



WILLIAM & MARY
REVES CENTER FOR INTERNATIONAL STUDIES

DACA-ally Conversations

For Faculty and Staff

Prepared by the
Reves Center for International Studies
and the Office of Diversity and Inclusion

Goals of this presentation

- Introduce current information about DACA
- Prepare to support students affected by immigration policy
- Promote good communication between faculty/staff and students

DEFINITION OF TERMS



Deferred Action for Childhood Arrivals (DACA)

- In 2012 Pres. Obama created DACA by Executive Order. It defers the action of removing/deporting persons with DACA status.
- DACA grants the opportunity to attend school and work without the immediate fear of deportation.
- One must apply to Homeland Security for DACA and specific eligibility requirements have to be met.
- Renewal is required every 2 years. The fee is \$495.

“Illegal”

- Term commonly used to describe people living in the U.S. without U.S. citizenship or a valid immigration status.
- Immigrant communities and their allies reject the term and argue that:
 - Actions, not people, are illegal.
 - Immigration should be understood in historical context.
 - This term perpetuates stereotypes of immigrants as lawbreakers, foreigners, and a burden on society.
 - It undermines the complex experience of undocumented immigrants.

“Undocumented”

Describes individuals living in the U.S. without legal status:

- They may have entered the U.S. without legal documentation, violated the terms of their status, or remained in the U.S. after their status expired.
- DACA students have temporary “permission” to be in the U.S. Under the current regulations, they are required to renew this status every two years.

Dreamers \neq DACA

- The main difference is that DACA provides work permits and protection from deportation and allows students to pursue post-secondary education.
- The first version of the Development, Relief, and Education for Alien Minors (DREAM) Act was introduced in 2001. As a result, young undocumented immigrants have since been called Dreamers.
- The DREAM Act would have given the community a path to residency and eventually citizenship.

Dream Acts

- Over the last 16 years, numerous versions of the Dream Act have been introduced, all of which would have provided a pathway to legal status for undocumented youth who came to this country as children.
- Some versions have garnered as many as 48 co-sponsors in the Senate and 152 in the House.

COMMON MYTHS & STUDENT CONCERNS



Common Myths

- If their child is a U.S. citizen, the parents automatically receive legal immigration status.
- Individuals who have a social security number also have permanent residency status.
- DACA students are ineligible for in-state tuition.
- There are clear pathways to residency. It's a matter of choice.

Common concerns for students

- While students with DACA have legal status, their siblings and parents may not.
- For many, the U.S. is the only country they know.
- Uncertainty about the future has an impact on their life and their studies.

WHAT'S HAPPENING AND WHAT MIGHT HAPPEN



Where things stand...

- Pres. Trump rescinded DACA on September 5, 2017 with an effective date of March 5, 2018.
- During this time, Congress is expected to work out a solution.
- February 13, 2018, a federal judge in California temporarily blocked the Trump administration's efforts to end the Deferred Action for Childhood Arrivals program

What does and doesn't happen on March 5, 2018?

- DACA renewal may no longer be an option after March 5 (unless Congress acts).
- DACA protection does, however, remain valid for two full years after it was granted. (e.g., a renewal with a 10/10/17 start date is valid until 10/10/19).

Dream Act of 2017

- A bipartisan bill introduced July 20, 2017
- Would grant current DACA beneficiaries permanent resident status on a conditional basis, and allow TPS (temporary protected status) beneficiaries, people without lawful immigration status, and people with final orders of removal the opportunity to apply for this same immigration status.
- Would permit conditional permanent residents to obtain lawful permanent resident (LPR) status (sometimes referred to as getting a “green card”) if they go to college, have worked for a certain amount of time, or served in the U.S. military. They also would have to meet other requirements.
- Stay (stop) the removal proceedings of anyone who meets the Dream Act requirements and young people over 5 years of age who are enrolled in elementary or secondary school.

Bridge Act

- Bipartisan legislation proposed to allow people who are eligible for or who have received work authorization and temporary relief from deportation through DACA to continue living in the U.S.
- People who already have DACA would have provisional protected presence until their DACA's expiration date, then they would be eligible to apply affirmatively for provisional protected presence.
- Would impose restrictions on the sharing of information in DACA and provisional protected presence applications with U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection for purposes of immigration enforcement.
- At this point, the Bridge Act is a bill, not law.

William & Mary's position: BOV

WHEREAS, the protections provided under the Deferred Action for Childhood Arrivals (DACA) program are slated to be phased out in March 2018, creating intense uncertainty for students enrolled in higher education under this program; and

WHEREAS, William & Mary currently enrolls 23 students under this program, and these students as well as those who enrolled under this program before them have been and remain exemplary and valued members of the university community; and

WHEREAS, "Who comes here, belongs here" remains a hallmark of the university community, the students who came to William & Mary under the DACA program belong at the university as much as any other current or former student.

THEREFORE, BE IT RESOLVED, That the Board of Visitors of The College of William & Mary in Virginia expresses its steadfast support of all students enrolled at the university under the Deferred Action for Childhood Arrivals program; and

BE IT FURTHER RESOLVED, That the Board of Visitors of The College of William & Mary in Virginia expresses its support for the ability of all students enrolled in higher education institutions throughout the United States of America under the Deferred Action for Childhood Arrivals program to continue their studies; and

BE IT FURTHER RESOLVED, That the Board of Visitors of The College of William & Mary in Virginia calls on our elected officials to work together to find a bipartisan solution that will allow our students to continue their studies uninterrupted at the university; and

BE IT FINALLY RESOLVED, That this resolution be spread upon the minutes of the Board and the President share this resolution with the university's student body and the campus community.

RESOURCES



At William & Mary

Faculty in several Arts & Science departments and programs, in the School of Education, and in the Law School have expertise in issues related to DACA.

Staff colleagues in several offices have expertise in immigration, DACA, and student support.

- Reves Center and Diversity & Inclusion: Expertise, support, and advocacy
- Registrar: Eligibility for domicile under VA State policy
- Financial Aid: Student financial aid
- Counseling Center
- Center for Student Diversity: UndocuTribe Student Organization

Please visit the DACA Resource Hub

<http://www.em.edu/offices/revescenter/issp/visasandimmigration/daca>

Additional Resources

- Advocacy and Legal Aid Organizations
 - Immigration Legal Resource Center
<https://www.ilrc.org/>
 - United We Dream
<http://www.unitedwedream.org/>
 - *Educators for Fair Consideration*
<http://www.e4fc.org/>
 - AIC Legal Action Center - Practice Advisory
https://www.americanimmigrationcouncil.org/practice_advisory/deferred-action-childhood-arrivals
 - National Immigration Services Directory
<https://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=VA>

From PBS Newshour: “Every Immigration Proposal in one Chart”

<https://www.pbs.org/newshour/politics/every-immigration-proposal-in-one-chart>

Supporting our students: a few suggestions

- Acknowledge
- Listen
- Meet with your colleagues:
 - How do you want to respond when the (next) difficult situation presents itself?
 - Consider how you plan to engage the students: *We know, for example, that some faculty remain silent on issues not as a sign of indifference but of scholarly objectivity. We also know some students interpret silence as a lack of interest. What is the best way to address this in your field?*
- Know where to send students for guidance and help