



October 20, 2015

Dear College and University Leaders:

As the new academic year proceeds and campuses continue to open their doors to welcome students of all backgrounds, I am writing to provide information about the U.S. Department of Homeland Security (DHS) Deferred Action for Childhood Arrivals (DACA) process and to share information about access to higher education for undocumented youth, including those who have received DACA. Education is a critical pathway to success for young people, including those who are immigrants and undocumented, and I want to take this moment to encourage you to explore these resources and utilize them to better serve and support undocumented youth, including DACA recipients.

Under DACA, youth who were brought to the United States as children and who meet certain guidelines – including educational guidelines such as being enrolled in school, having graduated or obtained a certificate of completion from high school, or a State-recognized high school equivalency certificate – may request consideration for deferred action, which constitutes a case-by-case determination by DHS not to pursue an individual’s removal from the United States for a temporary period as a matter of prosecutorial discretion. DACA recipients may also apply for work authorization.

The Department of Homeland Security (DHS) reports that more than 680,000 individuals from countries all over the world have received DACA since 2012. Many of your institutions have provided critical assistance to DACA recipients, such as helping students to obtain copies of enrollment and other documentation that demonstrates that they meet the threshold educational guidelines. Since 2014, youth who requested DACA in 2012 may request consideration for DACA renewal. Also, individuals who meet the DACA guidelines and who have not yet initially requested DACA can still do so.

Some researchers estimate that nearly 1.5 million children and youth currently meet the DACA guidelines or will do so in the future.¹ As DACA recipients enter the renewal process and youth request DACA for the first time, your campuses and staff have the opportunity to support students and be a conduit for pertinent resources to reach youth and their families. Detailed information about requesting DACA is available from DHS [here](#) (and in multiple languages [here](#)) as well as in the [*DACA Toolkit: Resources for Community Partners*](#) guide that is designed to help youth, families, and community advocates understand and navigate the DACA process. There is also important information about avoiding immigration scams and unauthorized practitioners of immigration law that is available on the DHS Web site at uscis.gov/avoidscams.

¹ <http://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles>

Many of the same considerations that apply to undocumented students in general with respect to access to higher education also apply to DACA recipients. Federal law generally does not prohibit the admission of undocumented students – including DACA recipients – to postsecondary educational institutions, including public institutions. Similarly, Federal law generally does not require a postsecondary educational institution to determine or request any student’s citizenship or immigration status prior to enrollment. Only under limited circumstances, commonly pertaining to the [Student and Exchange Visitor Program](#), would a postsecondary educational institution be required to report a student’s citizenship or immigration status to the Federal government. However, individual States may have laws or policies relevant to these issues.

Undocumented students, including DACA recipients, are currently ineligible for Federal student financial assistance authorized under Title IV of the Higher Education Act of 1965. However, such students may be eligible for State, institutional, and private student aid. Similarly, undocumented students, and specifically DACA recipients, may be eligible to receive in-State tuition under State law for their enrollment in public postsecondary educational institutions. This depends on State laws and policies. More information can be found in the enclosed Resource Guide and related materials. The [Graduate! Financial Aid Guide to Success](#), created by the White House Initiative on Educational Excellence for Hispanics, contains helpful information for students and families navigating the college application process, including DACA recipients and other undocumented students.

Certain States and institutions have their own procedures and policies regarding student aid for undocumented students. To assist States and postsecondary educational institutions in determining students’ eligibility for State and institutional student aid, any student issued a Social Security number by the Social Security Administration, regardless of citizenship or immigration status, may complete the Free Application for Federal Student Aid (FAFSA), even if the student would not be eligible for Federal student financial assistance. DACA recipients with work authorization may be eligible for Social Security numbers – and, accordingly, they can complete the FAFSA. This [fact sheet](#) from our Federal Student Aid office provides additional information on financial aid, and other resources are enclosed.

As you work to serve and support all students, please consider the promising practices in the attached Resource Guide, which may be helpful to undocumented students (including DACA recipients), families, and the educators who serve them. You can also access educational resources on the U.S. Department of Education’s [Web site](#). I hope that you find this information helpful and share it with others at your institution – including financial aid administrators, admissions teams, career counselors, interested faculty, and students. Thank you for all that you do to support all students on your campus and your attention to this important issue, and best wishes for a productive academic year.

Sincerely,

Arne Duncan

Enclosure: [“Resource Guide: Supporting Undocumented Youth”](#)