



Expanding the Dream

Engaging Immigrant Youth and Adults in
Postsecondary and Adult Education



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Introduction

Dreamers—undocumented immigrant youth who came to the United States as children—make up a small share of total immigrants, but they contribute immensely to our nation's success. Among the 11 million undocumented immigrants living in the U.S., over 3.2 million came before turning 18 and have lived in the country for at least four years.¹ For many of these immigrants, the United States is the only country they have ever known. They have grown up as Americans and attended our nation's schools. However, Dreamers' lack of legal immigration status has created barriers to postsecondary education and economic mobility. Improving access to traditionally underserved students, particularly immigrant youth, would help the country meet its growing workforce demand and close gaps in college completion.

In 2012, the Obama Administration introduced the Deferred Action for Childhood Arrivals (DACA) program, which provided an administrative solution to many of the barriers facing undocumented youth. DACA provided temporary work authorization and relief from deportation to nearly 800,000 qualifying Dreamers, allowing many to pursue postsecondary education and work legally. Despite DACA's success, the Trump Administration announced its termination on September 5, 2017. The decision, which came after months of uncertainty, has put the lives of millions of immigrant youth and their families in jeopardy.² DACA is now set to come to an end on March 5, 2018, and many DACA youth have already lost their protections.³

The looming deadline has made it imperative for Congress to enact a permanent legislative solution that safeguards DACA recipients as well as other undocumented immigrant youth. Although DACA changed the lives of hundreds of thousands of immigrant youth and their families, it is estimated that nearly half a million Dreamers who were immediately eligible for DACA never applied for it. In addition, many Dreamers were barred from DACA protections due to specific age and/or education requirements.⁴ Thus, federal and state policymakers need to ensure DACA recipients' safety and wellbeing while building on the program's success by providing opportunities for all immigrant youth.

This brief provides an overview of the Dreamer population, DACA's success and challenges, and the various legislative proposals currently in Congress. The brief concludes with recommendations for improving the economic security of immigrant youth and adults through expanded access to adult and postsecondary education.

A Closer Look at the Dreamer Population

Dreamers are a diverse population among immigrant youth

The Migration Policy Institute estimates there are over 3.2 million young undocumented immigrants who came to the U.S. before turning 18 and have been in the country for at least 4 years.⁵ Dreamers come from all over the world and live in all 50 states.⁶ Although not all Dreamers became DACA recipients, studies on DACA have helped to provide a snapshot of the Dreamer

population. A majority of DACA recipients migrated from Central and South America, although many recipients also came from Asia. Under DACA's age requirements, they range from 16 to 35 years old (the average DACA recipient is 25 years old). On average, they arrived in the U.S. when they were six years old. In fact, 70 percent of DACA recipients were under age 10 when they entered the country, and a third were younger than 5. In many cases, the United States is the only home they have ever known.⁷ Furthermore, it is estimated that more than a quarter of DACA recipients have a child who is a U.S. citizen.⁸

Dreamers face many barriers to accessing and succeeding in postsecondary education

Despite being able to learn alongside their native-born peers, Dreamers have been unable to legally work in the United States and have faced limited access to postsecondary education opportunities due to their lack of legal immigration status. In 1982, the Supreme Court's *Plyler v. Doe* ruling established that all children, regardless of immigration status, have a constitutional right to free public education. It found that denying undocumented children a basic education would create a "permanent underclass" and "foreclose any realistic possibility that they will contribute in even the smallest way to the progress of the nation."⁹ The ruling, however, did not extend to postsecondary education, leaving thousands of Dreamers with little-to-no options to continue their education beyond high school, work legally, or remain in the country without fear of deportation. Limited options combined with additional risk factors—such as the high likelihood of attending under-resourced schools and the pressure to work to contribute to the household income—have resulted in undocumented students having the highest high school dropout rate among immigrant youth.¹⁰

Furthermore, the Higher Education Act bars undocumented students from receiving all forms of federal financial aid and creates a disincentive for states to provide them in-state tuition. Under section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, states cannot offer in-state tuition to undocumented students based on residency unless they offer the same rates to citizens and naturalized students who reside outside the state. However, 17 states have adopted tuition equity laws that provide in-state tuition to students based on factors other than residency.ⁱ Conversely, at least three states—Alabama, Georgia, and South Carolina—bar enrollment of undocumented students in public colleges and universities altogether.¹¹ Undocumented immigrants without work authorization are also ineligible for workforce training funds through the Workforce Innovation and Opportunity Act's (WIOA) title I programs. They are, however, eligible to receive adult education and family literacy services through WIOA title II.¹²

ⁱ States with tuition equity laws include California, Colorado, Connecticut, the District of Columbia, Florida, Illinois, Kansas, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Texas and Washington

Dreamers primarily come from low-income families

For Dreamers who qualified for DACA, an estimated 34 percent of those immediately eligible lived in families with incomes below poverty.¹³ However, this number is likely much higher for the full undocumented youth population. Most Dreamers live in mixed-status families, where at least one parent is undocumented, and research shows mixed-status families are more likely to live in poverty. According to an analysis from 2009-13, an estimated three-quarters of children living in mixed-status families with at least one undocumented parent had household incomes below 185 percent of the federal poverty level.¹⁴ High rates of poverty combined with additional stressors associated with undocumented status have adverse implications for healthy child development and create barriers to postsecondary education.¹⁵ Low-income undocumented students often simply can't afford postsecondary education because they're denied financial aid and, in some cases, in-state tuition. DACA enabled undocumented youth to work legally; however, many are delayed in completing their college degrees because they must work to pay for their education while also helping to support their families.¹⁶

DACA Eligibility Requirements

- Under 31 years old as of June 15, 2012.
- Entered the U.S. prior to turning 16 years old.
- At least 15 years old at the time of request.
- Resided continuously in the U.S. since at least June 15, 2007.
- No lawful immigration status as of June 15, 2012.
- Currently enrolled in high school, have graduated high school or its equivalent, or have been honorably discharged from the U.S. Armed Forces.
- No felony or significant misdemeanor.
- Must pay a \$495 fee.

DACA's success and challenges

DACA provided certain undocumented youth the opportunity to apply for a work permit and a reprieve from deportation for a renewable period of two years. Among other qualifications, applicants must have been under age 31 as of June 15, 2012; must have entered the country before turning 16; and must have been enrolled in school or another qualifying education program (such as adult basic education) or have obtained a high school diploma or its equivalent. Since the program's inception, nearly 800,000 young people have been approved for DACA. A significant share is current secondary or postsecondary students, while all are contributing members of society. DACA further reinforced the principles behind *Plyler* by demonstrating the individual and societal benefits of enabling immigrant youth to pursue their educational and career goals. However, DACA fell short of providing a permanent solution and left out many Dreamers.

DACA's impact on economic mobility

DACA significantly improved the lives of beneficiaries, their families, and their communities. Ninety-seven percent of DACA recipients are working or in school, enabling them to provide for themselves and their families and contribute effectively to our economy.¹⁷ According to analysis from the Migration Policy Institute, DACA has enabled immigrant youth to receive higher-skilled, higher-paying jobs than other undocumented immigrants of similar ages.¹⁸ This complements studies that find DACA recipients' incomes have increased 69 percent on average, enabling them to purchase cars and homes as well as climb out of poverty. As a result of their DACA status, recipients have also been able to open bank accounts, obtain credit cards, and (in some states) obtain driver's licenses for the first time. Several studies have documented the great value of DACA recipients to their local economies and communities. They fill critical roles as doctors, educators, engineers, and business owners. In fact, at least 72 percent of the top Fortune 500 companies employ DACA recipients.¹⁹

DACA's impact on postsecondary education

DACA removed many barriers to postsecondary education for qualifying Dreamers. Forty-five percent of DACA recipients are currently enrolled in school or college. Of those in school, 72 percent are pursuing a Bachelor's degree or higher, 19 percent are pursuing an Associate's degree, and 8 percent are pursuing a high school or vocational education.²⁰ Studies have also shown that DACA increased educational attainment, encouraging undocumented youth to complete high school and access and persist in postsecondary education. For those who did not graduate high school, DACA has also provided on-ramps for them to reenroll in school. It has been reported that DACA encouraged immigrant youth who did not complete high school to enroll in adult education that leads to a high school diploma or its equivalent, as well as enroll in other workforce development and certificate programs, improving their career trajectories and promoting economic mobility.²¹ However, it is important to note that these gains have not been fully realized due to a general lack of investment in adult education and workforce training as well as limited services across the country.²²

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Dreamers and immigrant youth denied DACA protections and other challenges

Despite DACA's success, a large share of immigrant youth was unable to receive protections. Dreamers who were older than 31 when DACA was introduced did not qualify. Also frozen out were young immigrants who arrived when they were 17 and those who missed the program's arbitrary date-of-entry requirements. An estimated 20 percent of Dreamers were unable to meet the program's education requirements due to factors such as raising a family and/or joining the labor force early to support their families.²³ "Little Dreamers" under age 15 were also ineligible to apply until they met DACA's minimum age requirement.

In addition, even a large share of Dreamers who met all the eligibility requirements for DACA chose not to apply or faced other barriers to applying. In 2016, an estimated 1.3 million Dreamers were immediately eligible for DACA; however, only 887,000 individuals had applied.²⁴ A study on DACA eligible youth found that Dreamers who were eligible but did not apply often came from low-income families, reported lower levels of trust in institutions, had less educational attainment, worked longer hours, and were more likely to have children of their own. In fact, out of a sample of 244 immigrant youth who met all DACA requirements but did not apply, over 43 percent said they could not afford the \$495 application fee. An additional 10 percent reported they did not know how to apply. Thirty percent of the sample also reported that they were waiting for better options.²⁵ Furthermore, the cost of enrolling in high school equivalency programs for out-of-school Dreamers prevented many from becoming DACA eligible.²⁶

It is important to note additional limitations DACA placed on beneficiaries. DACA did not make beneficiaries eligible for federal financial aid, keeping postsecondary education out of reach for many.²⁷ One month after DACA's introduction, the Obama Administration also issued guidance stating that DACA beneficiaries were not eligible for federally funded healthcare, including for coverage under the Affordable Care Act (ACA). Furthermore, DACA was only a temporary remedy, making it susceptible to rescission under future Administrations.

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Needed: A permanent fix for Dreamers

Termination of the DACA program

On September 5, 2017, the Trump Administration announced the end of DACA and gave certain beneficiaries only one month to submit their applications for renewal. The decision came after months of conflicting comments regarding the program's future. While termination will be rolled out over a six-month period, many DACA recipients who were eligible for renewal before March 5, 2018 but did not meet the arbitrary deadline have already lost their protections. Without immediate legislative action, 22,000 Dreamers will have lost their DACA protections between September 5, 2017 and March 5, 2018.²⁸ Beginning March 6, 2018, 915 Dreamers will lose their protections each day until all 800,000 beneficiaries have lost their protections by March 2020.²⁹ Once their DACA expires, recipients will lose their jobs, employer-sponsored health coverage, and other benefits like access to a driver's license. As a result, it is projected that employers will lose an estimated \$6.3 billion in employee turnover costs³⁰, and the U.S. will lose up to \$460 billion in Gross Domestic Product over the next decade.³¹ Communities will also face consequences as a result of DACA beneficiaries losing their jobs. For example, approximately 9,000 DACA teachers and 14,000 health-care professionals are now facing eventual job loss.³² The returned risk of deportation also threatens the safety and wellbeing of recipients and their families, who will once again face the threat of separation.



Building on DACA's success: A legislative solution

DACA has proven that providing documentation to immigrant youth strengthens immigrant communities and promotes our nation's success. Dreamers who were left out of DACA would have significantly benefitted. For example, Dreamers who did not complete high school and those with children would benefit from work authorization and access to workforce training opportunities, such as WIOA title I, in-state college tuition, and access to federal and state financial aid. Furthermore, encouraging older Dreamers who aged out of DACA eligibility and those who did not meet DACA's education requirements to pursue postsecondary and adult education opportunities in order to get on a path to citizenship will improve basic skills and literacy within immigrant families. Doing so will help the U.S. address employers' growing demand for workers with recognized postsecondary credentials, while strengthening immigrant families and communities for generations to come.³³

There has long been bipartisan support for a path to citizenship for Dreamers. In 2001, Senators Orrin Hatch (R-UT) and Dick Durbin (D-IL) introduced the Development, Relief, and Education for Alien Minors (DREAM) Act. Given the immediate danger to DACA beneficiaries, there are currently several bills

3.2 million young immigrants would meet the minimum threshold age and date of entry requirements under the Dream Act

in Congress that seek to provide relief to undocumented youth. For the first time ever, nearly all the bills provide the option of getting on a path to citizenship through employment rather than previous iterations of the Dream Act that only provided higher education or military service options. However, it is important to consider the distinctions between different bills to understand their potential to provide meaningful, attainable relief for the full range of Dreamers. Table 1 outlines qualifying factors and education-related provisions for three legislative proposals—the Recognizing American Children (RAC) Act, the SUCCEED Act, and Dream Act of 2017.

A recent analysis by the Migration Policy Institute reveals that 3.2 million young immigrants would meet the minimum threshold age and date of entry requirements under the Dream Act, while only 2.4 million would meet the minimum requirements under the RAC Act and only 2 million under the SUCCEED Act. Further analysis reveals that the various challenges facing Dreamers make it difficult to meet some of these bills' proposed requirements for getting on a path to citizenship—such as completing a certain amount of postsecondary education. For example, one analysis estimates that only 1.7 million young people may ultimately meet the requirements for legal permanent residence under the Dream Act.

Bills like the RAC Act and the SUCCEED Act would further narrow the opportunity to obtain permanent residence, such as through exceedingly stringent education requirements. Additionally, the SUCCEED Act would penalize beneficiaries by terminating their conditional status if they access tax credits like the Earned Income Tax Credit and the American Opportunity Tax Credit, both of which are critical income supports for low-income workers and students. Conversely, the Dream Act of 2017 makes DACA beneficiaries immediately eligible for conditional permanent residence and provides a hardship exception for individuals who may not be able to meet the requirements for obtaining permanent residence, including those with a disability or parents raising minor children.³⁴

Table 1. Comparison of major immigrant youth legislation introduced in 2017

	2017 Dream Act (S.1615/H.R.3440)	SUCCEED Act (S.1852)	Recognizing America's Children (RAC) Act (H.R. 1468)
Sponsors	Sen. Graham (R-SC) & Durbin (D-IL) Rep. Ros-Lehtinen (R-FL) & Roybal-Allard (D-CA)	Sen. Tillis (R-NC)	Rep. Carlos Curbelo (R-FL)
Estimated number of Dreamers that meet age and length of residence criteria	3,245,000	2,035,000	2,408,000
Age of arrival	Under 18	Under 16	Under 16
Maximum age	None	Under 31 as of June 15, 2012	None
Educational requirements for conditional permanent resident (CPR) status	Over 18: Must be admitted to higher education institution or have a U.S. high school credential/equivalent. Under 18: Must be enrolled in school.	Over 18: Must be admitted to higher education institution or have a U.S. high school credential/equivalent or valid work authorization. Under 18: Must be enrolled in school.	Over 18: Must be admitted an institution of higher education or have a U.S. high school credential/ equivalent. Under 18: N/A
Length of CPR status to lawful permanent resident (LPR) status	Up to 8 years (DACA recipients immediately eligible for CPR status. All applicants who meet LPR eligibility requirements may apply for LPR status immediately).	At least 10 years (After 5 years of CPR status, applicants may apply for 5-year extension if they meet certain requirements).	Up to 10 years (After 5 years of CPR status, applicants may apply for 5-year extension if they meet certain requirements or they may apply for LPR status if they meet LPR eligibility requirements).
Process to LPR status	Within 8 years of CPR status, applicants must: obtain an associate's degree or complete at least two years of postsecondary education; serve at least two years in the military; or be employed for at least 3 years.	Within first 5 years of CPR status, applicants must have: enrolled in higher education (within first year) and obtained an associate's degree or higher; enlisted in the military (within first 9 months) and served for at least 3 years; or been employed for at least 4 years.	Within first 5 years of CPR status, applicants must have: graduated from a higher education institution or attended a postsecondary school for at least 8 semesters; served in the military for at least 3 years; or been employed for at least 4 years. To apply for an additional 5 years of CPR status, applicants must not use public benefits (including Earned Income Tax Credit and American Opportunity Tax Credit), not have any delinquent tax liabilities, and meet education, military, or employment requirements.
Circumstances subject to termination of CPR status	Failure to continue to meet certain initial requirements, such as being convicted of certain crimes.	Failure to continue to meet certain eligibility or CPR requirements. This includes being unemployed for at least 48 months during initial 5-year CPR period (if qualified through valid work authorization) or becoming a "public charge."	Failure to continue to meet certain eligibility or CPR requirements. This includes becoming unemployed for a year or more (unless enrolled in school or military); failure to attend school for more than a year (if under 18); or becoming a "public charge."
Hardship exception for adjusting to LPR status	A hardship exception is available for those who may not be able to meet education, military, or employment requirements based on a disability or for parents raising minor children.	No	No
Repeals Section 505 of IIRIRA*	Yes	Yes	Yes

* Removes restriction on states to provide in-state tuition for undocumented students

Jeanne Batalova, Ariel G. Ruiz Soto, Sarah Pierce, and Randy Capps, *Differing Dreams: Estimating the Unauthorized Populations that Could Benefit Under Different Legalization Bills*, Migration Policy Institute, October 2017. <https://www.migrationpolicy.org/research/differing-dreams-estimating-unauthorized-populations-could-benefit-under-different>.

Recommendations

Congress should pass a clean legislative solution that provides a pathway to citizenship for the broadest population of Dreamers

Among the current bills in Congress that create a pathway to citizenship for undocumented youth, the Dream Act of 2017 is the only one with bipartisan support that encompasses a broad range of Dreamers.ⁱⁱ Ultimately, a legislative solution must have realistic and inclusive requirements that fully address the unique experiences and needs of Dreamers. It is also critical that a legislative solution not be contingent on immigration enforcement provisions that could undermine the safety and well-being of Dreamers and their families or cause harm to other vulnerable immigrant populations.

A legislative solution must engage immigrant youth in adult education and workforce training

Although DACA did not provide a path to citizenship, the program successfully encouraged many immigrant youth to enroll in adult education leading to a high school diploma or its equivalent as well as pursue workforce credentials.³⁵ For the 800,000 Dreamers who lack a high school credential, the Dream Act could promote even greater gains in educational and economic achievement that benefit immigrant families and our regional and national economies. For the first time,



the most recently introduced version of the Dream Act includes qualifying workforce certification programs as eligible postsecondary options for receiving citizenship. Previous iterations of the Dream Act required Dreamers to earn a traditional two–or four–year degree.

Under the Dream Act, workforce training programs funded through WIOA could be leveraged to support immigrant youth, despite individuals being ineligible for WIOA title I funds. To become eligible, Dreamers without a high school credential could enroll in federally funded WIOA title II adult education programs to qualify themselves for conditional status and work authorization. With work authorization, they would be able to enroll in a workforce training program funded by WIOA title I that leads to a postsecondary credential, allowing them to meet citizenship

ⁱⁱ On July 28, 2017, Congresswoman Luis Guterrez (D-IL) introduced the American Hope Act of 2017, which could potentially qualify over 3.5 million Dreamers for citizenship. Although the bill covers more immigrant youth than the Dream Act of 2017, all 116 cosponsors of the bill are Democrats.

requirements and boost their career prospects. Undocumented opportunity youth who are neither in school nor working may have increased access to title I programs if they obtain work authorization due to requirements that at least 75 percent of title I youth funding to be used on out-of-school youth.³⁶

Access to federal financial aid may also allow immigrant youth who are not high school graduates to participate in quality career pathway programs. Individuals can use WIOA title II funding for adult education and co-enroll in an eligible career and technical education program using federal financial aid through the Higher Education Act's Ability to Benefit provision.³⁷

Adult and workforce programs must be strengthened to better meet the needs of immigrant youth

Despite the potential for adult education and workforce training programs to significantly improve outcomes among immigrant communities, federal investments have decreased dramatically. Funding for workforce training programs have decreased by 43 percent since 2001, while federal funding for adult education has decreased by 21 percent over the same period. Furthermore, President Trump's budget proposed to cut funding for workforce training and adult education by 40 and 16 percent respectively.³⁸ Congress must adequately fund workforce training and adult education to secure our nation's future, which depends on immigrant communities.

The federal Departments of Education and Labor should also issue clear guidance on how workforce training and adult education providers can serve immigrants who may be eligible for citizenship through proposals such as the Dream Act. Historically, confusion about eligibility has reduced immigrants' access to education and training.³⁹

States must also invest in career pathway models tied to in-demand jobs and sectors, with both supportive services and integrated education and training (IET) that concurrently provides industry-specific occupational skills, workforce preparation, and adult basic education.⁴⁰ Such programs enable participants to develop literacy and foundational skills while working toward a postsecondary credential. Career pathways are well-suited to serve Dreamers who have historically faced barriers to more traditional postsecondary pathways. Under the Dream Act, adult education and workforce training providers can allow Dreamers to co-enroll in WIOA title I and title II programs. This could make Dreamers eligible for conditional status and put them on a qualifying path to citizenship.

Federal and state policies should expand access to in-state tuition and other financial aid

In addition to the Higher Education Act's ban on undocumented immigrant youth receiving federal financial aid, section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 restricts states from offering in-state tuition rates to undocumented students based on

residency.⁴¹ However, at least 17 states have passed legislation granting in-state tuition to undocumented students who meet certain criteria.⁴² A growing number of states have also passed laws to provide financial assistance, including scholarships and state financial aid, to undocumented students. These policies help reduce the high school dropout rate among undocumented youth and improve access to postsecondary education, enabling states to increase high school graduation rates and college enrollment, and improve the state's economy.⁴³ More states should follow suit, particularly those with high numbers of undocumented students. At the federal level, section 505 of IIRIRA should be repealed, as proposed in the Dream Act and other bills. This would give states the freedom to make their own decision regarding whether or not to grant in-state tuition to undocumented students.

The federal financial aid application process should be streamlined for students with noncitizen parents.

U.S. citizens and lawful permanent residents—including those with unauthorized immigrant parents—are eligible for federal financial aid. However, those with unauthorized parents may face additional barriers in filling out the FAFSA form. For example, the FAFSA form requires a parent's Social Security Number (SSN). Parents without an SSN must submit additional documentation by mail. The FAFSA for All Act (H.R. 2071) and Fairness in Financial Aid Act (H.R. 2072), introduced by Representative Marc Veasey (D-TX), would improve transparency in the application process for students who are immigrants or have immigrant parents. It would also streamline the process for students whose parents lack an SSN.⁴⁴

Conclusion

Strengthening the economic mobility for all Dreamers is core to our nation's values and essential to our future prosperity. The recent termination of DACA has made it urgent for Congress to finally pass legislation to permanently protect Dreamers. In order for legislation to be successful in protecting as many youth as possible and to increase access to postsecondary education for those who have been traditionally marginalized, it must reflect the full diversity of the Dreamer population. Thus, it is imperative for Congress to enact legislation that will extend protections—and expand the dream of opportunity—to a greater number of youth.

Endnotes

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