

**Undocumented Immigration and Asian and Pacific Islander Students: An Issues and Policy
Primer for Developing Critical Awareness and Advocacy among API Educators**

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The college-going practices for undocumented students are marked by serendipity rather than by institutionalized effort... That is, schools, colleges, and communities do not actively, regularly, and systematically operate to foster postsecondary access for undocumented students. Rather, the undocumented students enrolled in colleges and universities most likely are there because of exceptional practices that serendipitously intervened in their K-12 schooling and other social contexts. (Gildersleeve & Ranero, 2010, p. 25).

In September 2012, University of California, Berkeley (UC Berkeley) announced the creation of a new student affairs position, the Undocumented Student Program coordinator. The position was established based on the recommendation of an institutional task force charged to examine the access and retention issues of undocumented youth enrolled at the university. These youth are among the 11.5 million undocumented immigrants in the U.S. (Hoefer, Rytina & Baker, 2012). Each year, an estimated 50,000 to 65,000 undocumented youth graduate from high school with few opportunities for social, political, and economic mobility because of their status (Gonzales, 2007; Madera et al., 2008; Perez, 2009). However, faculty and other educational practitioners across the nation remain largely unaware and/or uninformed about the undocumented student population (Gildersleeve & Ranero, 2010; Perez, 2010). Further, less is known about undocumented Asian and Pacific Islander (API) students, whose issues remain obscured by problematic social perceptions that racialize API students as model minorities and

unaffected by undocumented immigration (Buena Vista, forthcoming; Chan, 2010). On a macro level, the task force and the creation of the Undocumented Student Program coordinator position represented an attempt by one institution to address the growing visibility of undocumented students in higher education and was an intervention in the college-going process that education scholars Ryan E. Gildersleeve and Jessica J. Ranero (2010) described as typically serendipitous.

In the announcement released by UC Berkeley, the Undocumented Student Program coordinator position was touted as “the only one of its kind in any university in the United States,” although it is important to note that it is a half-time appointment (Ness, 2012). Perhaps more interesting was the focus on the position’s first appointee, Meng So, a Khmer American. A graduate from UC Berkeley, So also received a master’s degree in higher education from University of California, Los Angeles (UCLA). While his academic achievements were described to demonstrate his professional qualifications, in the announcement of his role, it appeared that it was his experience as a refugee that grounded his ability to serve undocumented students. So and his family’s migration story of fleeing from Cambodia to the U.S., and their subsequent lack of access to healthcare, housing, and socioeconomic stability due to their non-citizenship status were detailed to draw parallels to the barriers often experienced by undocumented immigrants in the U.S., as well as to project the empathy that So would offer to students in his new role.

I assert that the announcement regarding So’s position as the Undocumented Student Program coordinator is of significant interest in the development of a national research agenda on API education because it highlights two important points. First, the connection made between So’s family’s migration story and undocumented student experiences marks the relevance of undocumented immigration to the API population. The impact of a complex and often

ambiguous immigration status is an experience imposed onto and often shared by migrants who enter the U.S. Second, the contributions API educators can make in the larger discourse on undocumented students is validated by So's appointment and the perspectives he is expected to provide in such a role. In other words, API experiences are important in shaping how we understand the relationship between immigration, student lives, and educational practices. The way in which So, a Khmer American, was positioned as a "voice for the undocumented" opens up how we imagine the participation of APIs in the national conversation regarding undocumented students.

In this paper I examine some of the issues faced by undocumented API students in economic, political, and social contexts. More specifically, I draw from widely disseminated stories of undocumented API students to describe their immigrant and racial marginalization, the financial hardships to which they are subject, and the surveillance and political disenfranchisement they experience without a viable pathway to citizenship. I also share the perspectives of undocumented API students to describe and ground a critical analysis of contemporary policy efforts that target undocumented youth. Overall, this paper serves as a primer for API education practitioners to become familiar with, and prepare them to enter, the national discussion regarding the ways that undocumented immigration impacts student experiences, and subsequently their life chances.

Undocumented Student Contexts

As undocumented *residents*, many of the young students are without full political rights, cannot naturalize, and cannot vote (Gonzales, 2008, p. 221).

Tam Tran was a graduate of University of California, Los Angeles and was a doctoral student at Brown University before her untimely passing in 2010 (Wong et al., 2012).¹ While Tran was an aspiring scholar and filmmaker, she was most known for her work as an undocumented student activist at the national level, including the courageous congressional testimony she provided on behalf of her undocumented peers in 2007. As refugees of the Vietnam War, her family had applied for political asylum in the U.S. However, because they did not emigrate directly from Vietnam like many other refugees, their application for asylum was denied. Born in Germany and raised in the U.S. for the majority of her life, Tran had been deemed stateless—without citizenship or nationality. The ambiguity of her immigration status was a stark reminder of the limitations of the American immigration system, which has no mechanism for individuals in circumstances similar to Tran's to attain legal status.

Unlike Tran, Fita² did not grow up in the U.S. She emigrated from Tonga in 2006 at the age of 18 (Guzman-Lopez, 2011). Upon her arrival, she enrolled at El Camino Community College in Torrance, California, with aspirations to pursue a career in engineering. As a non-resident student, Fita was charged international student tuition and could not afford school. Although her presence in the U.S. had been initially authorized, she eventually overstayed her visa and acquired an undocumented status. Fita's experience was the basis of a news story that featured her work collecting the narratives of undocumented Pacific Islanders in the U.S. In the same story, Brian Hui of the Tongan Community Service Center in southern California estimated that upwards to one-third of the Tongan American community was undocumented.

I describe Tran and Fita's experiences to bring attention to the ways that undocumented immigration has impacted APIs in the U.S., as well as to demonstrate the range of experiences among API students with undocumented status. Tran and Fita's academic trajectories resulted in

very different educational outcomes, but in both accounts they were constructed as students on an inextinguishable pursuit of higher education. I also use their narratives to show how the U.S. has served as a destination for the politically and economically displaced, yet ironically is a space where undocumented immigrants remain disenfranchised. Tran's migration was a vestige of American involvement in the Vietnam War and yet, her family was unable to attain the political refuge that many Southeast Asian refugees sought in the U.S. Fita's migration is reflective of the Tongan diaspora, one in which the capitalist disruption of the Tongan economy has facilitated the movement of Tongan workers, many undocumented, to places like the U.S., Australia, and New Zealand, to find work and send remittances home (Kinikini, 2005; Lee, 2003). In the opening quote of this section, Roberto G. Gonzales concisely identified the core problem that has affected immigrants with undocumented status—a life in the U.S. distinguished by the absence of any formal political rights. In particular, the lack of legal protection has fostered a myriad of barriers to education for youth with undocumented status.

Barriers to Education

Within the past decade, scholars have turned their attention to the ways in which undocumented immigration shapes the academic trajectories for students of color. Research that examines the experiences of undocumented immigrant students has provided general insight regarding how various economic, political, and social factors associated with migration can impact the educational participation of young people without legal status. Among the most cited scholarship, there are several themes that characterize undocumented immigrant experiences: economic disenfranchisement, criminalization, and racial marginalization.

Economic Disenfranchisement

Undocumented immigrants have few legal options for employment and thus, are relegated to low-paying jobs, harsh working conditions, and persistent job insecurity (Bernstein & Blazer, 2008). Many undocumented API immigrants work in domestic service and manufacturing industries (Fujiwara, 2008; Parreñas, 2001), although undocumented immigrant workers are also heavily concentrated in service, construction, and farming occupations (Passel & Cohn, 2009). Undocumented youth are subjected to these labor disparities in that many are also workers and/or part of families who have little opportunity for socioeconomic mobility because of limited job options (Abrego & Gonzales, 2010; Bernstein & Blazer, 2008; Gildersleeve & Ranero, 2010). The median income for undocumented families in the U.S. is less than that of their U.S.-born counterparts: \$36,000 versus \$50,000, respectively (Passel & Cohn, 2009). Further, one-third of children with undocumented parents live in poverty, regardless of their own status. The economic disenfranchisement imposed onto undocumented immigrants relegates them to poor and low-income neighborhoods, and such residential segregation has determined the types of schools undocumented youth attend. Undocumented youth are more likely to attend schools that are under-resourced and ill-prepared to mediate the learning of immigrant students (Gildersleeve & Ranero, 2010).

Poverty also deters undocumented students from developing postsecondary aspirations and/or pursuing higher education (Perez, 2010). Only half of the undocumented immigrants who have completed high school have college experience, well below the rate for those who are born in the U.S. (Passel & Cohn, 2009). College affordability is one of the most serious barriers to higher education for undocumented youth. Undocumented students are ineligible for federal financial aid and in most states, state-sponsored financial aid programs (Rincon, 2008). Further,

although many undocumented youth are 1.5-generation youth who have lived and attended school in the U.S. for the majority of their lives, most states classify these students as out-of-state or international students, which forces them to pay exorbitant non-resident tuition and fees (Ruge & Iza, 2005). Yet, even in states that enable some undocumented students to pay in-state tuition, divestment in public higher education has led to unprecedented fee increases and overall, a gross inability for families to afford college.

Criminalization

While research on undocumented youth often focuses on the impact of poverty, criminalization is at the epicenter of undocumented immigrant realities. For example, “illegal alien” has remained the popular nomenclature to describe immigrants with undocumented status (De Genova, 2004; Ngai, 2004; Simansky & Sapp, 2012). “Unauthorized immigrant” is also commonly used in literature focused on the undocumented population, particularly reports produced by government agencies such as the Department of Homeland Security (Hoefler, Rytina & Baker, 2012). Such naming is indicative of the negative sentiment against immigrants with undocumented status in the U.S. Due to the social stigma associated with undocumented status, many youth have found it difficult to seek support and resources in both school and social contexts (Abrego, 2008; Perez, 2009). For example, undocumented immigrants are concerned with exposing their status and are often prevented from easily accessing public services without required documentation, which has led to students becoming wary of their ability to pursue opportunities such as college (Abrego, 2006; Perez, 2010).

Illegality is socially constructed but has very material consequences. Due to their status, undocumented immigrants have suffered from relentless policing, detention, and deportation since the conceptualization of immigrants as “illegal” (Hernández, 2008; Ngai, 2004). Policing

is reflective of a prison industrial complex that pervades American society and entails the racial profiling and hyper-surveillance of People of Color in the U.S., including API immigrants (Ray, 2005; Volpp, 2002). The increased policing of communities of color has led to the proliferation of federal, state, municipal, and privately-run detention centers, as well as the subsequent removal of undocumented immigrants from the U.S. (Hernández, 2008). For example, in 2011 the U.S. Immigration and Customs Enforcement detained 429,000 immigrants, “an all time high,” and the Department of Homeland Security deported over 390,000 individuals (Simansky & Sapp, 2012, p. 1). Although the federal government has granted undocumented youth some legal protection in school contexts³, the transition from being a minor to young adult brings to light the dire situation of undocumented immigrants. While minors are mandated to participate in K-12 public schooling, there are no federal guidelines that assert undocumented youth should have equal access to higher education.

Racial Marginalization

Although the plight of undocumented immigrants has garnered increased scholarly attention, API experiences are under-examined in the research on undocumented immigration and few studies have interrogated the ways in which undocumented API youth have differentially experienced education (Bangalon, Peralta & Enriquez, 2012; Chan, 2010; Eusebio, 2012). In 2010, there were 1.3 million undocumented APIs in the U.S., or 11.3 percent of the total undocumented immigrant population (Hoefer, Rytina & Baker, 2012). The majority of undocumented APIs were from the Philippines, India, Korea, China, and Vietnam, although they were also from countries such as Bangladesh, Indonesia, and Tonga, as well as individuals of API descent from Latin American countries. The relatively low representation of undocumented APIs in the U.S. compared to their Latino counterparts has often been used to understand

undocumented student experiences in postsecondary contexts. For example, the disproportionately high representation of undocumented Asian immigrants in college relative to their overall representation in the U.S.⁴ has been shown to bring attention to the lack of college access for undocumented Latina/o students (Gonzales, 2010) or to stress the need to examine the diversity of undocumented students (Bangalon, Peralta & Enriquez, 2012). Yet, there remain few efforts to truly discern the experiences of undocumented API youth (Buenavista, 2012; Chan, 2010).

In a project in which I interviewed 14 undocumented Asian immigrant youth, I found that although they had been subject to the same financial hardship and criminalization as other undocumented immigrants, the simultaneous racialization of Asian Americans as model minorities led to a complex marginalization that often exacerbated issues related to their immigration status (Buenavista, forthcoming). For example, during interviews undocumented Asians had stressed how their entry to the U.S. was initially permissible. Many of the undocumented Asian youth explained how they had entered with a temporary visa, but overstayed and acquired undocumented status. The emphasis on overstaying was used as a mechanism to downplay the illegality associated with being undocumented. In addition, undocumented API youth found that the problematic assumption that they were academically talented by educators, actually served as a deterrent from their status being detected. They also practiced non-disclosure of their status as a way to avoid suspicion, however this strategy subsequently perpetuated the model minority stereotype and the invisibility of their educational struggles.

Similar to their peers, undocumented API students face difficulties pursuing education. Due to their immigration status, they have few employment opportunities and little to no

socioeconomic mobility. They also lack government protection during one of the most precarious times in American history: persistently looming over their heads is the threat of deportation. Such economic and political disempowerment prevents the full participation by undocumented API youth in the American education system. However, because they are differentially racialized than their Latina/o counterparts, they are often isolated from potential resources and networks that would provide them some support through their academic journeys.

Federal and State Policy Efforts

The economic disenfranchisement and criminalization of undocumented immigrants have led to various efforts meant to alleviate some of the burdens placed onto this community. However, the racial marginalization of undocumented APIs points to the need to better consider the diversity of experiences among undocumented immigrants. In the following, I use the narratives of some of the undocumented API youth I have worked with to outline and critique contemporary policies at federal, state, and institutional levels that target undocumented youth. In doing so, my goal is to centralize API student experiences and provide important points of consideration for API educators to bear in mind as we become more immersed and entrenched in research and practice intended to serve undocumented students.

Federal Development, Relief and Education for Alien Minors (DREAM) Act

I have mixed emotions about it [the DREAM Act] because I qualify, but my brother doesn't. He didn't finish school and right now he's working. Who's to say that I should get citizenship and he shouldn't? We both grew up here, been through the same struggles. And what about my parents? (Alfredo)

There are few legislative efforts that exist to create potential pathways to legal status for undocumented immigrants. The proposed federal DREAM Act represents the most robust attempt to offer immigrants a mechanism to change their undocumented status. The federal DREAM Act would position young people to be initially classified as “conditional non-immigrants” in the U.S., and eventually legal permanent residents (LPR). While a direct process to naturalization is not outlined in the DREAM Act, under traditional immigration policy, any person with LPR status in the U.S. can apply for citizenship after fulfilling various residency requirements. The necessity for young people to understand this limitation of the DREAM Act is demonstrated by Alfredo’s statement above. Alfredo is a 23-year old college student with undocumented status. He emigrated with his parents from South Korea to the U.S. when he was 8 years old. Currently, he is enrolled at a large, four-year public institution. While he was cognizant that his status as a college student made him an ideal candidate for the DREAM Act, he expressed a common misperception that the legislation would enable him to naturalize his status to that of American citizen.

The indirect pathway to citizenship is not necessarily the biggest limitation of the proposed legislation. Rather, the overwhelming number of requirements young people must fulfill poses several barriers to completing the pathway to LPR. Alfredo was wary of the fact that his other family members would not be beneficiaries of the legislation, if passed. To even be eligible to apply for the DREAM Act, an individual must have entered the U.S. before the age of 15. The age limit of the DREAM Act renders most of the undocumented population ineligible for relief, including Alfredo’s parents who arrived in the U.S. in their thirties. DREAM-eligible youth are also marked by their successful attainment of a high school diploma, general education development (GED) certificate, or acceptance into an institution of higher education. Alfredo’s

brother, who also has undocumented status would not be qualified for the DREAM Act because he was unable to fulfill the educational prerequisites. Alfredo's brother's experience represents the majority of undocumented youth who are pushed out of the educational pipeline and who lack access to postsecondary education.

Further, even for those who consider the DREAM Act as an educational access initiative, it simultaneously represents a recruitment strategy for the U.S. Armed Forces (Mariscal, 2007), which is especially problematic for API immigrant communities who have already demonstrated a legacy of military participation (Buenavista, 2012; Buenavista & Gonzales, 2010-11). Scholars have touted the DREAM Act as a smart mechanism to meet recruitment goals for the various branches of the military, and have even acknowledged how it is poised to compete with colleges for desirable recruits (Bicksler & Nolan, 2009; Stock, 2009). The militarized character of the DREAM Act threatens efforts to increase the access and retention of undocumented immigrants in higher education.

It is of the utmost importance for API educators to understand that the DREAM Act offers a *pathway* towards naturalization, but not citizenship itself, and thus represents only the beginning of a long process towards relief for undocumented youth. Further, while we might be working with some undocumented students at our various institutions, they are anomalies among their peers, the majority of whom have been shut out of higher education. In this context, we must use our positions to increase awareness regarding the access and retention issues of undocumented youth in higher education beyond those enrolled at our institutions. One key issue aligned with such efforts is the reality that the DREAM Act, although often only considered a mechanism for opening up educational opportunity, actually serves as a potential pipeline into the U.S. military. Youth of color are increasingly targeted for military recruitment,

which in many ways can be considered a deterrent to college for many non-traditional students who are eligible for other forms of postsecondary support.

State Financial Aid Policies

[California Assembly Bill] 540 is a catch-22. On one hand California says, sure, you can go to school and we'll let you pay in-state fees. But on the other hand, they won't give us any financial aid. Of course, it's better than nothing because I know other places are making laws that are making it even harder for us [undocumented students] to go to school... And don't get me started on the budget cuts! The state keeps cutting our funding and then putting the costs on the students. Hopefully California will get it together and figure something out. (Deena)

Without a pathway to legal resident status in the U.S., undocumented students are ineligible for federal financial aid and face insurmountable barriers to college, namely cost (Perez, 2010; Rincon, 2008). At a state level, although many undocumented students have lived the majority of their lives in the U.S., they often also face difficulties demonstrating they are residents of the state and are sometimes subject to paying out-of-state or international student fees (Ruge & Iza, 2005). Simultaneously, there has been a trend of state divestment in public higher education, which has resulted in colleges and universities imposing fee increases onto students and families. The combination of financial aid ineligibility, ambiguous residency, and increasing higher education costs has threatened the affordability of college for undocumented students.

At the federal level, the lack of comprehensive immigration reform has forced undocumented youth and families to be more reliant on state efforts to alleviate burdensome college costs. In response, twelve states have passed legislation that has enabled some

undocumented students to be eligible for in-state resident fees (National Immigration Law Center, 2012). In the opening of this section, Deena discussed Assembly Bill 540 (AB 540), which laid out certain criteria that students could fulfill to be exempt from non-resident state fees. AB 540-eligible students include those who have attended a California high school for three or more years, graduated from a California high school or earned the equivalent of a high school diploma, registered at a public college or university, and filed an affidavit promising to become “lawful permanent residents” at the earliest possible opportunity (AB 540, 2001). A common misperception about AB 540 is that it provides an unfair advantage to undocumented students over “documented” students to avoid paying non-resident fees. However, the reality is that undocumented youth comprise the minority of students who have successfully applied for AB 540 designation (UCOP, 2010).

Although AB 540 has been instrumental in lowering postsecondary expenses for undocumented students, Deena also highlighted a major contradiction in such state efforts: no financial aid eligibility. AB 540 is not an immigration policy and provides no pathway to residency nor does it grant undocumented students the ability to receive state-sponsored grants and scholarships. To address financial aid access, there are some states that offer in-state aid to undocumented students. At the time I interviewed Deena, she described AB 540 as a “catch-22,” and the California Dream Act had not yet been approved. The California Dream Act was comprised of two different bills, AB 130 and AB 131, and signed into law in 2011.⁵ AB 130 provided AB 540 students the opportunity to apply for privately funded scholarships and grants made available at public institutions. AB 131 extended financial aid possibilities for undocumented students by granting them eligibility for Cal Grants, the largest source of state financial aid for students enrolled in California public institutions, as well as scholarships and

grants from non-privately funded sources. While such policies are an important step in the right direction for making higher education more affordable to undocumented students, there remains only three states that have passed legislation making undocumented students eligible for in-state aid: California, Texas, and New Mexico. Further, in states such as California, funding is limited to students who qualify under AB 540, and do not benefit students who have not fulfilled all the requirements to acquire such a status.

Just as important to consider are all the states that have passed policies attempting to deny the participation of undocumented immigrants in public education. There have been several states that have banned undocumented students from being eligible for in-state tuition, including Arizona, Colorado, Georgia, and Indiana (Russell, 2011). In the case of Arizona, the state also prohibits undocumented students from qualifying for any type of state-sponsored financial aid. While such measures pose as barriers to undocumented youth pursuing postsecondary education, states such as Alabama and South Carolina actually prevent them from enrolling in public colleges and universities.

API educational practitioners, particularly those working in financial aid and student affairs, are central in the information dissemination of undocumented student rights within a postsecondary context. Part of our job responsibilities include becoming familiar with various policy changes that may impact financial aid and enrollment opportunities for undocumented students. For undocumented API students whose issues are exacerbated by their racialization as model minorities and the misperception that they do not suffer from economic difficulties, many API educators are in a position to be empathetic allies who can advocate on their behalf. However, perhaps more important, we must also call into question our potential power to police and deny undocumented students access to education in the name of institutional policies that are

aligned with nativist state mandates. We occupy a complex position when our intentions are to serve all students at our institutions, but might find ourselves having to implement and/ or negotiate contradictory policies that hurt some students due to their immigration status.

Deferred Action for Childhood Arrivals

*Ate*⁶, is this policy that everyone's talking about really happening? I want to be excited but I'm so scared the government's going to change their mind again. They still haven't fully given DREAMers a path to citizenship. We can work, I suppose, but we're still unable to travel, to qualify for financial aid... Can we please do a quick call later to dialogue about this? (May)

On June 15, 2012, President Barack Obama announced an executive order and Janet Napolitano, the Secretary of Homeland Security, issued a memorandum for Deferred Action for Childhood Arrivals (DACA).⁷ At the center of DACA is the intended prevention of deportation for certain qualified immigrants, namely young people who entered the U.S. before the age of 16, had been residing in the U.S. for at least five years and were "physically present" on the day the memorandum was issued. To be eligible for DACA, individuals must also be 30 years old or younger, a high school graduate or in possession of a GED or an honorably discharged military veteran, and not have been convicted of felony or "significant" misdemeanor offenses. The benefit of DACA is that young people who are granted deferred action are able to remain in the U.S. for a period of two years, which is subject to renewal, and can become eligible to apply for work authorization and/or a driver's license in some states.

DACA outlines criteria intended to protect young undocumented immigrants from being placed into removal proceedings and expedites the review process for individuals already in the removal process. The problem with DACA is that there is no guarantee that individuals who

apply will receive relief. In fact, the memorandum clearly states, “[The Department of Homeland Security] cannot provide any assurance that relief will be granted in all cases” (Napolitano, 2012, p. 2). Rather, DACA only encourages various federal entities, including U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS), to practice “prosecutorial discretion” for individuals who do not “pose a threat to national security or public safety” (p. 1). The logic of prosecutorial discretion is to assess immigrant removal on a case-by-case basis and to provide relief to “low-risk” individuals who would otherwise be subject to deportation without attention to the circumstances surrounding their arrival and subsequent experiences in the U.S.

While relief is not guaranteed, there are further limitations of DACA, namely those identified above by May. May is a 23-year old, undocumented Filipino college student who arrived in the U.S. with her parents more than a decade ago. Her experience has been characterized by financial burdens that have led her to work in the informal economy to pay for school and help sustain her family. Upon the announcement of DACA, she immediately contacted me with her concerns, including the reality that the administrative order did not provide a pathway to citizenship, did not alleviate travel constraints, or provide financial aid eligibility for undocumented youth. Also significant was her fear of the impermanence of DACA: since it is not law, DACA can be revoked at any time.

May’s overt skepticism and her quick outreach efforts to me represent two important points to keep in mind regarding DACA. First, faculty and other educational practitioners have the potential to serve as important sources of support for undocumented youth. May’s communication with me occurred following the formal announcement of DACA on national news media. The announcement did not provide her any sort of relief in context of her status in

the U.S., but only facilitated confusion and the desire to process with someone her thoughts on DACA. However, readers must keep in mind that her ability to contact me was grounded in a strong collegial relationship we had developed over several years during which we nurtured a high level of mutual trust and respect. Second, May's concerns highlighted the need for API educators to be informed with the most recent news and policies that might shape undocumented student status, and how such policies may impact their postsecondary experiences.

The need for educators to stay abreast with such policies is not so that they are equipped to provide any legal advice. Instead, it is to prepare them to demonstrate to students that they are reliable institutional allies to whom they could turn with their concerns, as well as to direct students to the appropriate professional and community-based resources to have their questions responsibly addressed. Educational practitioners can serve as integral liaisons between colleges and universities, community-based resources, and undocumented students. This role is especially important in the context of policies such as DACA, which directly impacts an individual's "deportability," one of the biggest stressors imposed upon undocumented youth.

Conclusion

Because of the backlash that undocumented students face, for many of them, it feels safer not to expose one's immigration status. But this means, never opening up and asking for help (Chan, 2010, p. 31).

The prevailing mechanism for student services is one in which the onus of assistance is placed onto students: students must seek help to receive it. However, if we recognize and understand that students with an undocumented status are survivors of a broken immigration system and police state that renders their transition to possessing legal status nearly impossible,

the student-facilitated approach to support services within an educational context must inevitably change. Rather than expect undocumented students to learn seek-helping behaviors, educators must combat a nativist culture of fear that permeates campuses and create critical spaces and opportunities for undocumented students to pursue education. In the following, I offer recommendations with regard to how API educators can become allies and help to transform education to better serve undocumented students.

Recommendations for API Educators

Develop and Practice a Critical College-Going Pedagogy that Centralizes Undocumented Immigrant Experiences. Whereas institutional agents would like to imagine that they have played an active role in the recruitment and retention of undocumented students in college, for the most part, there remain few examples of institutional efforts that have been developed with undocumented students in mind. Gildersleeve and Ranero (2010) argued that educators could learn and teach a critical “college-going pedagogy” to enhance the postsecondary opportunities for undocumented youth (p. 21). This might include community-based outreach programs that are held in the neighborhoods and schools where undocumented students and families are located, and culturally-relevant advising sessions and programs that centrally address the ways in which undocumented immigrant status might impact admissions, enrollment, and/or financial aid.

However, such potential efforts only touch the surface in addressing the marginalization of undocumented API youth. Educators must be able to speak to the fears of undocumented students and families. Apprehension, detention, and deportation are likely occurrences within migrant communities. Only when educators acknowledge and accept this reality will they be able to strategize with undocumented youth how they can maximize the resources available to

them through the pursuit of school. Academic enrollment has been one way for undocumented youth to access resources often unavailable to most other undocumented immigrants, such as peer networks, workshops on changing immigration policies, school-based health insurance, and other student-centered programs and services that do not require traditional forms of identification other than a student I.D. Further, educational access has opened up the network of support for undocumented students, who have often sought teachers and professors, administrators, and staff, as well as their extended social networks for formal and informal assistance with issues that affect their daily lives. For example, many educators I know have been asked to provide character statements/ letters on behalf of undocumented students applying for DACA. Developing and practicing a college-going pedagogy with undocumented students in mind requires us to think about our job responsibilities in more creative ways.

Assert an API Ally Position on Undocumented Immigration. While concrete actions lead to social change, representation is also important in forwarding a pro-migrant agenda in school contexts. The vast majority of immigrants with undocumented status are Latina/o, which has resulted in the proliferation of support from programs and organizations that have a strong Latina/o constituent, for example scholarship foundations and outreach programs (Bangalon, Peralta & Enriquez, 2012; Gildersleeve & Ranero, 2010). However, the mere presence of individuals who explicitly represent API experiences often challenge prevailing assumptions of undocumented immigration as solely a Latina/o issue. For example, in one story, Filipino journalist Jose Antonio Vargas (2011) literally changed the face of undocumented immigration when he revealed to the nation that he was in fact without legal status in the *New York Times Magazine*. Vargas' admission serves as an important example of how API educators can potentially position themselves as allies to assert the relevance of undocumented immigration to

larger audiences, both within and outside of their institutions. This point is further exemplified by the announcement of So as the Undocumented Student Program coordinator, which I used to open this paper.

Further, it is important to emphasize the *different* ways in which API students experience being undocumented. For example, while undocumented Asians might fly under the radar due to racial stereotypes that deem them model minorities, the criminalization of Pacific Islanders might actually perpetuate the policing of these students. When API educators are informed, either formally or experientially, about the diversity of undocumented student experiences, they possess a powerful perspective with which to empathetically inform their networks of how the intersection of immigration and race can shape student lives. However, to assert an API position in the larger discourse on undocumented immigration is not meant to overshadow student-initiated efforts or be a divisive strategy to shift resources from Latina/o to API students. Instead, it is a strategy of initiating broad-based coalition building across racial and ethnic lines, in hopes of garnering increased access to institutional resources for immigrant students at large.

Challenge the Culture of Fear and Create Spaces of Change. Education practitioners are often gatekeepers to their institutions. As described throughout the analyses of federal, state, and institutional policies, educators sometimes passively perpetuate anti-undocumented immigrant sentiment when we conduct business as usual. Many educators are un- or ill-informed of shifting legislation that can open up or shut out undocumented students from education. In other instances, educators take a hands-off approach in finding creative ways to interpret potentially anti-immigrant policies.⁸ Whether one lacks the knowledge or simply accepts changing policies without regard to the impact on undocumented students, in either case, educators sometimes participate in maintaining a racist and nativist culture of fear that characterize undocumented

student experiences. Thus, it is essential for educators to be more proactive in the creation of spaces within their institutions where undocumented students and allies can organize.

One key effort integral in the empowerment of undocumented youth throughout the country has been the development of the Dream Resource Center (DRC), a project of the UCLA Labor Center.⁹ The main objective of the DRC is to provide an infrastructure to develop educational resources and materials, and provide leadership development and a large network of support for undocumented youth and their allies. While the driving force behind the DRC has been the undocumented student organizers and allies, we cannot overlook the central role that Kent Wong, the director of the UCLA Labor Center, has had in carving out a physical space for undocumented youth. With areas of expertise in labor studies and Asian American Studies, he has fostered a transformative space where undocumented youth have become empowered and “unafraid.” The DRC was officially established in 2011, but aspects of the DRC had been ongoing projects hosted out of the UCLA Labor Center, including the publication of two largely student-authored books, *Underground Undergrads: UCLA Undocumented Immigrant Students Speak Out* (2008) and *Undocumented and Unafraid: Tam Tran, Cinthya Felix, and the Immigrant Youth Movement* (2012).

Undocumented immigration is significant in the API narrative and should be included in a national research agenda on API education. Historically, APIs along with Latina/o immigrants were at the center of formal and informal efforts that delineated some migrants as “illegal” in the U.S. (Ngai, 2004). In a contemporary context, APIs have played key roles in awakening the American consciousness regarding the plight of undocumented immigrants. As student activists, institutional allies, and community representatives, API perspectives and experiences have challenged our misperceptions of the undocumented immigrant community and have brought

attention to the contradictions of the American education and immigration systems. As API educators, our role is not only to conduct research and develop practices that may better serve undocumented students. It is our responsibility to use our capacity to assert our work as deeply political and a matter of social and economic sustainability for undocumented students and the communities from which they come.

Endnotes

¹ Tam Tran's story is at the center of the book, *Undocumented and Unafraid: Tam Tran, Cinthya Felix, and the Immigrant Youth Movement*, published by the UCLA Center for Labor Research and Education. For more information about the book, please see: <http://www.undocumentedunafraid.com/>

² For confidentiality purposes, only Fita's first name was used in the story. Her experiences were highlighted in the article, "Undocumented Tongan Gives Voice to Community's Concerns" and is available at: <http://www.scp.org/news/2011/10/17/29433/undocumented-tongan-gives-voice-others/>

³ There is a contradiction in the U.S. regarding the educational rights of undocumented students. In the case Plyler v. Doe (1982), the U.S. Supreme Court determined that public K-12 education is a fundamental right for children regardless of their immigration status, there is no federal equivalent that mandates states to provide access to higher education for undocumented students.

⁴ A widely cited statistic that was released in the "Annual Report on AB 540 Tuition Exemptions 2008-09 Academic Year," published by the University of California Office of the President showed that almost 50 percent of the potentially undocumented student population in the UC system were Asian, which is disproportionately higher than their overall representation in the U.S. The full report is available at: http://www.ucop.edu/sas/sfs/docs/ab540_annualrpt_2010.pdf

⁵ The California Dream Act of 2011 is comprised of AB 130 and AB 131, and was sponsored by California Assembly member, Gil Cedillo. Although signed into law in 2011, AB 130 was not implemented until January 2012. AB 131 goes into effect in January 2013.

⁶ *Ate* is the Tagalog (Philippine language) word for older sister.

⁷ The memorandum regarding Deferred Action for Childhood Arrivals is available at: <http://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>

⁸ Accounts in which student affairs professionals and administrators have come up with creative strategies to challenge the inadequacy of institutional policies have been documented. For example, in a story, “The Right Thing to Do,” published in the *Journal of College Admission*, administrator Arnaldo Rodriguez (2010) recalled how the admissions committee at Pitzer College develop guidelines to provide scholarships to undocumented 1.5-generation immigrants accepted into the university.

⁹ More information on the Dream Resource Center is available on the website: www.dreamresourcecenter.org

References

- Abrego, L. J. 2006. “I can't go to college because I don't have papers”: Incorporation patterns of Latino undocumented youth. *Latino Studies*, 4 (3), 212–31.
- Abrego, L. J. (2008). Legitimacy, social identity, and the mobilization of law: The effects of Assembly Bill 540 on undocumented students in California. *Law & Social Inquiry*, 33(3), 709–734.
- Abrego, L. J. & Gonzales, R. G. (2010). Blocked paths, uncertain futures: The postsecondary education and labor market prospects of undocumented Latino students. *Journal of Education for Students Placed At-Risk*, 15(1), 144-157.
- Bangalon, A., Peralta, M. & Enriquez, L. E. (2012). Different experiences, similar fears: Asian Pacific Islander and Latina/o undocumented student experiences. In K. Wong, J. Shaddock-Hernández, F. Inzunza, J. Monore, V. Narro & A. Valenzuela, Jr. (Eds.), *Undocumented and unafraid: Tam Tran, Cinthya Felix, and the immigrant youth movement* (pp. 99-103). Los Angeles: UCLA Center for Labor Research and Education.
- Bernstein, J. & Blazer, J. (2008). Legalizing undocumented immigrants: An essential tool in fighting poverty. *Journal of Poverty Law and Policy*, 42(7-8), 408-415.
- Bicksler, B. A. & Nolan, L. G. (2009). Recruiting an all-volunteer force: The need for sustained investment in recruiting resources – an update. Washington, DC: Strategic Analysis.
- Buenavista, T. L. (2012). Citizenship at a cost: Undocumented Asian youth perceptions and the militarization of immigration. *Asian American and Pacific Islander Nexus*, 10(1), 101-124.
- Buenavista, T. L. (Forthcoming). Overstaying our welcome: Undocumented Asian immigrant experiences with racial microaggressions in research and education. In R. Endo & X. L. Rong (Eds.), *Research on the Education of Asian and Pacific Americans*. Charlotte, NC: Information Age Publishing.

-
- Buenavista, T. L. & Gonzales, J. B. (2010-2011). DREAMs deterred: Filipino experiences and an anti-militarization critique of the Development, Relief, and Education for Alien Minors Act. *Asian American Policy Review*, 21, 29-37.
- Chan, B. (2010). Not just a Latino issue: Undocumented students in higher education. *Journal of College Admission*, 206, 29-31.
- De Genova, N. P. (2004). The legal production of Mexican/migrant "illegality." *Latino Studies*, 2(2), 160-185.
- Eusebio, C. (2012). Asian American, undocumented, and unafraid. In K. Wong, J. Shadduck-Hernández, F. Inzunza, J. Monore, V. Narro & A. Valenzuela, Jr. (Eds.), *Undocumented and unafraid: Tam Tran, Cinthya Felix, and the immigrant youth movement* (pp. 96-98). Los Angeles: UCLA Center for Labor Research and Education.
- Fujiwara, L. (2008). *Mothers without citizenship: Asian immigrant families and the consequences of welfare reform*. Minneapolis: University of Minnesota Press.
- Gildersleeve R. E. & Ranero, J. J. (2010). Precollege contexts of undocumented students: Implications for student affairs professionals. *New Directions for Student Services*, 131, 19-33.
- Gonzales, R. G. (2007). Wasted talent and broken dreams: The lost potential of undocumented students. *Immigration Policy In Focus*, 5(13), 1-11.
- Gonzales, R. G. (2008). Left out but not shut down: Political activism and the undocumented student movement. *Northwestern Journal of Law and Social Policy*, 3, 219-239.
- Gonzales, R. G. (2010). On the wrong side of the tracks: Understanding the effects of school structure and social capital in the educational pursuits of undocumented immigrant students. *Peabody Journal of Education*, 85(4), 469-485.
- Guzman-Lopez, A. (2011, October 17). Undocumented Tongan gives voice to community's concerns. Southern California Public Radio. Retrieved from <http://www.scpr.org/news/2011/10/17/29433/undocumented-tongan-gives-voice-others/>
- Hernández, D. M. (2008). Pursuant to deportation: Latinos and immigrant detention. *Latino Studies*, 6: 35-63.
- Hoefler, M., Rytina, N. & Baker, B. C. (2012). *Estimates of the unauthorized immigrant population residing in the United States: January 2011*. Washington, DC: Department of Homeland Security Office of Immigration Statistics.

-
- Kinikini, L. L. (2005). *Narrative survival in the Tongan diaspora: The case of the American deportees*. Unpublished thesis. Honolulu, HI: University of Hawai'i.
- Lee, H. M. (2003). *Tongans overseas: Between two shores*. Honolulu, HI: University of Hawai'i Press.
- Madera, G., Mathay, A., Najfi, A., Saldivar, H., Solis, S., Titong, A., et al. (2008). *Underground undergrads: UCLA undocumented immigrant students speak out*. Los Angeles: UCLA Center for Labor Research and Education.
- Mariscal, J. (2007). Immigration and military enlistment: The Pentagon's push for the DREAM Act heats up. *Latino Studies*, 5, 358–363.
- Napolitano, J. (2012, June 15). Exercising prosecutorial discretion with respect to individuals who came to the United States as children. Washington, DC: Department of Homeland Security. Retrieved from: <http://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf>
- National Immigration Law Center. (2012, January). Basic facts about in-state tuition for undocumented immigrant students. Retrieved from <http://www.nilc.org/basic-facts-instate.html>.
- Ness, C. (2012, September 18). Meng So: A campus voice for the undocumented. UC Berkeley News Center. Retrieved from <http://newscenter.berkeley.edu/2012/09/18/poi-person-tbd/>
- Ngai, M. (2004). *Impossible subjects: Illegal aliens and the making of modern America*. Princeton, NJ: Princeton University Press.
- Parreñas, R. S. (2001). *Servants of globalization: Women, migration, and domestic work*. Stanford, CA: Stanford University Press.
- Passel, J. S. & Cohn, D. (2009). A portrait of undocumented immigrants in the United States. Washington, DC: Pew Hispanic Center. Retrieved from <http://www.pewhispanic.org/files/reports/107.pdf>
- Perez, P. (2010). College choice process of Latino undocumented students: Implications for recruitment and retention. *Journal of College Admission*, 206, 21-25.
- Perez, W. (2009). *We ARE Americans: Undocumented students pursuing the American dream*. Sterling, VA: Stylus Publishing.
- Ray, M. (2005). "Can I see your papers?": Local police enforcement of federal immigration law post 9/11 and Asian American permanent foreignness. *Washington & Lee Race & Ethnic Anc. Law Journal*, 11: 197-218. Retrieved from <http://scholarlycommons.law.wlu.edu/crsj/vol11/iss1/8>.

-
- Rincon, A. (2008). *Undocumented immigrants and higher education: Si se puede*. New York: LFB Scholarly Publishing.
- Rodriguez, A. (2010). The right thing to do. *Journal of College Admission*, 206, 19.
- Ruge, T. R. & Iza, A. D. (2005). Higher education for undocumented students: The case for open admission and in-state tuition rates for students without lawful immigration status. *Indiana International & Comparative Law Review*, 15(2), 1–22.
- Russell, A. (2011, March). State policies regarding undocumented college students: A narrative of unresolved issues, ongoing debate and missed opportunities. *American Association of State Colleges and Universities Policy Matters*. Retrieved from: http://www.aascu.org/uploadedFiles/AASCU/Content/Root/PolicyAndAdvocacy/PolicyPublications/PM_UndocumentedStudents-March2011.pdf
- Simansky, J. & Sapp, L. M. (2012). Immigration enforcement actions: 2011. Washington, DC: Office of Immigration Statistics. Retrieved from http://www.dhs.gov/sites/default/files/publications/immigration-statistics/enforcement_ar_2011.pdf
- Stock, M. P. (2009). Essential to the fight: Immigrants in the military eight years after 9/11. Washington, DC: Immigration Policy Center.
- UCOP Student Financial Support [UCOP]. (2010). Annual report on AB 540 tuition exemptions: 2008-09 academic year. University of California Office of the President. Retrieved from http://www.ucop.edu/sas/sfs/docs/ab540_annualrpt_2010.pdf
- Vargas, J. A. (2011, June 11). My life as an undocumented immigrant. *New York Times Magazine*. Retrieved from <http://www.nytimes.com/2011/06/26/magazine/my-life-as-an-undocumented-immigrant.html?pagewanted=all>.
- Volpp, L. (2002). Critical race studies: The citizen and the terrorist. *UCLA Law Review*, 49, 1575-1599.
- Wong, K., Shaddock-Hernández, J., Inzunza, F., Monore, J., Narro, V. & Valenzuela Jr., A. (Eds.). (2012). *Undocumented and unafraid: Tam Tran, Cinthya Felix, and the immigrant youth movement*. Los Angeles: UCLA Center for Labor Research and Education.