

Undocumented Students – AFAWG Report to Faculty Senate

December 13, 2015

Proposal for Discussion:

Deferred Action for Childhood Arrival (DACA) Students and Cornell Need-blind Admissions and Need-based Financial Aid

Cornell University meets full demonstrated financial need for all admitted domestic students. Students who are granted DACA status by the federal government (Deferred Action for Childhood Arrival) will be considered domestic students by Cornell University for purposes of admissions and financial aid, and thus are eligible for need-based financial aid like any other U.S. citizen or permanent resident. While federal and state financial aid (including grants, loans, and federal work-study) is not available for DACA students, Cornell University provides institutional financial aid in place of federal/state grants and loans; summer savings and academic-year work may be included in the financial aid package, and DACA students are expected to obtain federal work authorization as part of their federal DACA status.

Other Possible Options:

- Continue to consider all undocumented students, with or without DACA status, as part of the international aid pool.
- Consider undocumented students as part of the domestic population, with need-blind admissions and need-based aid meeting full need for every admitted student under one of the following scenarios:
 - Any undocumented student, with or without DACA status;
 - Any undocumented student with NYS residency, with or without DACA status;
 - Only undocumented students with NYS residency and with DACA status.

Undocumented Students – National Landscape

Estimates indicate that in the U.S., 80,000 undocumented youth turn 18 and approximately 65,000 graduate from high school every year. Just 54 percent of undocumented youth have at least a high school diploma, compared to 82 percent of their U.S.-born peers. Further, only 5 to 10 percent of undocumented high school graduates continue their education and enroll in an institution of higher education, and far fewer successfully graduate with a degree.

Deferred Action for Childhood Arrivals (DACA)

In 2012, the Department of Homeland Security (DHS) began implementing the Deferred Action for Childhood Arrivals (DACA) policy, which allows youth who were brought to the United States as children and who meet certain criteria to request consideration for deferred action, which constitutes a case-by-case determination by DHS not to pursue an individual's removal from the United States for an initial two - year period as a matter of prosecutorial discretion. DACA recipients can live and go to school in the United States and may be eligible to obtain work authorization while their deferred action remains in effect.

Evidence suggests that DACA has helped to make significant improvements in the lives of undocumented youth educationally and economically. So far, more than 680,000 undocumented young people have received DACA. Some researchers predict that more than 400,000 children will turn 15 and age into possible threshold DACA eligibility in the next few years and another 400,000 undocumented individuals could meet the threshold DACA guidelines, but do not yet meet the threshold education criteria.

An Individual May Request Consideration for DACA if he/she:

- ☐ Was under the age of 31 as of June 15, 2012;
- ☐ Came to the United States before reaching his/her 16th birthday;
- ☐ Has continuously resided in the United States since June 15, 2007, up to the present time;
- ☐ Was physically present in the United States on June 15, 2012, and at the time of making his/her request for consideration of deferred action with USCIS;
- ☐ Had no lawful status on June 15, 2012;
- ☐ Is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a general education development (GED) certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- ☐ Has not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and does not otherwise pose a threat to national security or public safety.

Source: *Resource Guide: Supporting Undocumented Youth
A Guide for Success in Secondary and Postsecondary Setting,
U.S. Department of Education (October 20, 2015)*

Undocumented Students at Cornell

Although numbers are uncertain because undocumented students do not have to declare their status, based on information from the International Students and Scholars Office and the Office of Academic Diversity Initiatives, we estimate 15 to 20 undocumented undergraduate students are currently enrolled at Cornell. The number is likely to rise, perhaps substantially, should Cornell change its policy and make financial aid more available to undocumented students. The Office of Financial Aid and Student Employment estimates that it interacts with 8-12 undocumented undergraduate students each year.

The global diversity represented in our undocumented population encompasses students from varied socioeconomic, racial and ethnic backgrounds. According to Institutional Research and Planning, the Registrar does not track which students are undocumented. Cornell's student records methodology for identifying students is based upon the visa-type field; if the student reports holding a visa, s/he is categorized for reporting purposes as international. Lacking evidence of international citizenship in student records (i.e., no visa), a student is considered for reporting purposes to be a U.S. citizen. For financial aid purposes, in practical terms, we

discover students are undocumented when it becomes apparent what they cannot provide – e.g., they cannot complete the FAFSA (US federal financial aid application) and/or cannot produce a visa from another country and/or cannot produce parent’s tax documentation from a foreign country.

Responding to citizenship and birthplace questions on the undergraduate admissions application is required; verification of this information is only necessary for international students who plan to enroll. Students indicating on the admissions application that they are U.S. citizens and who do not apply for financial aid are not required to submit proof of citizenship.

Based on the experiences of Angela Herrera, Associate Director of Admissions and primary point person for prospective undocumented students, many students become aware of their undocumented status in high school and have this information when they apply to college. Having this knowledge often amplifies the stress of low-income, undocumented students during the college application process. Angela has encountered a noticeable shift since the initiation of DACA (Deferred Action for Childhood Arrivals) which she believes has provided an opening for undocumented students to proactively share information with high school counselors and college admissions offices. More students are actively asking (or having their high school counselors ask) how the admissions process works for undocumented students at the colleges they are considering. In fact, many more students are asking the questions in person (at college fairs, in particular) and by email and telephone calls to the office than in the past.

International students planning to study in the United States are required to obtain an I-20 form (Certificate of Eligibility for a Student Status Visa). In order to receive an I-20 form from Cornell, enrolling students must provide certification that they will have sufficient financial resources at their disposal for the entire period of time they are enrolled at Cornell (the certification would include any financial aid offered by Cornell). The Declaration of Finances form must be completed and returned with the enrollment deposit. Upon receipt of the Declaration of Finances form and the enrollment deposit, Cornell sends students the I-20 form, which they must take with them when applying to the American Embassy or Consulate for a visa. For undocumented students, however, there is no requirement to submit a Declaration of Finances; by definition, undocumented students are undocumented – they would not be applying for an I-20 for a student status visa.

Office of the University Counsel on Funding Undocumented Students

According to University Counsel: “There is no legal prohibition against Cornell using its own dollars, as opposed to federal or state, to provide financial aid to undocumented students.

Federal law does prohibit undocumented immigrant students from receiving federal financial aid (Perkins, Stafford, PLUS and Consolidation loans) and current New York State law prohibits undocumented immigrant students from receiving state financial aid in the form of general awards, academic performance awards, student loans, and/or tuition assistance through the Tuition Assistance Program. Cornell is free to use its own financial aid funds in support of undocumented students as other private institutions already do.”

Impacts on Cornell University Budget

By amending Cornell’s current financial aid policy to explicitly include and encourage undocumented students for financial aid, most of which will be Cornell grant aid, we predict an increase in the number of undocumented students who will present themselves and be eligible for financial aid. The amount of Cornell grant aid required for an undocumented student without DACA status will be higher than the amount required for an undocumented student with DACA status because for DACA students we can expect they will also obtain work authorization, enabling Cornell to assume some self-help through summer (work) savings and academic-year work as part of the financial aid determination and packaging process.

If Cornell considers undocumented students for financial aid within our domestic student pool, this will likely lead to an increase in spending for grant aid for this pool, as the average cost (in grant aid) of an undocumented student is expected to be greater than the average cost of a U.S. citizen/permanent resident (especially considering ineligibility for federal and state aid programs). The current FY16 average Cornell grant award for international students is \$54,900. This figure is assumed to be a conservative estimate of Cornell grant aid required per aided undocumented student (an aided undocumented DACA student with work authorization who works during the academic year may have lower grant aid by about \$2,500/year lower; an additional \$2,500 or so grant aid savings could be achieved by assuming DACA students will also be able to have summer savings). Average Cornell grant aid for a domestic aided student is \$35,964. Thus, the differential between an average aided undocumented student vs. an average aided domestic student is \$18,936.

If we anticipate, for example, 25 new grant-aided undocumented students will replace 25 grant-aided domestic students in each cohort, then due to the differential in Cornell grant aid between the two populations, the additional grant cost would be roughly \$475,000/cohort/year (25 x differential). We really don’t know how many undocumented students will apply to, be admitted, and enroll at Cornell. Which “option” we adopt for handling undocumented students will affect the anticipated number enrolling. As this program becomes visible, we project significant growth in undocumented student enrollment.

Undocumented Student Financial Aid Policies at Other Schools: Recent Announcements

Emory University: Focus on DACA Students (direct excerpt from Emory)

Deferred Action for Childhood Arrival (DACA) Students and Need-based Financial Aid

Emory University meets 100% of demonstrated financial need for all admitted domestic students. Students who are granted DACA status by the federal government (Deferred Action for Childhood Arrival) are considered domestic students by Emory University and are eligible for need-based financial aid like any other U.S. citizen or permanent resident. While federal and state financial aid is not available for DACA students, Emory University provides institutional financial aid in its place.

Who is eligible under this program?

Any student who will enter – or has entered – Emory University (Emory College and Oxford College) as a first year, first degree-seeking student and who has been granted Deferred Action for Childhood Arrival status (DACA) by the federal government is eligible for need-based aid from the university.

What are the components of a financial aid package at Emory?

Emory meets 100% of demonstrated need for DACA undergraduate students through a combination of grants and scholarships, institutional work study, and institutional loan.

New York University: Focus on Undocumented Students from New York (direct excerpt from NYU)

If you are applying for admission as an undocumented* undergraduate student, you may now be eligible for NYU scholarship funds.

What's Behind this Change?

NYU has been supportive of the Dream Act at the state and national level; we're sympathetic to the circumstances and difficulties undocumented students face. During the spring 2014 semester, a group of NYU students who are passionate about this issue -- they call themselves the DREAM Team -- challenged the University to do better by undocumented students.

And so, NYU is pleased to be starting a pilot program this year that will offer institutional scholarship aid to eligible undocumented students from New York on par with what is offered to U.S. students. We believe NYU offers a great education and the intent of this pilot is to offer

additional financial support to help enable eligible undocumented men and women from New York to attend NYU.

NYU Investment: It is important to note that eligible undocumented students will be given the same consideration for scholarships as other U.S. students; however, they will not be eligible for federal or New York State financial aid. Undocumented students will need to consider their investment in an NYU education carefully. Guidance may be sought from financial aid counselors, but appeals for additional scholarship funding beyond the initial offer to those who are awarded will not be considered. NYU does not offer an internal loan program.

APPENDICES

- I. **Department of Education Resource Guide Regarding Undocumented Students**
http://e4fc.org/images/USED_ResourceGuide.pdf