matriculate with his peers. His status blocked him from this pursuit despite what he earned in his classes and what he could offer his future peers in college.

Like every participant in this research, Victor always knew he wanted to go to college. Learning what was expected of him from a college admissions standpoint, he

earned an IB diploma, participated in band, edited his high school's newspaper and yearbook, was the president of his National Honors Society, created different clubs, and volunteered. An IB diploma is the International Baccalaureate Diploma Program for students 16-19 years old. It helps prepare students for college and many of them enroll in the top universities after completing the diploma ("What is the DP?"). His story of being involved (or overly involved, as he said to me) in his community and participating in multiple extra-curricular activities made him, like all participants in this study, perfect candidates for college. They set themselves up for success because they saw value in working hard in school and balancing this with out of classroom experiences.

Missed Opportunities. Participants discussed missed opportunities in their lives because of their limiting immigration status. One that was mentioned without prompting in six out of the seven interviews was the inability to receive a driver's license at the same time as their peers. This is one of the first milestones that American teenagers reach. It is a pivotal moment where teens become less reliant on their families and begin to gain independence. In Georgia, Virginia, and South Carolina there are a few documents that teens need to present when receiving a license. In varying combinations, they need to pass a vision test, submit an application, pass an exam, and show proof of residence, proof of citizenship, proof of identification, proof of legal presence, and a social security number ("www.dmv.org"). Several of the students who discussed not having a driver's license talked about this being one of the first realizations of how their status would influence their progression in life. Before being of age to drive, children and teens are treated fairly equally. With compulsory K-12 education, there is nothing to distinguish undocumented students from their peers in their youth. When it is time to get government

issued identification, having a social security number become critical. Because of the age range of the students in this study (19-22 years old), most of them reached legal driving age prior to having DACA. One student had DACA prior to being of age to drive.

Once receiving DACA, participants commented on how it had changed their situation. They received their licenses; many bought or borrowed cars and were able to finally get jobs with their work authorization instead of working under the table. Manuel recalled buying a car to commute to school and work. When he told me about this milestone, he paused, smiled, and said, “It was a pretty fun moment I guess” with just the right balance of pride and casualness.

Other missed opportunities that students mentioned included not being able to participate in different field trips throughout K-12 education and in college. Besides financial constraints, traveling even domestically without proper identification is risky and could cause the undocumented population to fear deportation. In order for undocumented students to be able to travel internationally and reenter the United States legally, they need to have two items. First, they need to have valid DACA. After their DACA is approved, students must apply for Advance parole. Advanced Parole is legal permission for a person with DACA to exit and reenter at a port of entry without the risk of deportation. Advance parole is only valid for short periods of time, and people with DACA can only use advanced parole for travel that relates to their education, employment, or other humanitarian interests (“DACA renewal and advance parole”). Victor talked about missing a field trip because of his status. “In high school I couldn’t do study abroad. I couldn’t go to Europe where they had this [marching] band tour. There are just so many things that I knew that I didn’t have access to.” He went on to explain

that when people asked him why he could not go on the trip, he would make excuses, saying he could not afford it, for example. People would tell him to apply for scholarships, but he knew that it was more complicated than financing the trip, but did not want to tell everyone that he was staying behind because of his immigration status. Without legal permission to be in the country, he would not be able to leave and reenter unnoticed.

American Dream. Manuel talked about his desire to continue pushing forward, despite being told that higher education was not for him. “I’m very hard-headed when it comes to people telling me I can’t do anything. It just pushes me a lot. I was told I wasn’t going to go to school, and I was like, screw that! I worked hard.” He went on to describe how he took a gap year, worked, and saved tuition for his first year at community college. Just because he was told that college was not for him, Manuel did not let go of his dream. Working and saving for school was his way of fighting back and proving he could accomplish what others said was not possible. After all of this, he described his motivation for persisting as paying back his parents and achieving the American Dream. “Whenever I get my [degree], I know that everything that they worked so hard for is going to be worth it. The American Dream is possible for undocumented students.” Manuel wants to be living proof that higher education, while at times feels elusive, is possible for undocumented students. His persistence and passion demonstrate qualities that each participant in this study exhibited. They all see a reason to continue working hard and pushing forward when barrier after barrier is put in their path.

The myth of meritocracy is ever-present in this study. Raised in a society that instills the value of hard work and ties this tightly with the ability to get ahead, these

participants have been misled. The American Dream is not taught in a textbook, and there is no clause in it that says it only applies to certain people. The American Dream is a mentality and a lifestyle. Students in the 1.5 generation have been raised under the impression that their achievements will pay off, not in trophy form, but in legitimate social change. They study and work hard for their education. They work long hours to pay for school and to help their families. They are excluded from opportunities and denied financial aid. The myth of meritocracy is real; participants are meritorious and remain marginalized.

Financial Barriers

Participants in this study attended high school and college in three states in the southeast region of the U.S.: Georgia, South Carolina and Virginia. The political situation in each of these states is distinct, but each state presents similar financial barriers. Regardless of the differing policies in each state, all of the students expressed that finances were their primary concern and how this was directly linked to their immigration status. As noted in some of the student biographies at the start of this chapter, students expressed how much money they have spent toward their degrees. *U.S. News and World Report* conducted a survey and gathered tuition data. Sheehy reported in 2013 that for the 2012-2013 year, public universities charged about \$10,000 less for in-state tuition than for out-of-state tuition (Sheehy, 2013). This is important to note, since Virginia is the only state in this study that allows undocumented students to access in-state tuition at public institutions. Some schools charge international and out-of-state students the same tuition rate, while others charge international rates that are more expensive. Undocumented students sometimes must enroll as international students. Additional

expenses to consider are the costs associated with transferring between institutions when credits do not perfectly align.

According to the National Center for Education Statistics (2015), “Student financial aid includes any Federal Work-Study, loans to students, or grant or scholarship aid from the federal government, state/local government, the institution, or other sources known to the institution” (“Note,” para. 1). As discussed above in the participant biographies, federal aid is not available. In most states, undocumented students are not eligible for state financial aid either. California, Washington, Texas, and New Mexico are currently the only states providing state financial aid, according to United We Dream’s FAFSA reference guide (p. 4). Considering the percentages of citizen students who receive aid in comparison, it becomes more evident how this barrier seems to be in place expressly to prevent undocumented students from accessing education. In 2012-2013, 85% of full-time degree-seeking students at four-year non-profit institutions received federal financial aid (89% at private and 83% at public non-profit schools). In the time frame, 76% of first-time full-time degree-seeking students at two-year public institutions were receiving financial aid and 90% of students at two-year private non-profit institutions were receiving financial aid (National Center for Education Statistics). From these statistics, it is clear how uncommon it is to be able to afford a college education without assistance. The bulk of the students attending without loans are generally upper-middle class students. However, as discussed in chapter two, undocumented students and their families on average do not hold this socio-economic status. On the contrary, immigrant families often find themselves near the poverty level, often working minimum-wage jobs.

Because none of these three states allows students to apply for federal aid, undocumented students are all reliant on private or institution scholarships. Each participant expressed the importance of scholarships in their educational pursuits. Rio, an AP and Honors student, recalled seeing his friends getting in to schools he was banned from attending. “I’m looking around seeing my friends who were C-average students getting in [to college]. Just because of my legal status, I’m marginalized from the academic system.” Watching his friends who performed worse than he did in high school receive scholarships and enroll in schools he wishes he could attend has been frustrating for Rio. He is marginalized because of Georgia’s Board of Regents ban that blocks undocumented students, even with DACA, from enrolling. Rio is also marginalized because his status makes him ineligible for common Georgia scholarships such as the HOPE scholarship, which he was watching his C-average friends receive. Discouraged by this unfair practice he also explained, “All I want to do is get into college. I’m not asking for it to be handed down to me. I would work for it. The prices are just too dang high and it’s not equal. It’s not fair.” Wishing to continue his hard work, Rio wants a fair opportunity to succeed. He is not looking for someone to hand him a free pass, but rather open a door that will allow him to continue pushing himself and learning more, adding to the positive contributions he makes in his community.

Victor thought back on his time in college and marveled about how his school came through for him time and time again. Regardless of how many jobs he had and how many overtime hours he worked, he was still coming up short to pay for the high tuition prices. “I remember every year it was like, wow, I’m here but I’m not even here. I’m at the University but I can’t even afford my next semester. What am I going to do?” Not

knowing if he could continue his education each semester placed a stressful burden on him. Working long hours, studying for class, and trying to be involved on campus drained him and he was not always sure if he would be able to persist. His description expressed how it was hard to see value in working so hard when it was unclear if it would pay off. His statement also hinted at the feeling of not being fully present. He was being pulled in so many directions and unsure how to move forward. His voice expressed this strain, and the huge amazement and gratitude each time his school came through with scholarships that enabled his success.

Manuel told me how finances were his biggest stressor. When talking about all the nights he stayed up late working and doing homework, he said, “I think that’s the biggest stress. I want to be there. I want to go to school. I’m just forced to carry a burden because the Board of Regents doesn’t think I make a change for the better.” Manuel was deliberately talking about the Georgia Board of Regents because of his involvement with the ongoing court case seeking in-state tuition for undocumented students. He is aware that the Board of Regents is intentionally limiting undocumented students’ access to affordable education by blocking in-state rates and banning students from the five most selective schools, regardless of their proven ability to succeed. He is frustrated with the circumstances and the cards that he was dealt. It is striking that Manuel says that the Board of Regents does not see him as making a change for the better. Each of the students in this study spoke with passion, has persisted in the face of tremendous obstacles, is civically engaged, and is a leader in his or her community. This is precisely the type of student who makes a change for the better, and is exactly who is being shut out.

Manuel went on to explain how the amount of money he must spend to pay for a full-time semester at a technical school could be the same as an academic year or more at a four-year school if he were granted in-state tuition in the state where he grew up. “There’s been times when I’m just like, fuck this, this isn’t worth it, it’s just a bunch of bogus and nothing is going to change. And I just hit rock bottom.” The financial barrier has made him angry and frustrated at times, and made him question why some people are entitled to benefits that he is excluded from receiving. In moments like this when he is angry and at rock bottom, he doubts the merit and hard work paying off. Sometimes he thinks nothing will change and he will be locked out forever. However, Manuel knows that change happens slowly and has learned to be patient with the process. He recognizes there are moments when he loses hope, as described above, but he has learned to take life one day at a time. Overall, he stays positive.

The sentiment of finances as a major stressor was emphasized in Amalia’s interview. She told me that when she realized part way through her first semester in college that she would not be able to afford the spring semester, she had a hard time staying motivated. “What’s the point of me trying in math or even attempting class when I know I’m not going to be able to do a second, much less third semester?” She lost motivation and questioned the value in persisting, when she realized she had spent a lifetime of savings on a single semester at a for-profit technical school in a degree she was not passionate about. Having a single semester of college completed, but no degree, is not very useful in the job market, making it difficult to see the point in continuing. But for her, that was her best option for higher education at the time. She continued, “I could take fewer classes and work more, but other than that, there was nothing I could really do.

But I think that sense of not being able to do anything was probably the most stressful.” Having no agency in her circumstances created stress, on top of the financial concerns. Amalia realized that she was limited in options. Working more to afford school also limited the time she could devote to excelling with a heavier course load. This is a lose-lose situation where she had minimal control.

All of the participants in this study, regardless of their state residence, reiterated that financial barriers were always looming over them. The combinations of high tuition costs (out-of-state or international rates), and no access to federal or state financial aid was draining. The participants all work long hours with the goal of affording a college education. The financial burden of trying to earn an education is overwhelming, especially when operating in a society that consistently puts barriers in your path as it does for these participants.

Importance of Support

The overarching theme of support can be broken down into two categories. In one sense, having support has been an essential key to success for the students in this research. On the other hand, the lack of support has proven to be a major obstacle that these students must overcome. This lack of support can also be interpreted as ways educators and student affairs professionals can improve the experience for undocumented students.

Having a Mentor. Having a support system or a mentor has helped the students in this research. For the sake of this study, support systems and mentors include people outside of students’ families. When speaking about the people who have helped them, they all expressed appreciation and gratitude for those who encouraged them, believed in them, and stood by them as they navigated their liminal legality during the college

application process. For example, Juanita had a negative experience with her guidance counselor, but her history teacher knew of a private school in the state that would accept undocumented students and encouraged her to apply. Juanita reflected, “I thank her, because if it wasn’t for her, maybe I wouldn’t be where I am today.” If Juanita had not had a mentor to look out for her and suggest applying to the private school in her state, she may not have enrolled in college. Her college counselor did not provide the information that she should have in order for Juanita to understand that, while limited, she still had some college options. Thankfully Juanita had a mentor looking out for her and who guided her through the process when her counselor did not properly advise her.

Rio was inspired by the support he had in his high school teachers. With one teacher in particular, Rio remembered a teacher telling him, “‘just keep fighting.’ He looked at me dead in the eyes. I really felt what he meant. [He told me,] ‘You’re going to be a great leader someday.’ And I looked at myself and I couldn’t believe it.” Rio’s supportive high school teachers encouraged him to fight for what he believes in. This support gave him the motivation to pursue his dreams and to see himself in a different light. He continued by telling me how he never saw himself as a leader and how he did not have self-confidence, but what he has always had is passion. When he told this story, he lit up talking about his support system and his passion for education and learning. The educators who motivated him have played a remarkable role in his life by supporting his journey.

Manuel echoed the same sentiments as Juanita and Rio. His soccer coach and teachers were very supportive of him. He reflected, “they just really pushed me in the best way possible. And thanks to them, and my family, I’m actually working hard and

trying to get school and stuff like that.” Manuel elaborated that even when disclosing his status, his support system rallied behind him and was trying to help him find ways to attend college. He is appreciative of the challenge and support that these mentors gave for him during high school. It is important to note that Manuel emphasized that his soccer coach was supportive of him and helped tremendously in his college-going process. Most soccer coaches do not have a job description that includes helping students apply to college and navigating the political complexities for an undocumented student in Georgia. However, this is something that would make sense for a high school college counselor to have included in a job description. Similar to the students above, it is important to note where counselors failed to meet their responsibilities for undocumented students. Left without proper advising, the first-generation undocumented students in this study were self-reliant and dependent on the kindness of their mentors to be able to find a path to college.

While many people spoke about mentors in high school, Victor spoke about his mentor during college. They connected prior to freshman year, saying “she made magic happen” when it came to finding scholarships for him as an undocumented student. He would go to her, out of options and unsure how to proceed. Victor said time and time again she guided him and found opportunities for him. “She’s kind of like my fairy godmother,” he explained. The two of them still work together now and have maintained this supportive relationship. Through the inflection in their voices, the smiles that reach their eyes, and their words alone, students made it clear how powerful these supportive, mentoring relationships have been for them. Some of them plainly say that they are unsure where they would be without this help. It is evident that students treasure these

relationships with inspiring teachers and coaches who have served as mentors. They have supported them and never wavered in their acceptance and understanding of them when students disclose their immigration status. These relationships have helped them persist and stay positive during difficult times.

An important detail to note is that none of the support mentioned above came from a counselor. That is, all support came from people who knew the students and helped them outside of their job capacity. Those in counseling roles or admissions roles were spoken of in ways that were detrimental to students' progress. It is no surprise that there was an overwhelming response from the participants that students need to be better supported.

Need for resources. The need for resources is two-fold: educators need resources and undocumented students need resources, but the information that they need is not the same. The information that educators need is on how to best serve undocumented students and guide them. The information that undocumented students need, particularly those who are first-generation students, is how to navigate college without citizenship.

Educator resources. College counselors who work in high schools, as well as traveling admissions counselors from colleges, need to have resources. Undocumented students and students with deferred action are not a new population to be working with in education. Regardless of geographic location, it is likely that counselors will encounter undocumented students in their careers. Thus, it behooves them to be knowledgeable so they can appropriately inform the students they meet.

When describing experiences with high school and college counselors, Amalia said, "A lot of them were very disconnected from the reality of an undocumented student.

They didn't really understand where we were coming from or the situation we were in." She went on to say that even after disclosing her status, her counselors were confused and did not understand how to help her. The counselors did not grasp the idea that someone could lack a social security number or a birth certificate. Thinking all students come from the same circumstances would be a mistake. Citizenship is an invisible identity, and one that cannot be guessed. However, it is essential to be educated on how to proceed once a student reveals this information. "I'd kind of just wish that the teachers and the counselors who are there to help the students to mentor them and to guide them, I wish they would have been more warned about the issue." She sums up a major shortcoming here. If counselors are not prepared to educate students, students cannot be expected to succeed. This is particularly alarming when the counselors' responsibility is college preparation. These are the resident experts in a high school. When they cannot communicate accurate information, the students are put at risk. Immigration is a complex issue and it would be a tremendous undertaking to understand the policies in every state and institution. At the very least, counselors should learn the policies in their home state, where it is most likely that undocumented students will attend school.

First-generation college student resources. Students need resources long before they step foot on a college campus. Even though undocumented students received K-12 education in the United States, they are still first-generation college students and cannot be expected to know how the college-going process looks. When talking about her college counselors in her high school, Luna notes, "They assume that you know, especially for immigrants, you are first generation. I had no idea how college worked. It was a big struggle in high school." Without the background knowledge of how colleges

operate, it would be difficult for students to know what is expected of them, let alone the steps they need to take in order to get to college. Somehow, this message gets lost in the shuffle. According to The College Board, “Legally, K–12 school personnel cannot inquire about the immigration status of students or their parents” (“Advising Undocumented Students”). It is possible that when students do not feel safe or comfortable disclosing their status, staff members are unable to provide the necessary resources for first-generation students. However, the participants in this study remarked that when they disclosed their status to professionals, they realized their counselors were uninformed about DACA and did not know how to help them.

Students need professional staff who can explain what it means to go to college. This should include the application process and how to prepare for it. Tasks like preparing for and taking standardized tests and taking college-preparatory track classes are topics that should be explicitly addressed. Besides college prep and application, there are other facets that need to be covered. Knowing which schools students can enroll in, the cost of tuition, and what scholarships and aid are available are essential details. Explaining to students what is expected of them beyond going to class, both in high school and in college, will help them in the college and job search. For example, students would benefit from volunteer hours, internships, and extracurricular involvement. If students begin at community college or technical school, informing them about how and where their credits will transfer before they register at a two-year school should be common practice. Informing students of the type of Associate’s degree they are working toward at a technical school is essential for proper credit transfer. Discussing exams and licensure options with students entering certain majors is critical, especially if the state

they live in prohibits undocumented students from practicing or becoming licensed. This type of guidance is essential for any students' success, particularly in the case for undocumented students. Being prepared with Advanced Placement classes and solid SAT scores does not do a student justice when realizing later that their citizenship status will prevent them from enrolling. Being patient, up front, and clear with this information is essential. Perhaps students are hearing about their college options for the first time. Empathy and encouragement to find a solution are ideal in a counselor.

Juanita talked about trying to change the education cycle for people who are normally locked out of education. "It's just this cycle that you're in. It's really hard to get out without an education and to move up to the next level. And to provide for your family, and offer them something to look up to." Juanita is referring to an education and social status cycle. In order to change your position, you need an education. As discussed in chapter two, a college degree replaces a high school diploma as far as what jobs require now because of upcredentialing. In order to get this diploma, a person needs money to afford it. Citizens could get loans or other aid to assist in this process, but undocumented students do not have this option. This cycle is an unending trap. Most undocumented students are first-generation students. This serves as an added obstacle when there is no prior family understanding of the college process.

Safe spaces. Creating safe spaces on college campuses for minority populations is concept that is growing in popularity. Consider LGBTQ centers and multicultural centers, for example. They create safe spaces for minority students to congregate and can serve as hubs for resources and guidance as well. Ortiz and Hinojosa (2010) agree, "the use of 'safe zones,' similar to those offered to lesbian, gay, bisexual, and transgender students,

may be a positive strategy to help undocumented students find appropriate and welcoming mentors” (p. 57). Piperato and Myers note that ally development programs and safe spaces came into existence to improve campus climate for LGBT students in the 90s (“Beyond Allies”). When attending an all women’s college, one participant described her institution as: “a really good environment for empowerment for women, because it always pushes you to do your best and have a leadership role.” This women’s college was a type of safe space to be around other women and push each other to be better. None of the participants attend institutions that have designated undocumented student resource centers. One participant, Victor, is actively trying to create this at his institution. Juanita also described her experience at the United States Hispanic Leadership Institute (USHLI) conference in a way that highlights the importance of creating a safe space. “It was really empowering, because you see a lot of Latino people there that have such high roles in society that you don’t even think about, and [it reminds you] how you can be the next person that creates a change in society.” Safe spaces include being in environments where you can relate to those around you. Juanita was inspired and empowered by attending USHLI that she recently was able to go for a second year. Being in an encouraging, safe space has helped her stay focused and remember what she is working for in her push for immigrant rights and equal access to education.

Creating safe spaces, especially at primarily white institutions, is a great way to help students network and create communities that are filled with empowering and motivating role models to whom they can relate. It may be idealistic to say a whole campus will be a safe space. Designating a physical space or a group that convenes for students to discuss shared lived struggles and successes is an important resource that

campuses can provide. Piperato and Myers argued, “student affairs professionals continue to allow the burden ‘of oppression [to fall] on the oppressed’” (“Beyond Allies,” para. 5). With this, the authors argue that student affairs professionals need to step up and be allies. We have a stake in the success of undocumented students, and creating a safe and welcoming environment on campus for them is our responsibility. While there are several hurdles to jump over regarding fair enrollment, tuition, and financial aid, undocumented resource centers can feel like a pipe dream. Nonetheless, the undocumented students are on our campuses and they deserve a place where they can feel the comforts that citizen students have the privilege to take for granted.

As the students’ voices demonstrated, undocumented students value the supportive relationships they have with their mentors. These relationships are viewed as key components of students’ persistence and success. The participants shared that their experiences with college counselors were unhelpful because they provided no or inaccurate information. College counselors and educators need to be informed on current policies as they relate to undocumented students so they can accurately explain the information to students when they are considering colleges. Providing information on what is expected for students in the college application process and after enrollment to be appealing to an employers are helpful resources that undocumented students would benefit from, especially since they are often first-generation students. Lastly, the designation of safe spaces and the creation of undocumented student resource centers on campus would serve this minority population in ways that have historically proven successful for other underrepresented groups.

Desire to Pay It Forward

The study participants recognize the sacrifices that others have made on their behalf and feel an indebtedness to give back to future generations. The participants demonstrate their commitment to the immigrant rights cause by organizing politically, creating student groups, and helping others with DACA paperwork. While different approaches, they are each examples of ways that students are paying it forward.

In the same vein as expressing the desire to pay it forward, participants explained their involvement and activism as something larger than themselves. Choosing to be part of a movement is something that has an impact for posterity. While their actions may benefit them eventually, the decision to fight is not strictly personal; it is about standing up for what they believe in. Manuel reflected on his limiting immigration status and was able to find a silver lining. He said, “I think it’s good that I’m here. I’m growing so much as a person with the movement, with the people I meet. I actually think we are going to make a difference in the Latino community.” With immigration status as a hindrance on many aspects of life, it is impressive when students, especially young adults, are able to remain positive and realize how their personal suffering may be of service to their community in the long run. Amalia expanded on the idea of an issue extending beyond her personal circumstances. She said, “At the end of the day, the root issue isn’t that I’m not able to go to school. The root issue is that all of us in the state of Georgia can’t go to school.” Amalia has spent the last five years being actively engaged in activism for immigrant rights. She was involved in national campaigns and with organizations that traveled the country to educate people on the issues. She is also a founding member of a local immigrant group that is pushing for in-state tuition for undocumented students in

Georgia. Amalia told me of the transient activist community, and how there is a high turnover rate in volunteers. She has had opportunities to better her own situation, such as attending college out of state, but she knew this would not solve what she calls the root issue. Her perseverance and dedication to this cause is what she considers her contribution. “The way I see it, I want to stick around and see how long it takes and hopefully we can get a result in the long run.” She has the optimism, foresight, and selflessness to put aside her personal goals in order to work for a larger impact.

On a smaller but equally important scale, Juanita recalled how she had a friend help her complete her DACA paperwork. After that initial assistance, Juanita became comfortable with the process and now pays it forward by helping locals in her community with completing their DACA paperwork. Completing DACA paperwork is a daunting task that several students reflected on in their interviews. They told me about lawyers who swindle clients knowing how receiving deferred action can be life changing. The lawyers sometimes take advantage of how nervous applicants are when informing the government of their status. Often lawyers charge astronomical fees on top of the already high price of applying for DACA. Helping community members save the expense of a lawyer’s guidance on the paperwork is a common way to pay it forward.

Juanita is also a founding member of an immigrant rights group in South Carolina. In this group, the members are spread across the state. She talked about the difficulty of engaging undocumented people who still live in the shadows. Juanita values the space and community within the group and recognizes that they are taking the initiative and fighting for themselves. “If you don’t do it, nobody else is going to do it for you. If you want to receive the help, you have to go and look for it.” The fight for in-state tuition in

South Carolina is not as progressive as Virginia or even Georgia, but the students know they need to be their own advocates. They take ownership of their circumstances, despite the fact that their limiting status was bestowed on them rather than chosen. The participants demonstrated different ways to pay it forward and give back to their communities. They all exhibit leadership qualities that higher education professionals wish that their students would graduate with: they take initiative, they are civically engaged, they stand up for themselves and their beliefs, and they volunteer.

Political and Civic Engagement. One of the most ironic realizations during this research was participants' level of civic engagement. Part of their activism is taking advantage of living in a democracy. Several of the students discussed their lobbying efforts and their visits with politicians. They are informed on political issues and exercise their rights to the fullest extent. The irony, of course, is that while they invest in our nation's democracy, the democracy is not returning the favor. The students still cannot vote. As they continue to live in legal limbo, they are not participating in, accounted for, or benefitting from the upcoming election. For these participants, civic engagement is not a right that they exercise once every four years. Civic engagement is something that happens on a daily basis as they work towards having suffrage.

The often-referenced Warren Buffett quote rings true with these students – someone is sitting in the shade today because someone planted a tree a long time ago. The participants in this study are willing to plant trees so that others may benefit from their efforts. They live an injustice – being penalized for circumstances beyond their control – and seek to correct it. It is my hope that these students, as well as future generations, will enjoy the fruits of their labor. While these students emerge from the

shadows of undocumented lives, I wish for them to be able to sit in the shade of the trees that they plant for themselves.

Chapter four has highlighted the key themes found in the interviews with seven undocumented students in the southeast region of the United States. The students emphasized the myth of meritocracy and how the American Dream is not available to everyone. The interviewed shed light on the financial barriers that students face as they are locked out of financial aid and sometimes are paying out-of-state or international tuition rates. Their voices made clear the value of support systems and mentoring relationships. Specifically, students talked about the need for educators to be more informed on issues relating to undocumented students and how to serve their unique needs. Lastly, students demonstrated their desire to give back to their families and communities, and exhibited this through political and civic engagement.

Table 4.1

Undocumented Students' Access to Education by State

State	Enrollment	In-State Tuition	State Financial Aid
Georgia	Allowed at some public institutions; the top five most selective research institutions ban undocumented students (even with DACA) from enrolling	No, being argued	No
South Carolina	Not allowed; public post-secondary institutions ban undocumented students from enrolling (they can enroll as international students)	No, proposed but has not gone forward	No
Virginia	Allowed	Yes, as of April 2014	No

Chapter 5: Discussion

The major takeaways of this research capture both the experience of undocumented students in higher education, as well as ways that higher education professionals can best serve the population. Revisiting the first research question about the influence of liminal legality on the undocumented student experience, this research demonstrates that legal status is a large obstacle that undocumented students fight to overcome. The effects of denied or delayed citizenship are far-reaching and may prevent students from pursuing or persisting through college due to their limited prior knowledge of college resources as well as the financial barriers. Being in a transitional, liminal state in regards to hold fluctuating and inconsistent legal status, there is added stress that limits undocumented students' progression from K-12 to college. As explained above, financial barriers and the lack of support due to their citizenship and liminal legality have hindered students' experiences. Despite this, the participants were remained hopeful, focused on the positive mentoring relationships in their lives, and were generous with their time by being active in their communities. The recommendations that follow address the second research question: how higher education professionals can improve the college experience for undocumented students.

Undocumented students came of age in America and have been raised on the American Dream. Their immigration status is the limiting factor that contributes to the myth of meritocracy. Regardless of their hard work or accomplishments, they are not

granted equity and access to higher education. This in turn limits their social mobility that meritocracy says is possible demonstrating the myth of meritocracy.

One of the most influential ways that students are experiencing this inequality is in financial form. Since there is no comprehensive immigration law, states make their own policies regarding how institutions can treat undocumented students. Some schools prevent students from enrolling, block them from receiving in-state tuition rates, deny financial aid, or any combination of these restrictions.

Financial barriers are one of the largest obstacles for undocumented students to overcome in the pursuit of a college degree. The importance of support and mentorship became clear in this research. Support and mentorship have been crucial to the students' persistence through challenges. Educators need to be informed on policies affecting undocumented students, as well as ways that they can assist students. Being knowledgeable on policies and available resources, beginning in the K-12 realm, is essential to student success.

The fourth major finding in this research is the expressed desire to give back. The students in this research feel both indebted to and gracious for the sacrifices that their families have made for them. Because of this, the students want to help others in their communities and help other people accomplish their dreams. There is a community mentality and a spirit of paying it forward.

As discussed in chapter two and emphasized in chapter four, undocumented students are resilient, civically engaged, and motivated. They maintain positive attitudes, take on leadership roles and are committed to working hard to fulfill their dreams and the dreams of their families. Despite these qualities and their accomplishments, their merit is

not enough to give them an equal chance at success. They want to attend college, but there are barriers in their way. If the American Dream were true, their hard work would have paid off already. The myth of meritocracy rings true here. Yet with the cards stacked against them, they have not lost hope. The remainder of this chapter will explain how educators can enhance undocumented students' experience in college as while awaiting positive political change.

Implications

This research has several implications for K-12 counselors and higher education professionals. As Sanchez and So (2015) said, “we must [...] advocate for institutional procedures to prioritize the success of our students over profit” (p. 471). The implications and recommendations below are some ways that we can prioritize student success above all else.

K-12 Counselors. When setting out to do this research, I had a strictly higher education mindset. With this tunnel vision, I had not considered the implications of the K-12 system and its effects on undocumented students after high school graduation. With my original focus on the college environment, I was surprised by how much of my findings have roots in the K-12 system. As detailed in chapter four, high school college counselors repeatedly failed undocumented students. By being uninformed and not knowing what to do when an undocumented student wants to go to college, these counselors did an injustice time and time again. In a high school setting, college counselors are the resident experts on colleges. These are the people who students turn to for college-going advice and information. If counselors who are on the front lines

interfacing with students do not have the proper knowledge, this information cannot be properly relayed to students who need guidance.

As discussed in chapter two, undocumented students are generally first-generation college students. This population is already known to need more college-going assistance since there is not a precedent set at home for how college works in America. The implication of this study for college counselors in the K-12 setting is the importance of being informed on what it means to be undocumented. Counselors need to understand what the term ‘undocumented student’ means, what DACA is, which institutions in their state accept undocumented students, and tuition and financial aid policies for those institutions. By being knowledgeable, counselors can share these resources with undocumented students and help them make thoughtful decisions about their next steps after high school.

Higher Education Professionals. Higher education professionals were the intended audience for this research. I set out to learn how higher education and student affairs professionals could improve the experience for undocumented students in college. Below are implications for specifically for admissions counselors as well as for student affairs professionals overall.

Admissions Counselors. The participants in this study discussed being misinformed or turned away by admissions counselors. Similar to college counselors in the K-12 setting, students reported that admissions counselors did not know how to advise them in the college application process. Just like K-12 counselors, admissions representatives need to know what the term ‘undocumented student’ means, what DACA is, how their institutions processes undocumented students, and the tuition and financial

aid policies for their schools. Being responsible for a single institution as an admissions representative makes this process significantly easier. Knowing this information is incredibly valuable. By informing students about the realities of their situation in the context of a particular institution helps students make educated decisions about matriculation. If the policies at an institution are favorable and an admissions counselor can clearly articulate this message, this will increase enrollment and persistence.

Student Affairs Professionals. As citizenship is an invisible identity, student affairs professionals will not know if the students they encounter are undocumented or not unless explicitly told. This research highlights the importance of building relationships with students and providing a comfortable environment where students feel they can trust professionals. Above all, students repeated that the key is for someone to listen to them. It is important not to dismiss students. Listening to their concerns is an essential component of a trusting relationship.

More often than not, undocumented students are first-generation college students. Navigating college as a traditional student can be complicated enough, and doing so with multiple barriers in the way can be overwhelming. This study demonstrates the need for student affairs professionals to provide challenge and support to undocumented students. Higher educational professionals are inclined to challenge students to find resources for themselves, and support them by guiding them through the process. The same holds true for undocumented students. It is key to support them and demonstrate an investment in their growth by listening to what they are experiencing. “Let them know that on the days when they need to be reminded that their dreams are valid, we are here to support them” (Sanchez & So, 2015, p. 476).

Having the knowledge that has been repeated above for K-12 college counselors and admissions representatives is essential for student affairs professionals as well. These include understanding the barriers that state and institution policies are putting in front of undocumented students. Other examples of ways to support undocumented students on campus include helping locate scholarships and referring them to community agencies that are working on these issues.

Limitations

This research is limited in that as a small, qualitative study, the results cannot be generalized to the entire undocumented student population nationwide. However, the key themes represented in this study match what other scholars have found across the nation. While the students' experiences in different states vary greatly as they are influenced by the local policies, they appear to have many consistencies. It has become clear what educators can do to better serve the undocumented student population.

There are a number of delimitations in this study. With a finite period of time to spend interviewing, I had to cut off my recruitment process. The powerful stories that students share are the most motivating and inspiring part of this process, but it was necessary to end this phase in order to move forward. I had originally planned to focus recruitment on the DMV area (District of Columbia, Maryland, Virginia), but that proved to be too constricting in my time frame. I decided that widening the recruitment region would be a meaningful and necessary change. As a result, I was able to gather interest from three states (Georgia, South Carolina, and Virginia), and had connections to students in other states that would have been interviewed had more time been spent in the interviewing phase.

Future Research

In future research, it would be ideal to track participants longitudinally and understand how they experience obstacles in the moment and work through them. Another interesting angle to observe would be the motivation to become an activist. It would be ideal to have a representative sample of participants that matches undocumented migration patterns. A large, nationwide sample rather than a small sample would prove additionally beneficial. Quantitative research would not do any of these projects justice and qualitative research of this magnitude would require significant time and resources. That being said, this would likely need to be done in collaboration with several researchers.

Recommendations

While incredibly optimistic, it would be naïve to think that a Master's thesis would change how an institution operates. This research may not suddenly allow undocumented students to enroll at the schools they are banned from in Georgia, and it may not allow undocumented students to pay in-state tuition rates at the University of South Carolina. However, research can inform educators and administrators about what students are experiencing and how staff can contribute to this experience.

As one of the participants explained, "I wish educators knew they have a personal stake; they have a personal investment in this, whether they're aware of it or not. Which is why it's important for them to get educated on the topic." Educators should begin by learning from the existing research. Once informed, educators will be more equipped to serve as resources for students. Some excellent starting points for self-educating include the Center for American Progress's 2014 report, *Removing Barriers to Higher Education*

for Undocumented Students and the U.S. Department of Education's *Resource Guide: Supporting Undocumented Youth*. Countless scholarly works have already been published on this topic as well.

Institutionally, best practices include creating safe spaces such as the one at the University of California, Berkeley. The Undocumented Student Program at the University of California, Berkeley is an ideal model to emulate. Their mission, "to support the undocumented student within higher education and promote pathways for engaged scholarship" (Sanchez & So, 2015, p. 466) is one that all schools should embody. They do this with "academic counseling, legal support, financial aid resources and access to an extensive campus referral network" (p. 466). These are only a few of the services provided to undocumented students through Berkeley's Undocumented Student Program.

While institutions cannot go against state or federal policy without the revocation of funding, they can stand in solidarity with undocumented students. Having a supportive administration can help demonstrate this cohesion. Berkeley also developed an UndocuAlly training to "deepen staff, faculty, and administrator understanding of undocumented student experiences and how to best support undocumented students socially and professionally" (p. 468). President Napolitano of the University of California system instituted this training at all campuses in the UC system for managers and administrators (p. 468). Making public announcements welcoming all students, regardless of immigration status, would encourage enrollment, demonstrating an institution has a favorable environment when undocumented students are likely to succeed. Institutions and staff can create a culture of support, advocacy, and equity. Issuing positive public statements supporting undocumented students can have far-reaching effects.

Conclusion

This research has demonstrated that the education system is complex and far from perfect. Denying equity and access to education for undocumented students who have resided in our borders for most of their lives has ripple effects throughout all aspects of our nation. Chapter five has highlighted the implications for educators and the recommendations working with the student body on any given campus.

Qualified and talented students are graduating from high schools every year, some of whom do not have American citizenship. Educators need to be aware of this and support students in their college journeys, from high school through their college graduation. This support comes in the form of guidance and mentorship. On an institution and state level, allowing undocumented students access to state and institution financial aid is currently the best resolution to their ineligibility for federal financial aid.

Educators should embrace undocumented students' desire to give back and encourage them to continue being passionate leaders in their communities. Institutions should recognize undocumented students' merit and evaluate them based on what they have accomplished in spite of the obstacles in their paths. Students should be valued for their merit alone, not on the basis of their birth certificates. Doing so would ensure that the talent and resources that are budding in the K-12 system could flourish in higher education to continue benefitting the community

The seven students who were brave enough to be vulnerable and share their stories in this research have taught me more than I could have hoped. Throughout all of the conversations, not a single student bragged about the depth of character they exhibited. It became apparent to me that they may not recognize their own strengths.

These students, despite all challenges, are optimistic individuals. They are humble and generous, always serving in their communities. Through their stories, the participants taught me that regardless of what barriers stand in your way, you should always stand up for what you believe in. They taught me to have resolute confidence in myself. Politicians, bullies, or policies cannot make you feel less human. They reminded me what it looks like to be tenacious, passionate, and driven. While waiting for immigration reform, the passing of the DREAM Act and tuition equity policies to pass, they demonstrate patience. They are committed to their education and are determined to work hard to earn it. These resilient participants are leaders, and have been a great reminder why I am pursuing a career in higher education.

Through analysis of existing scholarly literature and the addition of this research with participants in the southeast region of the United States, it is clear that higher education is not equally accessible for undocumented students. Even though there are many barriers, participants repeatedly demonstrate that they can and will overcome these hurdles. Despite undocumented students' liminal legality, this research validates that educators can contribute to a positive college experience by helping students achieve their American Dream and minimizing the myth of meritocracy.

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