

# Undocumented Students FAQs

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Inclusiveness has always been a strength of El Camino College, and is an integral part of our campus culture. Respect for diversity of views is one of our core values.

## **1. I am an undocumented student/I have undocumented family members. Will I be detained for my undocumented immigration status?**

Uncertainty over possible immigration policy changes has the potential to affect undocumented students. That said, undocumented individuals who are present in the U.S. have certain legal and constitutional rights. All individuals have a right to a hearing and to have a judge review each case. That process can take years in some cases, and the individual can remain in the U.S. until a final decision is made. Other constitutional protections prevent certain enforcement tactics, and may present a basis to challenge attempts at immigration enforcement by the federal government. Please click on the links below for more information.

- [CHIRLA Legal Services](#)
- [MALDEF Immigration Information](#)
- [Education Not Deportation: A Guide for Undocumented Youth in Removal Proceedings](#)
- [Immigration Resources in Southern California](#)
- [Catholic Charities of Los Angeles](#)
- [TheDream.US Resources](#)
- [United We Dream](#)

## **2. Will the Deferred Action for Childhood Arrivals (DACA) program be terminated?**

The future of the DACA program is unknown at this time. California Community Colleges' Chancellor Eloy Ortiz Oakley joined with leaders of the University of California and the California State University to formally request preservation of the Deferred Action for Childhood Arrivals (DACA) program, which allows children of undocumented immigrants to pursue higher education in the United States.

“It is vital that these students, who were brought to this country as children, have the ability to learn without fear of being deported,” Oakley said. “The California Community Colleges stand with these students because they represent some of the best qualities that our state and nation have to offer.”

### **3. I have DACA. Will the federal government use my information to find and deport me?**

The Chancellor's Office provided guidance to colleges, reaffirming the following principles:

- The California Community Colleges are open to all students who meet the minimum requirements for admission, regardless of immigration status.
- The Chancellor's Office will not release any personally identifiable student information, including any data related to immigration status, without a judicial warrant, subpoena or court order, unless authorized by the student or required by law.
- The Chancellor's Office will not cooperate with any federal effort to create a registry of individuals based on any protected characteristics such as religion, national origin, race, or sexual orientation.
- The Chancellor's Office will continue to advocate for educational opportunities for all students in the community college system, regardless of immigration status, at the state and federal level.

Deporting over 700,000 DACA recipients would be very time-consuming and expensive. DACA recipients are also low priority for deportation. There would also certainly be a legal challenge to use private data submitted under DACA for enforcement activity. That said, families can take precautions by discussing other legal options with a qualified immigration lawyer.

### **4. Should I apply for DACA now?**

The answer depends on your personal circumstances, which you should discuss with an immigration lawyer. Some factors to consider are your age, whether you need deferred action or work authorization urgently, and whether your situation would allow you to wait several months to see what happens to DACA. It is important to consider that applying for DACA could make your personal information available to the government. It is also important to note that current processing and review times indicate that any application filed now would face delays in receiving an answer. Please click on the links below for more information.

[Renew Your DACA](#)

[Step-by-Step Guide for Undocumented Young People Applying for DACA](#)

[DACA Educator Toolkit](#)

**5. Should I renew my DACA application or seek “Advance Parole” to travel as a DACA beneficiary?**

If your deferred action is set to expire within 150 days, you should apply to renew it now. If you have urgent humanitarian reasons to travel outside the U.S., you may seek permission to travel by seeking “Advance Parole” with USCIS (Form I-131). The government already has your personal information, so you are not creating a new risk by applying for renewal unless your situation has changed in a way that you might not be eligible for DACA anymore, for example, a criminal conviction. More information is available [here](#); or call toll-free 1-800-375-5283 or 1-800-767-1833 (TDD for the deaf or hard of hearing).

**6. What will happen with DAPA / Expanded DACA (DACA 2014)?**

Implementation of these initiatives has been halted by a lawsuit. MALDEF is vigorously defending these programs in court. Uncertainty remains about the future of these programs.

**7. I have a pending immigration petition. What will happen with my application?**

For non-DACA applications pending with USCIS, there is no reason to believe that those applications will stop being processed as usual, according to current laws.

**8. How can I find out if I have other options to avoid deportation?**

Seek assistance from a reputable immigration lawyer. Avoid notario scams. Visit [www.immigrationlawhelp.org](http://www.immigrationlawhelp.org) for more information about non-profit legal service organizations by state. Click [here](#) for more information.

**9. I’ve been placed in removal proceedings. What can I do?**

Talk to an immigration lawyer immediately to plan your next steps. You have the right to a hearing before any decision is made about whether you have to depart the country. You also have the right to an appeal. Click [here](#) for more information.

**10. I am a legal US citizen. Can my citizenship be taken away if my parents are undocumented?**

No. The U.S. Constitution grants citizenship to all people born in the U.S. regardless of their parents’ immigration status.

**11. Will the federal government change in-state tuition/fees and admission for undocumented college students?**

The laws that provide in-state tuition/admission for students are established by states. For more information, click [here](#).

**12. Should I worry about going to the hospital emergency room?**

No. Under federal law, your personal information should be kept private by doctors and staff under HIPAA privacy laws. Please click on enclosed links for more information. For more information about the HIPAA Privacy Rule, click [here](#). For more information about the Office of HIPAA Compliance, click [here](#).

**13. Should I still report crime to the police?**

Yes. Most police officers are only interested in investigating crime and won't be interested in your immigration status. If you are a crime victim, you may be eligible for a visa that would allow you to stay in the U.S. Talk to an immigration lawyer about the facts of your case.

**14. I plan to file an application for VAWA / U visa/ T visa. Should I wait?**

No. There is no reason to delay filing for this relief. It is established in U.S. law.

**15. What can my family do to prepare for any interaction with ICE, for example, if my workplace is the target of an ICE raid?**

The Immigrant Legal Resource Center has created Red Cards that provide information about how to assert your constitutional rights during a raid. Visit [www.ilrc.org/red-cards](http://www.ilrc.org/red-cards) for details.

**16. My family sends money to relatives in Mexico. Can the government confiscate that money?**

No. Companies that transfer money among relatives from the U.S. to Mexico do not track their clients' immigration status. Even if companies could distinguish between legal and undocumented immigrants in their clientele, seizing funds based on national origin or immigration status would be unconstitutional and would likely be challenged in court.

**17. What is the current climate of American attitudes toward immigrants?**

A majority of Americans favor providing a way for undocumented immigrants to become U.S. citizens or legal permanent residents.

### **El Camino College FAQ (Undocumented Students)**

**1. Should I apply for community college next year?**

Yes, the California Community Colleges are open to all students who meet the minimum requirements for admission, regardless of immigration status. El Camino College remains dedicated to our mission of providing excellent comprehensive educational programs and services that promote student learning and success in collaboration with our diverse communities.

**2. Will El Camino College share my information with ICE or other federal agencies regarding my immigration status?**

The Chancellor's Office will not release any personal identifiable student information, including any data related to immigration status, without judicial warrant, subpoena or court order, unless authorized by the student or required by law.

**3. Should I apply for the California Dream Act?**

Yes, in state-tuition benefits in California, such as AB540 and the California Dream Act will remain intact since these are statutes under the state. If you have specific questions regarding your financial aid package please visit the El Camino College Financial Aid Office located on the first floor of the Administration Building or call 310-660-3593, extension 6411.

**4. Should I participate in the travel abroad program El Camino College offers?**

Since we have very little information about the future of DACA, students are strongly advised against participating in any programs that require international travel at this time. Click [here](#) for more information.

**5. Will my certificates or degrees from El Camino College be revoked if I lose my DACA status?**

No, all degrees earned remain yours, regardless of your immigration status

**6. Will El Camino College offer dreamer workshops next year?**

Yes, the El Camino College Financial Aid Office offers dreamer application workshops each month. Please check the [financial aid Web page for additional workshops](#).

**7. Are there any clubs on campus that can offer additional services?**

Yes, the AHEAD (Achieving Higher Education for All Dreamers) Club on campus is dedicated to helping AB540/undocumented students with further support and assistance. Please visit the Student Development Office or email club adviser Rene Lozano for more information at [rlozano@elcamino.edu](mailto:rlozano@elcamino.edu).

**8. Is there a web page where I can continue to receive additional information about undocumented issues?**

As a campus community we support all students. The college established a web page that allows students to sign up for email alerts regarding the latest news and events around campus. Please visit the First Year Experience web page to sign up to receive information about AB540, undocumented and Dream Act resources.

**On-Campus Advocates for Undocumented Students**

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