

**Higher Ed Guide to Tuition, Financial Aid & Other Funding for Undocumented Students: FAQs for Public and Private Colleges and Universities**

Updated April 16, 2020

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## I. INTRODUCTION<sup>1</sup>

The federal impasse on Dreamer legislation in Congress and the uncertain fate of Deferred Action for Childhood Arrivals (DACA) before the Supreme Court means that the need to support undocumented students at the state and institutional levels takes on greater urgency. And, in fact, public and private higher education leaders have more opportunities to advance changes to promote educational equity and access for DACA recipients and other undocumented students at the state and institutional levels.

The purpose of these FAQs is (1) to provide an overview of the existing tuition equity and financial aid policies for undocumented students at the state and institutional levels; (2) highlight promising state action and institutional practices; (3) address institutional policy steps and state advocacy that higher education leaders may want to consider in order to support undocumented students, including actions to identify funding for students if DACA is terminated.

## II. HOW MANY STATES CURRENTLY OFFER IN-STATE TUITION AND FINANCIAL AID TO UNDOCUMENTED STUDENTS WHO MEET THE STATE RESIDENCY REQUIREMENTS? HOW DEPENDENT ARE THESE POLICIES ON A STUDENT'S DACA STATUS? WHAT STEPS SHOULD INSTITUTIONAL LEADERS CONSIDER?

The good news is that a growing number of states have successfully expanded in-state tuition and financial aid to undocumented students.<sup>2</sup> However, in a number of states, tuition equity and financial aid policies are dependent on a student's DACA status.

- In 20 [states](#) and the District of Columbia, all undocumented students who meet state residency requirements have access to in-state tuition, regardless of their DACA status. Arizona offers 150 percent of in-state tuition for all undocumented students who meet state residency requirements.
- In 12 additional states, undocumented students, or in some instances only DACA recipients, who meet residency requirements have access to in-state tuition at the state, institutional or system levels.<sup>3</sup>

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<sup>1</sup> These FAQs were developed in collaboration with Nicolaus Espitia of the uLEAD Network and the National Forum on Higher Education for the Public Good, University of Michigan, and Ronnie Rios, Presidents' Alliance Fellow. Nick is a PhD candidate in the joint social work and sociology program at the University of Michigan. Ronnie is a PhD candidate in the School of Education, University of Michigan. For questions about this document, please contact [miriam@presidentsalliance.org](mailto:miriam@presidentsalliance.org).

<sup>2</sup> Details on state policies regarding in-state tuition access for undocumented status are available at the *ULead website* (<https://uleadnet.org/>). Other resources listing specific state policies, board of regents decisions, and other actions include, National Conference of State Legislatures (NCSL), "Tuition Benefits for Immigrant Students" at <http://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx> and National Immigration Law Center (NILC), "Basic Facts About In-State Tuition for Undocumented Students" <https://www.nilc.org/issues/education/basic-facts-instate/>.

<sup>3</sup> These 12 states are Arkansas, Delaware, Indiana, Kentucky, Maine, Massachusetts, Michigan, Mississippi, Nevada, Ohio, Oklahoma, and Pennsylvania.

- At least 13 states now offer state financial aid and/or scholarships to undocumented students, though in a number of cases, the funding is limited to students with DACA.

The full list of states offering various degrees of access to in-state tuition and financial aid can be found below (Section VIII).

**Steps to Consider:** To prepare for the potential outcome of DACA being terminated, and to the extent possible, institutions should seek to advocate for the removal of DACA criteria from in-state tuition or other state financial aid access and in external scholarship programs. Higher education leaders should encourage the expansion of eligibility criteria to include the broader undocumented student resident population.

To the extent possible and applicable, public and private institutions should work to remove DACA status as required eligibility criteria for funding or program access on their own campuses. For example, institutions could use date and length of residency in the United States, and attendance and graduation from a U.S. high school as proxy requirements for eligibility. [TheDream.US](#) recently revised eligibility for its scholarships so that its scholarships are open [to undocumented students without DACA](#), who have arrived in U.S. before 2014.<sup>4</sup> These criteria can serve as a useful model for institutions and other organizations.

**As a first step**, institutions can audit their existing internal and external scholarships to ascertain their eligibility criteria and determine if they can be extended to undocumented students, and if possible, without regard to DACA status. If institutions identify external fellowships for domestic students that are not open to undocumented students, they should consider advocating for those funders to expand their eligibility criteria.<sup>5</sup>

### **III. WHAT STATES CURRENTLY OFFER STATE FINANCIAL AID OR STATE SPONSORED SCHOLARSHIPS TO UNDOCUMENTED STUDENTS? WHAT ARE SOME TYPES OF PRIVATELY FUNDED AID OFFERED TO UNDOCUMENTED STUDENTS AT PUBLIC INSTITUTIONS? WHAT TYPES OF FINANCIAL SUPPORT IS AVAILABLE TO UNDOCUMENTED STUDENTS AT PRIVATE INSTITUTIONS?**

Since undocumented students are ineligible for federal student aid, grants, or loans, paying for tuition and associated educational costs represents a significant barrier for these students, including DACA recipients. In at least 13 states, undocumented students and/or students with DACA who meet state residency requirements have access to state financial aid and/or scholarships.

In some states, access is specific to an institution. In Delaware, for example, [Delaware Technical Community College and the University of Delaware](#) “allow undocumented students to be eligible

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<sup>4</sup> A number of organizations offer scholarships, financial assistance, and other kinds of support to undocumented undergraduate students. Examples include [TheDream.US](#), [Golden Doors Scholars](#), [Questbridge Scholars](#) (dependent on the partner college criteria), [P.D. Soros Fellowship for New Americans](#), [MANÁ Scholarship Program](#), and [Scholarship America](#).

<sup>5</sup> In spring 2019, Jin Park, a DACA recipient and Rhodes Scholar and Elliot Gerson, published an opinion piece in the Chronicle of Higher Education, urging “other scholarships, institutions, and funders to support all qualified students, regardless of immigration status.” <https://www.chronicle.com/article/Scholarships-Must-Open-Their/246313>.

[for in-state tuition and financial aid.](#)<sup>6</sup> A number of public institutions offer privately funded aid to undocumented students. In Minnesota for example, [S1236](#) establishes that public institutions may use private sources of funding to provide aid to a student eligible for resident tuition including students without lawful immigration status. In Utah, a bill ([S253](#)) was passed in 2015 providing an exemption to verification of lawful presence for privately funded scholarships administered by colleges and universities for graduates of Utah high schools.

A growing number of private institutions consider undocumented students as domestic students for the purposes of admission and financial aid, and/or have identified specific institutional funds, external scholarships or other donor funds to support undocumented students. As noted in an earlier Presidents' Alliance [FAQ](#), it is a best practice to treat undocumented students as domestic students for the purposes of admission and financial aid. A recently compiled list of colleges that provide financial need for undocumented students outlines the practices of forty institutions.<sup>7</sup>

Among a list of top thirty colleges and universities, the overwhelming majority offer full financial aid to undocumented students comparable to other domestic students (click [here](#) for details). Other institutions have undertaken fundraising for scholarships, solicited donors, and identified external partner scholarship organizations, scholarship opportunities, and other funding sources. Another option is to explore the creation of income sharing agreements (ISAs). Several organizations and institutions offer income-sharing agreements. In 2018, Colorado Mountain College initiated an income-sharing agreement for undocumented students.<sup>8</sup>

#### **IV. WHAT STATES CURRENTLY OFFER IN-STATE TUITION TO UNDOCUMENTED GRADUATE STUDENTS? WHAT STEPS SHOULD INSTITUTIONAL LEADERS CONSIDER?**

The recruitment, admission, and funding of undocumented graduate and professional students at public and private institutions is an area of much needed advocacy. Public institutions should consider clarifying and/or advocating for the extension of in-state tuition for undocumented graduate and professional students (including those without DACA status) who meet state residency requirements.

Most state laws focus on tuition equity for undergraduate students, and it is not clear the extent to which in-state tuition applies to graduate students who meet the state residency criteria. Examples of two states that have explicitly extended in-state tuition to graduate students are Oregon and California. [Oregon Senate Bill SB 859](#) exempts students who are not a citizen or lawful permanent resident attending a public university from paying non resident tuition as an undergraduate and graduate student. Undocumented graduate students in California who are

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<sup>6</sup> NCSL, "Tuition Benefits for Immigrants" <http://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx>.

<sup>7</sup> Colleges that Meet 100% of Financial Need for Undocumented Students in 2019-2020, College Greenlight (August 28, 2019) available at <http://blog.collegegreenlight.com/blog/colleges-that-meet-100-of-financial-need-for-undocumented-students-in-2019-2020/>.

<sup>8</sup> Resource: TheDream.US and Presidents' Alliance [Webinar](#) on different ISAs and options for funding undocumented students, with a presentation by Kevin James, President of Better Future Forward on ISAs, and a discussion with Matthew Gianneschi, Chief Operating Officer, Colorado Mountain College, and Ricshawn Adkins Roane, Chief of Staff, Jack Kent Cooke Foundation on why and how they have adopted their versions of the ISA model.

eligible for [AB540](#) can receive financial support through the California Dream Act and through several forms of employment or private support from California institutions.

Institutions can promote the availability of in-state tuition and/or other forms of assistance for undocumented graduate and professional students when it is available. The new [UCLA Undocumented Graduate and Professional Student Handbook](#) is an excellent model for both public and private institutions regarding making institutional and state policies visible, clear and welcoming to undocumented students.

## **V. WHAT ARE SOME EXAMPLES OF NON-EMPLOYMENT BASED FUNDING OPPORTUNITIES FOR UNDOCUMENTED STUDENTS WITHOUT WORK AUTHORIZATION? HOW CAN MY INSTITUTION CREATE THESE OPPORTUNITIES?**

With the possible termination of DACA, institutions are encouraged to explore ways to reimagine traditionally employment-based opportunities available to undocumented undergraduate and graduate students on campus.<sup>9</sup> There are a variety of ways to establish non-employment based fellowships and other funding opportunities for students without work authorization. While many positions are necessarily employment-based, other opportunities can be reconfigured as experiential, educational, or training fellowships.

See this [FAQ](#) on developing experiential fellowships for undergraduate students from the [Presidents' Alliance](#), and this [guide](#) and [webinar](#) on creating non-employment based fellowships by [Immigrants Rising](#). For graduate students, teaching and research assistantships may be able to be reconfigured as curriculum-based training fellowships. At Emory University, teaching fellowships are curriculum-based (see description [here](#)).

## **VI. MANY DACA RECIPIENTS ARE CURRENTLY WORKING ON CAMPUSES? WHAT SHOULD DACA RECIPIENTS KNOW ABOUT THEIR EMPLOYMENT RIGHTS? WHAT SHOULD CAMPUS SUPERVISORS KNOW?**

It is important for both employees and employers to understand the rights of DACA recipients. A person's immigration status is personal, private information.

Useful resources for students include [Your Employment Rights with DACA and TPS](#) from [TheDream.US](#) and [Frequently Asked Questions about DACA and Employment](#) from The National Immigration Law Center. For FAQs and guides geared toward employers, see the [FAQ](#) on employment authorization and DACA students from the Presidents' Alliance and the [Employer's Guide for Hiring Individuals with DACA or TPS](#) from TheDream.US.

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<sup>9</sup> It should be noted that there is already a large number of undocumented students without work authorization already enrolled in post-secondary education. A 2017 Migration Policy Institute (MPI) estimated approximately 124,000 DACA recipients are enrolled in post-secondary education. But, a New American Economy (NAE) and Presidents' Alliance report [found a total 454,000 undocumented students, including adult learners, are currently enrolled in postsecondary education](#) in the U.S. Most do not have work authorization. In addition, a 2019 MPI study, commissioned by the Presidents' Alliance, has estimated that 98,000 undocumented students are graduating U.S. high schools annually. Many of these immigrant youth were not able to apply for DACA before it was rescinded.

## VII. WHAT CAREER DEVELOPMENT OPPORTUNITIES OR RESOURCES ARE AVAILABLE FOR UNDOCUMENTED STUDENTS POST-GRADUATION OR OFF-CAMPUS? WHAT STEPS SHOULD INSTITUTIONAL LEADERS CONSIDER?

National organizations and community-based groups offer information and webinars on how to set up as an independent contractor. For example, [Immigrants Rising](#) offers a variety of [resources](#) for undocumented individuals on independent contracting. Another organization, the [Democracy at Work Institute](#) (DAWI) is spearheading a Rapid Response Cooperative (RRC) Development Project, which “aims to create replicable, out-of-the-box worker-owned businesses that provide a pathway to work for DREAMers and undocumented individuals.” See more information [here](#). This may be an excellent resource for students or alumni, and DAWI can provide technical assistance and guidance on how to set up these business. Also see the related website, [Radiate Consulting Cooperatives](#), for information about the services and members.

Institutions can also highlight funding resources for undergraduate and graduate students. [Immigrants Rising](#) provides lists of [undergraduate](#) and [graduate](#) fellowships. The [Dream Summer Fellowship](#) is open to currently enrolled students and alumni from across the country. It provides paid internship opportunities for Dreamers and others, and is open to those without work authorization (the new application cycle starts in early December.)

At [My Undocumented Life](#), the [Undocugrad series](#) includes reflections and advice for undocumented students considering graduate and professional school writing on the [My Undocumented Life Blog](#) and [Undocuscholars](#) organization. My Undocumented Life also provides [resources](#) for undergraduate and graduate students. [PreHealth Dreamers](#) provides resources for pre-health students, while Hispanic National Bar Association produced a [toolkit](#) on how to support Dreamer law students.

To the extent applicable and practical, higher education leaders should consider advocating for expanded access to licensure for undocumented and other immigrant students in their state and on the federal level. This affects students in public and private institutions equally. Access to professional and occupational licensing is essential for enabling undocumented students and other immigrant learners fulfill their educational and employment aspirations, especially considering over 1,100 professions (and about 25 percent of all workers) require licensing. While much of the advocacy needs to be pursued at the state level, there is also a role for federal action. To learn more, read the Presidents’ Alliance [report](#) on the topic (“Expanding Eligibility for Professional and Occupational Licensure for Immigrants”), developed in collaboration with a number of partners.

## VIII. STATE TUITION EQUITY AND FINANCIAL AID POLICIES (AS OF APRIL 2020)

[20 states](#) and the District of Columbia provide access to in-state tuition to all undocumented students who meet the state residency requirements, regardless of whether they have DACA:

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)<sup>10</sup>

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<sup>10</sup> Eastern Connecticut State University is one of four host institutions for the Opportunity Scholarship, a private scholarship that provides full out of state tuition up to \$20,000 for

4. [Florida](#)
5. [Hawaii<sup>11</sup>](#)
6. [Idaho](#)
7. [Illinois](#)
8. [Kansas](#)
9. [Maryland<sup>12</sup>](#)
10. [Minnesota<sup>13</sup>](#)
11. [Nebraska](#)
12. [New Jersey](#)
13. [New Mexico](#)
14. [New York](#)
15. [Oregon](#)
16. [Rhode Island](#)
17. [Utah](#)
18. [Texas](#)
19. [Virginia<sup>14</sup>](#)
20. [Washington](#)
21. [District of Columbia](#)

The following 3 states offer in-state tuition to undocumented students with DACA status:

1. [Arkansas](#)
2. [Massachusetts](#)
3. [Ohio](#)

The following 8 states offer in-state tuition to undocumented students at specific two and four year public institutions:

1. [Delaware<sup>15\\*</sup>](#)
2. [Kentucky\\*](#)

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undocumented students from states that prohibit their enrollment or require them to pay out of state tuition.

<sup>11</sup> The decision to offer in-state tuition to undocumented and DACAmented students in Hawaii was made by the state board of regents.

<sup>12</sup> Students in Maryland must start out at a community college to be eligible for in-state tuition.

<sup>13</sup> Minnesota residents (including qualified undocumented residents) are also eligible to pay Minnesota in-state tuition rates while attending public institutions in North Dakota.

<https://www.ohe.state.mn.us/mPg.cfm?pageID=122>.

\* These states are listed twice because tuition policies vary by institutions. Within these states, some public institutions within these states offer in-state tuition to all undocumented students who meet state residency requirements while other institutions offer access to in-state tuition only to DACA recipients. For specific information about tuition policies see the specific university website.

<sup>14</sup> The Governor of Virginia approved HB 1547 on April 7, 2020. The bill goes into effect on July 1, 2020.

<sup>15</sup> Delaware State University is one of four host institutions for TheDream.US [Opportunity Scholarship](#), a private scholarship that provides full out of state tuition up to \$20,000 for undocumented students from states that prohibit their enrollment or require them to pay out of state tuition.

3. [Maine](#)\*
4. [Michigan](#)\*
5. [Mississippi](#)\*
6. [Nevada](#)\*
7. [Oklahoma](#)\*
8. [Pennsylvania](#)<sup>16</sup>

The following states offer in-state tuition to students with DACA status at specific two and four year public institutions:

1. [Alabama](#)
2. [Indiana](#)
3. [Delaware](#)\*
4. [Kentucky](#)\*
5. [Maine](#)\*
6. [Michigan](#)\*
7. [Mississippi](#)\*
8. [Nevada](#)\*
9. [Oklahoma](#)\*

The following state offers 150% percent of the in-state tuition rate to undocumented students who meet state residency requirements (less than out of state tuition rate):

1. [Arizona](#)

In the following states, undocumented students and/or students with DACA who meet state residency requirements have access to state financial aid and/or scholarships.

1. [California](#)
2. [Colorado](#)
3. [Connecticut](#)
4. [Delaware](#)
5. [Illinois](#)
6. [Minnesota](#)
7. [New Jersey](#)
8. [New York](#)
9. [Oregon](#)
10. [Rhode Island](#)
11. [Utah](#)
12. [Texas](#)
13. [Washington](#)

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<sup>16</sup> Penn State University announced a [residency policy](#) effective January 1, 2020, which enables undocumented undergraduate and graduate students who meet the state residency requirements listed in the policy to access in-state tuition. It may serve as a useful model for other institutions and states.