

Managing Illegality on Campus:
Undocumented and DACAmended College Students in the Era of Trump

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Extended Abstract

The 2016 Presidential election in the U.S. led to many new anti-immigrant and anti-immigration policies, as well as a newly reinvigorated and very public xenophobia. This post-Trump environment has made life especially challenging and dangerous for undocumented immigrants, and even for those immigrants with DACA status and even in states with “undocufriendly” laws on the books. This research examines the impact of the post-Trump policies and environment on a particular group of undocumented immigrants: undocumented and DACAmended students attending the City University of New York, a large, urban, public university with an enrollment of over 250,000 students at over 20 campuses within New York City.

We analyze in-depth qualitative interviews with over 70 students and former students and 35 faculty and staff members at CUNY. Our research team collected these interviews in 2018 and 2019. Our aims are to understand whether and how students’ lives were affected by changes in federal immigration and immigrant policies, what changes occurred in the university and campus leadership, outreach, and resources, and whether students and faculty and staff are in agreement about these changes. We particularly explore students’ experiences of illegality on campus and the management of this illegality by students, faculty, and staff.

Three major themes are emerging in our analysis so far. First, students and staff feel a range of emotions relating to the post-2016 election and its aftermath. These emotions include sadness, fear, and anger, but also pride and solidarity. Students’ own emotions are sometimes almost coopted by staff members to assuage their own guilt or to feel solidarity. Some students also feel that faculty and staff expect too much from them in terms of “coming out” as undocumented. Managing one’s illegality on campus can be made to feel like a political or personal litmus test for students when faculty and staff are too politically invested in what is for many students a dangerous and uncertain proposition: whether or not to disclose their legal status.

Another major theme in our analysis is identity, especially racial and ethnic identity as it relates to illegality. Most research and much of the media coverage of undocumented

immigrants focuses on the Latinx community, especially those from Mexico and Central American countries. Nationally, they are the largest group of undocumented immigrants. However, New York City and CUNY host a much more diverse group of undocumented immigrants (see Table 1 below). About 1/4 are from the Caribbean and almost 1/5 are from Asia. Almost 8.5% are from Europe or the Middle East and about 3.5% from Africa. While 30% of the undocumented students at CUNY do come from Latin America (which includes 10% from Mexico), this group is quite diverse and includes a lot of immigrants from South America and fewer from Central America. This diversity is quite clear on campus at the CUNY colleges, but students who are not Latinx report that they feel unwelcome or not included in discussions and workshops about issues for undocumented students or in campus DREAMer clubs and organizations. Campus outreach and services for undocumented students are sometimes located in Latinx settings, such as the Mexican Studies Institute, which may compound the problem. Although some staff who work with undocumented students are aware of their racial and ethnic diversity, they still may not be successful in outreach due to stereotypes about who is undocumented.

The third and final theme that is emergent in our analysis has to do with data confidentiality and security related to legal status of students. Students' legal status has been collected and recorded in university databases since at least the late 1990s. Upon enrollment at CUNY, students are asked to self-report as U.S. citizens, legal permanent residents, temporary visa holders, refugees, or undocumented immigrants. Students must submit documentation to validate their own self-reports; those who fail to provide documentation are categorized as undocumented. Moreover, in order to qualify for in-state tuition rates, undocumented students must provide a notarized affidavit stating they will pursue steps to obtain legal residency if such options become available. When Trump was elected President, CUNY worked quickly to "scrub" student databases of identifiers of legal status and to limit access to those data to a very few high-level administrators on each campus. Staff are aware of this and complied, although some would keep their own "secret" and coded databases to track their students. Most staff who were aware of this issue took great lengths to protect any data, but as they are not specifically trained in data security, it is unclear how safe and secure these data really are. Another issue is that students now must self-disclose their legal status to campus staff in order to qualify for in-state tuition and any other potential benefits and services for which they are eligible. So staff may not be aware of a student's legal status and students may not be aware of potential benefits and services. Once again, the burden is on the students to manage their own illegality on campus and to determine whether to disclose their status. Concerns about data confidentiality and status disclosure are especially relevant given the recent passage of the NY State Dream Act.

Based on our findings regarding illegality and the management of illegality on campus at CUNY (particularly relating to emotions, identity, and data confidentiality) we will suggest some potential directions for future policies and programs at different institutional levels.

Table 1. Top Countries of Birth of Undocumented Immigrants (by Region of Origin)

<u>REGION/COUNTRY</u>	<u>U.S. Population</u>	<u>University Data</u>
Latin America	77.0%	30.3%
Mexico	56.2%	10.2%
Guatemala	6.4%	0.6%
El Salvador	4.0%	0.6%
Honduras	2.9%	0.7%
Ecuador	1.3%	6.0%
Colombia	N/A	4.4%
Peru	N/A	2.0%
Venezuela	N/A	1.3%
Brazil	N/A	1.0%
Argentina	N/A	0.7%
Asia	13.7%	19.5%
China	2.6%	3.7%
India	2.6%	2.2%
Philippines	1.8%	1.3%
S. Korea	1.7%	5.9%
Vietnam	1.1%	0.03%
Bangladesh	N/A	2.5%
Pakistan	N/A	1.4%
Hong Kong	N/A	0.8%
Caribbean	2.4%	24.2%
Dominican Republic	1.1%	3.4%
Jamaica	0.7%	6.2%
Trinidad & Tobago	N/A	6.2%
Guyana	N/A	3.8%
Haiti	N/A	1.5%
Africa	3.1%	3.5%
Nigeria	0.4%	1.0%
Ghana	0.3%	0.7%
Ethiopia	0.3%	0.01%
Guinea	N/A	0.4%
Cote d'Ivoire		0.3%
Europe/Other	3.8%	8.4%
Poland	N/A	2.4%
Russia	N/A	0.6%
Israel	N/A	0.4%
N	11,022,000	10,933

Source: National estimates of undocumented immigrants come from the Migration Policy Institute (MPI) analysis of U.S. Census Bureau from the 2013 American Community Survey (ACS), 2009-2013 ACS pooled, and the 2008 Survey of Income and Program Participation (SIPP).