

Immigrant Student Issues Committee of NMSU

The Immigrant Student Issues Committee (ISI) was formed in 2005 to provide information about issues of access to higher education that affect students of various immigrant backgrounds including:

- Students who are undocumented
- Students who have Deferred Action status
- Students who are US Resident/US Citizens, but graduated from a foreign high school

Admissions

Undocumented Students

- Undocumented children are guaranteed an education in U.S. public schools through grade 12, but may face legal and financial barriers to higher education
- No federal laws specifically prohibits undocumented students from attending public colleges or universities
- New Mexico Senate Bill 582 is an Act relating to higher education

New Mexico legislation regarding undocumented students

- SB 582 | In-State Tuition Student Eligibility Requirements
 - Students must have attended New Mexican middle or high school for at least one year
 - Students must have graduated from a high school or received their GED in the state of New Mexico

New Mexico Senate Bill 582

- Introduced in March of 2005
 - A) A public post-secondary educational institution shall not deny admission to a student on account of the student's immigration status.
 - B) Any tuition rate, scholarship, loan or other post-secondary educational benefit that is granted to residents of New Mexico shall also be granted on the same terms to all persons, regardless of immigration status

New Mexico Senate Bill 582- Continued

- NM students that benefit from Senate Bill 582 for purposes of in-state tuition rates and scholarships:
 - those who have attended a secondary educational institution in New Mexico for at least one year **AND** who have either graduated from a New Mexico high school or received a general educational development (GED) certificate to New Mexico

Federal Climate regarding undocumented students

- Development, Relief, and Education for Alien Minors Act (DREAM Act)
 - This federal legislation has NOT passed Congress and is not law.
 - Some state policies have attempted to approximate it's intended purpose.
- Deferred Action for Childhood Arrivals (DACA)
 - This does not mean the same as legal residence
 - This, however, does allow DACA recipients to legally work in the U.S.

Deferred Action For Childhood Arrivals (DACA)

DACA is not a change of law, but is a Presidential Order

- for the benefit of individuals who were brought to the US at a young age by their parents. Individuals must apply with supporting documentation , undergo a thorough background check and pay a fee to apply.
- Each application is reviewed upon its own merits.

If granted, it provides :

- limited protection against deportation
- the ability to travel within U.S. borders
- the ability to work legally in the U.S.
- a social security # (but it is NOT valid for financial aid)

DACA Requirements

1. Under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
5. Had no lawful status on June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, or three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

Age Guidelines

- *Anyone requesting DACA must have been under the age of 31 as of June 15, 2012. You must also be at least 15 years or older to request DACA*

(United States Citizenship and Immigration Services, 2016)

DACA & Study Abroad

A person who has already been granted DACA status can apply for “Advance Parole” for the following reasons:

- Educational purposes, such as semester abroad programs or academic research;
- Employment purposes, such as overseas assignments, interviews, conferences, training, or meetings with clients; or
- Humanitarian purposes, such as travel to obtain medical treatment, attend funeral services for a family member, or visit an ailing relative.

Travel for vacation is not a valid purpose.

(U.S. Customs & Immigration Service website:

<https://www.uscis.gov/i-131>

Undocumented students who pay in-state tuition

Are those who:

- reside in New Mexico
- graduated from a NM high school or have received a New Mexico GED
- can prove that they attended a NM high school for more than a year
- meet all the freshman admission requirements

Only US citizens or permanent residents can claim NM residency therefore undocumented students are coded non NM residents.

New Mexico High School Grad Waiver (NMHG):

- NMSU uses this name as the waiver used to code students on BANNER that meet the criteria listed under Senate Bill 582
- This waiver applies to Main Campus and NMSU Community Colleges
- Awards are unlimited
- Awards are renewable

Undocumented students who pay out-of-state tuition*

*for a full-time schedule of classes

Are those who:

- Graduated from a high school or received a GED from a state other than New Mexico
- Received a GED from New Mexico but did not attend a NM high school for at least a year
- Meet all freshman admission requirements
- Do not qualify for the 135 Mile Waiver or the Western Undergraduate Exchange Program (WUE), both require a student be a US citizen or Permanent Resident

They can submit an International Undergraduate Application

They can pay in-state-tuition if they only take a part-time schedule of classes.

Federal Financial Aid and Scholarships

Applying for the FAFSA (Free Application for Federal Student Aid):

- Student must have US Citizenship or Permanent Resident status in order to be eligible for federal financial aid.
 - DACA students are eligible to complete the FAFSA to determine need for institutional aid.
- If under the age of 24, student must use biological parent(s) tax information on application.
 - Extenuating circumstances allowance.
- The FAFSA does not require parent(s) to have US Citizenship or Permanent Resident status.
 - Parent would report SSN with zero's.
 - ITIN (Individual Tax Identification number) cannot be used in place of SSN.
 - Requires paper signature page.

State–Funded Merit Scholarships

Qualifications:

- US Citizen, Permanent Resident, DACA and Undocumented Students are eligible for the major state-funded scholarships:
 - Resided in NM for at least one year.
 - Attended a NM public High School for at least one year.
 - Graduated from a NM GED program
 - Graduated from NM public High School.
 - Student must enter college or university the first regular semester after high school graduation or GED completion.

State –Funded Merit Scholarships

Non-Competitive State Funded:

- **Opportunity Scholarship**
- **Lottery Success Scholarship**
 - Base tuition costs-90%
 - 2.5 cumulative GPA.
- **Regents Success Scholarship**

State –Funded Merit Scholarships

Competitive/Honors:

- **Honors Excel Scholarship**
- **High Achiever Leadership Scholarship**
- **President's Associates Excellence Scholarship**
 - .

Scholarships

Deadlines:

- Scholar Dollar\$:
 - *Opens October 1st and closes March 1st.
- Competitive Scholarships:
 - *Application due December.
- Non-Competitive Scholarships:
 - *March 1st.

General Scholarships

- Scholar Dollar\$ Application:
 - <http://scholarships.nmsu.edu>
 - Scholarship requirements vary.
 - 90.7% of scholarships do not require students to have US Citizenship or Permanent Resident status.
 - Average of 2300 scholarships available.
- Scholarship Calendar
 - <http://fa.nmsu.edu/scholarships-and-waivers/private-scholarship-opportunities/>
- Resource Guide: *Supporting Undocumented Youth*
 - <http://fa.nmsu.edu>

Undocumented Students on Deferred Action

- Deferred Action does not provide students “legal status” therefore they are classified as undocumented students for admission purposes.
- Deferred Action students may use the Social Security # assigned to them on the Undergraduate Admissions Application but must indicate “other” under citizenship.
- The social security number provided with DACA status allows the individual to legally work in the United States; This social security number, however, is not valid for Financial Aid (i.e. Pell Grants, workstudy, financial aid student loans)

US Citizens or Permanent Residents with Foreign High School Transcripts

- These student **DO NOT** go through the International admissions process
- These students must meet the same requirements as all regular students.
- Incoming freshman are still required to take the ACT or SAT
- These students can apply for Financial Aid.

Some resources for immigration legal advice

Catholic Charities Diocese of Las Cruces non-profit

575-527-0500

2215 S. Main St. Suite B

Las Cruces, NM 88005

Southwest Asylum & Migration Institute (SAMI) non-profit

SAMI has offices in Las Cruces and El Paso (charge a nominal fee)

Do not take walk in clients. To ask for an appointment contact:

Nancy Oretskin, Esq. noretski@ad.nmsu.edu

Crystal Massey, crystalmsami@gmail.com

Daniel Caudillo Law Firm , El Paso, legal fees apply

Call for an appointment : (915) 772-2223

This is not an exhaustive list. These are merely some local resources.

Dream Ally Placard



DREAM Excellence Ally
New Mexico State University



Ally Confidentiality

Individuals who have a DREAM Excellence Placard displayed in their office have signed a pledge saying that they agree to be a safe person that undocumented students can talk to about studying at NMSU, DACC, or our other campuses.

By posting this decal they affirm that information shared with them will not be shared with others, unless you, the student, have given them permission to do so

For more info, contact these DREAM Excellence Allies;

Chicano Programs

- Dr. Laura Gutiérrez-Spencer Director, Chicano Programs

Admissions

- Dr. Delia De León, Director of Admissions, LC Campus
- Gustavo Guzmán, Admissions LC Campus

Financial Aid

- Cyrena Alfaro, Financial Aid LC Campus

Faculty

- Dr. Anna López, Asst. Prof, Counseling & Ed Psych