

# THE STATE OF UNDOCUMENTED EDUCATORS IN NEW YORK



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This guide was developed by UndocuEdu, an immigrant-led initiative that uplifts undocumented educators. UndocuEdu is part of the City University of New York-Initiative on Immigration and Education (CUNY-IIE), a project funded by the New York State Education Department.

This report has not been reviewed by the New York State Education Department.

For more information about CUNY-IIE, visit [www.cuny-iie.org](http://www.cuny-iie.org)

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# Acknowledgments

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We would like to thank the countless community members who served as the inspiration for this project, in addition to the participants who partook in the study. We hope this can be a step closer to making a career in education more accessible to undocumented immigrants across New York State and beyond. We would also like to thank Cynthia Carvajal and the CUNY-IIE leadership for their investment in our advocacy efforts, although the views represented here are our own. We are grateful to the New York State Education Department (NYSED) for funding this project.

# The State of Undocumented Educators in New York

## Executive Summary

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This report aims to highlight the experiences of aspiring and in-service undocumented educators, with the goals of shedding light on their experiences; advocating for the inclusion of undocumented folks in the ranks of New York State’s educators; and focusing on the importance and value of how these individuals’ experiences bring equitable and quality education to all students. This report is based on research that included interviews and surveys. It describes how undocumented individuals, including those who currently hold work authorization through Deferred Action for Childhood Arrivals (DACA) (who are referred to as DACA recipients) have been and continue to be unjustly precluded and excluded from attaining a quality education and specific credentials to become educators. The main goal of this report is to offer recommendations on what can be done to change these situations and address these inequities.

## Key Findings

1. Undocumented students lack formal support from educational institutions, which is detrimental to their high school and college entry periods.
2. Undocumented students experience severe financial strain along with physical and mental burn out, resulting in incomplete or delayed academic journeys.
3. Policies that require immigration status and work authorization verification, for example E-Verify, create obstacles for aspiring undocumented educators from pursuing a career in education.
4. Undocumented students cannot afford to complete a semester of unpaid student teaching, which is a requirement for teacher certification and for graduation from teacher certification programs.
5. Undocumented educators with DACA who successfully enter the education field experience a heightened sense of anxiety and concerns about their ability to maintain positions or be promoted, due to work permit renewal requirements every two years.

# Recommendations

The recommendations outlined below combine participants' suggestions with our analysis of the data collected. The remainder of the report details how to create educational spaces where aspiring and practicing undocumented educators can thrive in New York State (NYS). It is imperative to note that the processes of implementing these recommendations should include the support and collaboration of undocumented educators and students. We urge New York State policymakers, higher education administrators, and professors to create sustainable pathways for preparing, hiring, and mentoring undocumented individuals aspiring to teach in public schools. We call on leaders and educators to create a permanent set of pathways that are not contingent upon ever-changing federal and state immigration policies.

## Recommendations for the New York State Department of Education (NYSED)

1. We urge New York State to create sustainable solutions to hire educators without work authorization.
2. Create funding opportunities and programs where student teaching is a paid experience for all students, regardless immigration status.
3. Create alternatives to fingerprinting requirements to allow undocumented students to complete student teaching.
4. Allow undocumented non-DACA recipients to take certification exams by eliminating the social security number requirement.
5. Create educator pipeline programs for all education students regardless of immigration status.
6. Waive testing fees for all students who demonstrate financial need.
7. Pay for DACA renewals for educators who are DACA recipients.

# Recommendation for Higher Education Institutions

1. Be explicit and transparent about the requirements and qualifications needed to finish undergraduate programs in education as they pertain to non-citizen students.
2. Include the undocumented experience in the curriculum—particularly in teacher education programs and other fields related to education services.
3. Have trained faculty that can work with and support undocumented students across higher education programs, and most essentially if students are in programs that demand a work permit or any other form of work documentation.
4. Allocate funds and make intentional efforts to bring in undocumented guest speakers to events such as career days who can speak on their experiences as undocumented educators in the classroom.
5. Play an active advocacy role with undocumented students, in co-leading dialogue with the State, and school districts advocates for more equitable policies and programs.

# Recommendations For All Education Professionals

1. Make a conscious choice to attain and employ a level of competence in understanding immigration policies and the circumstances that impact students and undocumented educators.
2. Advocate for changes in immigration policies for undocumented students and educators alike.

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# The State of Undocumented Educators in New York

## Report

### Historical Context



Undocumented youth take on the role of educators in their families and communities at a very early point in their lives—many as soon as they can understand a second language. They are wise, innovative, compassionate, and critical thinkers who have much to contribute to the education of youth across New York State. However, due to xenophobic policies, they experience systemic discrimination that inhibits their ability to become classroom teachers or other types

of educational professionals. Although landmark Supreme Court cases have shaped education in PK-12 settings for undocumented students, there is a long way to go regarding career paths for how these undocumented students can enter or be denied access to the field of education.

Under *Plyler v. Doe*, the Supreme Court decided that children are entitled to a free education regardless of immigration status (Brennan, W.J., & Supreme Court Of The United States, 1981). The Supreme Court ruled that efforts to charge or deny a free education violated the 14th amendment (American Immigration Council, 2016).

“By denying these children a basic education,’ the Court said, ‘we deny them the ability to live within the structure of our civic institutions and foreclose any realistic possibility that they

will contribute even the smallest way to the progress of our Nation.’ The Court also said that holding children accountable for their parents’ actions ‘does not comport with fundamental conceptions of justice.’”

*Plyler v. Doe*, 457 U.S. 202 [1982]

This ruling still impacts undocumented students in two ways. One of the most prominent implications is access to free K-12 public education. The order denied local and federal governments from withholding access to free public education due to a student’s immigration status. This decision set a precedent for the basis of how immigrant youth would experience their education. However, access to free primary and secondary public education does not guarantee that undocumented youth will not experience discrimination or inequitable educational opportunities. Thirty-nine years after *Plyler v. Doe*, undocumented youth and their families still struggle to navigate the education system and everyday life.

## Key Findings

To better understand the experiences of undocumented students and educators in K-12 and higher education, qualitative and quantitative data was collected via a questionnaire and interviews. The questionnaire included 68 items about the educational and/or professional journeys, challenges, and experiences of undocumented educators, as well as undocumented aspiring educators pursuing careers as educators. Fourteen participants responded to the questionnaire, of which four were interviewed to contextualize their experience of pursuing a career as an educator while being undocumented.

The data revealed the systemic push-out of undocumented students from educational institutions, which is a recurring theme across the data. These findings can be summarized into four major areas that cross through secondary education and higher education institutions, government policies, and overall practices:

- Lack of support from educational institutions
- Financial burn out
- Discriminatory policies
- Challenges of undocumented educators entering the education profession

## Finding 1

**Undocumented students lack support from educational institutions, which is detrimental as they enter high school and throughout their transition into college.**

### Secondary Education

*"I honestly feel like going into college I didn't have any support whatsoever, it was more of emotional support I had but actual resources not much. It wasn't until I got into college and got involved with the NYSYLC through existing members that I was receiving support and resources for the first time."*

—M. N., DACA recipient, Education Major at Barnard College

The absence of services and supports for undocumented students in secondary schools leaves students to their own devices and contributes to their push-out of the educational system. They do not receive the same guidance for post-high school planning, whether for college or other alternatives, as their peers, and are forced to look outside of their schools to navigate the system not set up to support them.

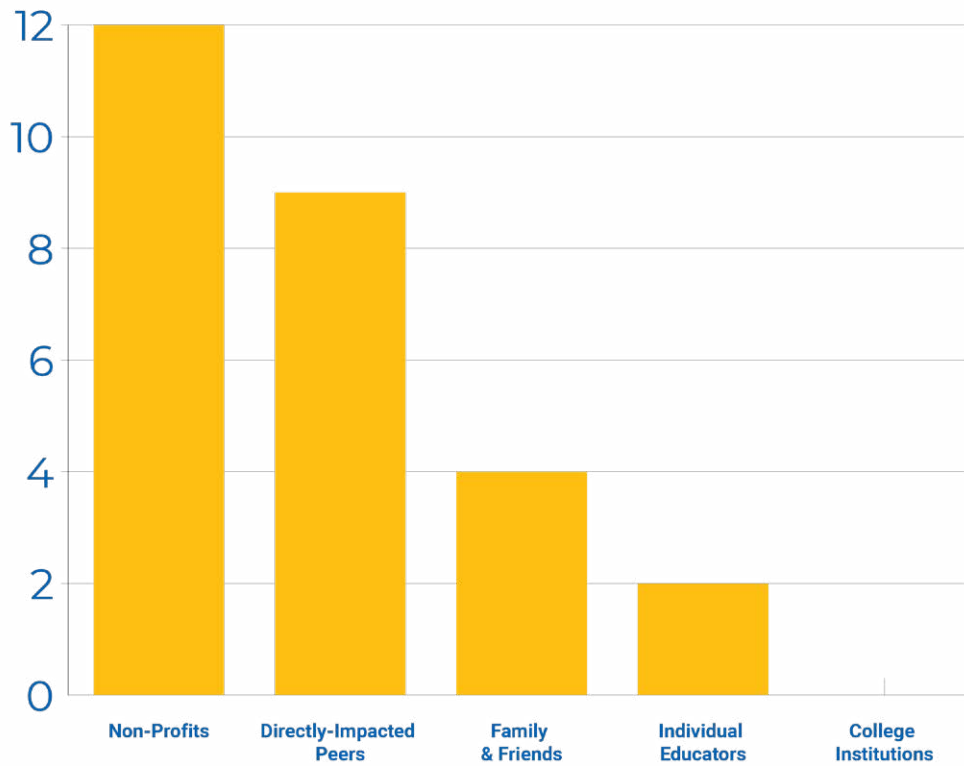
Non-profit organizations (NPOs) fill some of that gap. For example, organizations like the New York State Youth Leadership Council (NYSYLC), Adelante Student Voices, and Flanbwayan Haitian Literacy Project create programs that specialize in supporting undocumented immigrant youth through their high school years and for some, into their higher education journey. Such organizations are pivotal for the educational attainment of immigrant youth. One of those NPO programs, the Undocu Academy led by NYSYLC, is a closed community group for New York City undocumented high school youth. The Academy provides a space for youth to build community, learn from peers, and connect with community members as they prepare for life after high school.

*"The Undocu Academy has been extremely instrumental in my college application process even more than my school had been. I have learned a lot about how things work here in [the USA], particularly the college system. Not just school stuff though, with great support advice and a support system behind me regardless if it was about college or not. I have gotten to learn about great resources, make connections, and develop relationships that will be beneficial to my future."*

— Undocu Academy High School Student, NYSYLC Annual Report, 2020

Through these spaces, the Academy promotes self-expression, self-advocacy, educational advancement, and leadership development. This youth-led program also guides undocumented youth to realize and embrace their own power and agency for post-high school implementation through political education. This is one example of how undocumented students have to rely on NPO institutions for resources. The need for such programs is amplified once they reach or obtain admission into college. College creates a high demand for information, community, scholarships, emotional support, and guidance which is fueled by the systemic push-out of undocumented students. The impact of this creates gaps that the students themselves often fill in the absence of institutional support systems.

**Figure 1: Sources of support in educational journey reported by undocumented student respondents**



Source: CUNY-IIE's UndocuEdu Survey of Undocumented Educators: 2020

## College Years

*“Non-profit and/or community organizations helped me the most because they connected me with other undocumented students that were also navigating higher education. It was helpful to know that I was not alone in this process”*

—**A. M., Survey Participant**, DACA recipient, educator alumni from Brooklyn College

A majority of aspiring undocumented educators found support in their college years via directly impacted-led non-profit organizations, impacted peers, family, and/or friends. One hundred percent of survey participants said that neither their academic institution, nor their specific teacher education program, ever acknowledged or created space to discuss their immigration status. The lack of support was described as a feeling of “abandonment.” All participants discussed mental health consequences, including emotions such as isolation, stress, burn out, hopelessness, discouragement, and anxiety. All participants also had to disclose their immigration status to faculty to access institutional resources such as waivers or alternatives to doing their field hours in non-public schools. In most instances, once a student disclosed their immigration status, faculty then explained that the student (generally without DACA) would not be able to meet the requirements for the education program in which the student was already enrolled. It took the students sharing their immigration status to be provided information about the limited options available to undocumented students—especially those without DACA.

*“Most of the times when I feel discouraged during my educational journey is when opportunity arise and professors tell me I can’t take any of them because of my status or when I was told about student teaching once three years into my program. Till this day there have not been a time where an academic institution or certification program has discussed my or others’ immigration status I have to come out for them to tell me the ‘rules.’”*

—**L. R., Non-DACA recipient**, childhood education major at The City College of New York

Because program information pertaining to how immigration status impacts completion of requirements was not made available to everyone, students felt they were in dangerous situations in which they had to disclose their immigration status to faculty who they did not know and with whom they had not had a chance to build trust with. Further, given the faculty member’s position of power, and the fact that their political views were unknown, students felt they were at great risk. Forcing students to disclose their immigration status as the only mechanism for attaining information demonstrates a systemic issue in education programs and more broadly in higher education as a whole.

## Finding 2

Undocumented students experience severe financial strain and physical and mental burnout, resulting in incomplete or delayed academic journeys.



### College Years

*"Because the experience can be isolating, I was drained from working full time and going to school full time. I was so broke (still am) having to quit my job to do unpaid labor to be able to graduate. My advisors didn't know anything about [how to get] certified as a DACAmented person. Class schedules [do not work]*

*with [my] work schedule—having to run around to make it to both work and class and not being able to have financial means to rely on."*

—E. R., DACA recipient, alumna of CUNY with a degree in school counseling

Undocumented students have a multitude of financial responsibilities that differ from those of their citizen peers because policies, which barred undocumented students from accessing funds, left them at a disadvantage from their peers with status<sup>1</sup>. This made pursuing a career in education expensive and inaccessible. Students' responsibilities included, but were not limited to, supporting family expenses both in the US and abroad, as well as paying their own tuition costs and personal necessities. In school they also covered the cost of materials, testing fees and took part in unpaid fieldwork and student teaching, while paying for their legal/work permit fees. Because study participants were not eligible for government financial aid, they often worked multiple part-time jobs and/or one full-time job while attending college. However, their employment barely covered the cost of tuition, materials, and necessities such as food and shelter. The lack

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<sup>1</sup> The Jose Peralta New York Dream Act provided undocumented students, including DACA recipients, access to be eligible for State financial aid in 2019. Given the recent time frame, the majority of survey and focus group participants were not eligible for financial aid during their educational journey. The Jose Peralta New York Dream Act is still not fully accessible or sufficient for all undocumented students.



of funding available to undocumented students for higher education was the most frequently mentioned obstacle in qualitative and quantitative data sets—impacting students’ ability to stay enrolled consecutively, even with full-tuition scholarships.

## Findings 3 and 4

**Policies that require immigration status and work authorization verification, for example E-Verify, create obstacles for aspiring undocumented educators from pursuing a career in education.**

**Undocumented students cannot afford to complete a semester of unpaid student teaching, which is a requirement for teacher certification and for graduation from teacher certification programs.**

### College Years

*“I applied for the education program, they interviewed me, I submitted two essays, I think I did like a sit-in essay. Everything was great, I was accepted and then, I think it was the first (~now) I’m just going to go back a little bit. I just remembered that City College when I didn’t have a social security number, they gave me a number in substitute of that to just go about it. I think I needed to put it in for, maybe in the library, like you needed a social security number to go about your college.... So like oh don’t worry about it here is a number. So in my head I’m like great, I have a number, for some reason there is so [much] emphasis on that number. The college is so great they gave me one, so I have no problem. Again, I was very ignorant, and....so now I’m accepted to the education program. I’m taking my classes, I’m loving everything, I’m having great conversations with my professors...late nights spent on lesson plans ...and now I am close to student teaching. And then I heard something about something called fingerprinting, and in order for you to do fingerprinting you needed a social security number. I don’t have that. What can we do? And then I just went from one professor to another...faculty advisor from this to that. And every single person that I spoke with to find an answer, I took a card from their desk. I have a total of ten cards. I have them until this day. I had to leave the program because there were no answers, I spent so much time and money.”*

—F. S., **Non-DACA recipient**, alumna of The City College of New York

Policies that require the use of a social security number, along with mandated fingerprinting<sup>2</sup> that

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<sup>2</sup> Fingerprints make their way into electronic databases and potentially put undocumented aspiring educators at risk.



is required in order for aspiring educators to take part in unpaid student teaching, are implicit discriminatory policies for low-income students and especially those who are non-citizens. Most education programs require a semester of student teaching as a requirement for graduation towards the end of the program. This creates a barrier for undocumented students who are not DACA recipients. These policies have resulted in 4 out of the 14 survey participants not completing their undergraduate teaching major or being forced to change majors close to their expected graduation day. They also impacted long-term plans of teaching:

*“My immigration status impacted my ability to work in a classroom because no school will hire someone who is undocumented because they want a background check, they want fingerprints and as an undocumented student it is a risk to go through that. When I was told about student teaching, I experienced these challenges because there are laws/policies that don’t allow undocumented students to work as a teacher unless they have some type of work permit.”*

–**L. R., Non-DACA recipient**, childhood education major at The City College of New York

Such policies exemplify systemic practices that hinder undocumented students from fully engaging in their education programs and reaching their goals of becoming educators. Some professional schools have contracted with third-party organizations to conduct background checks for those without social security numbers, as one way to eliminate this particular obstacle for aspiring educators.

## Finding 5

**Undocumented educators with DACA who successfully enter the education field experience a heightened sense of anxiety and concerns about their ability to maintain positions or be promoted, due to work permit renewal requirements every two years.**

*“I experienced unique challenges as an undocumented educator while attempting to renew my DACA or advocating for my school to petition me due to my role as an ELA teacher in a high-need community. They were unwilling to support me in either process.”*

–**A. T., DACA recipient**, Charter School Assistant Principal, Hunter College Alumni

Once undocumented DACA recipients graduated and achieved their certification (as opposed to their undocumented peers without DACA who were not able to earn certification and, in some cases, not able to graduate with education degrees), the obstacles to their teaching careers did

not end. Participants with DACA who are teachers in both public and charter schools in New York State expressed concern about their colleagues, supervisors, and human resource departments' lack of information about their employment status with DACA. Even when teachers with DACA achieved the professional milestone of moving from an initial to a professional certification, their challenges persisted. Concerns included economic stability, the challenge in renewing and maintaining positions due to the temporary two-year timeframe of work permissions that made employers hesitant to hire DACA recipients for long-term positions, and lack of institutional support. These factors all played a role as stressors that continue to impact the mental health of undocumented DACA educators who are forced to contend with these challenges as they navigate professional education settings.

# Recommendations

Based on our research findings, the UndocuEdu group has recommendations for institutional changes that will support aspiring undocumented educators to bring their talents and rich experiences to support students in New York schools. The recommendations are organized according to the level at which the changes can be implemented.

## New York State Education Department

**Create funding opportunities and programs where student teaching is a paid experience for all students, regardless of immigration status.**



*“Provide more scholarship opportunities for undocumented graduate students pursuing careers in education. Increase funding for affordable Master’s in Education programs like CUNY and SUNY. Create a state-wide version of NYC Teaching Fellows and TFA. Allow undocumented people to apply; support them financially to participate.”*

**—A. T., DACA recipient,**  
Charter School Assistant Principal, Hunter College Alumna

We recommend that NYSED create funding opportunities and programs where student teaching is a paid experience for all students, regardless of immigration status. With student teaching being a paid opportunity, the financial burden of many low-income students, many of whom cannot afford to partake in unpaid labor, would be greatly alleviated. This investment would not only eliminate economic barriers, but it would also lead to having a more diverse group of educators.

## Create educator pipeline programs for all education students regardless of immigration status.

There are several programs that subsidize participants in order to bring a diverse group of well-prepared educators to teach across New York State. We recommend the creation of a subsidized program that would include undocumented educators with and without DACA who are enrolled in education majors across the State. Intentionally-placed programs like this can ameliorate the constant burden of students being uninformed by school faculty, some financial obligations, and decrease burnout. All of the students surveyed in this study had to access support from third-party community organizations and peers when institutional opportunity and support was lacking. Programs must be explicitly open to all students and eliminate any demographic identifiers, which serve to discourage undocumented students from accessing programming.

*“There are staff who do not know how to answer the questions of undocumented students and rely on me to tell them about my experiences and answer all of their questions. All information I needed was acquired through research, presentations from job sites, and recommendations from friends and co-workers.”*

—G. A., **DACA recipient**, education student at Columbia & Barnard University

Financial support from NYSED for programs at the college level should also include resources toward developing a support staff that is well-versed in admission and graduation requirements for all those eligible. This will help to normalize and ensure that all students receive the same quality of education, as well as guidance on making the best decisions once accepted into the education programs. The impact of having a space where students are explicitly prioritized and invested in can only serve as an invaluable boon to future educators.

## Waive testing fees for all students who demonstrate financial need.

*“My biggest obstacle has been getting NYS certification. I was going through some personal issues at home...I quit my part time job to focus on my classes and be available to student teach at a school. Without any income, I couldn’t afford to pay for my certification exams. At one point, I did request voucher or waivers for these exams but was told that I could not receive them due to my status.”*

—A. M., **DACA recipient**, educator alumna from Brooklyn College

NYSED should work together with testing companies and the NYS government to invest in all educators, regardless of their immigration status, by waiving the testing fees that serve as a

barrier to certification for aspiring educators who demonstrate financial need. This would open access to more students, provide them with vital financial support, and give them an added incentive to attain their certifications.

### **Pay for DACA renewals for educators who are DACA recipients.**

*“Making money as a teacher/educator is very hard. I often think about the money that will be going for DACA fees instead of groceries. I cannot afford to not make too much money.”*

—G. A., **DACA recipient**, education student at Columbia & Barnard University

New York State should pay for DACA renewals for educators, who as DACA recipients, currently pay \$495 every two years. This would position New York State to meet diversity and equity goals that would include undocumented aspiring educators.

### **Allow undocumented non-DACA recipients to take certification exams by eliminating the social security number requirement.**

### **Create alternatives to fingerprinting requirements to allow undocumented students to complete student teaching.**

*“Without a social security number, I am unable to take any certification exams, neither get hired.”*

—F. S., **Non-DACA recipient**, alumna of The City College of New York

NYSED should allow undocumented non-DACA recipients to take certification exams by eliminating the social security number requirement. NYSED can also collaborate with school districts and institutions of higher education to create alternatives to fingerprinting requirements to allow undocumented students to complete student teaching in their programs. NYSED can also require that universities and colleges have program tracks that do not require student teaching.

## Create sustainable solutions to hire educators without work authorization.

*“With the threat of losing DACA, I found myself taking a second look at my career choice. It became clearer to me that I might not be able to be a teacher in the traditional form.”*

—I. J., **DACA recipient**, focus group participant, BMCC bilingual education major student

As of the publication of this report, DACA is ten years old and is in constant threat to be revoked or terminated, meaning that DACA-recipient educators live with the constant worry of losing their work authorization.

There are ways that undocumented individuals can be legally hired—such as independent contractors and/or via their own businesses that they can start with an ITIN. (More information is available [here](#)). New York State should create solutions to support the employment of undocumented educators with and without DACA in order to strengthen the educational system and the communities in which DACA educators serve.

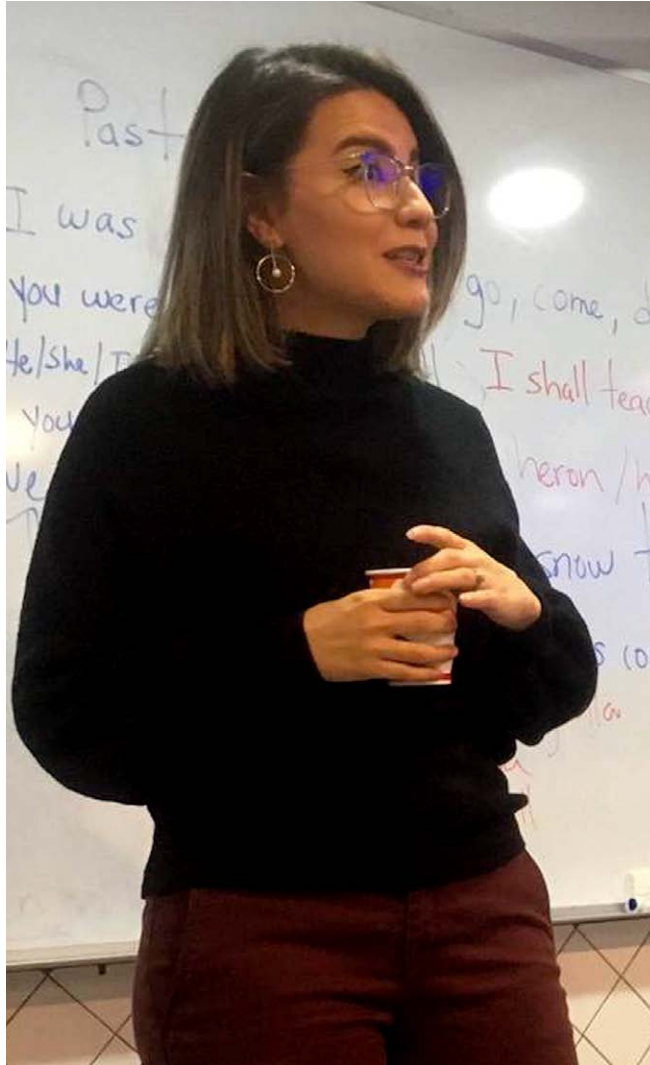
*“My experience is in relation to my school counselor license. I can only apply for the temporary license and after 3 years I would have to renew it to become a permanent school counselor, but I am not eligible to do this since you have to be an LPR or US Citizen to qualify for the permanent license. This is something I don’t think about now but will as it become a hurdle later on.”*

—E. R., **DACA recipient**, School Counselor

Hiring through independent contracting can allow undocumented educators with and without DACA to continue working as teachers. According to the Immigration Reform and Control Act of 1986, a school is not required to verify employment authorization or immigration status of independent contractors (Perez, 2018). Therefore, undocumented educators with and without DACA can work in schools through these existing avenues.

# Higher Education Institutions

Include the undocumented experience in the curriculum—particularly in teacher education programs and other fields related to education services.



*“Till this day there have not been a time where an academic institution or certification program has discussed my or others’ immigration status”*

—P. L., Non-DACA Recipient, Survey Participant, Education Student

By including the undocumented experience in the higher education curriculum, particularly for those preparing to become teachers, or for any field related to education services (i.e., administration, speech-language pathology, psychology, education management, occupational therapy, etc.), educators and other service professionals will be prepared to support undocumented students they serve.

**Allocate funds and make intentional efforts to bring in undocumented guest speakers to events such as career days who can speak on their experiences as undocumented educators in the classroom.**

Both students and current classroom teachers who identified as undocumented in our study indicated that they never had their academic institution and/or certification program acknowledge and create space to discuss their immigration status within their courses or during advising.

**Have trained faculty that can work with and support undocumented students across higher education programs, and most essentially if students are in programs that demand a work permit or any other form of work documentation.**

*"I experienced challenges in my program because faculty lacked awareness when working with undocumented individuals. I am now a legal citizen which allows me to access to more resources than before."*

—I. L., previously undocumented, Elementary School Teacher

We found that an overwhelming 93.5% of undocumented undergraduate aspiring educators were unaware of documentation requirements (i.e., a social security number) to complete their graduation requirements until they were well into their education program of study. This resulted in undocumented students being forced to switch majors, some as late as their junior year or senior year of college. Many aspiring educators surveyed in this study also experienced microaggressions<sup>3</sup> when inquiring with faculty and staff about policies that pertain to undocumented students.

**Be explicit and transparent about the requirements and qualifications needed to finish undergraduate programs in education as they pertain to non-citizen students.**

Institutions should create effective communication and outreach processes where information is readily available to all future and current students, in clear and accessible language. Students should never have to disclose their status to learn what resources are available to them. Rather, all available resources for undocumented students should be shared publicly, especially to individuals who lack resources and/or interpersonal/community support. The silence of educational programs on issues facing undocumented students is yet another way in which students are systemically excluded from educational spaces. However, transparency and communication can provide undocumented students with information so they can make the best choices for their education and careers.

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<sup>3</sup> See the Immigrants Rising website (<https://immigrantsrising.org/>) for a multitude of resources from California that can be implemented in New York or any institution of higher education to combat microaggressions and hostile learning environments for undocumented students.



**Play an active advocacy role with undocumented students, in co-leading dialogue with the State, and school districts advocates for more equitable policies and programs.**

Schools of education work in collaboration with the State and school districts as they prepare educators for New York schools. Higher education faculty and administration must share information about the experiences of undocumented students with both of these entities and advocate for more equitable policies and programs across these institutions to ensure aspiring undocumented educators are welcomed, rather than pushed out of the education field.

## **All Education Professionals**

**Make a conscious choice to attain and employ a level of competence in understanding immigration policies and the circumstances that impact students and undocumented educators.**

*“I experienced challenges with my job as I attempted to renew my DACA and when I advocated for my school to petition me due to my role as an ELA teacher in a high-need community. They were unwilling to support me in either process.”*

—A. T., DACA recipient, Charter School Assistant Principal, Hunter College Alumni

We recommend all educational professionals to make a conscious choice to attain and employ a level of competence in their understanding of immigration policies and the circumstances that impact their peers and students. Undocumented DACA recipients who are practicing educators have reported experiencing isolation, microaggressions from colleagues, a lack of trust with their HR departments and supervisors, and lack of explicit support from their union. It is the job and passion of educators to teach, but educators also have a responsibility to learn, and to be up to date on issues affecting students and colleagues. Accordingly, it is important that professionals educate themselves about these issues, and not to lay that responsibility on their undocumented students and peers. This understanding is vital to providing the highest quality educational experience and to giving those colleagues and students the support and feeling of safety that is crucial.

## Advocate for changes in immigration policies and procedures for undocumented students and educators alike.

*“Working in a citizen-dominated field I experience isolation by my co-workers and supervisors. I’ve experienced low or unequal pay, racism espoused by faculty and/or school community, anti-immigration rhetoric from faculty and/or school community and more.”*

—S. D., Non-DACA recipient, Teaching Assistant

Advocacy for changes in immigration policies and procedures can take place on individual, school and organizational levels. Teach Dream is a great example of educators showing up in solidarity with the immigrant community with a focus on undocumented educators and students<sup>4</sup>.

Finally, it is important to note that all these recommendations should be implemented with the direction and input of undocumented educators and students throughout the process.

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<sup>4</sup> Teach Dream is a collective of undocumented educators and allies alike, the majority of whom are NYC public school teachers. They work in transfer schools, homeless shelters, international high schools, mainstream high schools, elementary schools, and afterschool programs. Many of their students are immigrants, or children or relatives of immigrants, some of whom are undocumented. As educators, they recognize it is their responsibility to counteract the damage that the US immigration system (and the structural racism and white supremacy behind it) causes, with regard to educational access, community and family health. Their goal is to fight against institutionalized racism in the US immigration and criminal legal systems. They aim to do this by creating safer spaces for undocumented students, advocating for equity, opportunities, and access to resources for all students, and lifting student activism and leadership.

# Conclusion

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This report, which features empirical findings and recommendations for various stakeholders, manifests the need to improve the experiences of undocumented educators and undocumented aspiring educators in New York State. Our findings highlight the challenges of undocumented professionals and students, describing their personal experiences as they navigate their own education and their goals to contribute to the education of others. By humanizing the experience of undocumented educators in the State, this report demonstrates changes needed in policy, systems, structures, and the advancement of resources that will facilitate the investment in undocumented individuals to form part of the diverse workforce in elementary, secondary and postsecondary education. This report demonstrates the need for changes in policy, systems, structures, and the advancement of resources that will facilitate an investment in the undocumented individuals who can be a more prominent part of the diverse workforce in elementary, secondary and higher education institutions.

Efforts thus far have permitted people with varied immigrant statuses to enter education programs, but persisting challenges limit the extent to which immigrants can thrive as educators in NYS. More efforts are needed at the state, local, district, and institutional levels to facilitate accessible certification and employment of educators who reflect the backgrounds and experiences of an increasingly diverse student body—in a state that takes pride in its immigrant foundations (Juárez Treviño, García, & Ruíz Bybee, 2017).

While there are many points along the undocumented student to educator pipeline that inspire undocumented immigrants to be educators, there are simultaneous and systemic obstructions that prevent fundamental access to equitable education opportunities for them to become educators who are also leaders and advocates. The promises and inclusiveness of K-12 education access needs to extend into higher education to keep doors of opportunity open for all students who want to become future educators.

“The legacy of *Plyler v. Doe* has been contradictory: on the one hand, it protects the rights of undocumented children to an education; on the other hand, this educational access comes at the price of invisibility, as educators may not inquire as to the legal status of students and their families. The ‘don’t ask don’t tell’ policy that was established after *Plyler v. Doe* has meant that educators and researchers have comparatively little knowledge about the specific needs and experiences of undocumented students and their families. Over 25 years after *Plyler v. Doe*, as debates about federal immigration reform rage, and as radical state laws threaten the civil liberties of Latino communities, we still know little about how the ‘legal

characteristic’ of living in the United States as an undocumented migrant shapes parents’ and children’s everyday lives.”

—Mangual Figueroa, 2011

As mentioned above, *Plyler v. Doe* has also served as a way to hyper-invisibilize the experience of undocumented students and professionals. It gives all educational institutions an opportunity to absolve themselves of the responsibility to create systemic change for the betterment of their undocumented students. With this report, we are making these experiences visible by collecting and creating a community of directly impacted scholars. This allows us to humanize undocumented students and educators, and at the same time to bring forward solutions that can lead to transformative changes in our educational system.

Further empirical research is needed to fully understand the complex challenges that this diverse population of educators faces. We hope that all policymakers, administrators, and educators who read this report will take action to make institutions more equitable for the next generation of all New York educators and students.

## Additional Information on the State of DACA

The 2012 implementation of Deferred Action for Childhood Arrivals (DACA) allowed a significant number of undocumented immigrants in the US to pursue employment opportunities that were historically unattainable for this population (Jaimes Pérez, 2014). Under this program, qualifying individuals can receive a social security number for working purposes and discretion on a case-by-case basis to prevent qualifying individuals from being apprehended, placed into removal proceedings, or removed; in-state tuition (for students in certain states)<sup>5</sup>; a temporary work permit; and a driver license (in certain states) which subsequently opens the doors to employment opportunities that necessitate this kind of documentation (Singer & Svajlenka, 2013). This includes many professions such as school counselors, PK-12 teachers, administrators, professors and other jobs in the field of education.

### Challenges Amid Deferred Action for Childhood Arrivals (DACA)

While the contributions of undocumented individuals in education in New York State expanded after the implementation of Deferred Action for Childhood Arrivals (DACA)<sup>6</sup>, due to many loopholes and challenges, this potential comes at a cost. In New York State, for example, undocumented students were granted in-state tuition rates in 2002, but were not eligible for need-based state aid until 2019 with the passing of the José Peralta New York State DREAM Act (also known as the NY Dream Act). In October 2019, the New York City Mayor's Office of Immigrant Affairs reported a strong correlation between undocumented students and eligibility for need-based aid; of the 47,000 estimated New York City students that could benefit from the NY Dream Act, 42% were at or below the federal poverty level; and 62% would have qualified for the New York Tuition Assistance Program which helps families pay for college if they have an annual income of less

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5 Historically, in New York, A9612/S7784 did not allow undocumented students to pay college tuition at in-state rates if they did not go to college within five years of graduating high school (Nienhusse & Dougherty, 2010). DACA created an opportunity for students to circumvent this limit and thus, qualify for in-state tuition rates regardless of any gaps between graduating high school and commencing college.

6 Deferred Action for Childhood Arrivals is a policy that allows undocumented individuals who meet program requirements to get request a grant of deferred action which allows them to receive a work authorization permit and deferred action from deportation in two-year intervals.

than 80,000 USD (Mayor's Office of Immigrant Affairs, 2019). These gaps in policy have presented many challenges for undocumented students who plan to pursue a career in education. Such gaps are also some of the causes for the complex journeys that undocumented educators have undergone on their path towards the classroom.

Despite the knowledge and perspective that undocumented individuals bring into any professional setting, undocumented immigrant youth are systemically omitted from access to social mobility even before entering school. Therefore, they experience a whole different mobility puzzle, which include the diverse obstacles undocumented youth face while trying to obtain social mobility (Herrera, 2016). Being undocumented and the intersections of their social identities such as race, gender, and class predetermines the educational and professional obstacles they will encounter. Despite the expansion of educational resources offered to immigrant youth, it has not been enough to eliminate the lack of equitable institutional support for undocumented students to access higher education programs or professional career attainment.

# Resources for all Aspiring Educators

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## Hiring & Independent Contracting

[UndocuProfessionals: Hiring Undocumented Immigrants](#)

[Non-citizens Guide to Entrepreneurship](#)

## Nonprofit & Community-Based Resources

[Teach For America \(TFA\)](#)

[New York State Youth Leadership Council \(NYSYLC\)](#)

[CUNY Jaime Lucero Mexican Studies Institute](#)

[My Undocumented Life](#)

[Undocu Hustle](#)

[Immigrants Rising](#)

[Dream Summer Fellowship](#)

[ADELANTE Student Voices](#)

## Scholarships

[CUNY Jaime Lucero Mexican Studies Institute](#)

[Dream US](#)

[NYSYLC](#)

[Little Bird Scholarship for LGBTQI Immigrants](#)

## Financial Aid

[Senator José Peralta New York State DREAM Act \(NYDA\)](#)

[Equal Opportunity Program \(EOP\)](#)

[Excelsior Scholarship Program](#)

[Enhanced Tuition Awards Program](#)

[The New York State Tuition Assistance Program \(TAP\)](#)

[NYS Science, Technology, Engineering and Mathematics \(STEM\) Incentive Program](#)

[Scholarships for Academic Excellence \(SAE\)](#)

[College Discovery and SEEK](#)

[NYS Aid for Part-Time Study Program \(APTS\)](#)

## School-based Resources

[The Immigrant Student Success Office in Brooklyn College](#)

[The Immigrant Student Success Center in John Jay](#)

[NYSYLC Dream Teams Immigrant Liaison in schools](#)

[TeachDream](#)

[NYC Men Teach](#)



# Key Terms

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For additional terminologies please go to the [CUNY-IIE Glossary](#).

**Aspiring educators:** Students currently in higher education institutes who are studying to become classroom educators.

**Advocate:** An action where an individual, group or institution provides active support to an individual or group so that they receive equal rights, treatment and/or support.

**Non-profit organizations (NPOs):** A non-profit organization built by the community and for the community. NPOs work on the local level to improve the lives of the community; members include local leaders, volunteers, and stakeholders in these organizations.

**DACA:** Deferred Action for Childhood Arrivals is a policy that allows undocumented individuals who meet program requirements to request a grant of deferred action which allows them to receive a work authorization permit and deferred action from deportation in two-year intervals.

**DACAmented:** Term that has been used to define those who have been able to apply and receive the benefits of DACA (Deferred Action for Childhood Arrivals).

**Directly Impacted:** A person who has experienced a specific situation or whose background gives them first-hand knowledge.

**Dream Team:** A student club, usually at high school or college level, that focuses on undocumented and immigrant justice. It is also a space created by students to discuss their immigrant experiences with like-minded individuals, share resources and advocate for themselves and their peers. Popularized and created in New York by the New York State Youth Leadership Council.

**Immigrant:** A person who leaves their country of origin to live in a new country.

**Immigration Status:** How the federal government defines the way in which a person is present in the United States. Everyone has a status such as: US Citizen, Legal Permanent Resident (LPR), Asylee or Refugee, Non-Immigrant or Visa holder, Temporary Protection Status, and Undocumented.

**In-state Tuition:** The rate paid by students with a permanent residence in the state in which their university is located. In-state tuition is subsidized by state taxes and therefore lower than out-of-state tuition.

**New York DREAM Act:** Also known as José Peralta New York State DREAM Act, it provides undocumented and other students non-eligible for FAFSA access to New York State-administered financial aid to support the costs of higher education.

**New York State Youth Leadership Council (NYSYLC):** The first undocumented, youth-led organization in the State of New York. For more information: [www.nysylc.org](http://www.nysylc.org)

***Plyler v Doe*:** A 1982 Supreme Court ruling that established that all school-age K-12 students be afforded protections by the Equal Protection Clause of the Fourteenth Amendment, regardless of immigration status. Undocumented students cannot be denied enrollment in public schools. Schools cannot ask about immigration status or social security numbers of their students and families.

**Tuition Assistance Program (TAP):** A New York State financial aid program that provides undergraduate students tuition funding for colleges in the state that they do not need to pay back. In 2019 TAP became an option for undocumented students through the New York State Dream Act.

**Undocumented Immigrants:** An immigrant/foreign-born individual who does not possess a valid visa or other immigration documentation, because they entered the U.S. without inspection or stayed longer than their temporary visa permitted, therefore falling out of approved status to remain in the country.

**Xenophobia:** The fear, hatred, and discrimination against people who come from other places or countries, or are perceived to be foreigners or outsiders.

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