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Making Higher Education an Option: Taking a Look at the Chicago Support System for Undocumented High School Students

Martha Laura Garcia

From the injunction on the President's Executive Action to expand the current immigration policies to the current language presidential candidates have used when speaking about immigration reform, immigrants have more than enough reasons to feel uneasy about their future in this country. All is not bad, however, especially for undocumented students. Cities like Chicago, a city of immigrants, are making great strides to create welcoming and supportive communities for immigrants. Compared to other U.S. cities, Chicago is very immigrant-friendly, with people working across the city to provide support for undocumented students and ensure that they have access to higher education. Herein, I will review some of the most noteworthy examples of Chicago community members and organizations working together and fighting to make higher education a reality for undocumented youth.

STATE PROGRAMS, RESOURCES, AND OPPORTUNITIES

The first and possibly most significant step the Illinois state government took to assist undocumented students in pursuing higher education was passing House Bill 60 in 2003¹. This law provides that undocumented students who meet the criteria listed are eligible for in-state tuition at public colleges and universities.² Considering that only eighteen states have passed laws that make undocumented students eligible for in-state tuition³, this shows that Illinois is committed to making undocumented students an integral part of the education system.

Similarly, Illinois was the first state in the United States to provide private scholarship funds for undocumented students.⁴ The Illinois DREAM Act was

¹ *In-State Tuition in the State of Illinois*, DREAM Act Portal, Apr. 1, 2009, <https://dreamact.info/students/in-state/illinois>.

² *Id.*

³ *Undocumented Student Tuition: State Action*, NATIONAL CONFERENCE OF STATE LEGISLATURES, June 12, 2014, <http://www.ncsl.org/research/education/undocumented-student-tuition-state-action.aspx>.

⁴ *Illinois DREAM Act*, ILLINOIS COALITION FOR IMMIGRANT AND REFUGEE RIGHTS, <http://www.icirr.org/illinoisdream> (last visited Nov. 4, 2015).

passed in 2011⁵ and provides that undocumented students who have a taxpayer identification number (ITIN) can take part in the State Treasurer's College Savings Pool and the Illinois Prepaid Tuition Plan.⁶ This was a huge step that continues to empower students and allows them to actually plan ahead for college. In conjunction with the Illinois DREAM Act, the state also created the Illinois DREAM Fund, which is a scholarship that creates "access to financial funding to further the educational growth and development for undocumented students."⁷

CITY OF CHICAGO PROGRAMS, RESOURCES, AND OPPORTUNITIES

Chicago is similarly committed to empowering undocumented students and opening the door to higher education for them. In 2011, Mayor Rahm Emanuel created the Office of New Americans (ONA) with the goal of making Chicago "the most immigrant-friendly city in the world."⁸ The ONA created the Chicago New Americans Plan, a three-year plan that outlines the strategies that are being used to create a more welcoming city and "maximize the contribution" immigrants make to Chicago.⁹

Tonantzin Carmona, director of the ONA¹⁰, stated that one of the plan's three focus areas is youth.¹¹ This category focuses on educating not only the students about their educational options, but also parents, school counselors, and community members.¹² The ONA has developed a DREAM Curriculum, which informs students about their options and walks them through every step

⁵ *Illinois DREAM Act*, ILLINOIS STUDENT ASSISTANCE COMMISSION, Feb. 4, 2012, <http://www.isac.org/home/illinois-dream-act.html>.

⁶ ICIRR, *supra* note 4.

⁷ *The Illinois DREAM Fund Scholarship*, CITY COLLEGES OF CHICAGO, <http://www.ccc.edu/colleges/wright/services/Pages/The-Illinois-DREAM-Fund-Scholarship.aspx> (last visited Nov. 4, 2015).

⁸ *The Chicago New Americans Plan-Executive Summary 1*, CITY OF CHICAGO-OFFICE OF THE MAYOR November 2012, <http://www.cityofchicago.org/content/dam/city/depts/mayor/Office%20of%20New%20Americans/NewAmericanBookletExecutiveSummary.pdf>.

⁹ *Id.* at 2.

¹⁰ *Mayor Emanuel Names Adolfo Hernandez Deputy Director of the Mayor's Office of Public Engagement and Tonantzin Carmona the New Director of the Office of New Americans 1*, CITY OF CHICAGO-MAYOR'S PRESS OFFICE, Apr. 2, 2014, http://www.cityofchicago.org/city/en/depts/mayor/press_room/press_releases/2014/apr/mayor-emanuel-names-adolfo-hernandez-deputy-director-of-the-mayo.html.

¹¹ Telephone Interview with Tonantzin Carmona, Director of the Office of New Americans, City of Chicago (Oct. 8, 2015).

¹² *Id.*

of the college application process.¹³The ONA has also implemented DREAM Act trainings geared specifically for school counselors in Chicago Public Schools.¹⁴ Ms. Carmona added that as of 2015, five hundred people working within Chicago Public Schools have received DREAM Act trainings.¹⁵

In addition, the ONA has been encouraging schools to give undocumented students leadership positions and provide them with the opportunity to create DREAMER Clubs, allowing undocumented students to reach out to fellow students on this issue.¹⁶ In an effort to promote the idea of DREAM Clubs, the ONA has hosted eight DREAMER Club conferences since 2012 where student leaders were able to share their experiences with other students, the ONA, and community members.¹⁷

In addition to providing guidance to students and counselors, the ONA also works to identify partner colleges.¹⁸ Ms. Carmona states that there are many educational institutions in the Chicago area that welcome undocumented student applicants, provide scholarships, and guide these students through the application process.¹⁹ In particular, she states that the ONA has referred students to Chicago City Colleges and NIU, to name a few.²⁰ Regarding financial aid options, Ms. Carmona stated that in addition to state funding options, undocumented students have access to two scholarships: the CPS DREAM Fund and the Chicago Start Scholarship.²¹

COMMUNITY ORGANIZATIONS AND NON-PROFITS

Chicago community organizations and non-profits are also fighting for access to higher education for undocumented students. One of the most prominent organizations moving for access to higher education for undocumented youth is the Immigrant Youth Justice League (IYJL), “a Chicago-based organization led by undocumented organizers working towards full recognition of the rights and contributions of all immigrants through education, leadership devel-

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Carmona, *supra* note 11.

¹⁷ *Id.*

¹⁸ Carmona, *supra* note 11.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

opment, policy advocacy, resource gathering, and mobilization.”²² IYJL’s education campaigns and workshops included information about the rights of undocumented students to access higher education and Illinois DREAM Act.²³ Its campaigns targeted students, school counselors, community organizations, lawyers, social workers, and mental health specialists.²⁴

IYJL co-founder, Tania Unzueta, stated that this organization was created out of necessity after a fellow student (and IYJL co-founder) was put in deportation proceedings where there were few resources available to guide him.²⁵ Today, IYJL has evolved into the Organized Communities Against Deportation (OCAD), which used to be a project within IYJL, and focuses on providing the immigrant community with resources on their rights in deportation proceedings.²⁶

Although IYJL has been transformed, its impact was monumental in expanding immigrants’ education rights in Chicago. Sarah Mesick from the National Partnership for New Americans (NPNA) stated that IYJL’s push to raise awareness on immigration issues made Chicago was one of the first cities where undocumented youth came out and told their stories.²⁷ She added that Chicago students’ participation in the Undocumented and Unafraid national movement—a movement that encourages undocumented students and their allies to come out, tell their stories, and raise awareness on immigration issues²⁸—is proof of Chicago’s fight for undocumented youth’s rights.²⁹

Ms. Mesick has collaborated with the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) to pass legislation favoring the undocumented community in Chicago and Illinois, including the Illinois DREAM Act.³⁰ Her work also includes holding workshops targeted at community members about the Illinois DREAM Act and Deferred Action for Childhood Arrivals

²² *Who We Are*, IMMIGRANT YOUTH JUSTICE LEAGUE, <http://www.iyjl.org/whoweare/> (last visited Nov. 4, 2015).

²³ *Id.*

²⁴ *Id.*

²⁵ Telephone Interview with Tania Unzueta, Organized Communities Against Deportation (Nov. 2, 2015).

²⁶ *Id.*

²⁷ Telephone Interview with Sarah Mesick, National Partnership for New Americans (Oct. 7, 2015).

²⁸ IMMIGRANT YOUTH JUSTICE LEAGUE, *supra* note 22.

²⁹ Mesick, *supra* note 27.

³⁰ *Id.*

(DACA).³¹ DACA is an immigration policy that grants qualifying undocumented immigrants renewable deferred action and a work permit.³²

CHALLENGES MOVING FORWARD

While it is clear that Chicago provides a strong community and support system for undocumented students, there is still work to be done. Abel Montoya from the Illinois Student Assistance Commission stated that the biggest challenge he faces while doing outreach to high school students is ensuring that students receive the correct information.³³ He states that while there is a lot of information available to students, not all of it is correct.³⁴ Part of his job is to ensure that students receive the most up to date and correct information regarding financial aid, even if it means referring them to experts, like attorneys.³⁵

For Ms. Unzueta, the next step is creating a support system for recent undocumented student arrivals who do not qualify for the current policies for undocumented students and advocating to create policies that do not marginalize them.³⁶ She states that while these policies have positively evolved since she was applying to schools, there is still a need for expansion.³⁷

Overall, there is a consensus that, in order to keep empowering undocumented students and encouraging them to attend higher education institutions, we must inform not only students, but also school counselors, community members, and parents.³⁸ This means having people from different professional backgrounds working together to create the best resources for students. As law students and lawyers, we share in the responsibility to make sure undocumented students get the representation they need. We hold powerful roles, but so do community activists, policy drafters, teachers, school counselors, parents, and most importantly, the students. In Ms. Unzueta's words, "we need to work together and understand the value of organizing."³⁹ The ultimate

³¹ *Id.*

³² *Consideration for Deferred Action for Childhood Arrivals (DACA)*, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, Aug. 3, 2015, <http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca>.

³³ Telephone Interview with Abel Montoya, Director of Operations Outreach, Illinois Student Assistance Commission (Oct. 7, 2015).

³⁴ *Id.*

³⁵ *Id.*

³⁶ Unzueta, *supra* note 25.

³⁷ *Id.*

³⁸ Carmona, *supra* note 11; Montoya, *supra* note 33.

³⁹ Unzueta, *supra* note 11.

goal is to have as many students on the path to a postsecondary education as possible, and in order to achieve this, we need to increase collaboration among everyone working in favor of these students.