





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

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

### The Mission of the Coalition

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

### About the Resource Guide for Washington Students and their Advocates

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

### Core Advisory Group

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

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# ADVOCATE INFORMATION















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

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

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

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

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

**Federal Laws**

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

No federal law specifically prevents undocumented students from attending colleges or universities, but since these students are not state “residents,” they must pay out-of-state tuition which is more costly. Undocumented students are also ineligible for many services. These services include:





## Deferred Action For Childhood Arrivals (DACA)



President Barack Obama

Conversations about the DREAM Act often include discussion about deferred action, or DACA. On June 15, 2012, the Obama Administration announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization.

Deferred action means that the Department of Homeland Security (DHS) agrees *not* to start deportation proceedings against an individual. If an individual is currently in the process of deportation, DHS agrees to

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

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

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

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

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

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

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





## EDUCATING SCHOOL PERSONNEL

### General Characteristics of Eligible HB 1079 Students

Parents migrated when they were a young child.

They were brought to the United States at a very young age.

Have lived in the United States most of their lives.

Attended school from kindergarten through high school.

Many undocumented students think themselves as American because English is the first language they were taught; America is the only home they know.

Undocumented students are just like other students in most respects. They have excelled as honor students, class valedictorians, and are active members of their communities.

Some have excelled academically in high school and want to attend college.

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

Most undocumented students tend to be first-generation and low-income and have very little knowledge of how to navigate the educational system.<sup>10</sup> Furthermore, these barriers are further amplified due to their enrollment in overcrowded schools with low morale, poor quality teachers, and an overall lack of availability of resources to help them develop the skills they need to graduate from high school and attend higher education.

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

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



<sup>10</sup> Gonzales, Roberto G. 2009. *Young Lives On Hold: The College Dreams of Undocumented Students* (with a foreword by Marcelo Suárez-Orozco.) The College Board.



## UNDERSTAND THE BARRIERS FOR UNDOCUMENTED STUDENTS.

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

*-WSU Pullman Student*

Undocumented students face multiple barriers to higher education. Without congressional changes, legal barriers cannot be changed. There are other, non-legal barriers to overcome as well.<sup>11</sup> Learning these barriers helps explain the complex reasons behind the low rate of undocumented students seeking postsecondary degrees.

### LACK OF FINANCIAL RESOURCES

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


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

<sup>11</sup> College Spark Washington, "Undocumented Students and Higher Education in Washington: Barriers and Opportunities." Last modified 10/20/2010. Accessed February 24, 2013. [http://www.collegespark.org/files/documents/Grantees\\_in\\_the\\_news/Undocumented\\_Students.pdf](http://www.collegespark.org/files/documents/Grantees_in_the_news/Undocumented_Students.pdf).









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

*-Clark College Student*

### LACK OF SUPPORT IN COLLEGE

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

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

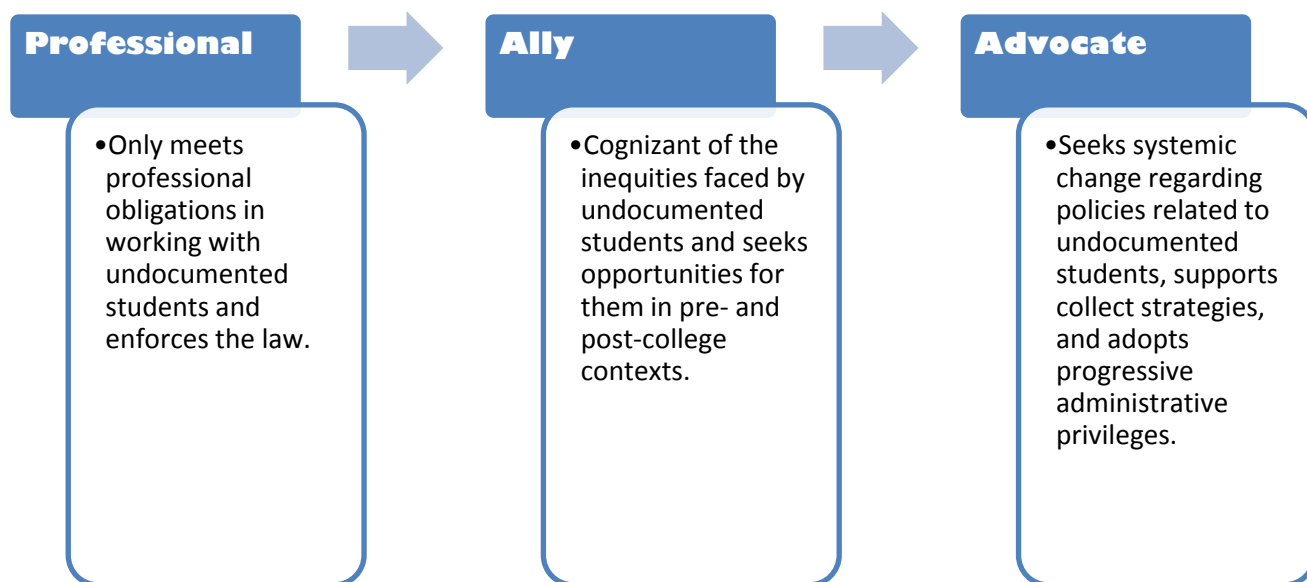




## HB 1079 ADVOCACY

As an academic advisor, educator, career counselor, or student affairs professional, you already have the obligation to serve all students, including undocumented ones.<sup>12</sup> To advance from a baseline level of service, it helps to understand the current challenges facing undocumented students so that you may assist them on their journey toward higher education. As undocumented students come to see that you are growing familiar with their unique realities, they will begin to trust you more and utilize student support services with greater frequency.

### Levels of Support



Model adapted from Gildersleeve, R. E., Rumann, C., & Mondragón, R. (2012). *Undocumented Students in Higher Education: From Professional to Ally to Advocate* [PowerPoint slides]. NASPA Conference.

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

<sup>12</sup> Gildersleeve, Ryan Evely, Corey Rumann, and Rodolfo Mondragón. 2010. “Serving Undocumented Students: Current Law and Policy.” *New Directions for Student Services* 2010 (131): 5–18.  
doi:[10.1002/ss.364](https://doi.org/10.1002/ss.364).<http://onlinelibrary.wiley.com/doi/10.1002/ss.364/abstract>.





## HB 1079 Advocate

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

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

## The Four Basic Levels Of Becoming An Advocate:



### Level 1

#### **Awareness**

Gain awareness by opening yourself to the possibility that some of the students in your class or program are undocumented. Attend training sessions on HB 1079; go on-line and read about HB 1079, DACA, and the DREAM Act.



### Level 2

#### **Knowledge**

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



### Level 3

#### **Skills**

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



### Level 4

#### **Action**

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

## Interacting with your HB 1079 Students



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

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

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









# WE SHARE THE DREAM

W A S H  N G T O N



## READY

What are some things that you are ready to start doing in order to become a better Advocate?

- Acknowledge that HB 1079 students and other undocumented students have a right to be enrolled in higher education.
- Inform others about the rights afforded to students by House Bill 1079.



## SET

What are some things you are already set in doing as an Advocate?

- Maintain confidentiality and respect the privacy of people who are undocumented.
- Handle students' emotions with reserve, empathy, respect, and support.
- Listen openly, but not interrogate the student on their immigration status.



## GO

What are some things you will challenge yourself to go out and do to be a better Advocate?

- Find legal alternative ways to assist undocumented students in meeting academic requisites.
- Use the privilege of legal status as a way to initiate institutional support for undocumented students, and advocate against prejudice and discrimination.

# STUDENT INFORMATION









## College Preparation Timeline

<b>Junior Year</b>	
<b>September</b>	<ul style="list-style-type: none"><li>• Inquire about the PSAT test date, time and location in October—this test is a preparation for the SAT Reasoning Test and is a qualifying test for several national scholarship programs, including: National Merit, National Achievement, and National Hispanic scholarships. The SAT is required to attend most 4-year universities.</li><li>• Meet with your guidance/track counselor and your college counselor to make sure that you are taking college preparatory courses and plan for your senior year.</li><li>• Strive for mostly A's—your grades are especially important this year. Many colleges and universities require you to earn a C or better in your courses.</li></ul>
<b>October &amp; November</b>	<ul style="list-style-type: none"><li>• Take the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT). If you qualify for free or reduced lunch, you may be eligible for a PSAT fee waiver.</li><li>• Think about colleges you are interested in attending; research them online, at your school's college center, at college fairs, and call them to request brochures.</li><li>• Start a file on the colleges that appeal to you.</li></ul>
<b>December</b>	<ul style="list-style-type: none"><li>• Receive results of the PSAT. Read the score report and consult your school counselors about your strengths and areas where you can improve.</li><li>• Think about when you'll take your college entrance exams (SAT Reasoning Test or ACT). If you take the exam in the spring of your junior year, you'll have another chance to retake the test in the fall.</li></ul>
<b>January</b>	<ul style="list-style-type: none"><li>• Begin searching for scholarships.</li><li>• A list of scholarships for HB 1079/undocumented students can be found at: <a href="http://www.maldef.org">www.maldef.org</a>.</li><li>• Look at your high school's college center for scholarship information.</li></ul>
<b>February</b>	<ul style="list-style-type: none"><li>• Meet with your guidance/track counselor and your college counselor to talk about the colleges you are interested in.</li><li>• Start preparing for the SAT Reasoning Test or ACT if you'll be taking them in the spring. Guidebooks with testing strategies and sample questions are available at public libraries, bookstores, at your school, or online.</li><li>• Ask your college counselor if your school will offer an SAT prep course.</li></ul>
<b>March</b>	<ul style="list-style-type: none"><li>• Evaluate the college literature that you have collected.</li><li>• Begin visiting the campuses of the colleges that interest you. Call ahead to participate in a campus tour and presentations about academics, admissions, and financial aid.</li><li>• Register for Advanced Placement Exams.</li></ul>
<b>April</b>	<ul style="list-style-type: none"><li>• Select challenging senior year courses.</li><li>• Sign up for the May/June SAT II subject tests (if applicable for the school you are considering). If you qualify for free or reduced lunch, you may be eligible for a SAT fee waiver.</li></ul>

	<ul style="list-style-type: none"> <li>• Look into summer jobs, campus, study programs, or internships—some of them offer scholarships.</li> <li>• Check with your counselor to decide if you should take the SAT Subject Tests in any subject that you will complete in your junior year.</li> <li>• Continue evaluating colleges and narrow down the list of schools that you will apply to.</li> </ul>
<b>May</b>	<ul style="list-style-type: none"> <li>• Take the SAT Subject Tests (if applicable).</li> <li>• Take Advanced Placement exams for AP subjects you studied junior year.</li> <li>• Enroll in a summer program, if possible.</li> </ul>
<b>June, July, &amp; August</b>	<ul style="list-style-type: none"> <li>• Visit your favorite colleges with your family.</li> <li>• You'll receive mail from colleges over the summer. Be sure to return the reply cards to the schools that interest you.</li> <li>• Prepare for the SAT Reasoning Test or ACT.</li> </ul>

## Senior Year

<b>September</b>	<ul style="list-style-type: none"> <li>• Be sure to keep your grades up during your senior year. <b>THESE GRADES MATTER!</b></li> <li>• Learn about HB 1079, and sign the affidavit, if eligible. Visit <a href="http://www.HB1079.org">http://www.HB1079.org</a> for more information.</li> <li>• Sign up for the SAT Reasoning Test or ACT.</li> <li>• Meet with your guidance/track counselor or college counselor to review your academic records for accuracy and to be sure that you have met the eligibility requirements for the colleges that you plan to apply to.</li> <li>• As you search for schools to attend, be sure to identify both community colleges and universities. The cost of attending a community college will be significantly less than a university, especially if you do not apply for scholarships. Get applications from the colleges you will apply to. Many colleges now require students to apply online, so be sure to look at each college's website to determine how to apply for admission.</li> <li>• Apply for a FAFSA PIN, <b>only if you are already in the process of establishing residency.</b></li> </ul>
<b>October</b>	<ul style="list-style-type: none"> <li>• Consult with your college counselor to review your final list of colleges.</li> <li>• Get information about college application fee waivers from your college counselor if the application fees would be a financial burden to your family. <b>NOTE:</b> HB 1079 students may be eligible for fee waivers at many colleges and universities, so contact the schools to find out.</li> <li>• Attend college fairs at your high school.</li> <li>• Gather information needed for college applications and mark deadlines on your calendar. Begin requesting letters of recommendation.</li> <li>• If applying for early decision or early action, send application now and prepare applications for back-up schools.</li> <li>• Sign up for December/January SAT Subject Tests (if recommended by schools you plan to apply to). When registering for the SAT or ACT, make sure you send your scores to all schools you may be thinking of applying to.</li> </ul>



	<ul style="list-style-type: none"> <li>• Start submitting admission applications to colleges.</li> </ul>
<b>November</b>	<ul style="list-style-type: none"> <li>• Take SAT Reasoning Test and have scores sent to colleges you will apply to.</li> <li>• Check with your counselor for information about scholarships awarded by your school, local companies, and community groups.</li> </ul>
<b>December</b>	<ul style="list-style-type: none"> <li>• File your last college application! Make sure you meet the deadlines.</li> <li>• Apply for a FAFSA PIN, <b>only if you are already in the process of establishing residency.</b></li> <li>• Take the ACT (if applicable to schools you are applying to), and have scores sent to colleges.</li> <li>• Early decision notifications should arrive.</li> </ul>
<b>January</b>	<ul style="list-style-type: none"> <li>• Take the SAT Subject Tests (if applicable) and have scores sent to colleges.</li> <li>• Request that your counselor send the transcripts of your first semester grades to colleges you have applied to.</li> <li>• Attend a FAFSA workshop at a location near you.</li> </ul>
<b>February, March &amp; April</b>	<ul style="list-style-type: none"> <li>• submit FAFSA forms earlier than the deadline, <b>only if you are already in the process of establishing residency.</b></li> <li>• Call colleges to make sure your application materials were received.</li> <li>• Receive acceptance letter and decide on the college you will attend.</li> </ul>
<b>May</b>	<ul style="list-style-type: none"> <li>• By May 1<sup>st</sup>, notify your selected college that you will be attending.</li> <li>• Notify other colleges that accepted you that you have selected another college.</li> <li>• Take Advanced Placement exams for any AP subjects you took senior year.</li> </ul>
<b>June</b>	<ul style="list-style-type: none"> <li>• Request that your counselor send you final high school transcript to the college you will attend.</li> </ul>

Adapted from “AB 540 Student College Preparation Timeline,” *The College & Financial Aid Guide for: AB540 Undocumented Immigrant Students*, The AB 540 College Access Network.







## RESIDENT TUITION FOR HB 1079 STUDENTS

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

### Am I Eligible To Pay Resident Tuition?

According to Washington State legislation, to be eligible for in-state tuition, an undocumented student must have:

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

The differences between resident and non-resident tuition rates for 2011-2012 are shown below:		
	Resident	Non-Resident
Central Washington University	\$7,974	\$18,645
Eastern Washington University	\$6,689	\$16,368
Washington State University	\$9,886	\$21,164
University of Washington	\$10,346	\$27,830
Community and Technical Colleges in Washington	\$4,000	\$9,235

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







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

### Advice For Parents

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

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



You do not need to worry about your child revealing his or her immigration status when filling out admissions applications or other forms required by the university. The Federal Education and Privacy Act (FERPA) protects the privacy of student records at all educational institutions, including colleges and universities. These protections are the same for public and private institutions. However, it is important that students do not lie about citizenship.

### Consejos para los padres

Es especialmente importante que los estudiantes conozcan su estatus migratorio mucho antes de comenzar el proceso de solicitud. Durante el último año de la escuela secundaria, los estudiantes aplican a las universidades y becas, y deben por lo tanto, ser conscientes de su situación migratoria, ya que podrían haber becas y escuelas para las cuales podrían no ser elegibles.

Con una educación universitaria su hijo/a tiene mayores oportunidades. Un título universitario es importante, ya que puede ser útil para encontrar oportunidades de trabajo dentro y fuera de los EE.UU.

Como padre de familia no debe preocuparse porque su hijo/a revele su estado migratorio al llenar las solicitudes de ayuda financiera o aplicaciones de admisiones. La Ley Federal de Educación y Privacidad (FERPA) protege la privacidad de los expedientes de los estudiantes en todas las instituciones educativas, incluyendo universidades. Estas medidas de protección son iguales para todas las instituciones públicas, así como privadas. Lo que no es recomendable es que los estudiantes mientan sobre su estado migratorio.

En la solicitud se debe responder el país de ciudadanía, estado de residencia permanente y el estado de residencia permanente de los padres, lo más exactamente posible. Las preguntas sin respuesta pueden producir retrasos en el proceso de admisión.





Students should answer the following questions as accurately as possible: Country of Citizenship, State of Permanent Residence, and State of Parent's Permanent Home. Any unanswered questions will result in processing delays for admission.

Undocumented students who are caught lying about their citizenship will likely have their admissions acceptances revoked. Students do not need to provide a Social Security Number (applicants will be assigned a Student ID Number for use in the application process and while attending the school). Undocumented students should answer "None of the Above" for Citizenship Status.



Become educated about opportunities for undocumented students, including Washington's House Bill 1079 which enables undocumented students to pay in-state tuition, DACA, and the federal DREAM Act (see page 12). It is very important for you to assure your child that, despite the limitations he or she will encounter as an undocumented student, there will still be many resources to help him or her complete a college education.

Los estudiantes indocumentados que se descubran mintiendo acerca de su situación migratoria, muy probablemente tendrán su aplicación de admisión a la Universidad revocada. Los estudiantes indocumentados deben responder: "ninguna de las anteriores" en la pregunta pertinente a ciudadanía. Los estudiantes no tienen que proveer un número de seguro social. Una vez que llenan su aplicación se les asignará un número de identificación para uso en el proceso de solicitud y mientras estén registrados en la escuela.

Edúquese acerca de las oportunidades para los estudiantes indocumentados, incluyendo la ley Washington House Bill 1079 la cual, permite a los estudiantes indocumentados pagar matrículase come residente del estado. Entérese también del proyecto de la ley federal, DREAM Act (ver página 12) y la Acción Diferida del Presidente Obama firmada en Junio 15, 2012. Es muy importante que usted apoye a su hijo/a y que le recuerde a pesar de las limitaciones que pueda experimentar como estudiante indocumentado; siempre habrán muchos recursos y programas para ayudarle a recibir una educación universitaria.

Tenga en cuenta que, si el DREAM Act pasa, el haber obtenido una educación universitaria puede ayudar a su hijo/a en obtener estatus legal. Suponiendo que sus estudiantes califican para el proyecto de ley, podrían ser elegibles para la residencia permanente una vez que cursen dos años de estudios universitarios o servicio militar. Dependiendo del historial de inmigración de su hijo/a y de su enfoque académico, ir a la universidad puede ser el primer paso para calificar a otras visas basadas en empleo.





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

In the absence of DREAM Act passage, President Obama has ordered Deferred Action for people who were brought to the U.S. as children and have no legal status in the U.S. Deferred Action for Childhood Arrivals, or DACA, gives someone who qualifies the ability to stay in the U.S. without fear of removal for a limited time, and during that time work legally. DACA **does not offer** permanent residence (a "green card") or even a nonimmigrant visa – it does not grant a legal immigration status but rather just grants an official promise not to take any action to deport or remove a person for a specific period of two years. While there is no specific expiration date on the program, it can be withdrawn or ended at any time.



There are very specific requirements for the person applying for DACA: The person was in the United States and under the age of 31 on

En caso de que el DREAM Act no pase a ser ley, el presidente Obama ha ordenado Acción Diferida para las personas que fueron traídas a los EE.UU. cuando eran niños y no tienen estatus legal. La Consideración de Acción Diferida para los Llegados en la Infancia o DACA, da a las personas que califican la capacidad de permanecer en los EE.UU. por un tiempo limitado, sin temor a la expulsión del país y durante ese tiempo trabajar legalmente. DACA no ofrece residencia permanente ("green card") ni una visa de no-inmigrante. En otras palabras, no otorga un estatus migratorio legal. Sólo otorga una promesa oficial de no tomar ninguna medida de deportación contra una persona por un período específico de dos años. Aunque no hay una fecha de vencimiento específica, el programa puede ser retirado o terminado en cualquier momento.

A la misma vez existen requisitos específicos para la persona que solicita DACA: La persona tendría que haber estado en los EE.UU. el 15 de junio del 2012 y haber tenido menos de 31 años (nacido el 16 de junio 1981 o más tarde). La persona tendría que haber entrada a los EE.UU. antes de cumplir los 16 años y ha vivido continuamente en los EE.UU. desde Junio 15 del 2007. En el momento en que la solicitud es presentada, la persona está en la escuela, se ha graduado u obtenido un certificado de recibimiento de la escuela secundaria, ha obtenido un diploma de desarrollo de educación general, GED, o es un veterano retirado con honores de la Guardia Costera o las Fuerzas Armadas de los EE.UU. Además, la persona no debe haber sido condenada por un delito grave, delito menor significativo, o tres o más delitos menores, y de ninguna manera debe representar una amenaza para el país.





signature page and mail it to the Department of Education.

Other sources that can help fund your child's higher education are the savings programs called Guaranteed Education Tuition. GET is Washington's 529 plan, helping families save for college. With GET, your account is guaranteed to keep pace with rising tuition and you can use it at nearly any public or private college in the country. For more information, visit:

<http://www.get.wa.gov/newaccounts.shtml>

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

Keep in mind that public colleges charge more to students who live out of state than they do to those students who are residents of the state where the college/university is located. Fourteen states have laws allowing students who meet specific requirements, regardless of their status, to pay in-state tuition rates at public postsecondary institutions: Texas, California, New York, Utah, Oklahoma, Kansas, Illinois, New Mexico, Nebraska, Minnesota,

la universidad (SAT, ACT y SAT Subject Tests) y para cubrir el costo de 4 de las aplicaciones a las universidades. Los estudiantes por lo general son responsables de otros pequeños costos asociados con la aplicación a la universidad y becas, por ejemplo, el pago por el certificado de calificaciones o la tarifa para enviar por correo los artículos que se piden, entre otros.

Otras fuentes que pueden ayudar a financiar la educación de su hijo/a son los programas de ahorro para la educación superior que ofrece el estado. Por ejemplo: el programa de Pago de Matrícula Garantizado, conocido como GET. El programa ayuda a las familias a ahorrar dinero para ir a la universidad; el plan consiste en prepagar en pagos la matrícula de sus hijos/as desde que estén pequeños. Los pagos son mucho más baratos y aunque el precio cambie su matrícula está garantizada, siempre y cuando su hijo/a escoja una universidad estatal. Ver programa GET:

<http://www.get.wa.gov/newaccounts.shtml>

Tenga en cuenta que en general las universidades cobran más a los estudiantes que vienen fuera del estado y a los estudiantes sin documentos legales, que a los estudiantes residentes del estado en el que se encuentra la universidad. Sin embargo, existen leyes en catorce estados que permiten a los estudiantes indocumentados, residentes de esos estados y que cumplen con requisitos específicos, ser considerados residentes para pagar matrícula universitaria como residente del estado. Esos estados son : Texas, California, Nueva York, Utah, Oklahoma, Washington, Kansas, Illinois, Nuevo México, Nebraska, Minnesota, Maryland, Connecticut y Rhode Island.

# APPENDICES

## Washington Higher Education Residency Affidavit/Declaration/Certification

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

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

**or**

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

**and**

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

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

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

Relationship to the college or university:     Applicant     Current Student

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

I certify that:

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

\_\_\_\_\_   
Date

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

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

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



## ENGROSSED HOUSE BILL 1079

58th Legislature 2003 Regular Session

Passed by the House April 21, 2003

Yeas 82 Nays 15

Passed by the Senate April 8, 2003

Yeas 48 Nays 0

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

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

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

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

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

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

Whenever used in chapter 28B.15 RCW:

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

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

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

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

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

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

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

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

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

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

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

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

--- END ---

## HELPFUL RESOURCES

### Financial Resources

21 Progress for DACA Loans	<a href="http://21progress.org/event/dreamer-circles/">http://21progress.org/event/dreamer-circles/</a>
Gineseo Migrant Center	<a href="http://www.migrant.net/migrant/scholarships.htm">www.migrant.net/migrant/scholarships.htm</a>
Washington Apple Education Foundation	<a href="http://www.waef.org">www.waef.org</a>
Washington Student Achievement Council	<a href="http://www.washboard.org">www.washboard.org</a>
Latino Educational Achievement Project	<a href="http://www.leapwa.org/">www.leapwa.org/</a>
Seattle Foundation	<a href="http://www.seattlefoundation.org/Pages/Default.aspx">http://www.seattlefoundation.org/Pages/Default.aspx</a>
Que Llueva Café Scholarship	<a href="http://ca-core.org/que_llueva_cafe">http://ca-core.org/que_llueva_cafe</a>
The College Board	<a href="http://professionals.collegeboard.com/guidance/financial-aid/undocumented-students">http://professionals.collegeboard.com/guidance/financial-aid/undocumented-students</a>

### Community Resources

Coalition for Higher Education Immigrant Students	<a href="http://dreamact.info/node/61413">http://dreamact.info/node/61413</a>
I079 Coalition	<a href="http://www.youtube.com/watch?v=Ihtaw6aYdnA&amp;feature=plcp">http://www.youtube.com/watch?v=Ihtaw6aYdnA&amp;feature=plcp</a>
Beyond HB 1079	<a href="http://www.beyondHB1079.org">http://www.beyondHB1079.org</a>
Casa Latina	<a href="http://www.casa-latina.org/">http://www.casa-latina.org/</a>
Chinese Information and Service Center	<a href="http://www.cisc-seattle.org/">http://www.cisc-seattle.org/</a>
Community Support Network	<a href="https://sites.google.com/site/washington1079/">https://sites.google.com/site/washington1079/</a>
College Access Now	<a href="http://www.collegeaccessnow.org">http://www.collegeaccessnow.org</a>
College Spark	<a href="http://www.collegespark.org/">http://www.collegespark.org/</a>
La Causa	<a href="http://causaoregon.org/">http://causaoregon.org/</a>
Latino Advocacy	<a href="http://www.latinoadvocacy.org/">http://www.latinoadvocacy.org/</a>
Washington State Educational Access	<a href="http://www.hb1079.org">http://www.hb1079.org</a>
Coalition for HB 1079 Students	

### Legal Resources

Asian Pacific American Legal Center	<a href="http://www.apalc.org">www.apalc.org</a>
Justice for Immigrants	<a href="http://www.justiceforimmigrants.org">www.justiceforimmigrants.org</a>
American Bar Association	<a href="http://www.americanbar.org/groups/public_services/immigration.html">http://www.americanbar.org/groups/public_services/immigration.html</a>
American Immigration Council	<a href="http://www.americanimmigrationcouncil.org/">http://www.americanimmigrationcouncil.org/</a>
American Immigration Council - Legal Action Center	<a href="http://www.legalactioncenter.org/">http://www.legalactioncenter.org/</a>
American Immigration Lawyers Association	<a href="http://www.aila.org/">http://www.aila.org/</a>
Asian Law Caucus	<a href="http://www.asianlawcaucus.org">http://www.asianlawcaucus.org</a>
NW Immigrant Rights Project	<a href="http://www.nwirp.org">http://www.nwirp.org</a>
National Immigration Law Center	<a href="http://www.nilc.org/">http://www.nilc.org/</a>
Proyecto MoLE	<a href="http://northwestleadership.org/programs/proyecto-mole">http://northwestleadership.org/programs/proyecto-mole</a>
Public Counsel	<a href="http://www.publiccounsel.org">http://www.publiccounsel.org</a>
TeamChild	<a href="http://teamchild.org/">http://teamchild.org/</a>

Washington Law Help  
One America  
Refugee Women's Alliance  
Seattle Immigrant and Refugee Advisory Board  
Seattle Office of Immigrant and Refugee Affairs  
Seattle Educational Access  
Skagit Immigrant Rights Coalition  
Washington Dream Act Coalition

<http://www.washingtonlawhelp.org/WA/index.cfm>  
<http://www.weareoneamerica.org>  
<http://www.rewa.org/>  
<http://www.seattle.gov/landRboard/>  
<http://www.seattle.gov/council/issues/oira.htm>  
<http://www.seattleeducationaccess.org>  
<http://www.skagitirc.org/>  
<http://www.wdac.info>

### **Washington State Resources**

Campana Quetzal  
  
Latina/o Educational Achievement Program  
Washington Apple Education Foundation  
theWashBoard.org  
Washington Dream Act Coalition  
Washington State University Office of Financial  
Aid and Scholarships

<http://www.seattlefoundation.org/npos/Pages/CampanaQuetzal.aspx>  
<http://www.leapwa.org>  
<http://www.waef.org>  
[www.thewashboard.org](http://www.thewashboard.org)  
<http://www.wdac.info/>  
<http://www.finaid.wsu.edu/1079.html>

### **National Resources**

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

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

## LIST OF RELEVANT TERMINOLOGY

### Comprehensive Immigration Reform

Comprehensive Immigration Reform is a term used to mean reforming the immigration system as a whole. Some issues that are discussed in CIR are border enforcement, border security, adjusting the status of the undocumented population living in the U.S., visa reforms, among others.

### Deferred Action

A request for deferred action is a program by USCIS. It grants Immigration and Customs Enforcement (ICE) discretionary authority, before or after a removal proceeding, not to remove the foreign national. It is likely to be granted only in extreme cases, involving people who are very old or very young, who have serious physical or mental disabilities, who cannot be removed because there is no country to which they can be removed, or because of close family ties in the United States. Deferred Action has become common among DREAM Act – eligible students, on the basis that their removal should be deferred until there is a vote on the DREAM Act.

### Deportation, or Removal Proceedings

Deportation, or removal, occurs when the Department of Homeland Security orders that a foreign national be removed from the United States, typically after the violation of immigration or criminal laws.

If the DHS alleges a violation of immigration laws, it has the discretion to "serve" the individual with a charging document, known as a Notice to Appear. This document orders the foreign national to appear before an Immigration Judge, and advises him or her of, among other things:

- The nature of the proceedings against the foreign national;
- Foreign national's alleged acts that violated the law;
- Foreign national's right to an attorney; and
- Consequences of failing to appear at scheduled hearings.

Removal proceedings generally require an Immigration Judge to make two findings: (1) a determination of the foreign national's removability from the United States, and (2) whether the individual is eligible for a form of relief from removal.

### Dual Nationality

Dual nationality is the simultaneous possession of two citizenships. This can occur by birth in one country to citizens of another country, by marriage to a foreign national, and by foreign naturalization. Certain countries do not accept dual citizenship, and require relinquishment of former citizenship upon naturalization to U.S. citizenship.

### DREAM Act

The Development, Relief and Education for Alien Minors Act (The "DREAM Act") is a piece of proposed federal legislation in the United States that was first introduced in the United States Senate, and the United States House of Representatives in 2001. This bill would provide certain illegal alien students who graduate from U.S. high schools, who are of good moral character, arrived in the U.S. as minors, and have been in the country continuously for at least five years prior to the bill's enactment, the opportunity to earn conditional permanent residency.

The proposed DREAM Act has four basic requirements, which are:

- First entry into the U.S. before the age of 16;



- Graduate high school or obtain a GED in the U.S.;
- Have good moral character (no criminal record); and
- Have at least five years of continuous presence in the U.S.

If applicants meet the above criteria, once the DREAM Act passes, they will then have six years within which to obtain a two-year college degree or complete two-years of military service. Upon doing all of this, applicants will gain the chance to adjust their conditional permanent residency to U.S. citizenship.

## Employment Authorization

Individuals who are temporarily in the United States and eligible for employment authorization may file a Form I-765 or I-688B, Application for Employment Authorization, to request an Employment Authorization Document (EAD). This document provides its holder a legal right to work in the United States of America. It should not be confused with the green card.

The Employment Authorization Document is issued for a specific period of time based on the individual's immigration situation. If someone has a valid EAD, he/she is authorized to freely work in the United States without his/her employer having to file a non-immigrant worker petition.

## First Generation Students

Term used to refer to students who are the first in their immediate family to attend college. Colleges understand that first generation students may have particular issues in learning about and adjusting to the college environment.

## Generation 1.5

The term **Generation 1.5** refers to these immigrants who were brought to the United States as young children and identify as American. The label comes from the group's special place as first-generation Americans who migrate to this country during childhood and feel strong identification with the United States, yet are native to another country.

## H-1-B Visa

H-1-B is a non-immigrant visa in the United States under the Immigration and Nationality Act. It allows U.S. employers to temporarily employ foreign workers in specialty occupations. If a foreign worker in H-1B status quits or is dismissed from the sponsoring employer, the worker can apply for a change of status to another non-immigrant status, find another employer (subject to application for adjustment of status and/or change of visa), or must leave the U.S.

The regulations define a "specialty occupation" as requiring theoretical and practical application of a body of highly specialized knowledge in a field of human endeavor, including, but not limited to, architecture, engineering, mathematics, physical sciences, social sciences, biotechnology, medicine and health, education, law, accounting, business specialties, theology, and the arts, and requiring the attainment of a bachelor's degree or its equivalent as a minimum. Likewise, the foreign worker must possess at least a bachelor's degree or its equivalent and state licensure, if required to practice in that field. H-1B work-authorization is strictly limited to employment by the sponsoring employer.

## H-4 Visa

An H-4 visa is a visa issued by the U.S. Citizenship and Immigration Services (USCIS) to immediate family members (spouse and children under 21 years of age) of the H-1B visa holders.



## In-State or Out-Of-State Tuition

When planning to apply and pay for college, students should figure out if they have to pay In-state or Out-of-state tuition. While tuition requirements vary from state and school, typically those who have resided in their state for many years can qualify for In-state tuition. If they qualify for in-state tuition (and admission) as a state resident, they can obtain a first-class education at very reasonable rates. Attending a public institution in another state usually adds a non-resident tuition surcharge that can amount to thousands of dollars each year.

This differs for undocumented students, as state laws determine their residency status. In Washington State, for example, undocumented students could be considered state residents under the law House Bill 1079. Other states have similar laws but some treat undocumented students as non-residents. Make sure to research your state's policy.

## Individual Taxpayer Identification Number

An Individual Taxpayer Identification Number (or ITIN) is a United States tax processing number. It is a nine-digit number that begins with the number 9 and has a 7 or 8 in the fourth digit. The IRS issues ITINs to individuals who are required to have a taxpayer identification number but who do not have, and are not eligible to obtain, a Social Security Number.

ITINs are issued regardless of immigration status because both resident and nonresident individuals may have Federal tax return and payment responsibilities under the Internal Revenue Code. Individuals must have a filing requirement and file a valid federal income tax return to receive an ITIN, unless they meet an exception.

The program was created for the purpose of tax filing of passive income not salary or hourly income and use for these income sources is an unintended misuse. Receiving an ITIN number does not confer the right to work and receive income in the United States.

## Low-Income Student

An individual whose family's taxable income did not exceed 150% of the poverty level in the calendar year preceding the year.

## Naturalization

The process by which U.S. citizenship is conferred upon a lawful permanent resident after he or she fulfills the requirements established by Congress in the Immigration and Nationality Act (INA). The general requirements for administrative naturalization include: a period of continuous residence and physical presence in the United States; an ability to read, write, and speak English; a knowledge and understanding of U.S. history and government; good moral character; attachment to the principles of the U.S. Constitution; and a favorable disposition toward the United States.

## Nonimmigrant

Nonimmigrant visas are issued to the citizens of other countries coming to the United States temporarily. Individuals traveling to the U.S. for a temporary intention are categorized under U.S. law as nonimmigrants (or temporary visitors). The law requires that them to provide confirmation that they don't plan to immigrate to the United States. Some of the nonimmigrant categories are students, tourists, treaty investors, foreign government officials, etc.



## Permanent Resident

A permanent resident is someone who has been granted authorization to live and work in the United States on a permanent basis. As proof of that status, a person is granted a permanent resident card, commonly called a "green card."

An individual with a green card application can obtain two important permits while the case is pending after a certain stage is passed in green card processing (filing of I-485). The first is a temporary work permit known as the Employment Authorization Document (EAD), which allows the individual to take employment in the United States. The second is a temporary travel document, advance parole, which allows the individual to re-enter the United States.

## Undocumented

A foreign-born person that has entered the United States without inspection (and not subsequently obtained any right to remain) or stayed in the United States beyond the expiration date of a visa or other status.

## Refugee

Any person who is outside his or her country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on the individual's race, religion, nationality, membership in a particular social group, or political opinion. Refugees are subject to ceilings by geographic area set annually by the President in consultation with Congress and are eligible to adjust to lawful permanent resident status after one year of continuous presence in the United States.

## U.S. Citizen

A person who, by place of birth, nationality of one or both parents, or having successfully completed any applicable requirements, is granted full rights and responsibilities as a member of the United States.


## U.S. Citizenship And Immigration Services (USCIS)

A branch of the Department of Homeland Security (DHS). USCIS is primarily responsible for handling immigration benefits, such as applications for asylum, work permits, green cards, and citizenship.

## Visa

Certificate issued or a stamp marked on an person's passport by the immigration authorities of a country to indicate that the person's credentials have been verified and he or she has been granted permission to enter the country for a temporary stay within a specified period. This permission,

immigrants  
Coalition  
Scholarships  
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