Understanding Undocumented Students and Resources

Texas State Aid
AGENDA

- Undocumented Students – Who are they?
- DREAM Act and DACA
- Federal and State Laws
- Financial Aid Options
- Some Legal Resources
- Best Practices
What Does it Mean to be Undocumented?

- Individual lacks the documents required for immigration or legal residence
- Individuals may have:
  - Entered the country legally on a temporary basis and stayed after documents expired
  - Entered without documents
Statistics about Undocumented Students

- More than 1.8 million are children under 18
- 75% are from Mexico and Latin America
- The majority live in California, Texas, New York, Illinois, Florida and Arizona
- Parents’ undocumented status usually does not affect student’s eligibility to apply for certain types of aid
  - Eligibility for financial aid typically depends on the student’s citizenship status
Immigrant Youth and Higher Education

- Nothing in federal law prohibits undocumented and DACAmented students from attaining higher education.
- Undocumented and DACAmented students do not have access to federal financial aid.
- Growing number of states offer in-state tuition to students who meet certain criteria, regardless of their status. At least 20 states have tuition equity laws or policies. Over 75% of the foreign born live in states with a tuition equity law or policy in place.
- Some states offer financial aid provided by the state and/or institution.
  - CA, TX, NM, MN, OR, OK, WA, and HI offer state financial aid to students who meet certain criteria, regardless of status.
  - CA, IL, MN, and UT offer institutional aid or scholarships. Campaigns are pending in several states.
Current State Laws & Policies on Access to Higher Education for Immigrants | August 2015

Legend

- States with tuition equity laws
- States with tuition equity policies at major institutions
- States with tuition equity laws and scholarships
- States with tuition equity laws or policies and some state financial aid
- States that ban enrollment to undocumented students
- States where some college systems deny enrollment
For House Bill 1403/Senate Bill 1528 students only: House Bill 1403 from the 2001 State Legislative Session/Senate Bill 1528 from the 2005 State Legislative Session allows certain categories of foreign-born and immigrant students in the State of Texas to qualify for residency under Texas Education Code Chapter 54, Section 54.052(a)(3). This state law allows such students to pay the resident tuition rate while attending public institutions of higher education in Texas, and be classified as state residents for tuition purposes. As Texas residents, such students are eligible to apply for some student financial aid programs offered by the State of Texas.

TASFA Application collects data similar to the FAFSA and uses the same Federal Methodology to come up with an Expected Family Contribution (EFC).

http://www.thecb.state.tx.us/
http://www.thecb.state.tx.us/reports/PDF/6310.PDF
INTRODUCTION TO TEXAS HOUSE BILL 1403 AND SENATE BILL 1528

Texas House Bill 1403 and Senate Bill 1528

Effective 2001, Texas HB1403 enables immigrant students, including those without documentation, to qualify as Texas residents and pay in-state tuition at public colleges and universities in the state. In 2005, the Texas Legislature approved a new law, SB1528, which expands benefits of HB1403.

To qualify under these laws, a student must meet the following four provisions:

1) Graduate from a public or private high school, or receive a GED, in Texas;

2) Reside in Texas for at least the 3 years leading up to high school graduation or receiving GED;

3) Reside in Texas for the 12 months leading up to the semester the student is enrolling in college; and

4) Provide the institution of higher education an affidavit stating the student will file an application to become a U.S. permanent resident as soon as he/she is eligible to do so.

- Immigrant students who do not meet the requirements above but who have filed an I-30 (family petition) or I-40 (work petition) with the United States Citizenship and Immigration Services (USCIS), and have received a Notice of Action as a response from the USCIS, are also eligible to receive in-state tuition if they have been here for at least 12 months.

- People holding work visas (H-1B) and their dependents (H-4) can now also receive in-state tuition at state universities. The same is true for applicants of the Nicaraguan Adjustment and Central American Relief Act (NACARA) and Temporary Protected Status (TPS) applicants, among others.

Ensure students consult with the college Admissions office to confirm that they meet the requirements.
TASFA Eligibility Requirements:

- Meets residency requirements under House Bill 1403/Senate Bill 1528 and submits residency affidavit
- Lived in Texas for three years before receiving High School Diploma or GED in Texas
- Plan to apply for permanent residency soon
- Completes TASFA Application with supporting documentation (tax transcript, W-2s, etc.)
- School may process FAFSA in lieu of TASFA
- Verify that male student is registered with Selective Service.

Currently, 114 Texas Colleges and Universities accept the TASFA

http://www.thecb.state.tx.us/Reports/PDF/2540.PDF?CFID=27929159&CFTOKEN=50989621

TASFA – Texas Application for State Financial Aid

- TASFA Eligible State Aid Programs
- (if program eligibility is met):
  - Texas Public Education Grant (TPEG)
  - Texas Equalization Grant (TEG)
  - TEXAS Grant
  - Texas College Work-Study
  - Texas Educational Opportunity Grant (formerly Texas Grant II)
  - State Exemption programs, in addition to any available institutional aid
  - College Access Loan (CAL)

FINANCIAL AID ELIGIBILITY

<table>
<thead>
<tr>
<th></th>
<th>U.S. Citizen (holds a U.S. passport or U.S. Birth certificate)</th>
<th>Legal Permanent Resident (holds a Green Card)</th>
<th>Visa Holder (holds a valid visa)</th>
<th>Undocumented (holds no documentation or has pending application with USCIS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Aid</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Federal Work Study</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Texas State Aid (in form of grants)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes (Texas Grant, Texas Educational Opportunity Grant, and Texas Public Education Grant)</td>
</tr>
<tr>
<td>Government Loans</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes, but will need a U.S. citizen or permanent U.S. resident as co-signer</td>
</tr>
<tr>
<td>Private Loans</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, but will need a U.S. citizen or permanent U.S. resident as co-signer</td>
<td>Yes, but will need a U.S. citizen or permanent U.S. resident as co-signer</td>
</tr>
<tr>
<td>Texas Institutional Aid</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, depends on eligibility requirements</td>
<td>Yes, depends on each school</td>
</tr>
<tr>
<td>Scholarships</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, depends on eligibility requirements</td>
<td>Yes, private scholarships awarded by businesses, service agencies or philanthropic organizations</td>
</tr>
</tbody>
</table>

CHECKLIST FOR APPLYING FOR STATE FINANCIAL AID

<table>
<thead>
<tr>
<th>TARGET COMPLETION DATE</th>
<th>OBJECTIVE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept of Senior Year</td>
<td>Apply for Scholarships.</td>
<td>There are many scholarships available for undocumented students. Check with your counselor or High School Go Center for a listing.</td>
</tr>
<tr>
<td>Nov of Senior Year</td>
<td>Make sure your parents apply for an Individual Taxpayer Identification Number (ITIN) so they are prepared to file their taxes.</td>
<td>An ITIN is different from a social security number and allows your parent’s guardians to file their taxes each year. You will use these numbers when you apply for the TASFA. You may obtain an ITIN number through your nearest Social Security Administration Office (Form W7) or a tax preparation agency.</td>
</tr>
<tr>
<td>Sept-Nov of Senior Year</td>
<td>Register for selective service if you are a male over age 18.</td>
<td>All men living in the United States who are between the ages of 17 years and 25 months and 25 must be registered with the Selective Service, even if they don’t have a social security number. Most universities and colleges will not finalize financial aid without proof of registration. Those without a social security number need to use a paper form. These are available at the post office. You will need to fill out the card, sign it, stamp it, and mail it. A registration acknowledgment card will arrive in the mail about 30 to 90 days after a man sends in his registration card. Keep this document in a safe place as proof of registration. Most financial aid offices will request a copy of your registration card. If you do not receive a card, or if you require a replacement acknowledgment card, please call Selective Service at 1-847-688-8888.</td>
</tr>
<tr>
<td>Jan of Senior Year</td>
<td>Apply for financial aid using TASFA forms as early as possible after Jan 1. Some institutions outside of the Rio Grande Valley may require you to submit a FAFSA.</td>
<td>You will only be eligible for State financial aid. Without a SSN you cannot complete the online FAFSA application. Find out from the last page of the TASFA application or the respective college or university’s financial aid office which application they prefer. You can obtain a paper TASFA through your high school counseling office or online at a PDF document. Applications have to be printed out and completed on paper and turned in, in person, or via mail to the financial aid office of the institution. DO NOT MAIL TO THE FEDERAL GOVERNMENT!</td>
</tr>
<tr>
<td>By end of Feb of Senior Year</td>
<td>Turn in additional financial aid documents.</td>
<td>Each school has different financial aid requirements. Be sure you visit each school’s website and make sure you turn in all required documents.</td>
</tr>
<tr>
<td>By end of Feb of Senior Year</td>
<td>Follow up with the universities to make sure all of your application materials were received and pending items completed.</td>
<td>It is YOUR responsibility to call the financial aid office and ensure they have all the required documents.</td>
</tr>
<tr>
<td>March of Senior Year</td>
<td>Request a Tax Transcript</td>
<td>Go to the IRS website to request this online. If it is not ready yet, continue checking each week, until it is available. <a href="http://www.irs.gov/Individuals/Order-a-Transcript">http://www.irs.gov/Individuals/Order-a-Transcript</a> or go by the local IRS Office 1810 Hule Ave., Harlingen, TX 78550, (956)366-5165.</td>
</tr>
<tr>
<td>March of Senior Year</td>
<td>Submit copies of Tax Transcripts to each college you apply to.</td>
<td>Submit a copy to every college financial aid office to complete your financial aid application.</td>
</tr>
</tbody>
</table>
Student’s Checklist

6. Complete the TASFA: Complete the TASFA. Print the completed form and mail it to the college or university you plan to attend. You are only required to submit the application piece (without the instructions) to your college or university. Do not fill in blank spaces. Enter “N/A” if a question does not apply to you.

   a. If you are a male, attach a copy of proof of registration with Selective Service: Attach a copy of the registration acknowledgement card to the TASFA. Your college will not be able to release state funds until you provide them with your acknowledgement card.

   b. Attach a transcript of 2015 income tax return(s) and tax transcript: If you are required to file taxes, the college will not process your TASFA until you provide a copy of your tax return(s) and W-2.

7. Follow up on your TASFA: To check the status of your application, contact your college’s or university’s financial aid office. Contact information can be obtained by visiting the college’s website. College/university websites are provided on Appendix A of the TASFA.

Help is available.
For assistance with the TASFA, call

1-888-311-8881
TEXAS FINANCIAL AID INFORMATION CENTER

2017-18 TASFA
Texas Application for State Financial Aid
July 1, 2017 – June 30, 2018

The Texas Application for State Financial Aid (TASFA) is used to collect information to help determine eligibility for state-funded aid programs. Applicants must complete the TASFA to determine eligibility for state-funded aid programs. Visit www.aid.texas.gov or visit the financial aid office at the institution you plan to attend for the 2017-18 school year. Please note that Texas Residency cannot be determined by the institution that you plan to attend. This application cannot be used to determine your state residency status or financial aid eligibility for state-aided units.

To complete the application, each person within the applicable sections should be answered. Any information that is omitted or left blank may result in delayed or no financial aid. For a list of schools that accept the TASFA, please review the Notes section. If you have any further questions, contact your financial aid office at your institution.

Texas state regulations require all institutions of higher education to complete TASFA acceptance by March 31, 2010 for the 2010-11 award year. It is recommended that applicants complete and submit this application and any required documentation to the financial aid office prior to the state priority deadline.

STEP ONE: STUDENT INFORMATION

1. Last Name
2. First Name
3. Social Security Number
4. Date of Birth
5. Mailing Address
6. City
7. State
8. Zip Code
9. Phone Number
10. High School Name
11. High School City
12. High School Attended
13. Parents/Siblings
14. State (Residency)
15. Date of Graduation
16. College/University
17. College/University Address
18. College/University City
19. College/University State
20. College/University Zip Code
21. College/University Phone Number

2. Address
3. Social Security Number
4. Date of Birth
5. Mailing Address
6. City
7. State
8. Zip Code
9. Phone Number
10. High School Name
11. High School City
12. High School Attended
13. Parents/Siblings
14. State (Residency)
15. Date of Graduation
16. College/University
17. College/University Address
18. College/University City
19. College/University State
20. College/University Zip Code
21. College/University Phone Number

Help is available.
For assistance with the TASFA, call

1-888-311-8881
TEXAS FINANCIAL AID INFORMATION CENTER

2016-2017 Texas Application for State Financial Aid
Page 2
### Part B: 2015 Untaxed Income

#### 61. Child support received for any of your children.

#### 62. Housing, food, and other living allowances paid on your behalf.

#### 63. Other untaxed income not reported.

- [ ] wages
- [ ] commissions
- [ ] tips
- [ ] other [specify]

#### 64. Cash earnings (wages not based on time or any form)

#### 65. Total Untaxed Income

<table>
<thead>
<tr>
<th>STUDENT</th>
<th>SPOUSE</th>
<th>PARENT 1</th>
<th>PARENT 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Part C: 2015 Additional Financial Information

#### 70. Child support paid.

#### 71. Taxable earnings from work-study or other need-based work programs.

#### 72. Earnings from work under a cooperative education program offered by a college.

### Part D: Assets

#### 73. As of today, what is the total current balance of cash, savings, and checking accounts?

#### 74. As of today, what is the net worth of investments, including real estate?

#### 75. As of today, net worth of current businesses and/or investment firms?

### Part E: Federal Assistance Programs

- [ ] Medicare/Supplemental Security Income (SSI)
- [ ] Supplemental Nutrition Assistance Program (SNAP)
- [ ] Free or Reduced Price School Lunch
- [ ] Temporary Assistance for Needy Families (TANF)
- [ ] Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

### Part F: Non-Tax Items

- Only complete if you (and your spouse) did not file taxes in 2015, or your parent(s) did not file taxes in 2015, if general information is required.

#### 77. List of expenses or public assistance you and/or your family used to pay for living expenses. Your financial aid office may request additional information. (If you [and your spouse] and/or your parent(s) did not meet either of the IRS income filing thresholds from earnings or self-employment, and did not file taxes, please provide a breakdown of your living expenses e.g. rent, food, utilities, etc.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost for the year</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>0.00</td>
</tr>
</tbody>
</table>

### Step 1: Signature

- I understand that under Texas Education Code, Section 51.9091, I must be registered with the Selective Service System according to the requirements of law. In order to receive Federal financial aid, am I required to register?

- [ ] Yes
- [ ] No

- I certify that the information provided on this form is true, complete, and correct to the best of my knowledge. I understand that any false statements may void my eligibility for state financial aid. I also certify that the information provided on this form is true, complete, and correct to the best of my knowledge. I understand that any false statements may void my eligibility for state financial aid.

- [ ] Student Signature
- [ ] Date

- [ ] Parent Signature
- [ ] Date

*Only required if all questions in Step 2 were answered “No”*
CONFIRMATION OF ELIGIBILITY FOR TEXAS EDUCATIONAL OPPORTUNITY GRANT (TEOG) AND TEXAS GRANT

If a student is applying to a two-year institution (such as South Texas College, Texas Southmost College, and Texas State Technical College), the student must complete and submit Worksheet 1 along with their TASFA form. The University of Texas Rio Grande Valley will only request this document if the student is offered the Texas Grant. Worksheet 1: Confirmation of Eligibility Texas Educational Opportunity Grant (TEOG) and Texas Grant can be accessed at http://www.ave.org/pay-for-college/apply-for-aid/quick-guide-to-the-texas-application-for-state-financial-aid.cfm#downloads. A blank copy of this form is provided on the page that follows.

Worksheet 1: Confirmation of Eligibility for Texas Educational Opportunity Grant (TEOG) and Texas Grant

1. Have you ever been convicted of a felony or an offense involving a controlled substance? (Do not count convictions that were pardoned or removed from your record.)
   - Yes □
   - No □

2. Have you received a certificate of discharge by the Texas Department of Criminal Justice or correctional facility or completed a period of probation ordered by a court?
   - Yes □
   - No □

2a. If you received a certificate of discharge, enter the date of when you received the certificate of discharge: __________________

2b. If you completed your probation period, enter the date when you completed your period of probation: __________________

3. Add two years to the date entered on 2a or 2b and enter here:
   Eligibility Date: __/__/____

I hereby certify that the information I have provided is true and correct. I understand that if I fail to provide accurate information, I may be required to reimburse the institution and penalties may be imposed.

Signed: __________________________
Date: ____________________________

What if the student’s parents do not file taxes or are unwilling to do so?
Students whose families do not file an income tax return must contact each college or university for their non-tax filer form. This will likely flag their financial aid application for additional review. Encourage students to check their email and each school’s financial aid portal frequently to respond as soon as possible to any messages requiring additional information.

Can undocumented students participate in Work Study?
Undocumented students are not eligible for federal funding and therefore are ineligible for Federal Work Study. However, if a student has received a Work Authorization Card through DACA, they may be eligible to work at their school through State Work Study or Institutional Work Study programs. Students should consult with their college/university to see if they hire students on campus outside of the Federal Work Study Program.

If a student was approved for DACA, are they now eligible for federal funds?
No, DACA does not change a student’s eligibility for federal aid. However, students are still eligible for State Financial Aid.

If a student goes to college out of state, will they be eligible for financial aid?
Students may be eligible for institutional aid, but not for federal aid.

When should students turn in their financial aid application?
State financial aid funding is limited. Students should submit their application as soon as possible after January 1st.

What if the student has not lived in Texas for three years, can they still get in-state tuition?
Some students who have only been in Texas for one year may still be eligible for in-state tuition. Check with the college/university to see if the student meets any of the additional requirements based on the student’s visa status. If they don’t, they will not be eligible for State financial aid; however, they could still be eligible for institutional aid. If the student has a strong high school record, you should encourage them to apply to competitive colleges and universities that provide aid for immigrant students. Lastly, you can also refer to the list of scholarships available to undocumented students as a resource for additional aid.

What is an ITIN?
ITIN stands for Individual Taxpayer Identification Number. This number allows individuals to comply with US tax laws.

What is a tax transcript?
A tax transcript serves as a receipt from the federal government; it is provided as proof that the government received an individual’s tax information.
Non-State Aid Options

Aid from Colleges and Universities
• Institutional scholarships, grants, loans, or work-study programs
• Availability of institutional aid varies widely
• Scholarship funds come with a merit component

Examples of Aid from Private Sources
• FastWeb
• Mexican American Legal Defense and Education Fund
• Get Ready for College
• Latino College Dollars
• Scholarships for Hispanics
• Genesco Migrant Center
Options for Financial Aid

• Locating private aid sources is labor intensive and time consuming
• Be proactive and identify local sources of aid
• Make information easily available
• You may need to refer students to an attorney familiar with immigration law and regulations about the feasibility of the student obtaining permanent status in the U.S. to open up more options to the student
Legal Resources

- NASFAA’s [List](http://www.nasfaa.org) of Policies and Laws on Undocumented Students per state
- NILC Resources
  - Map [http://www.nilc.org/eduaccessstoolkit2.html#maps](http://www.nilc.org/eduaccessstoolkit2.html#maps)
  - Information on DACA [http://www.nilc.org/dreamdeferred.html](http://www.nilc.org/dreamdeferred.html)
- Educators for Fair Consideration (E4FC) [http://e4fc.org/](http://e4fc.org/)
- Immigrant Legal Resource Center [www.ilrc.org](http://www.ilrc.org)
- [www.adminrelief.org](http://www.adminrelief.org)
- [www.iamerica.org](http://www.iamerica.org)
- Catholic Legal Immigration Network, Inc. (CLINIC) [https://cliniclegal.org/](https://cliniclegal.org/)
- We Own the Dream [www.weowndream.org](http://www.weowndream.org)
- U.S. Citizenship and Immigration Services [www.uscis.gov](http://www.uscis.gov)