Beyond Legal Status: The Struggles and Challenges Faced by
Undocumented Students in the United States

Many Americans take their rights as citizens for granted, and don't often stop to think about what their lives would be like if all of these rights were removed. These rights might include healthcare, government subsidies, and education. Without these rights, they would be living just like the 12 million undocumented immigrants in the United States, who struggle to make a living for themselves and their families. In this paper I will address the obstacles faced by undocumented immigrants and focus on undocumented students—brought to the United States as minors—who face extreme difficulties in pursuing an education and establishing financial stability.

Although immigration is an enormous issue in America, most remain completely uninformed, oblivious, and even ignorant on the subject because it is simply not addressed sufficiently or truthfully. When addressing racial relations in the United States, the relations between immigrants and the dominant group ("native" whites) are often ignored (Casas and Ryan, 2010). Furthermore, discriminatory behavior toward immigrant groups, both on micro and macro levels, is rarely documented (Dovidio et. al, 2010). With a lack of documentation, it becomes difficult to trace and "prove" the structural discrimination immigrants are suffering today, because many like to believe such discrimination is long over. These discriminatory

issues, which I will discuss throughout this document, represent unique needs and issues immigrants have in this country that are largely ignored. For immigrants, the "American Dream" and the "ideal of equal opportunity is far from reality" (Casas and Ryan, p. 5, 2010). Since there are many subtopics within the subtopic of immigration, I have decided to focus specifically on immigration issues among the youth, especially students.

I have developed a two-part research question: how do the perceptions Americans have of undocumented immigrants compare to the reality of how undocumented immigrants actually live here and furthermore, how are these perceptions affecting the way undocumented students perceive themselves, interact with others, and make life decisions? Americans have very negative and stereotypical perceptions of undocumented immigrants that have constructed enormous misconceptions. Given the ignorance towards immigration issues, the United States has allowed for institutional discrimination against immigrants to perpetuate and grow at the expense of the people who are coming to the United States looking for better opportunities. Immigrants in this country are denied basic rights, and undocumented students, who often were brought to the United States as children, are caught under this system that negatively affects their life chances.

Americans have an overwhelmingly negative view on undocumented immigrants. A 2007 Gallup poll revealed the "issue of illegal immigration" was "very important" or "of great importance" to 62% of Americans surveyed. On the same survey, 43% of respondents also believed that the United States had lost control of the "illegal immigration issue". They declared that "illegal" immigrants take jobs, suppress wages, increase unemployment, and pose a fiscal burden to American citizens (Dovidio et. al, 2010). Such ridiculous beliefs have led to even more

ridiculous policies, as in the state of Arizona where officers are allowed to check the immigration status of anyone they stop (also an example of racial profiling).

The reality for undocumented students, however, is saddening. Studies show that throughout primary and secondary schooling, immigrant parents struggle in communicating with their children's schools due to language barriers. These parents also reported feeling unwelcome and misunderstood when communicating with teachers and administrators. The students are met with high expectations of succeeding and heavily struggle with balancing school duties with their obligations at home. These students are often expected to contribute at home with domestic tasks and caregiving for younger siblings. Due to language barriers and lack of time, immigrant parents are unable to help their children with schoolwork or participate in school activities (Hill and Torres, 2010). This is difficult and harmful when they are living in an American culture where parents are expected to participate in such activities. Work obligations, financial difficulties, and cultural barriers all stand in the way of immigrant parents fully providing for the needs of their children, who like them, are tirelessly attempting to succeed in America.

For undocumented students, insufficient parental support makes the transition from high school to college especially difficult. Most undocumented students are also first-generation college students; thus, they already lack many resources and support needed in transitioning to college. While 25-30% of all 16 to 24-year-olds attend college, just 10% of undocumented immigrants in the same age range enroll (DeRuy, 2015). It is not just the lack of support that is holding these students back, however. The entire American system is actively discouraging these students from attending college. Undocumented students, even those with social security numbers protected under deferred action (which will be explained later), do not have the right to state or federal aid for school (Teranishi et. al, 2015). American students may take the Free

Application for Federal Student Aid (FAFSA) for granted, and even complain about it. For undocumented students, the FAFSA is out of reach; they are completely ineligible to apply. To attend college, they must pay out-of-pocket or with private scholarships that do not require legal status or citizenship. Unfortunately, such scholarships are rare and difficult to find.

Undocumented immigrants are also ineligible for any sort of government-funded program. In regards to healthcare, even the ones with legitimate social security numbers are ineligible for Obamacare or any plan with government subsidies. To have health insurance, they must find a private plan and pay full price. Another discrepancy is the system is that there are immigrants who have protection under deferred action and social security numbers to work. When they receive their paychecks, they have taxes take out for social security, Medicare, Medicaid, and other government programs just like any other American. However, these immigrants are completely ineligible for the programs *that they are paying for*. In other words, undocumented immigrants are paying for American citizens' healthcare, social security, and other government benefits without receiving anything in return. Most undocumented students *need* to work in order to afford school. In fact, 72.4% of undocumented college students are balancing jobs while attending school full-time (Teranishi et. al, 2015). Thus, they continue to pay into a system that is directly exploiting them.

Undocumented students are going through these struggles in the hopes of obtaining a degree and career for a successful life. Even after receiving a degree, however, the challenges for immigrants (and other racial minorities in the United States) continue. Immigrants, more than any other group, are extremely susceptible to wage disparities. First, there is an overwhelming concentration of foreign-born immigrants in what we would call "bad" or "dirty" low-paying jobs. However, even for similar jobs, wage disparities still persist. Foreign-born Latinos earn on

average 39% less than native-born whites. Foreign-born blacks earn on average 25% less, and foreign-born Asians earn on average 14% less (Stewart and Dixon, 2010). To intersect gender and race, Latina women only make 53 cents for every dollar a white man makes (Hill, 2014), and that is not accounting for country of origin. These numbers are startling. And we dare call America the land of opportunity?

For undocumented students, the realization that even when they work to their full potential they will still be denied basic rights and equal treatment is a major downfall. It negatively impacts their life chances and reduces the likelihood that they will continue pursuing their educational and career goals. All of this has major psychological consequences and negative impacts on mental health. According to a report by the University of California Los Angeles (UCLA), more than a quarter of undocumented male students and more than a third of undocumented female students said they were moderately or severely anxious. Just four percent of men and nine percent of women in the general population say the same. The undocumented students who participated in this study said their anxiety and depression came from financial worries, fear of deportation, and feelings of isolation (DeRuy, 2015). It should have been obvious undocumented students were under all this stress. Yet, it took until 2015 for an academic institution to recognize and report on the mental state of undocumented immigrants.

From the structural-functionalist perspective, it is functional for someone to do the "dirty work", and this just happens to fall on immigrants and other racial minorities. Furthermore, from this perspective we can also say the "illegal status" is an explanation for why some people receive the unequal treatment that maintains the system. Such ideologies, according to Richard Schaefer, "provide a moral justification for maintaining a society that routinely deprives a group of its rights and privileges" (2012, p. 16).

On the other hand, the immigration issue can also be viewed as a dysfunction, because the system is failing to use the resources of all individuals, limiting search of talent and leadership to the dominant group, and limiting economic growth (Schaefer, 2012). The Conflict Theory, however, may provide a more realistic approach to these issues. There is an obvious hierarchy in the system and in its institutions. The power elite controls the lives and life chances of immigrants who are at the bottom of the hierarchy. The result of this is "significant economic disparity and structural inequality in education, the labor market, housing, and healthcare delivery" (2012, p. 17). The subordinate group, in this case the undocumented immigrants, are then blamed for their lowly status because they apparently did something "wrong" and "broke the law"—acquiring them the horrendous label of "illegal".

There have been legal attempts at fixing the broken immigration system in America. A lot of these attempts have unfortunately failed due to extreme resistance. In 2010 the DREAM Act Bill was introduced. This law would give legal status and a pathway to citizenship for students with no criminal records that had been brought to the United States as minors. It would ensure a pathway to citizenship so long as the student stayed in school and if graduated, stayed employed (*The DREAM Act*, 2013). The bill passed in the House of Representatives. However, it failed to pass in the Senate by five votes.

As a response to the impassive Congress, President Obama decided to use his executive powers two years later by creating Deferred Action for Childhood Arrivals (DACA). DACA gives temporary protection from deportation and allows for certain undocumented students to receive a work permit. This was a blessing to many undocumented students, and 85.5% of DACA recipients reported it had a positive impact on their education (Teranishi et. al, 2015).

However, because it was only an executive order, DACA has many limitations. It provides no pathway to permanent legal status. It is only valid for two years at a time, so approximately every eighteen months, the student must reapply and pay \$500 to the Department of Homeland Security (U.S. Citizenship and Immigration Services, 2015). DACA recipients are still ineligible for financial aid and for government benefits, and as previously mentioned, have tax money taken out of their paychecks for programs they are excluded from. Despite receiving protected status, DACA recipients are still considered undocumented. The criteria to receive DACA is extremely rigorous; the applicant must be under the age of 30 and have been residing in the United States for a certain amount of years without leaving the country. Any sort of criminal record would automatically deny the applicant (U.S. Citizenship and Immigration Services, 2015). Another problem with DACA being an executive order is that should an antiimmigration president be elected, he or she may revoke DACA measures at anytime, meaning the students who were granted work permits and social security cards would have them revoked. For undocumented immigrants, it is not just about being a republic or a democrat. Unfortunately, their lives depend on someone they have no control over electing and whether or not that person will have mercy on the 12 million undocumented immigrants living in the United States.

Last year, President Obama announced yet another executive order. First, he was expanding DACA to widen the age requirement. Second, he would be creating a similar deferred action program for undocumented parents of children born in the United States. More students would be eligible for DACA and approximately 5 million parents of American citizens would be granted the right to work and protection from deportation. Unfortunately, on February 17th, 2015, a judge from Texas, with support from 26 states, blocked the new executive order. The new DACA applicants were supposed to be allowed to apply the next day, on February 18th (De

Vogue, 2015). Now, their lives are back on hold as they wait for appeals to go through, and the millions of people who were eligible for this new executive order are left to wait. It is unknown when the executive order will be back on track.

While the immigration issue relies on structural change to be fixed, there are small initiatives taking place to help undocumented students, such as private scholarships. The Illinois Dream Fund, for example, uses private donations to award a few \$2,000 scholarships every year (*IL Dream Fund, 2015*). Loyola University Chicago will also be awarding five full-tuition scholarships to DACA recipients this year. These small initiatives have been heavily promoted by organizations that support undocumented students, such as La Voz Latina in Rockford and DREAM NIU at Northern Illinois University. Such organizations, while they are not capable of fixing the issue at hand, provide support networks for undocumented students, help them in finding resources, and encourage the community to support and donate to the cause, as funding is often a major problem.

There are steps college students can take to promote social change and help their undocumented peers. They can be advocates and help create safe and supportive environments, as sometimes just having a peer to talk to can be extremely helpful. Students also need to take advantage of their voting rights. There are over 12 million undocumented immigrants, and millions more immigrants on permanent residency that are unable to vote because they are not citizens. To initiate social change in this area, it is imperative that people register and vote. This means researching the candidates, finding out what their stance is on these social problems, and voting accordingly. These are the people who will be in charge of changing policies and creating new ones. Remember that people's lives are *literally* dependent on these policies.

Lastly, one of the most powerful things people can do is to watch their language.

American laws and policies still use the word "alien". In fact, DREAM (as in the DREAM Act, and when referring to undocumented students as DREAMers) is an acronym. It stands for Development, Relief, and Education for Alien Minors. Needless to say, alien is an extremely derogatory term. People are also not "illegal". Using "illegals", "illegal aliens", and "illegal immigrants" is very harmful and perpetuates discrimination and prejudice. Using these terms deeply hurts and scars the immigrants who have been here years fighting for their rights. These immigrants are neighbors, classmates, babysitters, students, and employees. Contrary to popular belief, undocumented immigrants cannot be spotted by physical appearance.

Clearly, the issues of undocumented immigrants are under-researched and under-reported. The studies that exist are much too optimistic and give a false impression of what life in America is really like. They tend to focus on extremely rare success cases, like the one student who got a full-ride to medical school when there are hundreds of thousands of others piling textbook bills on credit cards. My biggest problem with our current research and textbooks is that they objectify immigrants and do not view them as individuals or even as human beings. They have been forced to stand and recite the Pledge of Allegiance for years, sing the national anthem at sporting events, respect American holidays, learn the language, put money into the economy, and assimilate into American culture. They are not aliens. And it is time their voices be heard.

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