



EDUCATORS FOR FAIR CONSIDERATION

DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) TOOLKIT FOR EDUCATORS

TABLE OF CONTENTS

3 INTRODUCTION

**4 BRIEF HISTORY OF DEFERRED ACTION
FOR CHILDHOOD ARRIVALS (DACA)**

**5 OVERVIEW OF DACA ELIGIBILITY
CRITERIA**

**6 TOP FIVE FACTS TO HELP EDUCATORS
SUPPORT DACA REQUEST EFFORTS**

**8 RESPONDING TO THE NEED: A
LOOK INTO PROCESSES THAT SOME
SCHOOL DISTRICTS HAVE CREATED
IN RESPONSE TO DACA**

10 FREQUENTLY ASKED QUESTIONS

16 ABOUT THE AUTHORS

**17 ABOUT EDUCATORS FOR FAIR
CONSIDERATION**

INTRODUCTION

“Our responsibilities as educators do not end in the classroom. We must be prepared to help our students achieve their dreams and set goals for their future. For many of our undocumented students, these dreams and goals have been elusive. By helping students with DACA, we are able to provide important life-changing opportunities for them – to finish school, find fulfilling jobs and live their lives without fear. This should be our responsibility as educators.” – Liz Wolfe, Administrator of Educational Support Services, San Mateo County Office of Education

Educators have been at the forefront of implementing the recent immigration policy known as Deferred Action for Childhood Arrivals (DACA), not just in supporting undocumented students in gathering documentation for their DACA requests, but also in advising them on the many academic, career and personal opportunities that could be made possible by obtaining DACA. We have created this guide to help educators better support undocumented students in pursuing DACA.

In this toolkit, you will find a brief history of DACA, including an overview of the eligibility criteria; top five facts to help educators support DACA request efforts; extensive Frequently Asked Questions, including common concerns confronting educators; a summary of processes that certain school districts have created to respond to thousands of documentation requests for DACA applications; and useful resources available to educators. Throughout the guide, you will also read accounts from various school district personnel providing insight into the importance of helping undocumented students.

BRIEF HISTORY OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

The introduction and implementation of Deferred Action for Childhood Arrivals (DACA) was a historic event: the first time in U.S. history when an immigration policy was a direct result of advocacy efforts led by the very people who would eventually benefit from the policy. The so-called “DREAM Movement” is a grassroots effort reaching back more than a decade before DACA.

On June 15th, 2012, President Obama announced a new Department of Homeland Security (DHS) policy to start allowing certain young individuals to request a renewable two-year reprieve from deportation while allowing them to work lawfully in the United States.

This policy shift is a major accomplishment and a significant step in the right direction in the struggle to allow young people in the U.S. without legal status to reach their educational and career potential. Although DACA is not the Federal DREAM Act (the Federal DREAM Act would allow qualified individuals a path to lawful permanent residency), the administration has responded to the cries of so many people raised as Americans, educated in our schools, wanting to positively contribute to society; this new program is a reflection of the power that our undocumented youth have to effect change.

“Some of the undocumented students I have met are the most resilient and diligent of students. Their educational goals are similar to those of their peers and yet they meet with a number of obstacles in reaching them. It would be a shame to allow these students to resign and give up on their dreams despite being excellent students with a great potential to succeed.” – Sandra Gomez, Gear Up Counselor, San Jose High School

OVERVIEW OF ELIGIBILITY CRITERIA FOR DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

“Even the hardest working, most determined students had difficulty ignoring their frustrated and pessimistic feelings about the future, so it’s great to see some of those dark clouds dissipating, It’s been so uplifting to have students stopping me in the halls to say excitedly, “They received my application!”, then “I got my appointment!” and then the jubilant “I can get a job!” - Jane Slater, Teacher at Sequoia High School, Redwood City, CA

Deferred Action for Childhood Arrivals (DACA) allows qualified undocumented individuals to remain in the U.S. without fear of deportation. This temporary reprieve is renewable every two years. If approved, individuals may request an employment authorization document, which allows the individual to work legally, obtain a social security number and receive a government-issued identification card. DACA does not grant someone lawful permanent residency (a green card) or a visa, and it does not create a pathway to citizenship.

ELIGIBILITY CRITERIA

An individual might be eligible for DACA if he/she:

- » Came to the United States before reaching his/her 16th birthday
- » Continuously resided in the United States from June 15, 2007 up to the present
- » Was under the age of 31 as of June 15, 2012
- » Entered without inspection before June 15, 2012, or his/ her lawful immigration status expired as of June 15, 2012
- » Is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a general educational development certification, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States
- » Has not been convicted of a felony, significant misdemeanor, or three or more misdemeanors, and does not otherwise pose a threat to the community or national security
- » Was present in the United States on June 15, 2012 and has not left the country since

* For more information and a list of other programs that fall under the “currently in school” criteria, check out our Frequently Asked Questions section.

TOP 5 FACTS TO HELP EDUCATORS SUPPORT DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA) EFFORTS

1. DACA ELIGIBILITY ADVICE SHOULD BE PROVIDED BY A QUALIFIED EXPERT.

Refer students to reliable immigration experts. Students rely on educators to help them answer important life questions. Logically, they will approach school personnel to find answers to their DACA questions. Educators should be conscious of when it is most appropriate to refer their students to a qualified immigration specialist. Each DACA case is unique and many cases require an immigration expert to explore factors specific to the individual. This includes instances when students need help understanding their eligibility and the process for applying for DACA; exploring other immigration options for them and/or their family members; discussing and assessing risks and benefits of applying for DACA; and completing, documenting and filing their DACA requests.

HELPFUL RESOURCES

To obtain individualized information of immigration remedies and policies that could benefit students, have them submit our free online intake form through our DREAMer Intake Service: www.e4fc.org/legalservices/submitanintakeform.html

To find DACA clinics and non-profit immigration legal service providers around your area, visit: www.weownthedream.org/events

For information on how to find a reputable private immigration attorney, you can visit: www.e4fc.org/resources/gettinglegalhelp.html

For a comparison of benefits and rights based on immigration status, download: www.e4fc.org/resources/benefitscomparisonchart.html.

2. OPTIONS FOR PERMANENT LEGAL IMMIGRATION STATUS MIGHT BE AVAILABLE TO DACA BENEFICIARIES.

Encourage students to get screened for eligibility beyond the temporary DACA program. DACA is temporary. However, some people who qualify for DACA may also be immediately eligible for a longer-term or permanent and stable immigration status. Since 2009, E4FC's Legal Services has provided legal information to close to 1,000 DREAMers throughout the country.

Through our free DREAMer Intake Service, DREAMers have submitted online intake questionnaires to receive an overview of different immigration remedies and policies that could help them obtain their Lawful Permanent Residency. In early 2012, we also offered in-depth legal consultations to 121 DREAMers. We discovered this pattern: about 25% of DREAMers who have submitted an intake form have an immediate remedy that can lead to lawful status within a year.

As students come forward with the fact they are undocumented, in many cases for the first time, please encourage them to explore all immigration remedies.

HELPFUL RESOURCES

To obtain individualized information of immigration remedies and policies that could benefit students, have them submit our free online intake form through our DREAMer Intake Service: www.e4fc.org/legalservices/submitanintakeform.html

To view our self-assessment tool, which highlights 6 common long-term immigration remedies that DREAMers have benefited from, visit: www.e4fc.org/resources/legalremedies.html

3. DACA IS NOT A LAW.

Help students appreciate the limitations/shortcomings of DACA. DACA is not a law. It was not a bill passed through Congress to be signed by the President. Similarly, DACA is not an order issued by the head of the Executive Branch of the federal government. Rather, DACA is merely a policy change implemented by a government agency, the Department of Homeland Security, in how to exercise its preexisting authority. As a result, DACA became an agency policy essentially overnight. This is important because as easily as it has been created, the entire DACA program could likewise be changed or terminated at any time.

Additionally, the temporary DACA program falls short of what could be accomplished if something more permanent like the DREAM Act were passed. DACA does not provide lawful permanent residency and may not offer more than a two-year reprieve from deportation. Federal legislation like the Federal DREAM Act or other immigration reform could potentially provide lawful permanent residency with the possibility of future U.S. citizenship.

4. DACA BENEFICIARIES WHO ARE UNDER 18 YEARS DO NOT ACCRUE UNLAWFUL PRESENCE.

Encourage younger students to apply for DACA right away to avoid certain immigration consequences that can be triggered once they turn 18. Undocumented children who are approved for DACA prior to turning age 18 will not accrue “unlawful presence” as long as they participate in the program. What is unlawful presence? Unlawful presence is the time period during which someone is present in the United States without permission. Unlawful presence begins accruing after someone turns 18 and often has severe consequences in immigration law. It can prevent otherwise qualified individuals from gaining lawful permanent residency in the future or from being able to return to the United States after traveling abroad. One of your students may not realize that he or she is eligible for a legal status and thus jeopardize his or her eligibility after turning 18 by accruing unlawful presence. Help a student protect potential pathways to eventually achieving permanent legal status by avoiding unlawful presence and its related punishments by applying for DACA now.

HELPFUL RESOURCES

To obtain individualized information of immigration remedies and policies that could benefit students, have them submit our free online intake form through our DREAMer Intake Service: www.e4fc.org/legalservices/submitanintakeform.html

5. DACA WILL NOT SOLVE EVERYTHING.

Help with the holistic needs of undocumented students. DREAMers have quickly realized that DACA is only a temporary solution and that it is far from the solution to all their problems. Although DACA is an important step, DREAMers will still not be granted the same privileges and rights as U.S. citizens or green card holders. For example, even with DACA, they will not be able to travel the world freely; be eligible to receive federal or state financial aid (the latter depends on the state in which he/she resides); be qualified to vote in elections; or get rid of the emotional toll that often weighs on them as undocumented individuals. It is important for educators to keep supporting the holistic needs of students and to advocate for a permanent solution.

“Once we, as educators, put ourselves out there for them to know how much we care, their perseverance grows to immeasurable proportions. I am proud to say that the work I do both inside and outside of my everyday job revolves around ways to support undocumented students. They are well aware of the challenges they face and will continue to face. But we as educators and community members hold a wealth of knowledge that could spark the hope that changes the rest of their lives.” – Vanessa Goulart, Academic Counselor-Office of Family Engagement, San Jose Unified School District

RESPONDING TO THE NEED: A LOOK INTO PROCESSES THAT SOME SCHOOL DISTRICTS HAVE CREATED IN RESPONSE TO DACA

When the Deferred Action for Childhood Arrivals (DACA) program was announced, thousands of community members looked to their school districts for help with a key portion of DACA requests: documentation to prove that applicants are eligible for the different DACA criteria. Since then, we have seen many school districts implement systems and processes to respond to this important need. These systems and processes have allowed school districts to streamline and efficiently provide their community members with different documents such as transcripts, enrollment, and/or attendance records. Below, we outline a few school districts and highlight some of the work that they are doing to respond to this huge need.

San Diego Unified School District

Soon after the Deferred Action for Childhood Arrivals (DACA) announcement was made, the San Diego Unified School District found that about 30,000 current and former students would qualify for Deferred Action for Childhood Arrivals (DACA). To meet the demand for documents, the district set up a special center where they could process up to 80 requests a day. Read more: www.sandi.net/daca

Oakland Unified School District

The Oakland Unified School District (OUSD) has been supportive in helping its community members obtain their transcripts and enrollment history. Not only is OUSD providing these documents at its district offices but the district is also going out and helping in Deferred Action for Childhood Arrivals (DACA) group processing clinics by providing these documents on site. Find out more: www.ousd.k12.ca.us/Page/1100

Fresno Unified School District

Fresno Unified School District, like other districts, found itself in a troubled situation. Many old records had been archived and were difficult to obtain. However, the district soon found out that it was not requirement that documents be official. Thus, the district created standardized documents, which included only the necessary dates, and information specifically needed for a Deferred Action for Childhood Arrivals request. Find out more: www.fresno.k12.ca.us/divdept/ss/transcripts.html

Los Angeles Unified School District

As of November 2nd 2012, Los Angeles Unified School District (LAUSD) received about 5,000 requests for documentation for DACA requests and had processed 4,900 at a rate of 30 to 40 an hour. The amount of effort that LAUSD expended in creating an efficient way to respond to DACA needs is incredible. Since Los Angeles is one of the cities with the largest population of DACA-eligible individuals and the school district's current documentation processing system was already backed up, the district had to implement another system to meet the demand.

LAUSD wanted to relieve individual schools from the burden of extra work and prevent personnel from learning the immigration statuses of their students. The district knew that it had an internal system where all student data (every home address on file, information of all schools attended, records of first day and final day of attendance of each semester, transcript information, etc.) was stored digitally.

After setting up meetings with United States Citizenship & Immigration Services (USCIS) (the agency that approves DACA requests) to see if the extraction of that information onto two pages was sufficient, the district went ahead and created an online request system.

This centralized process allows individuals to obtain their records for free using a specific request form. Individuals can either submit their requests online or by mail. Of course, LAUSD relies on its community partners to spread the word about the new system.

Once the request form is submitted, the individual receives a confirmation number, which can be used to check the status of the request online. Normally, it takes about two to four weeks for the requester to receive the documentation. If a requester has a question about the process, an e-mail address has been created to answer specific inquiries about Deferred Action requests.

LAUSD made a conscious decision to create a separate system for only DACA applicants because the district knew that it was going to get an overwhelming number of requests and the current system was not going to be able to handle it. The district hired 1.5 new staff members to make sure that the district could help all of their community members in a timely manner.

Find out more: http://home.lausd.net/apps/news/show_news.jsp?REC_ID=262597&id=0

FREQUENTLY ASKED QUESTIONS

What is considered sufficient to meet the definition of “in school”?

United States Citizenship & Immigration Services (USCIS) has stated that the definition “in school” includes a public or private elementary, junior high or middle school, high school, or secondary school that offers “an education, literacy, or career training program (including vocational training).” This definition includes programs designed to “lead to placement in postsecondary education or job training.”

Note that a program leading to a high school diploma “or its recognized equivalent under state law (including a certificate of completion, certificate of attendance, or alternate award)” includes “passing a General Educational Development (GED) exam or other equivalent state-authorized exam.”

- » A continuing education program not funded by federal or state grants may still qualify if “administered by providers of demonstrated effectiveness, such as institutions of higher education, including community colleges, and certain community-based organizations.” Factors USCIS will use to judge privately funded programs include the duration of the program’s existence, and well as the program’s track record in:
 - » Assisting students to get a high school diploma or its equivalent
 - » Passing a GED or other state-authorized exam
 - » Placing students in postsecondary education, job training, or employment
 - » Other indicators of the program’s overall quality

Do documents that high schools provide need to be “official”?

United States Citizenship & Immigration Services (USCIS) does not require certified or verified school records to accompany one’s DACA request. However, all documents should include the applicant’s name, a clearly stated time period the document covers, and evidence of coursework completed.

How many years of records must schools provide their students? What if school records cannot demonstrate that the applicant was physically present in the U.S. during summer or school breaks?

A student filling out a DACA request must provide proof of five years of continuous physical presence. United States Citizenship & Immigration Services (USCIS) has stated that there is no requirement that applicants must prove that any given day or summer must be accounted for. USCIS is aware that schools have breaks.

Moreover, USCIS has stated that “there is no requirement that every day or month of that period be specifically accounted for through direct evidence. It is helpful to USCIS if you can submit evidence of your residence during at least each year of the period.” However, we highly encourage students to provide evidence for more than only once a year. USCIS will generally accept documents that demonstrate continued presence in at least 3-month increments. In this way, a single 9-month school year (e.g. September to June) may be used to prove presence for an entire year without the student needing to account for his whereabouts on paper for the summer months when school is not normally in session.

Must districts provide both attendance records and transcripts?

Generally, no. A student may prove continuous physical presence using either attendance records or transcripts and need not provide both. Therefore, a district could generally offer whichever record is easiest for it to reproduce. And again, such records need not be certified by the school as being official.

Similarly, students need not submit sealed records and are actually encouraged to make a photocopy of their entire DACA submission prior to applying, including the contents of any sealed record that will be opened and added to their USCIS file.

Are there potential problems with using attendance records, report cards, transcripts, or other school records as evidence for a DACA request?

Some students requesting DACA could encounter potential problems with their school documents such as some official records containing a false social security number or problems with the student name or date of birth. When this occurs, the student should ideally

take a variety of school record types to an attorney to consider how to best present this evidence to USCIS and meet the eligibility requirements.

A second example is that certain attendance records may list only an aggregate number of days absent rather than indicating the time period during which those absences occurred. Thus, while 30 days of absence over the course of a 200 day school year might be acceptable for USCIS, if the document is unclear about whether the absences were on consecutive days, it could appear that the student missed a whole month of school at once, which might be problematic.

What dates do school district records have to show?

Dates will necessarily vary for each requestor. Some students may only need one or two years of proof, while others may require four or five years of attendance records and/or transcripts. Scrutinizing documents for vague or missing information may help your student avoid getting a notice from the US Citizenship & Immigration Service (USCIS) asking for more evidence or clarification of dates which might be confusing on certain documents. For example, a school record which simply says in the date area "11-12" could either refer to junior and senior year in high school or to the school year 2012-2012. To help avoid confusion and delays in your students' DACA request, please review materials that your district provides to ensure that such details are clear. If potentially confusing information exists, the school could include a short cover letter on school or district letterhead to clarify or define any unique codes or information that may appear on the face of any documents. Keeping in mind the variety of documents that each school is able to provide, USCIS is prepared to accept any documents that schools provide to applicants.

What if applicants who are highly mobile and attended various schools have trouble obtaining school documents?

"District hopping" is especially common with migrant farm worker programs. United States Citizenship & Immigration Services (USCIS) is sensitive to the circumstances of each applicant. USCIS suggested that other documents, such as medical bills, might be useful in addition to school records.

Will a letter acknowledging that a student was present on a given day (e.g. between June 15th, 2007 and June 15th, 2012) help her/him in requesting DACA?

Affidavits generally will not be sufficient on their own to demonstrate that a student meets the guidelines for DACA. However, affidavits may be used to support meeting the following guidelines only if the documentary evidence available is insufficient or lacking and may satisfy:

- » A gap in the documentation demonstrating that the student meets the five year continuous residence requirement and
- » A shortcoming in documentation with respect to the brief, casual and innocent departures during the five years of required continuous presence.

If the student submits affidavits related to the above criteria, s/he must submit two or more affidavits, sworn to or affirmed by people other than him/herself, who have direct personal knowledge of the events and circumstances.

USCIS will not accept affidavits as the only proof of satisfying the following guidelines:

- » The student is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a general education development certificate, or is an honorably discharged veteran from the Coast Guard or Armed Forces of the United States
- » The student was physically present in the United States on June 15, 2012
- » The student came to the United States before reaching his/her 16th birthday
- » The student was under the age of 31 on June 15, 2012 and
- » The student's criminal history, if applicable

Note that affidavits may also help counterbalance any potential red flags in the record. For example, a student with at-risk behaviors in his freshman year whose school citizenship improved over time could benefit from such a statement from a school official with first-hand knowledge.

Are there any risks involved in applying for DACA?

As long as someone is not committing fraud in connection with his or her DACA request, is not a threat to the peace and security of the community through prior gang involvement, terrorism, or a history of serious criminal activity, he or she should not be at risk of deportation through sending the government personal information in the DACA request process. However, we encourage students to explore this issue with an attorney if they are unsure of their criminal history.

Will DACA allow students to take advantage of programs like federal financial aid or work-study?

No. The DACA program is extremely limited in the benefits it conveys. At this time, DACA participants are not eligible for federal financial aid, federal health care or other federal programs. DACA recipients may be eligible for certain state-offered public benefits (such as in-state college tuition in California under AB 540 and the California Dream Act); however, no state programs are currently open exclusively to DACA recipients.

How do DACA and the federal DREAM Act differ from the state laws such as the California DREAM Act?

Only the federal government can make laws (such as the federal DREAM Act) that grant permission for non-American citizens to live and work in the U.S. The California DREAM Act laws are solely related to the state's authority to grant in-state tuition rates and financial aid to certain residents of California, regardless of immigration status. However, California's DREAM Act does not allow undocumented students to lawfully live or work in the state.

Can family members also benefit from DACA?

No. DACA is restricted to the individual who arrived in the U.S. during childhood and may not be the basis for a derivative beneficiary petition for the DACA recipient's family members.

What if educators suspect that a student who had previously dropped out of school is only enrolling to meet the requirements for DACA?

USCIS has a long history of establishing mechanisms to detect fraudulent requests for immigration benefits and it traditionally severely punishes - by fines, jail

time, and/or deportation – those who try to lie or misrepresent to gain status. If someone enrolls in a program with questionable intentions of working towards a high school diploma or its equivalent, that individual must still show progress towards completing the educational requirements for DACA to renew the status after 2 years. School officials should focus their resources on trying to help as many potentially qualified individuals as possible and not to be concerned about establishing its own mechanism to detect fraud. Let the immigration authorities enforce the immigration laws - please spend your time trying to help your students make their dreams come true.

Should students hire an attorney to process their DACA request?

There are many free and low-cost quality immigration services available to individuals seeking DACA. Generally students who first try to use a free service through a nonprofit will learn the basic information about whether they may qualify for the program and whether their case includes a red flag risk factor. Often, the free and low-cost service providers are able to make referrals to private attorneys for complex cases that are not appropriate for group processing events, such as a potential requester whose case needs legal research or more carefully prepared legal advocacy and argument. Therefore, for the majority of participants with simple cases, hiring a private attorney should not be necessary.

What is considered a normal fee for private attorneys?

Private attorneys set their own fees. We have heard private attorney legal fees estimates ranging from \$350–\$5000 depending on the complexity of the DACA request and whether the attorney is private or working for a nonprofit.

Many people will qualify for free or reduced-cost legal help by going to www.weownthedream.org/legalhelp. The range and depth of assistance may vary, but the upper-end of “full service” nonprofit attorney representation will likely not exceed \$350.

If a DACA request is rejected, will the individual automatically be turned over to immigration officers for deportation?

The DACA program is not an effort to uncover all ineligible young people and deport them. However, it is important to note that USCIS announced that there

is NO appeal process for a denied Deferred Action request (although a DACA applicant may be able to simply reapply for DACA after a denial. USCIS has said it is possible that a person could overcome certain defects in an initial denied filing by resubmitting the DACA request and paying a new filing fee).

In the case of a denied application, USCIS has stated that a DACA requester will only be placed in deportation proceedings if there is a negative factor such as gang affiliation, prior drug possession/distribution, or other evidence showing that the requester poses a threat to the community. Note that fraud in the DACA process will most likely result in the initiation of deportation proceedings: if an applicant is found to have willfully misrepresented him or herself in an attempt to get Deferred Action, he or she (and potentially any immigrant found to have willfully assisted in the fraud) may be placed into deportation proceedings.

A related question is whether the information in a Deferred Action application will be kept confidential. According to USCIS, information from the applications will not be shared with Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) - the other immigration enforcement branches of the Department of Homeland Security - unless the DACA requester is considered a threat to national security, committed fraud in a DACA application, or has a severe criminal conviction. However, it seems that the information in an application could be seen by other federal agencies for purposes other than deportation.

What will it mean if the DACA program is taken away?

The loss of DACA will likely mean different things to different people.

For those students who have an alternative means to gaining lawful status and may only have learned about such options after sitting down with an immigration attorney to learn about DACA, there may be indirect benefits from the DACA program, no matter how short-lived DACA turns out to be.

It appears that the list of DACA approvals will not turn into a list of people the government will then try to deport if the program is terminated. Likely those with work authorizations valid for two years will be able to continue working during that time, even if the program has ended. All those issued valid social security numbers will be able to keep those unique identifiers,

although they will not be lawfully able to work without independent permission from USCIS.

RESOURCES

E4FC'S LEGAL SERVICES: DREAMER INTAKE SERVICE

We understand that young undocumented individuals often do not know where to receive legal information about their immigration case. This is why we offer free online information about possible immigration options to qualifying undocumented youth and young adults. Undocumented students can submit an online intake form. We have a team of trained legal advocates and an expert immigration attorney who create a customized memo, which includes different immigration options, and policies that could benefit each undocumented individual.

This free online and anonymous service is intended for undocumented youth and young adults throughout the country who do not yet have legal residency or citizenship in the United States. Users must be under 35 years old.

www.e4fc.org/legalservices/submitanintakeform.html

E4FC'S STEP-BY-STEP GUIDE FOR DREAMERS APPLYING FOR DACA

In this step-by-step guide, we take undocumented students through the whole application process in 18 easy steps. We cover everything from understanding what DACA is and how it came about to aiding in gathering and completing one's overall DACA request.

www.e4fc.org/dacaguide.html

E4FC'S BEYOND DEFERRED ACTION GUIDE: LONG-TERM IMMIGRATION REMEDIES EVERY DREAMER SHOULD KNOW ABOUT

In January 2012, Educators for Fair Consideration (E4FC) and Curran & Berger LLP embarked on a program to offer in-depth legal consultations to undocumented students. We completed 121 consultations with undocumented students,

representing a wide range of nationalities, ages, geographic locations and fields of study. We found six legal remedies that were by far the most common. We also found that many undocumented students were often unaware of their options, or did not understand their own immigration history. Lastly, we found that the advice given to undocumented students, even when well-intentioned, was sometimes skewed—an asylum clinic was more likely to see a potential asylum case, while a business lawyer was more likely to see a business immigration option.

As a result, we decided to provide a self-assessment guide for those six remedies as well as information about how they work. We hope that this guide will help get information to DREAMers considering Deferred Action, and beyond that to other family members and friends, including younger siblings.

www.e4fc.org/resources/legalremedies.html

E4FC'S COMPARISON OF BENEFITS AND RIGHTS BASED ON IMMIGRATION STATUS

In this one-page, downloadable chart, we compare the benefits and rights afforded to people based on immigration status. We compare these areas: Education & Financial Aid, Public Benefits, Travel & Transportation, Work & Related Benefits, Constitutional & Civil Rights, and Immigration Benefits.

www.e4fc.org/resources/benefitscomparisonchart.html

U.S. CITIZENSHIP AND IMMIGRATION SERVICES (USCIS)'S DEFERRED ACTION FOR CHILDHOOD ARRIVALS PAGE

USCIS, the government agency in charge of approving DACA requests, created a great webpage which includes a comprehensive list of Frequently Asked Questions, access and guidelines to the forms that are required for the DACA requests, interactive videos explaining the requirements and process to request DACA, and much more. The site also has all of the immigration forms needed to apply for DACA and a work authorization card as well as information on where

to file the forms and what the current fees are.

www.uscis.gov/childhoodarrivals

WE OWN THE DREAM WEBSITE

The Own the Dream site offers an online self-screening tool for Deferred Action for Childhood Arrivals applicants throughout the country so they can determine their eligibility for the program and has a searchable directory of listings for free or low-cost nonprofit immigration legal services providers in all 50 states. The site also features a calendar of community events, such as information sessions and application workshops, as well as news about the Deferred Action program and frequently asked questions.

www.weownthedream.org

IMMIGRANT LEGAL RESOURCE CENTER (ILRC)'S ATTORNEY OF THE DAY

The Immigrant Legal Resource Center's Attorney of the Day service provides free technical assistance to any nonprofit agency staff (including staff of public and private schools) in the following ten Bay Area counties: San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, Marin, Napa, Solano, Sonoma, and Santa Cruz. This service may be contacted via email at aod@ilrc.org, Monday through Thursday from 10:00am-3:00pm Pacific. For those outside of the Bay Area, options for accessing this service may be found at www.ilrc.org/immigration-law-assistance-rates-and-service-options

ABOUT THE AUTHORS

KRSNA AVILA

Krsna is a graduate of the University of California, Davis where he received his Bachelor of Arts Degree in Sociology and Psychology in 2010. Having immigrated to the United States when he was only four months old, Krsna grew up feeling truly American, despite his legal status. Living in Oakland, he was a victim of four gun violence incidents. Education became Krsna's tool for freedom and self-advancement, a way to "level the playing field." Since joining E4FC's Legal Services Team, Krsna has developed an in-depth knowledge of U.S. immigration law and has been able to use his knowledge to pursue and gain lawful permanent residency for himself and to help others in similar situations. Krsna is looking forward to receiving acceptance letters from law schools around the nation in the near future and wants to remind undocumented students that anything is possible!

MARILIA ZELLNER

Marilia Zellner has dedicated her career to humanitarian and public service work. A graduate of Harvard Law School, she was selected as the inaugural Face of American Immigration Lawyers Association (AILA) in 2010. Mari is an immigration attorney who practiced at Community Legal Services in East Palo Alto for four years, during which time she supervised staff and volunteer attorneys, paralegals and law students with a complex caseload of affirmative and defensive immigration cases, primarily for survivors of violent crime and for clients seeking humanitarian-based relief. She was also a public interest career counselor at Stanford Law School for two years, helping law students and recent graduates explore opportunities to make positive impactful change in public service throughout the world. Mari has been licensed to practice law in Minnesota since 2000, and her counsel in California is limited to federal immigration and naturalization law.

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ABOUT EDUCATORS FOR FAIR CONSIDERATION (E4FC)

Founded in 2006, Educators for Fair Consideration supports undocumented students in realizing their academic and career goals and actively contributing to society. We offer holistic programming that addresses the financial, legal, career, and emotional health needs of undocumented students. Specifically, we provide scholarships, legal services, professional and personal development workshops, and a strong peer network for undocumented students. We also lead presentations and create educational materials to raise awareness and support for undocumented students nationwide. Our programming is designed by and for undocumented young people with support from committed allies. For more information, please visit us online at www.e4fc.org.