“CAUGHT IN THE CROSSFIRE”:
EFFECTS OF POLICY AMBIGUITIES AND INCONSISTENCIES ON HIGHER
EDUCATION PROFESSIONALS PROVIDING SUPPORT TO
UNDOCUMENTED STUDENTS

by

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Policy ambiguities and inconsistencies at federal, state, and institutional levels regarding undocumented student access to and success in higher education have created a variety of effects for professionals working within institutions who seek to support these students. This study investigated the nature of these effects and the overall experiences of higher education professionals through in-depth interviews and provided interpretation through the frameworks of institutional and critical race theories. Five research questions guided the study: (a) why do higher education professionals work to assist undocumented students with college access and success?; (b) what issues/barriers do higher education professionals face in assisting undocumented students with college access and success?; (c) do issues differ between individuals working in states with permissive in-state tuition policies and individuals working in states with restrictive/absent in-state tuition policies?; (d) what strategies do higher education professionals utilize in order to affect change of institutional policies, practices, commitments, and attitudes about undocumented student access and success?; and (e) what strategies do higher education professionals utilize in order provide direct assistance to undocumented students? Analysis of data demonstrated that professionals engaged in undocumented student support as a result of particular experiences regarding this population and because of a priori commitments. Issues/barriers individuals faced
included finances, lack of leadership/institutional support, secrecy, advising burdens, and role struggles. There were no differences between the experiences of professionals in permissive tuition policy states and restrictive/no tuition policy states. With regard to strategies for institutional change, individuals expressed networking, leadership lobbying, education, and direct challenges as main themes; and professionals cited the use of policy loopholes and the building of key relationships as strategies to directly assist undocumented students. Together, the information collected from higher education professionals illustrated an emerging pattern with regard to their experiences in supporting undocumented students. As a result of this study, individuals can take more active and informed approaches in advocating for consistent and comprehensive policies for this population at institutional, state, and federal levels.
Dedication

To my best friend and partner, Ali, who has known the stigma of being undocumented. Also, to my Mom and Dad who instilled in me the value of education—thanks for reviewing those Sesame Street alphabet flashcards with me every morning as I sat in my crib.
Acknowledgements

There were many people who contributed to the completion of this dissertation, without whom I may have never finished the work. First, I express my sincere gratefulness to the individuals who were willing to be interviewed for the study. I felt as if I was granted access to something very valuable. Know that I have treated each of your stories and experiences with the care in which they were shared with me.

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CHAPTER 1

INTRODUCTION

Background

I graduated [high school] with honors. I was so happy that I asked my counselor to help me go to college. She told me that I was just another undocumented girl and that she could not help me. I insisted she help, but she only wrote on my school records on red ink, “She is undocumented.” I thought my dreams would not end here. I knew that school was the only way for me to be successful. I went to a local college and was initially told I could not enroll because I was undocumented; but God was with me and he provided an angel willing to help me fulfill my dream. (Harmon, Carne, Lizardy-Hajbi, & Wilkerson, 2010)

These are the words of “Sara,” a now legal immigrant who first arrived in the U.S. as an undocumented 12-year-old child. Her story is one of personal tragedy and determination in the struggle to achieve an education that she believed would change her life and create opportunities far beyond her imagination. Today, Sara possesses two associate degrees and owns a successful business. In Sara’s mind, her accomplishments
are a result of both personal persistence and the willingness of an “angel,” a higher education administrator that she was able to form a relationship with, to work on her behalf and grant Sara access to a college education. Sara’s story is not an uncommon one. Educators, both within the realms of K-12 and postsecondary education, have continued to assist undocumented students who come to them seeking information about college options, available financial resources, clarification on current immigration laws, and overall support.

According to the American Association of Collegiate Registrars and Admissions Officers (2009), the term undocumented student refers to “a non-citizen who does not hold an immigration or visa status that would permit the student to be lawfully present in the United States” (para. 2). Through the Supreme Court ruling of Plyler v. Doe (1982) that granted undocumented children equal right and access to public K-12 education, an estimated 50,000 to 65,000 undocumented students graduate from high schools or receive their GED each year (Morse & Birnbach, 2010).

Although no federal laws prohibit undocumented students from applying to and attending U.S. colleges and universities (The College Board, n.d.), these laws do not address the issue of financial access to higher education and the provision of legal paths to residency in any consistent manner. Ambiguities at the federal level and, as a result, variations in policies at state and institutional levels have created particular effects for both undocumented students and the higher education professionals who seek to assist these students in obtaining higher education. In particular, higher education professionals are not only unable to decipher the intent and application of these policies that exist at varying levels, but are also frustrated by the lack of training and education that they
receive in handling the unique issues that undocumented students present in the college setting (Oseguera, Flores, & Burciaga, 2010).

The challenges that these professionals face and their experiences within particular policy and institutional settings serve as the basis of this study. Keeping this in mind, it is important to first discuss the overall social contexts in which immigration is understood in the U.S. and the issues facing undocumented students who desire a college education in order to properly frame the issues and experiences of higher education professionals.

**Constructing the Problem**

**Framing of Undocumented Immigrants**

According to Passel and Cohn (2009), about 59% (seven million) of all undocumented immigrants are from Mexico, 11% from Central America, 11% from Asia, 7% from South America, 4% from the Caribbean, and less than 2% from the Middle East. In total, it is estimated that there were 11.9 million undocumented immigrants living in the U.S. as of 2008; it is presumed that the current number did not increase or decrease in 2009. Overall, there are approximately 1.5 million undocumented children and youth under the age of 18 living in the U.S. When combined with the total number of children who are U.S. citizens but have undocumented parents, also known as the 1.5 generation (Rumbaut, 2008), this number increases by an additional four million (Passel & Cohn, 2009).

For the most part, the ways in which immigration and, in particular, undocumented immigration have been framed by media and other entities in the U.S. are problematic. For example, labeling undocumented immigrants as “criminals” undermines
the political and economic reasons that individuals and families have migrated to the U.S. in the first place and masks the struggles for survival that undocumented people face on a daily basis (Miller, 2008). Moreover, this type of labeling is inaccurate, according to a recent study by Wadsworth (2010). Wadsworth challenged the notion that immigrants increase crime rates by using data from the U.S. Census and Uniform Crime Report to determine effects of changes in immigration on homicide and robbery rates in cities over 50,000. Results indicate that “cities with the largest increases in immigration between 1990 and 2000 experienced the largest decreases in homicide and robbery during the same time period” (Wadsworth, 2010, p. 531). These findings indicate, in part, that growth in immigration may be responsible for the crime drop of the 1990s.

Consequently, the manner in which media have framed undocumented immigrants as a whole has affected undocumented students in their quest for higher education and has created devastating policy effects for these individuals. The latest attempts to re-introduce and discuss the DREAM (Development, Relief, and Education for Alien Minors) Act were suddenly defeated on Tuesday, September 21, 2010 when a motion that would have begun discussion of the legislation was voted down in the Senate (Field, 2010). Republican Senator Scott Brown stated, “I am opposed to illegal immigration, and I am deeply disappointed that Washington politicians are playing politics with military funding in order to extend a form of amnesty to certain illegal immigrants” (Associated Press, 2010, para. 5). The senator’s framing of these students as nothing but lawbreakers denies any kind of support that would allow undocumented students opportunities for success as Americans.
Positively, efforts to pass an in-state tuition bill for undocumented students in Kansas were due in large part to the reframing of the policy outcome as “educating kids” rather than “coddling criminals” (Reich & Mendoza, 2008). Additionally, some scholars have attempted to reframe the definition of citizenship in order to create a broader discourse that includes undocumented immigrants. Varsanyi (2006) argued that through understandings of normative, rescaling, and agency-centered citizenship, the overall notion of citizenship should be based within the local community, not within states or the federal government. Because undocumented immigrants are located within the context of the local community and are contributors to that community, they should be treated as such. Varsanyi also argued that in-state tuition laws for undocumented students verify this notion of citizenship as being locally situated.

These examples of positive reframing can have important effects for undocumented students, as demonstrated. However, reframing these debates within the larger national context is an on-going process that will require a large cultural shift both in the national media and within local communities.

**College Dreams for Undocumented Students**

Anywhere from 5% to 10% of the 65,000 undocumented children who graduate from high school or get their GED each year go on to pursue a college education (R. G. Gonzales, 2007). Undocumented students can be found in any community across the U.S.; however, there are higher concentrations of students in large urban areas like New York, Houston, and Los Angeles (Gildersleeve, 2010). They may seek admission to any type of higher educational institution, but trends suggest that many attend community college (Biswa, 2005).
There are currently 11 states that possess laws granting in-state tuition to undocumented students—California, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Texas, Utah, Washington, and Wisconsin (Bykowicz and Linskey, 2011; Morse and Birnbach, 2010). For undocumented students living within these states, there is strong evidence that these particular policies have had a positive effect and increased the college attendance and graduation rates of this population (Abrego, 2008; Cortes, 2008; Flores, 2010; Jauregui, Slate, & Brown, 2008; Kaushal, 2008). However, a number of barriers remain for undocumented students before, during, and after college.

According to Arriola and Murphy (2010), undocumented students’ college options are severely limited by their citizenship status. Not only are they unable to receive federal funding such as Pell grants, but they are also unable to apply for state aid in most cases. Social barriers include not being able to receive a driver’s license, fly on an airplane, study abroad, participate in alternative spring break, or work on campus. Unlike their documented peers, college choice for undocumented students is not based upon academic accomplishments and dreams but, rather, on economic, legal, and familial factors (Jewell, 2009; J. K. Lopez, 2010; López & López, 2010).

From a rights-based perspective, undocumented children and youth who have grown up in the U.S. deserve the same opportunities as their documented peers (Rincón, 2008). R. G. Gonzales (2009) posed the following questions: “Do our responsibilities for undocumented children end when they graduate high school and become undocumented adults? What does it mean to provide children with certain rights and protections that ultimately expire?” (p. 421). Because Plyler v. Doe only grants education to undocumented students through high school, there are no means beyond that point for full
integration as adults into the same society that granted them opportunities and protection as children.

Despite these barriers, undocumented students have persisted in the college setting and become advocates for their own cause. Several studies have demonstrated that undocumented students are in fact pursuing a college education, engaging in college life through participation and leadership in extracurricular activities, and graduating from U.S. colleges and universities (Albrecht, 2007; Flores & Horn, 2009; Oliverez, 2006; Perez, Espinoza, Ramos, Coronado, & Cortes, 2009). In addition, undocumented students at institutions across the country have begun to develop networks with one another in order to advocate for legislation that will guarantee them a path to residency and citizenship (Dominguez et al., 2009; Villegas, 2006). The issue remains, however, that upon undocumented students’ graduation from college, they are still ineligible to obtain legal employment that would increase the cultural capital of these individuals and their families. If more undocumented students were given the opportunity to pursue a higher education, they would obtain higher-paying jobs, allowing greater contribution to and investment in the U.S. economy (R. G. Gonzales, 2007).

Higher Education Professionals and Undocumented Students

According to a national survey conducted by the American Association of Collegiate Registrars and Admission Officers (AACRAO) (2009), over half of institutions surveyed (53.6%, n = 206) knowingly admit undocumented students to degree or diploma programs under certain circumstances. This includes not only 2-year community colleges, but also 4-year public and private colleges. In addition, when asked whether institutional policies on undocumented student admission were state- or
institutionally-mandated, 57% ($n = 223$) stated that it was an institutional policy and 35.3% ($n = 138$) said that this was a state policy (there was no option for participants to select both choices). These results indicate that not only are undocumented students gaining increased access to a variety of institutions of higher education, but institutions are also largely setting their own policies on admission practices for this population of students in order to interpret and clarify state and federal policies. These statistics have great implications for higher education professionals who desire to create or have already created strategies for advocating policy changes at the institutional level.

On a relational level, the words of one college counselor summarize the experiences and feelings of many higher education professionals who seek to assist undocumented students in obtaining a college education but are frustrated by the ambiguities and inconsistencies in policy:

As college counselors we realize that until laws change, this is our reality. These are good students who are kind, generous, hard working and bright. Any of them have the potential to be great leaders but, more importantly, good friends and neighbors in our community. Our reality and our responsibility is to work together with them to arrive at the best situation possible, even if it means revising students’ dreams and constructing educational work-arounds with the help of colleges and donors if possible. [These students] depend on us and deserve a better life in our land of dreams. (Arriola & Murphy, 2010, p. 28)

The sentiments of this individual highlight three main themes: (a) the current political reality does not provide solutions for professionals regarding undocumented student service and support; (b) despite this reality, individuals are committed to helping students
achieve their educational goals; and (c) professionals feel a sense of responsibility as educators to work together with students in order to find solutions. In summary, higher education professionals are attempting to bridge the gap between these policies and the needs of undocumented students, helping individuals to navigate institutions and systems that are not entirely helpful or clear.

Higher education professionals are just now beginning to articulate the issues that they are facing with regard to this population. For years, professionals have been relegated to the same levels of secrecy that the undocumented students they support have endured (López & López, 2010). Even today, many are still fearful that creating any kind of attention to this issue will incite negative attention for undocumented students (Groseclose, 2010). Moreover, individuals who have found ways to assist these students do not consider themselves to be “experts” on the topic and, as a result, have not been proactive in sharing information and resources to a wider audience.

To date, pertinent research (Cortes, 2008; Domínguez et al., 2009; Flores & Horn, 2009; Oliverez, 2006; Perez, 2009; Perez et al., 2009) has mainly focused on the individual impact of these policies from the sole perspective of the undocumented student with little regard for the experiences of higher education professionals charged with implementing the policies. While several organizations have begun publishing practical articles and guides for professionals on assisting undocumented students, including ACPA: College Student Educators International (Chen & Herrera, 2010) and the National Association for College Admission Counseling (see Journal of College Admission, 2010), there is no thorough study in existence to date that focuses solely on the experiences of higher education professionals. It is noted, however, that some resources have been
developed through non-profit organizations to assist high school students in California, particularly through the efforts of Paz Oliverez, Executive Director and Founder of Futuros Educational Services, and Katharine Gin, Executive Director and Co-Founder of Educators for Fair Consideration. Non-profit organizations in other states are also beginning to create websites and printed resource lists, but there is no coordinated effort on a multi-state level.

Even broader, more inclusive systemic policy analyses (Abrego, 2008; Connolly, 2005; Espenoza, 2009; Espinoza, 2009; Flores, 2007; Fung, 2007; Russell, 2007) do little to focus on the experiences and roles of professionals who provide resources and information for these students. This research gap is best summarized by Oseguera, Flores, and Burciaga (2010) in their discussion of community college support: “Unfortunately, there is a dearth of research about how student services professionals interact with undocumented students from the perspective of student services professionals” (p. 41).

**Purpose of the Study**

This study is an attempt to locate the experiences of U.S. higher education professionals within their particular state and institutional policy contexts by determining the effects of such policies on individuals’ abilities to support and assist undocumented students. Additionally, this study also seeks to determine the strategies and resources that these individuals utilize in order to bring about change at the institutional level.

To be clear, the research does not focus on the experiences of higher education professionals who do not offer direct support or services to undocumented students. Individuals may or may not possess favorable opinions of legislation designed to assist undocumented students in obtaining higher education; however, if their role is to assist
these students or if they have been approached by undocumented students and provided assistance to them in any way because of their role as educational professionals, their experiences and perspectives will be valuable to this study. Overall, this study seeks to gain information regarding the actions and perspectives of those professionals who are at the grassroots level in providing college support and assistance to undocumented students.

**Research Questions**

Based upon current research gaps surrounding knowledge about the particular experiences of higher education professionals who assist undocumented students, and in light of policy ambiguities and inconsistencies at institutional, state, and federal levels, the study seeks to answer the following research questions:

1. Why do higher education professionals work to assist undocumented students with college access and success?

2. What issues/barriers do higher education professionals face in assisting undocumented students with college access and success?

3. Do issues differ between individuals working in states with permissive in-state tuition policies and individuals working in states with restrictive/absent in-state tuition policies?

4. What strategies do higher education professionals utilize in order to affect change of institutional policies, practices, commitments, and attitudes about undocumented student access and success?

5. What strategies do higher education professionals utilize in order provide direct assistance to undocumented students?
These research questions seek to capture the perspectives and actions of higher educational professionals within a particular policy context and who possess the specific experience of working with undocumented students in the college and university setting. They highlight a need to understand the differences and similarities between individuals’ experiences based upon their in-state tuition policy for undocumented students, as well as other factors regarding school type. The queries also capture professionals’ methods and strategies for inciting institutional change on this issue. Overall, these questions will offer a grassroots-level picture of the current state of affairs for college educators on the topic of undocumented student access and success.

**Theoretical Framework**

In order to holistically describe the issues faced by higher education professionals who work with undocumented students in the midst of ambiguous and inconsistent policies and to gain an understanding of their strategies for institutional change, two main theories framed the study: (a) institutional theory (J. W. Meyer, 1977; J. W. Meyer & Rowan, 1977) and (b) critical race theory (CRT) (Bell, 1995; Delgado & Stefancic, 2000). These theories offer a contextualized understanding of current policy ambiguities and inconsistencies with regard to undocumented students while making sense of higher education professionals’ actions as possible unintended effects of this particular policy dynamic.

**Institutional Theory**

**General framework.** The origins of institutional theory were developed in the late nineteenth and early twentieth centuries under the auspices of neoclassical theory in economics, behavioralism in political science, and positivism in sociology (Scott, 2004).
Sociologist Emile Durkheim (1961) originally described institutions as products of joint human activity that are comprised of sets of symbols, both cognitive and moral. According to Durkheim, “Once formed, institutions are profound external sources for the regulation of human conduct and the stabilization of social structures” (Bidwell, 2006, p. 34). Throughout the evolution of institutional theory, scholars have ascribed to this basic understanding of institutions as emergent spaces in which symbols and social relationships are negotiated.

Therefore, institutional theory seeks to determine “how people actively construct meaning within institutionalized settings through language and other symbolic representations” (H.-D. Meyer & Rowan, 2006, p. 6). Institutional theory posits that these constructions of meaning are shaped by larger social and cultural beliefs (Burch, 2007). For example, institutional theory has been used to examine the relationship between educational policy (i.e., larger social and cultural norms) and classroom practices within varying school settings (i.e., organizational behavior) (Coburn, 2006). Theorists have developed language to describe the nature of the relationship between policy and administration or policy and practice. Loose coupling refers to a weak tie between elements; in contrast, tight coupling signals a strong relationship between practice/administration and policy (Weick, 1976).

There are a number of factors that determine whether policies and institutions are loosely or tightly coupled. Research indicates that institutional contexts mediate implementation choices when it comes to overarching policies. Based upon results of a Rand Change Agent study in the 1970s that examined four federal programs intended to create innovative practices in public schools, McLaughlin (1990) argued that it is difficult
for policy to change practice at the grassroots level and that local institutional capacity and will determines the amount of change that the policy actually creates. Edelman (1992) came to similar conclusions but broadened the conversation to include other factors that can affect the policy and practice relationship:

The opportunity for organizations to mediate law is variable. Laws that contain vague or controversial language, laws that regulate organizational procedures more than the substantive results of those procedures, and laws that provide weak enforcement mechanisms leave more room for organizational mediation than laws that are more specific, substantive, and backed by strong enforcement. (Edelman, 1992, p. 1532)

Edelman, in reference to the work of Scott (1983), also distinguished between two different types of symbolic responses to policy: (a) formal structures, which consist of rules, programs, positions, and procedures; and (b) informal structures, which include the behaviors of individuals in positions and informal norms and practices. Together, these responses are subsumed under the broader process of structural elaboration that institutions undergo in complying with and implementing policy changes.

This basic framework is beneficial for studying the experiences of higher education professionals who assist undocumented students for two main reasons. First, institutional theory contextualizes the relationship between policy and practice and the factors that affect implementation at the ground level. Because policies regarding undocumented students vary at the federal, state, and institutional levels, ambiguities exist that create opportunity for differences in practice at the ground level. Second, institutional theory provides a macro-level framework for understanding the ways in
which social and cultural norms shape policy formation at all levels (Figure 1). Norms and beliefs regarding immigration and undocumented immigrants assist in explaining interpretive policy differences at the federal level and actual differences in in-state tuition policy at state and institutional levels.

Figure 1. Macro-Level Policy Framework.
**Institutional change.** The concept of institutional change within the framework of institutional theory has been developed in recent years in ways that are relevant to this study. Rather than utilizing traditional top-down approaches to understanding institutional change (also known as *exogenous* change), scholars have begun to examine bottom-up approaches as catalysts for change (*endogenous* change) and the ways in which individuals, also known as *actors*, affect change in the local field (Burch, 2007).

There are several endogenous institutional change models that scholars have developed in order to capture this phenomenon. Dorado (2005) proffered that the process of institutional change varies depending on three factors: (a) agency, (b) resource mobilization, and (c) opportunity. He argued that the concept of *agency*, or “the motivation and the creativity that drives actors to break away from scripted patterns of behavior” (Dorado, 2005, p. 388), can be defined as strategic (future-oriented), routine (oriented to the past), or sense-making (oriented to present times of uncertainty).

*Resource mobilization*, or the garnering of social, material, or cognitive resources, can be used to leverage support and influence others toward institutional change. One important way in which this is accomplished is through *reframing* an issue or problem (see also Suchman, 1995). According to Burch (2007), “If people are able to name a problem as something meriting collective attention, they take the first step in resolving it in a new manner; they begin to experiment with alternative strategies” (p. 89). Other methods of resource mobilization include *partaking*, the independent and interdependent actions of individuals over time to create new innovations, and *convening*, which involves the collaboration of several organizations to solve a problem.
The third factor that Dorado (2005) argued involves the level of opportunity that is perceived by and available to actors within an institution. *Opportunity* is defined as “the likelihood that an organizational field will permit actors to identify and introduce a novel institutional combination and facilitate the mobilization of the resources required to make it enduring” (Dorado, 2005, p. 391). He asserted that organizations are either opportunity opaque (highly isolated/institutionalized), transparent (institutionalized yet open to change), or hazy (unpredictable). Depending on the level of opportunity that actors perceive within an institution, it may be more or less difficult to create change.

Another model of institutional change draws upon the concept of *ideological conflict*. According to Burch (2007), actors “can use ideological conflict in the field to their advantage, for example, by forming alliances with more powerful members of the field who share their views and can help their ideas gain a foothold” (p. 89). Through the ambiguity of conflict, actors within an institution can also gain legitimacy by connecting their ideas to previously established policies or goals such as efficiency, equity, or liberty. This model can be especially important in understanding higher education professionals’ experiences in light of ideological and policy conflicts regarding undocumented student access and success.

A final model of institutional change has been developed by Oliver (1991). The model offered by this scholar was intended to suggest a macro-level typology of strategic responses that organizations embody in reaction to institutional processes enforced by larger policy (see Table 1). However, this model is also highly useful in describing micro-level individual and collective actor/agent responses within an institution.
Table 1

*Strategic Responses to Institutional Processes*

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Tactics</th>
<th>Examples</th>
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<tbody>
<tr>
<td>Acquiesce</td>
<td>Habit</td>
<td>Following invisible, taken for granted norms</td>
</tr>
<tr>
<td></td>
<td>Imitate</td>
<td>Mimicking institutional models</td>
</tr>
<tr>
<td></td>
<td>Comply</td>
<td>Obeying rules and accepting norms</td>
</tr>
<tr>
<td>Compromise</td>
<td>Balance</td>
<td>Balancing the expectations of multiple constituents</td>
</tr>
<tr>
<td></td>
<td>Pacify</td>
<td>Placating and accommodating institutional elements</td>
</tr>
<tr>
<td></td>
<td>Bargain</td>
<td>Negotiating with institutional stakeholders</td>
</tr>
<tr>
<td>Avoid</td>
<td>Conceal</td>
<td>Disguising nonconformity</td>
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<tr>
<td></td>
<td>Buffer</td>
<td>Loosening institutional attachments</td>
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<tr>
<td></td>
<td>Escape</td>
<td>Changing goals, activities, or domains</td>
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<tr>
<td>Defy</td>
<td>Dismiss</td>
<td>Ignoring explicit norms and values</td>
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<tr>
<td></td>
<td>Challenge</td>
<td>Contesting rules and requirements</td>
</tr>
<tr>
<td></td>
<td>Attack</td>
<td>Assaulting the sources of institutional pressure</td>
</tr>
<tr>
<td>Manipulate</td>
<td>Co-opt</td>
<td>Importing influential constituents</td>
</tr>
<tr>
<td></td>
<td>Influence</td>
<td>Shaping values and criteria</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>Dominating institutional constituents and processes</td>
</tr>
</tbody>
</table>

*Note.* Table from Oliver (1991).

Each of the strategies presented by Oliver contains nuanced tactics that further describe overall actions. For example, *defiance* can take a number of forms: (a) *dismissal*, or ignoring of norms and values; (b) *challenge*, contesting of rules; and/or (c) *attack*, assaulting the source(s) of institutional pressure. It is important to note that several strategies and tactics can be used at once and are not completely autonomous categories.

Oliver (1991) was also able to predict strategic responses and build a number of hypothetical statements based upon several factors such as *context*, *cause*, *constituents*, *content*, and *control*. For example, with regard to the factor of *constituents*, Oliver hypothesized that “the greater the degree of constituent multiplicity, the greater the likelihood of resistance to institutional pressures” (Oliver, 1991, p. 162). Regarding the factor of *content*, “The lower the degree of consistency of institutional norms or
requirements with organizational goals, the greater the likelihood of organizational resistance to institutional pressures” (p. 164).

Each of the institutional change models discussed offer insights and support to the experiences of higher education professionals within their institutional contexts. Dorado’s (2005) change model of agency, resource mobilization, and opportunity creates a framework with which to capture professionals’ self-articulated contexts defining the level and types of support they are able to provide undocumented students within the institution. The notion of ideological conflict provides additional context descriptors. Finally, Oliver’s (1991) typology assists in naming higher education professionals’ responses and actions for institutional change regarding current policies and processes within each of their state and institution locations.

**Critical Race Theory**

Critical race theory (CRT) complements institutional theory by offering a contextual perspective for the current policy issues surrounding undocumented students in higher education, as well as assists in interpreting higher education professionals’ experiences and actions as a result of these policy issues. Originating from critical legal studies (CLS), CRT argues that racism is endemic within American society, a perspective that CLS scholars failed to include in their overall challenges of mainstream legal ideology (Taylor, 2009). Because of the centrality that race has played in the shaping of past and present U.S. laws, CRT seeks to “analyze the myths, presuppositions, and received wisdoms that make up the common culture about race and that invariably render blacks and other minorities one-down” (Delgado & Stefancic, 2000, p. xvii).
According to Solorzano and Bernal (2001), there are five themes “that form the basic perspectives, research methods, and pedagogy of a CRT framework in education” (p. 312). The themes are as follows:

1. **The centrality of race and racism and their intersectionality with other forms of subordination.** CRT holds that race, as well as the actions of racism, are regular aspects of everyday life and are endemic within society. Racism can be defined as “a system of ignorance, exploitation, and power used to oppress African-Americans, Latinos, Asians, Pacific Americans, American Indians, and other people on the basis of ethnicity, culture, mannerisms, and color” (Marable, 1992, p. 5).

   A CRT framework also acknowledges the notion of intersectionalities. In the context of this study, issues of citizenship, when conflated with race, create a dynamic in which beneficial policies for undocumented students become increasingly difficult to introduce and implement. According to Ladson-Billings (2009), “The significance of property ownership as a prerequisite to citizenship was tied to the British notion that only people who owned the country, not merely those who lived in it, were eligible to make decisions about it” (p. 25). Today, this sense of property ownership manifests itself in “rights of disposition, rights to use and enjoyment, reputation and status property, and the absolute right to exclude” (Ladson-Billings, 2009, p. 26).

2. **The challenge to dominant ideology.** This includes “traditional claims the educational system and its institutions make toward objectivity, meritocracy, color-blindness, race neutrality, and equal opportunity. The critical race theorist argues that these traditional claims act as a camouflage for the self-interest, power, and privilege of dominant groups in U.S. society” (Solorzano & Yosso, 2001, pp. 472-473). While higher
education professionals may not be members of racial or other minority groups themselves, many have nonetheless chosen to challenge current policies and procedures through assisting undocumented students and working to create institutional change.

3. The commitment to social justice. Within a CRT framework, the goals of social justice education are to “help people identify and analyze dehumanizing sociopolitical processes, reflect on their own position(s) in relation to those processes . . . and think proactively about alternative actions given this analysis” (Adams, Bell, & Griffin, 2007, p. xvii). This kind of education is liberatory and transformative and is aimed at eliminating oppression in such forms as racism, sexism, heterosexism, and classism. Higher education professionals who provide support and assistance to undocumented students have witnessed first-hand the effects of these dehumanizing processes, namely, the lack of consistent and just policies that would allow these students to pursue educational goals. As educators, these individuals are “trained to promote and support students in their pursuit of knowledge and self-improvement” (Harmon et al., 2010), including undocumented students.

4. The centrality of experiential knowledge. Individuals must be able to fully engage in self-definition and self-determination as a result of their individual and collective experiences. During the period of U.S. history after slavery was abolished, lack of comprehensive laws for former slaves continued to undermine the consideration of African Americans as human beings worthy of a lawful place in society. In many ways, lack of comprehensive laws for undocumented students creates a similar dynamic. Therefore, a sense of self is crucial for individuals because it provides a foundation from
which persons can construct their own counter-narratives to challenge dominant frameworks. Fan (1997) stated:

In stark contrast to traditional rights scholarship, critical race theory eschews the conventions of traditional interpretation and instead endeavors to recognize the voices of outsiders by employing the narrative form and by focusing on interrelationships of race, gender, and other identity characteristics. (p. 1204)

Counter-narratives create the means through which those currently functioning outside the law are able to gain legitimacy and personhood in dominant discourses. They not only legitimate experiences, but also provide a critique to current legal structures by highlighting the inadequacy of current law to address and support the quest for undocumented students’ college access and success.

5. The interdisciplinary perspective. CRT honors the importance of historical and contemporary contexts and rejects ahistorical frameworks. This understanding of context is especially relevant to the current situation of higher education professionals and undocumented students because it locates individual experiences, struggles, and actions within their particular narratives and counter-narratives. Additionally, CRT gains wisdom from a variety of disciplines including ethnic studies, women’s studies, sociology, history, and law in order to better understand oppression.

Taken as a whole, the lack of comprehensive, just policies that could assist undocumented students in gaining access to higher education can best be described by a CRT concept known as interest convergence. First coined by Derrick Bell, Jr. in 1980, interest convergence holds that “the interests of Blacks [and other minorities] in gaining racial equality have been accommodated only when they have converged with the
interests of powerful Whites” (Taylor, 2009, p. 5). Even though higher education professionals and other scholars realize the economic and cultural benefits of granting increased college access to these students, these kinds of policies do not directly benefit individuals with power and are perceived to take benefits away from deserving white students and grant them to undeserving minority undocumented students (Reich & Mendoza, 2008). Moreover, interest convergence posits that the only way in which “mainstream society” (i.e., all whites regardless of power possessed) as a whole would allow or support permissive higher education policies for undocumented students is to demonstrate what they themselves would gain from such policies.

Additionally, there is a growing body of scholarship on CRT in the field of education analyzing the role that educational policy plays “in the active restructuring of racial inequality” (Gillborn, 2009, p. 51). Gillborn (2009) argued that three main questions must be asked of educational policies in the context of CRT: (a) Who or what is driving education policy (the question of priorities); (b) who wins and who loses as a result of education policy priorities (the question of beneficiaries); and (c) what are the effects of policy (the question of outcomes)? Higher education professionals—individuals who are experiencing at the grassroots level the effects of ambiguous and inconsistent policies regarding undocumented students—can provide helpful feedback for policymakers regarding the priorities, beneficiaries, and outcomes of these policies. In this manner, individuals are offering a perspective that has not been heard throughout the discourse on undocumented student policy and that presents a challenge to the notion that perspectives can be neutral (Bell, 1995).
**Outlaw culture.** One integrative concept within the body of CRT literature that is central to this particular study is what Evans (2000) termed *outlaw culture.* In studying historical contexts of slavery through the lenses of feminist and critical race theories, Evans described African American women as “shapers and transmitters of a positive, outlaw culture, through which black women develop[ed] and formalize[d] strategies for coping with the terrifying exclusion of blacks from the protection of mainstream law” (p. 501). Today, undocumented students are similarly being excluded from protection of laws that would allow them to attend college without significant barriers; thus, a type of outlaw culture is being crafted at the post-secondary level to address the absence of equal access and success. As previously articulated, while some higher education professionals may not be members of racial minority groups themselves, they have nonetheless chosen to engage in formation of outlaw culture through their support of undocumented students and their subversion of dominant ideologies within policy ambiguities and inconsistencies.

While the term *outlaw* can imply that one has broken or is continuing to break a particular law, outlaw culture in this study more aptly refers to the creation of systems that function as law in the absence of a clear, formalized legal structure. In other words, when there is no avenue for justice to be actualized, marginalized groups and their allies create the means through which social justice is realized. Evans (2000) discussed the creation of black women’s clubs in the late nineteenth and early twentieth centuries that sought to provide avenues for social mobility for African Americans in the absence of such initiatives by mainstream society. These women “believed in adherence to the law and social order” (p. 505); and precisely because of those deeply-held beliefs, they
created institutions outside the purview of mainstream law in order to pursue race and gender equity.

Therefore, in this context, outlaw culture is the creation of new systems or the discovery of alternative systems to support undocumented students. The simple existence of these systems calls for the institution of mainstream policies that grant undocumented students the right to pursue their higher educational dreams in a manner similar to those who benefit from full membership in U.S. society. Perez (2009) asserted that denying undocumented students these full membership rights undermines the intent of the Constitution to protect *individuals*, not merely citizens or immigrants.

**Significance of the Study**

To date, there is no study that qualitatively examines the experiences and perspectives of higher education professionals who provide support and assistance to undocumented students within the college setting. For this reason, the results of this study can construct a new area of dialogue regarding individuals who are indirectly affected by undocumented student policies. Once the challenges and strategies for change that higher education professionals have utilized are revealed, there exists an increased potential for individuals to inform policy changes at institutional, state, and national levels.

Additionally, this study will produce increased awareness and further legitimize the issue of undocumented student support in higher education as a critical topic for discussion and action, not only for interested scholars and policymakers, but also for the many higher education professionals who remain “in the shadows” and “underground” on this issue for fear of shedding unwanted attention on undocumented students (Groseclose, 2010; López & López, 2010). Ideally, the strategies, loopholes, and systems that are
mentioned by the higher education professionals in this study will assist and inspire other higher education professionals who are working on this issue within their own institutional settings to move into the foreground and begin discussions and educational efforts on their campuses.

Furthermore, this study is the first of its kind to incorporate institutional theory in analyzing this particular issue. By utilizing ideas from this broad-based framework, the research will attract a wider audience for discussion and input on undocumented student higher education policies. Also, by framing the topic through the lens of institutional change and the effects of ambiguous and inconsistent policies on local practices, the issue of undocumented student access and success is not relegated solely to a “minority/Latino issue” arena with the singular use of critical race theory/Latino critical theory.

This particular study also provides a foundation from which other research can be conducted. Further qualitative studies would lend credibility to the issues described here regarding the policies that provide access and resources for undocumented students. Additional qualitative research must also be conducted with higher education professionals to provide other perspectives and experiences not gathered in this study—for example, conducting interviews with professionals who do not assist undocumented students within their institutions. Quantitative data regarding policy effects would certainly strengthen research in this area as well, particularly with regard to data triangulation.
CHAPTER 2

REVIEW OF THE LITERATURE

Overview

In order to gain a comprehensive understanding of the literature and context of this topic, three separate areas that are pertinent to the framing of the study will be addressed in this chapter: a) U.S. immigration history; b) federal, state, and institutional undocumented student policies; and c) undocumented student access and success. A brief overview of the history of immigration provides a contextual framework for understanding undocumented student policies. The policies themselves are then discussed and critiqued through existing literature on these policies. Finally, a presentation of pertinent literature highlights the work already undertaken by scholars on this subject.

The current body of literature on the effects of undocumented student policies on higher education professionals is virtually nonexistent; however, the general field of undocumented students in higher education is a growing area of interest given the introduction of the DREAM Act in 2003 and in-state tuition policies that have been in place within several states since 2001. There are two main areas of research that scholars
have investigated: a) undocumented student experiences of access to and success in higher education and b) policy effects on undocumented student access and success. Some studies have been published that highlight policy effects on higher education professionals, and those will be discussed at the end of the chapter.

**U.S. History of Immigration**

Providing a brief history of immigration policy creation and implementation in the U.S. will assist in framing the issue of undocumented student access and success in higher education through a broader lens that highlights certain dynamics shaping political discourses today. Overall immigration policy and regulation in the United States has generally been driven by two interrelated factors: a) economic demands and the need for mass labor and b) reinforcement of constructions of race and who qualifies as “American,” which reveals competing notions of citizenship and residency.

Beginning after the Civil War, most immigrants came to the United States for economic reasons. “Immigrants helped solve problems, such as building the population and providing a labor force” (Bailey, 2008, p. 39). Bonacich and Cheng (1984) developed a conceptual model of international labor migration demonstrating that development in advanced capitalist countries created a demand for cheap labor, as well as imperialist and distorted development in third world countries. These factors fostered the importation and immigration of workers in order to fill capitalist demands, a pattern which continues to drive immigration policy regulation today.

Regarding notions of race and immigration, Anna Sampaio (personal communication, 2006) at the University of Colorado at Denver asserted that racial targeting during times of economic slowdowns led to the creation of racialized
immigration control/deportation acts. She further argued that using race as an organizing principle is more likely to mobilize opposition and increase support for restrictive initiatives and legislation. In this regard, race is tied to the notion of citizenship and who has access to certain privileges in U.S. society. According to Spickard (2007), “One’s race determined one’s eligibility for citizenship in the United States right from the start” (p. 89). This eligibility was specifically designed for and conferred upon whites, as posited by CRT scholars (Bell, 1995; Delgado & Stefancic, 2000).

One of the first policies of the newly formed United States government was “An Act to Establish a Uniform Rule of Naturalization” in 1790, which stated:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, that any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof. (Spickard, 2007, p. 89)

This and other founding documents affirm the intent of powerful whites and the policies they created to relegate nonwhites to noncitizen status. Thus, the history of immigration in the U.S. is one in which varying racial minority groups have navigated and endured policies created for the benefit of whites (Taylor, 2009).

With the discovery of gold in California in 1849, Chinese immigrants came to the United States in search of work. By 1851, it was estimated that 25,000 Chinese immigrants were working in California and another 30,000 were laboring outside of California (Bailey, 2008). As a result of this influx, American citizens and other immigrant groups argued that Chinese workers were taking jobs and lowering wages; and
in 1882, the Chinese Exclusion Act was signed into law by President Chester Arthur. This was the first policy that denied individuals entry to the United States based on race. Eventually, all immigrants from Asian countries and non-Asian born descendents of Asians were denied entry into the United States through the Immigration Act of 1917, also known as the Asiatic Barred Zone Act.

In the following years, various laws were enacted that prohibited mostly European and Asian racial groups from entering the United States in great numbers (1921 Quota Act, 1924 National Origins Act). However, between 1911 and 1929, as estimated one million Mexican refugees came across the border to escape the Mexican Revolution. According to Bailey (2008), “The timing was perfect. The United States was suffering a labor shortage due to the military draft, and Mexican workers stepped in to fill jobs in mining, agriculture, manufacturing, and on the railroads” (p. 32). Mexican families settled in the U.S. Southwest and throughout the country and contributed greatly to their communities and to the growing labor market.

With the onset of the Great Depression, about 100,000 Mexican workers willingly returned to Mexico; but another 400,000 were deported by the government, some who were U.S. citizens (Koch, 2006). This repatriation was fueled by xenophobic sentiments as a result of World War I and by a growing number of groups such as the Ku Klux Klan that desired to keep America “pure.” Leading up to this mass deportation, the “Mexican Problem” became a national topic. According to M. G. Gonzales (1999), Mexicans were “accused of increasing community crime rates, lowering educational standards, and creating slums. Mexicans were viewed as a foreign and unfriendly people who were lazy
and unassimilable” (p. 146) and were categorized as racially inferior to whites by academics and government officials alike.

During World War II, however, the demand for labor was once again greatly increased in the United States. In 1942, the Bracero Program was created to import agricultural workers temporarily and to ensure that they were not exploited by employers. The program ended in 1947 but was restarted again in 1951, for during that interim period the program had unofficially continued. Employers circumvented the worker protections in the official program and paid workers lower wages with longer hours and unfavorable working conditions. As a result, thousands of braceros overstayed their permits (Wilson, 2006). In response to the growing number of illegal workers and increased public pressure, the U.S. Border Patrol conducted Operation Wetback in 1954, forcibly removing thousands of illegal immigrants and legal citizens. The program ended by late fall of 1954 due to political scrutiny; for “in attempting to execute Operation Wetback, police and Border Patrol agents swept through Latino neighborhoods interrogating and otherwise harassing Americans of Mexican descent or anyone who ‘looked Mexican’” (Wilson, 2006, p. 511).

The Bracero Program and Operation Wetback did not stop immigration from Mexico, but it did change the nature of the migration to be largely illegal. The demand for low-wage workers was still an enticing incentive for Mexicans. In 1965, the Hart-Cellar Act allowed more immigrants from third world countries to enter the United States and re-opened the doors for Asians to enter the country because of the focus on labor skills and family reunification. During the 1970s and 1980s, the majority of the U.S. population called for comprehensive immigration reform, arguing that immigrants took
citizen jobs and eroded wages and working conditions. During this time, some individual states like California began to take matters into their own hands and pass legislation to address illegal immigration. On November 6, 1986, Ronald Reagan signed the Immigration Reform and Control Act, which sought to provide employer sanctions and create amnesty programs for immigrants who had resided in the United States since January 1, 1982. This act did virtually nothing to curtail illegal immigration, and various attempts to increase the U.S. Border Patrol in the 1990s also failed. In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), among other immigration-related legislation, which tightened immigration deportation and exclusion provisions and was also the first law to address the education of undocumented immigrants with regard to higher education.

Shortly after the September 11, 2001 terrorist attacks, the USA Patriot Act was signed into law by President George Bush on October 26, 2001, which increased the scope of law enforcement agencies to investigate persons within the United States, enhanced enforcement by the Border Patrol along U.S. borders with Mexico and Canada, and expanded deportation of immigrants. As a result of the attacks, anti-immigrant sentiment increased, particularly against anyone perceived to be Muslim (Sengupta, 2001). Since that time, a number of bills have been introduced into Congress that seek to create tighter restrictions on both documented and undocumented immigration to the United States.

Most recently, the state of Arizona passed legislation (S. B. 1070, 2010) that would make failure to carry immigration documents a crime and grant police the right to detain anyone who is suspected of being in the U.S. illegally. President Obama argued
that this law threatened to “undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and our communities that is so crucial to keeping us safe” (Archibold, 2010). Organizations such as the National Association for the Advancement of Colored People (NAACP) and the American Civil Liberties Union (ACLU) issued statements asserting that the legislation legalized racial profiling, and several high-profile protests occurred around the country prior to the end of July 2010 when the legislation was to go into effect. However, on July 28, 2010, U.S. District Judge Susan Bolton blocked these portions of the bill from taking effect (Markon & McCrummen, 2010).

This brief overview of immigration policy history provides a context from which policies regarding undocumented student access to and success in higher education can be situated. Both comprehensive immigration and undocumented student policies are deeply influenced by issues of race, economics, and questions of who qualifies as “American.” In addition, ignoring ways in which media frames immigration debates and influences public attitudes toward immigrants decontextualizes current policy struggles for undocumented students and the higher education professionals who seek to support them.

Federal, State, and Institutional Undocumented Student Policies

Federal Actions

Two major legal acts have been presented in recent years that specifically affect debates surrounding postsecondary educational access and success for undocumented students. The first act of legislation, Section 505 of the Illegal Immigration Reform and
Immigrant Responsibility Act (IIRIRA), was signed into law by President Bill Clinton in 1996 and stated:

Notwithstanding any other provision of law, an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State (or a political subdivision) for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident. (IIRIRA, 1996, para. 505a)

Some interpreters of this law argue that in-state tuition is a benefit not afforded to all citizens, namely, citizens who come from another state and attend a 4-year public college or university. Therefore, in-state tuition benefits should not be granted to undocumented students because this type of action “encourages unlawful presence in the U.S. and unfairly shortchanges those who follow federal immigration laws” (Fung, 2007, p. 417). Others argue that “the provisions of IIRIRA do not preclude states’ abilities to enact residency statutes for the undocumented” (Olivas, 2004, p. 453). In other words, Congress does not possess the authority to regulate state benefits. Additionally, Olivas (2004) asserted that the language of the law actually argues that undocumented students cannot receive greater benefits than nonresident citizens. For example, an undocumented student cannot gain residency in a shorter amount of time than a nonresident citizen. As evidenced, this law has proven to be highly interpretable; and as a result, states have subsequently passed laws that either allow or restrict tuition benefits for these students, with some based on criteria other than residency and others based on stricter requirements above and beyond residency (Connolly, 2005).
Federal legislators have also attempted to offer a more comprehensive solution to the ambiguities of the IIRIRA by drafting legislation specifically for undocumented students, the Development, Relief and Education for Alien Minors (DREAM) Act, which was most recently reintroduced as a stand-alone bill to Congress on March 26, 2009 (a form of this legislation was first introduced in 2001). This act would not only repeal Section 505 of the IIRIRA, but also provide opportunities for undocumented persons to become temporary permanent residents and obtain a postsecondary education or join the military. According to Espinoza (2009), this bill seeks to correct the current system in which children are punished for parental crimes, bring the United States into greater compliance with international human rights laws regarding children and young adults, and increase the economic stability and impact of this particular population. Actions supporting the DREAM Act have recently gained national attention in 2010, with undocumented students and allies organizing rallies, protests, and sit-ins in several states (Zehr, 2010).

**State Actions**

Twelve states have granted in-state tuition for undocumented students: California, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, Washington, and Wisconsin (Bykowicz & Linskey, 2011; Morse & Birnbach, 2010). In 2008, Oklahoma ended its in-state tuition support; therefore, only 11 states are currently implementing this law (Table 2). Nevada does not consider immigration status for in-state tuition eligibility (only for state scholarship eligibility). These in-state tuition policies generally contain the following eligibility requirements: (a) two to four years of attendance at an in-state high school; (b) high school diploma or GED obtained within the
state; (c) enrollment in a state public postsecondary institution; and (d) an affidavit signifying intent to legalize status within the U.S. (except in New Mexico) (Biswas, 2005). Most policies also signify that individuals must be socially responsible members of their communities with little or no past criminal history. For the most part, these policies have based in-state tuition eligibility on residency rather than immigration status and are thus redefining resident student population qualifications rather than creating targeted legislation directed explicitly at undocumented students (Fung, 2007). This understanding of residency is in juxtaposition to the notion of citizenship by birth through which individuals enjoy a number of privileges not extended to others (Schuck, 2007).

Table 2

*Current State Actions Regarding Undocumented Students and Higher Education*

<table>
<thead>
<tr>
<th>State</th>
<th>Legislation</th>
<th>Year</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>H.B. 1403</td>
<td>2001</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>California</td>
<td>A.B. 540</td>
<td>2001</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Utah</td>
<td>H.B. 144</td>
<td>2002</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>New York</td>
<td>S.B. 7784</td>
<td>2002</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Washington</td>
<td>H.B. 1079</td>
<td>2003</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Illinois</td>
<td>H.B. 60</td>
<td>2003</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Kansas</td>
<td>H.B. 2145</td>
<td>2004</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>New Mexico</td>
<td>S.B. 582</td>
<td>2005</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Arizona</td>
<td>Prop. 300</td>
<td>2006</td>
<td>In-state tuition restriction</td>
</tr>
<tr>
<td>Colorado</td>
<td>H.B. 1023</td>
<td>2006</td>
<td>In-state tuition restriction</td>
</tr>
<tr>
<td>Nebraska</td>
<td>L.B. 239</td>
<td>2006</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>H.B. 1804</td>
<td>2007</td>
<td>In-state tuition restriction</td>
</tr>
<tr>
<td>Georgia</td>
<td>S.B. 392</td>
<td>2008</td>
<td>In-state tuition restriction</td>
</tr>
<tr>
<td>South Carolina</td>
<td>H.B. 4400</td>
<td>2008</td>
<td>Bans admission to public institutions; in-state tuition restriction</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>A. 75</td>
<td>2009</td>
<td>In-state tuition eligibility</td>
</tr>
<tr>
<td>Maryland</td>
<td>H.B. 470</td>
<td>2011</td>
<td>In-state tuition eligibility</td>
</tr>
</tbody>
</table>

*Note.* Information is from Bykowicz and Linskey (2011) and Morse and Birnbach (2010).
Proponents of the policies argue that these individuals were brought into the U.S. at the sole discretion of their parents and caregivers and have been, in all practical ways, raised as “Americans.” With access to higher education, these individuals are better equipped to contribute socially and economically to their communities and to the country as a whole (Oliverez, 2006). Opponents contend that these policies reward lawbreakers, increase education costs for taxpayers, and ultimately must be eliminated because only legal residents should be eligible for in-state tuition benefits (Morse & Birnbach, 2010).

There are also several state policies that explicitly restrict in-state tuition and aid to undocumented students and, in some cases, admission to public colleges and universities within the state. States with these laws include: (a) Arizona, which eventually removed almost 5,000 students from in-state tuition status; (b) Colorado; (c) Oklahoma; (d) Georgia; and (e) South Carolina (Table 2). In 2008, Alabama’s State Board of Education banned undocumented students from attending 2-year colleges (Associated Press, 2008). While the following efforts did not pass, testimony on one bill was introduced to the Missouri Senate Committee on Pensions, Veterans’ Affairs, and General Laws in 2007 to ban all undocumented students from public institutions; and Virginia legislators introduced a similar bill later that year (Olivas, 2008).

**Institutional Actions**

Several individual institutions and state-wide systems across the U.S. have also created policies to clarify federal and state policies for undocumented students. The University of Delaware has enabled undocumented students to enroll as residents without the passage of an in-state tuition law (Olivas, 2004). In Virginia, where legislators have attempted to ban admission for undocumented students, some institutions have both
questioned and rejected this recommendation from the state (Biswa, 2005). On October 13, 2010, the Georgia Board of Regents approved a measure to prohibit undocumented students from attending selective public institutions that have had to turn away academically qualified resident students (Hebel, 2010). Earlier in the year, the same Board of Regents approved a measure that would bar all Georgia university presidents from consenting to the use of in-state tuition fee waivers for undocumented students and that would give institutions 60 days to verify residency statuses of all incoming first-year students to ensure that they are receiving the correct tuition classifications (Diamond, 2010). One private, 4-year institution in the Southwest U.S. possesses a confidential policy that strongly discourages admission of undocumented students and asserts that their presence on campus poses a liability to the institution. These are only a few examples of ways in which institutions and institutional systems have created their own policies in order to clarify current policy discourse.

Additionally, while several institutions have not created official policies in this regard, state college systems, boards of regents, presidents, trustees, and other higher education officials have made public statements regarding undocumented student access and success. The North Carolina Community College System has engaged in a years-long debate regarding whether undocumented students should even be admitted to their institutions and commissioned a study on the issue that outlined various policy possibilities (J. B. Lee et al., 2009). The University of Northern Colorado Board of Trustees made a public statement in support of in-state tuition for undocumented students (Casey, 2008). Recently, presidents of Eastern Washington University, Northern Virginia Community College, University of California at Berkeley, and University of Houston-

**Pertinent Research**

**Undocumented Student Experiences**

Several studies center on the experiences of undocumented students who are either attempting to gain access to higher education or are already in a college environment. Overall, scholars suggest that undocumented students face many social, cultural, and financial barriers to higher education; yet they maintain high persistence levels in spite of these barriers and challenges.

Abrego (2006) conducted interviews with documented and undocumented Latino youth to gauge assimilation differences and similarities between the two groups. She concluded that undocumented students are less likely to obtain upward mobility than their documented peers, at least through the traditional path of a college education. Additionally, when undocumented high school students were faced with the barriers they needed to overcome in order to receive a college education, motivation and achievement decreased.

Cortes (2008) conducted a similar comparative qualitative study with quantitative methodologies and determined that community college undocumented students were more likely to possess a greater amount of anxiety and distress than their documented peers. However, ANOVA testing demonstrated no statistically significant differences between socioemotional functioning, academic challenges, and legal status. Flores and Horn (2009) conducted quantitative analyses of college students at a large university in Texas who were eligible for in-state resident tuition and similarly concluded that students
receiving the tuition benefit (most of whom were undocumented students) maintained similar persistence rates as documented/citizen Latino students.

Other scholars have also documented the kinds of barriers that undocumented students face regarding access to and success in higher education. In her doctoral dissertation work, Paz Oliverez (2006) interviewed and observed college-ready undocumented students and found that the amount of access students had to information about college, individual support networks, and guidance processes affected their overall access to higher education. Using social capital theory, Oliverez asserted that the students’ own social networks played a large role in increasing social capital regarding access to college. Perez, Espinoza, Ramos, Coronado, and Cortes (2009) quantitatively demonstrated that undocumented students with certain risk factors such as elevated feelings of societal rejection, low parental education, and high employment hours during school reported high levels of academic success when factors such as participation in school activities and support from family and friends were present.

William Perez (2009) qualitatively highlighted this phenomenon through extensive interviews with students at the high school undergraduate, and post-graduate levels. Accounts of resilience and survival in spite of social and educational barriers were present throughout the work, as well as student narratives regarding support from higher education professionals. One student named Julia stated, “The community college that I attended was like home. I had some of the best teachers that I’ve ever had. It was the advisers, teachers, and administrators that I networked with who were key in getting me transferred to a four-year university” (Perez, 2009, p. 103).
There have been several other qualitative studies in which undocumented students have been interviewed directly regarding the unique barriers that they face in gaining access to and success in higher education (Castro-Salazar & Bagley, 2010; Chavez, Soriano, & Oliverez, 2007; Contreras, 2009; Jewell, 2009; Villegas, 2006). Overall, these studies illustrate that this population faces significant challenges in this regard; however, many students’ resilience and persistence despite barriers is concretely documented.

**Policy/Legal Analyses**

The majority of research on undocumented students has focused on the laws and policies that affect this particular population. This research includes policy analyses, law reviews, and positional articles that provide general overviews of policies and argue in favor of certain legal statutes or approaches.

Regarding this area of research, the work of Michael Olivas over the past 20 years has had a profound impact on the ways in which in-state tuition laws, federal legislation such as the DREAM Act and IIRIRA, and the issue of residency have been framed and discussed. In his most widely-cited work, Olivas (1995) asserted that undocumented immigrants are equally eligible for tuition benefits based on residence within a particular state. He argued that this is due, in part, to prior legal precedence with cases such as *Moreno v. Toll* (1982) which overturned a University of Maryland policy that denied in-state tuition and residency status to G-4 resident aliens.

Ruge and Iza (2005) similarly argued that, under federal law, undocumented student enrollment and admission to higher education is permitted and that these students are also eligible for in-state tuition as long as the criteria for residency is uniformly applied to all students. Andre Perry’s (2004; 2006) work discussed the question of
residency from a different framework through interviews with key policy stakeholders in Texas to determine what qualifies an individual as a member of society. Based upon his research, Perry identified eight characteristics of membership and used those characteristics to argue that undocumented students should receive the same benefits as residents with regard to college financial breaks.

Some scholars (Salinas, 2006; Salisbury, 2004) have argued that federal law is less clear and that states possess the right to implement policies that grant or deny in-state tuition to undocumented students. These authors proffered that federal legislation should focus on overall immigration policy and enforcement, not higher education regulation. Other individuals (Chavez et al., 2007; Connolly, 2005; Espenoza, 2009; Espinoza, 2009; Kim, 2006; Muñoz, 2009; Russell, 2007) have made solid cases for passage of federal legislation such as the Development, Relief, and Education for Alien Minors (DREAM) Act because it would grant undocumented students permanent resident status at the federal level. One particular scholar, Roberto Gonzales (2007), advocated for the passage of the DREAM Act for both moral and economic reasons. He demonstrated that “given the opportunity to receive additional education and move into better paying jobs, undocumented students would pay more in taxes and have more money to spend and invest in the U.S. economy” (p. 1). He also argued that passage of the DREAM Act would not create financial disadvantages for native-born students, as current research on states with in-state tuition laws for undocumented individuals demonstrates this assertion. In this regard, Kaushal (2008) quantitatively examined the impact of undocumented student in-state tuition policies on native-born students and found that there was no significant negative effect on their educational outcomes.
Additionally, several studies have investigated the effects of these in-state tuition policies on undocumented students themselves. Jauregui, Slate, and Brown (2008) determined that numbers of undocumented students in Texas community colleges have continued to increase from the passage date of in-state tuition legislation in 2001. Using multivariate regression, Stella Flores (2010) found that noncitizen Latinos were 1.54 times more likely to attend college if they resided within an in-state tuition policy state rather than a state with no such policy. Chin and Juhn (2010) also sought to investigate these effects in two particular states, Texas and California, and discovered that there were positive effects for older Mexican men but no significant effects for the overall undocumented population. The authors argued that non-significance might be due to the short amount of time that the laws have been in place and that no changes in policy at the federal level may be affecting changes at the state level.

Through qualitative interviews, Abrego (2008) argued that the passage of the in-state tuition law in California has created a sense of legitimacy and a socially acceptable identity for undocumented students. According to Robinson (2007), Utah has witnessed a yearly increase in the enrollment of undocumented students to public institutions since the passage of its in-state tuition bill in 2002. This report also highlighted the economic benefits of the passage of these types of laws: “Students with a degree are more productive, less likely to need government assistance, and help to maintain a strong state economy” (Robinson, 2007, pp. 6-7). It has also been demonstrated that undocumented college students increase the cultural capital of the overall U.S. population (Pérez Huber, 2009).
**Relevant Studies**

As previously mentioned, most of the research on the topic of undocumented student access to higher education has been conducted from either an overarching policy perspective or from the experiential perspective of undocumented students themselves. To date, little research has directly addressed the effects of policy on higher education professionals who work to assist undocumented students. However, there are a few related studies which have attempted to capture some of this data.

The recent work of Oseguera, Flores, and Burciaga (2010) highlighted some of the implementation realities of policies at the higher educational institutional level in the states of California and North Carolina. The authors discussed the ways in which policy is framed and communicated from the state to the institutional level and identified three main issues that college professionals specifically face regarding the implementation of policy: a) lack of training, b) lack of streamlined methods to identify undocumented students and verify their status, and c) lack of accessibility to undocumented students who require services and support.

Johnson and Janosik (2008) also highlighted some of the inconsistencies and confusion that higher education professionals and institutions face as a result of permissive, restrictive, and absent in-state tuition policies for undocumented students. However, these implications were presented from a solely legal standpoint with regard to lawsuits that could be brought against an institution for various violations; and no practical implications or effects of these policies were cited.

In her doctoral dissertation work, Albrecht (2007) interviewed university administrators to determine the extent to which they understood the needs of
undocumented students at their institutions. Her findings concluded that these individuals knew little about this population of students on their campuses, as the needs identified by undocumented students themselves were incongruent with administrators’ perceptions of needs. As a result, Albrecht offered a number of recommendations for institutions that included training administrators and staff, offering visible support services, and evaluating policies and practices.

Furman, Langer, Sanchez, and Negi (2007) conducted a study with social work students on the implications of Arizona’s Proposition 200 (2004), which requires all public employees to verify the legal status of individuals before granting public benefits. Analysis revealed that social work ethics were incongruent with the current policy; and students were able to identify a number of approaches to reconciling this conflict. While this study was not directly related to higher education professionals and institutions, it offered insight into the impact of a restrictive immigration policy on those professionals who must implement that policy at the practical level.

Another doctoral research paper offers a helpful model of policy evaluation from both a student and higher education professional/institutional perspective. Nerini (2008) investigated the impact of a permissive in-state tuition policy at one large public university in Washington state by conducting a qualitative study with interviews of enrolled undocumented students and higher education administrators. The study highlighted the institution’s process of re-examining policies and procedures in order to more aptly serve undocumented students, in addition to a reconfiguration of staffing and financial resources as a result of the state policy.
Most recently, Janet K. Lopez (2010) utilized Latino critical theory and critical race theory to “discuss the constraints that adult allies (teachers, coaches, mentors) face when trying to help undocumented students access higher education” (p. 4). Ethnographic research of six high school teachers in North Carolina (a state with no in-state tuition policy) revealed their frustrations at the lack of supportive policies for undocumented students as well as feelings that “their hands are tied” with respect to their abilities to fully assist these students in the fulfillment of academic goals.

Another strain of literature that is beginning to emerge involves works that offer practical advice for higher education professionals on providing support to undocumented students. These come in the form of reports, magazine articles, and professional publications. The College Board (n.d.) provides a short, helpful online resource for K-12 counselors seeking to assist undocumented students with the college application process. Chen and Herrera (2010) provided strategies for supporting undocumented students in the latest publication by the ACPA: College Student Educators International Commission for Admissions, Orientation and First Year Experience. Educators for Fair Consideration (2010), an organization in California dedicated to providing resources for educators with the goal of assisting and supporting undocumented students, has published a number of materials on their website. Four short articles offering practical tips for identifying and assisting undocumented students are found in the Winter 2010 issue of the Journal of College Admission and are written by the Executive Director of Educators for Fair Consideration (Gin, 2010a, 2010b, 2010c, 2010d).
Summary

The literature review provided information on three major areas that are relevant to this particular study: a) U.S. immigration history; b) federal, state, and institutional undocumented student policies; and c) undocumented student access and success. Knowledge about all three of these areas is essential in order to contextualize the experiences of higher education professionals within the current political milieu.

Review of U.S. immigration history demonstrated that contextual factors driving policies do not differ from present discussions. Economic and racial/nationalistic issues continue to remain central to national discussions of immigration policy, particularly for laws regarding undocumented student access to and success in higher education (Flores & Chapa, 2009). As evidenced, these laws exist at varying levels; and there continues to be ambiguities and inconsistencies at intra- and inter-group federal, state, and institutional levels with regard to undocumented student policies. Current research has attempted to provide some clarity and explanation of these ambiguities and inconsistencies; and researchers have offered policy analyses and recommendations for more comprehensive and economically sustaining policies.

This study aims to build upon the current body of research by exploring the effects of ambiguous and inconsistent policies from the under-researched perspectives of higher education professionals. What is clear from all prior research on this issue is that there are disconnections between policies and the needs of undocumented students who have grown up in the U.S. and who plan to attend, are currently attending, and will graduate from institutions of higher education.
CHAPTER 3

METHODOLOGY

Research Design

This study captures higher educational professionals’ experiences using a phenomenological approach. According to Orbe (2000), phenomenological approaches seek to give meaning to everyday lived experiences, particularly for research regarding issues of race/ethnicity. By relying on higher education professionals’ actual words as units of analysis, the overall essence and substance of their experiences are captured. Specifically, however, the utilization of hermeneutical phenomenology, the main methodological approach for this research, involves an interpretation of the meanings of those phenomena (van Manen, 1990).

The roots of hermeneutical phenomenology are found in existentialism, particularly in the writings of Heidegger (1962). He described phenomenology as a hermeneutics of existence in which “the investigation of existence involves some a priori understanding of that subject” (Hein & Austin, 2001, p. 5). In other words, as the phenomenon is captured, the researcher’s own understandings of language, history, and
context are recording and interpreting that particular phenomenon. Hermeneutical phenomenology is an essential design for this particular study because higher education professionals’ experiences and actions can be interpreted using a particular theoretical framework of which the professionals themselves may be unaware, yet can be beneficial to overall understandings of described experiences. Titelman (1979) may have described it best when he stated that hermeneutical phenomenology offers “justifiable modes through which . . . experience and comprehension of the phenomenon being researched can serve as a bridge or access for elucidating and interpreting the meaning of the phenomenon” (p. 188). Naturally, this kind of research methodology leads to a number of interpretations, not one universal interpretation of data.

One central component of phenomenological research in general is the concept of bracketing, or setting aside one’s own presuppositions, biases, and other knowledge that the researcher possesses about the phenomenon (Husserl, 1931; Moustakas, 1994). Unfortunately, an interpretive approach makes it impossible to bracket one’s personal experiences if the above definition is utilized (van Manen, 1990). Other scholars have offered alternative definitions to the concept, one of which is particularly relevant for this study. LeVasseur (2003) asserted that “the project of bracketing attempts to get beyond the ordinary assumptions of understanding and stay persistently curious about new phenomena” (p. 419). With this definition, the notion of bracketing is not relegated to a removal of personal experiences; it is expanded to signify an openness and curiosity for new understandings. As a researcher, one always strives to maintain a level of objectivity; and the most effective way of bracketing is to engage in rigorous self reflection regarding one’s biases.
Participants

Information was gathered from 19 higher education professionals across the U.S. According to Polkinghorne (1989), five to 25 is the appropriate range of participants necessary for engaging in phenomenological methodologies. The term *higher education professional* describes any individual employed at an institution of higher education and included faculty, staff, and administrators. This term also includes individuals employed in non-profit, scholarship-granting organizations, as two individuals that were interviewed currently work for such organizations but also possess prior relevant experiences within institutions of higher education and continue to engage with these institutions in their new roles. One scholar (J. K. Lopez, 2010) has referred to individuals who assist undocumented students as *allies*; however, for the purpose of this study, higher education professionals will not be referred to by any other term, thus removing potential research bias. The main criteria for interviewing a particular professional entailed whether an individual provided support or assistance to undocumented students within the context of his or her institutional or organizational role.

In terms of institutional demographics (Table 3), 17 participants were currently or formerly employed in 4-year institutions, and two individuals worked in 2-year community college settings. Five individuals were employed in private institutions (both secular and religiously-affiliated), and 14 worked at public colleges or universities. Institutional enrollment size varied from 1,375 to over 30,000 undergraduates. Demographically, participants were located in the following areas: (a) West (five), (b) Southwest (six), (c), Midwest (five), and (d) South (three). The type of tuition laws within the states where participants worked were: (a) in-state tuition permissive (nine),
(b) in-state tuition restrictive (five), and (c) none (five).Aliases were assigned to participants for the purpose of anonymity.

With regard to personal demographics (Table 3), all individuals completed an anonymous information sheet and were asked to self-identify on a number of personal factors including gender, ethnicity/race, age/age range, employment level and status, socioeconomic background, and personal/family recent immigrant status (Appendix A). Four individuals were male; 15 were female. Six identified as Caucasian/White, 12 identified as Mexican/Latino/Chicano/Hispanic, and one identified as Chinese-American. Participant ages ranged from 25 to mid-60s. Eleven individuals were employed at the manager level of director or above, four were mid-level professionals, and four were faculty members. Ten participants identified as either being an immigrant themselves or having family members who were recent immigrants. In order to ensure a representative sample, this information was obtained to review gaps in demographics and seek participants with particular backgrounds for as diverse a sample as possible.

While differences and similarities were evaluated across all individual and institutional variables, the focus of the analysis centered on similarities and differences between individuals in states with in-state tuition policies for undocumented students and individuals with restrictive or absent in-state tuition policies. In utilizing the framework of institutional theory, this particular variable is important because it assisted in determining the overarching policy effects on practices at the grassroots level.
Table 3

Participant Institutional and Personal Demographics

<table>
<thead>
<tr>
<th>Case</th>
<th>Employment Type</th>
<th>Institution Type</th>
<th>Institution Year</th>
<th>U.S. Area</th>
<th>In-State Tuition Law</th>
<th>Gender</th>
<th>Alias</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Manager</td>
<td>Public</td>
<td>4-year</td>
<td>Southwest</td>
<td>Restrictive</td>
<td>Female</td>
<td>Lori</td>
</tr>
<tr>
<td>2</td>
<td>Faculty</td>
<td>Private</td>
<td>4-year</td>
<td>Midwest</td>
<td>Permissive</td>
<td>Female</td>
<td>Amy</td>
</tr>
<tr>
<td>3</td>
<td>Mid-level</td>
<td>Public</td>
<td>4-year</td>
<td>West</td>
<td>Permissive</td>
<td>Female</td>
<td>Bonnie</td>
</tr>
<tr>
<td>4</td>
<td>Mid-level</td>
<td>Private</td>
<td>4-year</td>
<td>Southwest</td>
<td>Restrictive</td>
<td>Male</td>
<td>Tom</td>
</tr>
<tr>
<td>5</td>
<td>Mid-level</td>
<td>Public</td>
<td>2-year</td>
<td>Southwest</td>
<td>Restrictive</td>
<td>Female</td>
<td>Jackie</td>
</tr>
<tr>
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<td>4-year</td>
<td>West</td>
<td>Permissive</td>
<td>Female</td>
<td>Sandy</td>
</tr>
<tr>
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<td>Mid-level</td>
<td>Private</td>
<td>4-year</td>
<td>West</td>
<td>Permissive</td>
<td>Male</td>
<td>Juan</td>
</tr>
<tr>
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<tr>
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<td>Midwest</td>
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</tr>
<tr>
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<td>Southwest</td>
<td>Permissive</td>
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<td>Jane</td>
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<td>4-year</td>
<td>West</td>
<td>Permissive</td>
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<td>Mia</td>
</tr>
<tr>
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<tr>
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<td>Restrictive</td>
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</tr>
<tr>
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</tr>
<tr>
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<td>Permissive</td>
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<td>4-year</td>
<td>South</td>
<td>None</td>
<td>Male</td>
<td>Eric</td>
</tr>
</tbody>
</table>

Note. Cases were categorized into 4 different employment types: (a) Entry-level professional/administrative support, (b) mid-level professional/coordinator or specialist, (c) manager/director or above, and (d) faculty.
Data Gathering and Analysis Techniques

Participants for this study were obtained in the following ways:

1. Internet research on institutions that publicly provide support and assistance to undocumented students. This included reviewing college websites, articles that highlighted colleges and universities engaged in these efforts, and non-profit organization websites that provide resources on college admission for undocumented students. From this process, names were collected of key individuals at institutions across the U.S. actively engaged in supporting undocumented students.

2. Contact with scholars who have published research on undocumented student access and success in higher education. After conducting a literature review of current research, key scholars were contacted for interviews. Because of their location within institutions of higher education, many of the scholars in this particular field possessed direct experience working with undocumented students in the college setting. For this reason, they served as a helpful sample from which to gain participants.

3. Issue-based listservs and communication with relevant professional organizations. Calls for participants were posted on several relevant professional and issue-based web pages and email listservs. Groups contacted included the NASPA (Student Affairs Administrators in Higher Education) Network on Facebook, Student Affairs Professionals on Facebook, Associated Colleges of the Midwest Committee on Minority Concerns, Mujeres Activas en Letras Y Cambio Social (MALCS), Higher Education Access Alliance of Colorado, Illinois Coalition for Immigrant and Refugee Rights, and the American Association of Collegiate Registrars and Admission Officers (AACRAO).
4. Snowball sampling of interviewees. Snowball or chain sampling “identifies cases of interest from people who know people who know what cases are information-rich” (Miles & Huberman, 1994, p. 28). During each interview, participants were asked for names of other individuals that would be beneficial to interview for the study. This was a helpful method for obtaining interviews for several reasons. First, many higher education professionals’ work with undocumented students is anathema—socially/culturally or legally—within particular state and institutional contexts. Additionally, higher education professionals who are working at the ground-level on this issue naturally have connections and relationships with others in the field who also assist and support undocumented students.

This study involved the conducting of one-on-one, semi-structured interviews lasting from 20 minutes to one hour with higher education professionals. Interview protocol was developed based on the research questions (Appendix B). Individuals were asked similar interview questions in order to gather relevant themes with consistency; however, additional questions were utilized during the course of some interviews in order to gain clarity or to draw out themes. Interviews were recorded for transcription purposes and were gathered in person or by phone over the course of one year.

Rubin and Rubin (2005) asserted that “naturalistic, qualitative social researchers gather information by observing and by talking with and listening carefully to the people who are being researched” (p. 2). Individual interviews are extremely beneficial in helping to gather information relevant to a particular issue (Creswell, 2007); therefore, to obtain data on higher educational professionals’ experiences and understanding of roles,
it is best to question the participants directly to “enter into the other person’s perspective” (Patton, 2002, p. 341).

Interviews were transcribed and analyzed using NVivo 8 software. An initial codebook was created based on themes generated from both the theoretical framework and interview questions; then, those codes were applied to interview texts (deductive approach). Codes were also developed inductively as new themes emerged (Bernard & Ryan, 2009) (Appendix C). Overall patterns were drawn from the synthesis of these codes as well as from memos and interview notes. Both inductive and deductive coding and analysis were important to this study because they concurrently contributed to validation of the theoretical scheme (Strauss & Corbin, 1998).

**Protection of Participants**

Approval from the Institutional Review Board of the University of Colorado at Colorado Springs was obtained in order to conduct and analyze interviews (Appendix D). As part of the IRB protocol, each participant also received and signed a Consent Form for Interview prior to the recorded session (Appendix E). Furthermore, in order to ensure the protection and overall anonymity of subjects, the researcher employed a number of methods. Data were stored on a personal home computer with password protection or in a safe place at home. Once interview audio recordings were transcribed, they were destroyed. Names were not recorded in interview notes; and each transcription document was categorized with a number that corresponded to the name of the participant. The key to the audio recordings linking numbers with individuals' names was kept on a personal home computer with password protection. For narrative reporting purposes only, aliases
were assigned to each case (Table 3). Overall, anonymity was of the utmost concern with this particular study; and all protocols were strictly followed.

**Validity Considerations**

According to Jorgensen (1989), the researcher must constantly assess whether “a relationship of trust and cooperation has been established sufficiently…to be able to depend on the information gleaned” (p. 70). Because of the use of snowball sampling and website/email listserv groups through which professional memberships were retained, a sense of trust was present that may not have been possible without these sampling techniques. Additionally, throughout the course of several interviews, individuals would inquire about the researcher’s own views and perspectives on the topic of undocumented students in higher education. In the context of semi-structured interviews, individuals shared increasingly sensitive pieces of information regarding their practices (legal and illegal) to support undocumented students.

To counter the threat of bias that these data gathering methods may have caused, theory triangulation was utilized in order to explain and interpret the experiences and actions of higher education professionals. By viewing the data through the lenses of both institutional and critical race theories, information derived from interviews was validated. Moreover, as iterative cycles of data collection occurred through interviews, continual review of notes and transcriptions identified common and variant themes, patterns, and on-going relevance to the research questions and focused attention on interviewees and information that could lead to alternative viewpoints, thereby implementing negative-case sampling.
As collected information was transcribed, coded, and developed into memos and reports, member checking, or respondent validation (J. A. Maxwell, 2005), occurred as a main method of promoting research validity. Interviewees reviewed the written results; and direct feedback was received, confirming whether analyses were accurately interpreted. With the use of rich, thick description in the written results, readers possessed the ability to make comments and critiques regarding transferability (Denzin & Lincoln, 2000) and generalizability. Furthermore, it is important to note that data saturation was achieved in the analysis of interviews. The sample size was appropriate to the answering of research questions as repetition of themes was fully present throughout transcription analysis.

Finally, in revealing the researcher’s own personal political commitments regarding this particular research issue, reflexivity was practiced as part of the phenomenological process (Creswell, 2007). The researcher possesses a personal interest in the issue of undocumented immigration, as she is a second-generation biracial Puerto Rican/Italian U.S. citizen who maintains deep connections to her own immigration history. Additionally, she recently encountered the process of gaining permanent residency through a close family member, who was undocumented for a period of several months.

Therefore, the researcher recognizes that she may be biased in the following ways: (a) she is a proponent of policies that increase higher education access and success for undocumented students and considers the current policy ambiguities and inconsistencies to impede equity, equality, and justice for this population of students, which presents a positive bias; and (b) she is willing to assist any of the individuals she
interviewed through the sharing of resources that can assist undocumented students. The researcher sought to minimize certain biases by: (a) providing an extensive literature review and theoretical framework that attests to the scholarly validity of exploring this issue; (b) stating those biases in order to create a sense of self awareness and accountability to readers and other scholars in the field; and (c) gathering review and critique of work from participants, colleagues, and dissertation committee faculty.

Limitations of the Study

Unfortunately, there were several failed attempts to gain access to quantitative datasets on college admission practices for undocumented students. While a couple of professional organizations have conducted national surveys, the researcher was unable to view the data and conduct statistical analyses on this information. A mixed methods approach could have strengthened the validity of the research, particularly with regard to increased data triangulation.

The sample may not be completely representative of all constituency groups, as the data currently demonstrates a dearth of responses from higher education professionals at 2-year institutions and who are employed in the Eastern U.S. Attempts to locate individuals for a more representative sample did not succeed, as this issue still remains a highly sensitive topic of discussion for higher education professionals. Therefore, this study is merely a snapshot of perspectives of higher education professionals from a diverse range of institutions, states, and employment roles. Additional studies are needed that can enhance the credibility of these findings.

Finally, this study sought to highlight the experiences of a specific group of individuals, higher education professionals, who experienced a particular phenomenon,
supporting and assisting undocumented students. For this reason, the results may not be
generalizable to all higher education professionals working within institutions of higher
education. For example, this study does not capture the opinions, experiences, or actions
of professionals who do not support undocumented students or policies that increase their
access to and success within higher education. In this manner, the research may only be
viewed as beneficial for individuals who are interested in supporting these students and
advocating for increasingly permissive policies for this population.
CHAPTER 4

RESULTS

Research Question 1

Why do higher education professionals work to assist undocumented students with college access and success? This foundational question addresses one of the main purposes of qualitative research: to answer the why of a particular issue or phenomenon (J. A. Maxwell, 2005). For participants, there were two main, interrelated paths through which they began their work: (a) through key experiences in their particular professional role or (b) through various a priori commitments. Ultimately, these paths resulted in the development of cases/arguments regarding inadequate policies and support for undocumented students, thus providing reasoning for professionals’ assistance and advocacy work.

Key Experiences

The question of why individuals became involved in this work is closely related to the question of how these commitments came about. For many, there were key situational and experiential circumstances that revealed undocumented student issues and
gaps, both within and outside the context of professional roles. When individuals were asked how they began to assist undocumented students, nine professionals responded that the nature of their role, in one way or another, related to this population of students indirectly. For example, eight professionals were tasked with working with Latino populations as part of their job within the realm of admissions, financial aid, international student services, and intercultural relations, and others with more explicit roles such as directing a Latino cultural center, coordinating a migrant student program, conducting Hispanic outreach and leadership, and directing a Latino pre-college program on campus.

The faculty that were interviewed worked in various departments including one individual in Chicana/o studies, three in education, and one in history.

Linda, a female working in admissions at a public university in the South, recounted a poignant story of how she encountered undocumented students through her role as a recruiter:

Well, it was while I traveled. When I started working as a recruiter for the university in 2001, I traveled the state and attended the major college fairs and made presentations at high schools with the object of attracting students to the university. It was a job where I served all students, and I just wasn’t specifically recruiting minorities to the university. At every event, I noticed that Hispanic students were not approaching the tables. That became a concern; so after a couple of months of seeing this, I approached a group of students that just sat at the bleachers while we were in a fair. One of the students said, “I can’t go to school,” and I said, “Why?” He said, “Because I don’t have papers.” I said,
“Well, I don’t think that’s right.” He said, “No, I mean, I’m illegal. I can’t go to school.”

Linda then discussed how this moment impacted her both personally and professionally from that point forward:

It just broke my heart because after talking to him for awhile I realized that he was a smart kid, had good grades, had aspirations in life, was a hard worker, and was helping to support his family. So, I kept in touch with these kids and started to look into what were the issues behind student [access]—how did students go to school that didn’t have proper documentation, what did they have to do to pay for school, were they eligible for aid, and were they eligible for admission? As I researched this more, I gained a passion for the whole idea.

Tom, a professional working in admissions and financial aid at a private college in the Southwest, learned about this issue and the difficulties associated with admitting undocumented students at his institution through the process of reviewing prospective student applications:

I had read a student who met our parameters—wasn't exceptional, wasn't the best student ever, but was enough to probably get into [the college] and should/would have competed with other students that we were admitting that year. But the file came back to me, and it said that there was a question about citizenship. We ended up not taking that student, and it was an issue that I explored the following year with legal counsel and administration to try to learn more about how we could change this.
Jane recounted an experience that she had while taking a graduate course at the institution in which she worked and connected it to her professional role at a large university in Texas:

It stems back to 2001 when I was in a graduate-level class looking at the state legislative process. We were going down to the capitol regularly to sit in on some of the different committees that were in session. During one legislative session, House Bill 1403 [in-state tuition for undocumented students] came up, and I was sitting in the House Higher Education Committee hearing when all of the students came and testified for this bill. It was just so moving to see this; they were all high school students at the time talking about how they wanted to go to college. This was late in the night one evening, and they were packed in there testifying and really exposing themselves to these Texas legislators, talking about their dreams to go to university. So, I followed their path from that time forward and monitored what happened. We saw within our office that once House Bill 1403 was passed, we started getting a trickle of undocumented students every semester. We probably had just a handful the first year, and the next year we got more, and the next year and the next . . . so our population has grown over time.

These stories highlight the impact of experience on higher education professionals. While assisting undocumented students is not a primary part of their professional roles, they acquired an interest and passion for assisting these students as a result of key events that brought awareness to the unique needs and issues of these students. For Linda and Tom, this occurred through her actual professional roles; and for Jane, it happened through an academic experience that she was then able to directly relate
to her student affairs position.

Two faculty members who were interviewed discussed the ways in which they became engaged in research related to this topic, which then fueled a passion for on-going support and advocacy for undocumented students. Mia, a faculty member at a large public university in the West, recounted her story:

While I was doing my dissertation work, I was looking at Latino/Chicano students. This idea of immigrant status kept coming up, and it was sort of odd given that they were U.S. born. But there was this issue of racial profiling and this “forever foreigner” type of concept going on. It was just something that kept coming up in my research even though I wasn’t trying to target immigrant status or look at undocumented students. It just kept coming up; and I thought, “Well, there’s something going on here.” So, I followed that path.

Jerry, a faculty member in education at a large public university in the Midwest, talked about his experiences in graduate school that ignited his on-going interest, research, and advocacy for undocumented students:

I was involved in a university-community partnership program, and I started working with their youth group. I didn’t think of the stuff I was doing at the time in a frame of working with an immigrant community per se; but in looking back, we were dealing with a lot of issues around immigration at the time. That would be the beginning when I really started to engage deeply with issues related to immigrants and, particularly, undocumented status.

Each of the key experiences described above were directly related to some form of contact with undocumented students themselves, whether through a prospective
student’s file or during a conversation with a student. These encounters prompted higher education professionals to further investigate issues germane to undocumented student access and success and proved to be transformative moments for these individuals, as they themselves have recounted.

**A Priori Commitments**

Participants also pointed to *a priori* passions or commitments related to their own racial identity, family background, and beliefs about equal access and education for all. It is important to note that these commitments were not mutually exclusive from the nature of their professional roles, as individuals envisioned their work as educators as a way to tangibly live out those commitments.

When asked whether their own racial or immigrant identities and backgrounds were an influencing factor in assisting undocumented students, there were a variety of responses. Vera, a Latina student affairs professional at a community college in the Southwest, quickly stated:

Certainly my ethnicity doesn’t have everything to do with why I do what I do. I’ve always been an advocate of some sort before I came to work with the college. I’ve worked for the district attorney’s office. I was the director of the domestic violence program. I’ve always been an advocate for rights—women’s rights or personal rights.

Vera then directly related the reasons for her human rights work to her identity as a person of color:

I’m just fortunate that my ancestors have been here many years, but that’s the only difference between me and my people of color. I was fortunate, and new
immigrants are not as fortunate. I believe that if you don’t give students/youth an opportunity to be educated, then it’s about oppression and keeping people of color oppressed regardless of the color of their skin—African-Americans, Latinos, or Asians.

Several individuals were more explicit in talking about their ethnic/racial and immigrant backgrounds in connection with why they assist undocumented students. Sophia, a supervisor of a Latino cultural center at a large, public university in the Midwest, articulated:

I came [to the U.S.] at the age of ten. I am an immigrant. I was lucky because my mother’s mother was a U.S. citizen; so when we came, we were able to petition for residency through my grandmother. Even though I had papers, I know where you [undocumented students] are in the scale of things. I know the challenges you have in language, culture, and socioeconomic status. I know the struggle that your family goes through in wanting to have the American dream that everybody talks about. I think that’s where my sensitivity came, as someone who knows what it is to work hard and see family members work hard as immigrants. I cannot understand how we shut the doors for those who work so hard and that we’re so dependent on, to not give them an opportunity for an education.

Sandy, who identified herself as Mexican and who works in admissions at a private university in the West, was undocumented as a child; but her mother was able to legalize her status when Sandy was in high school. She discussed the reason why she is committed to helping students once like herself:

I am passionate about it because I know that I was once there. When I see
students that are so brilliant, have awesome SAT scores, and should be receiving top academic scholarships to any institution, I want to help them. I want to be able to give them hope.

Additionally, Amy, a faculty member in international education at a private college in the Midwest, recalled her immigrant journey to the U.S. from Europe and how it impacts her current work as an educator:

[My country] is still pretty patriarchal, and I don’t think that I would have made it through the system as a female. If I had made it through the system, even as a Ph.D., I probably would have never gotten a job there. I just feel incredibly privileged. I feel that because I’m educated, I have a certain ethical responsibility to the larger community. I get really disappointed when I see academics not realizing that that’s really what you should be doing once you’re educated, to think about the problems and the issues that people have who don’t have enough. That’s our responsibility. It’s not just gaining and accruing personal wealth.

As evidenced, several individuals felt that their own backgrounds, ethnic identities, or experiences as immigrants prompted them to provide support for undocumented students in their current institutional roles. However, this did not only occur with Latino/a higher education professionals or first-generation immigrants. Individuals who were not recent immigrants or ethnic/racial minorities were able to articulate how their own identities and beliefs about those identities provided the foundation for their support of these students. Beth, a student services professional at a private, Midwestern institution, said:
I’m a person of quite a lot of privilege. I’m white. I’m from a middle to upper-middle class background with highly educated parents. Despite this privileged environment, I grew up in a family where support for underrepresented groups was a big part of their hearts and passion in how they voted, spent their money, and supported people who faced inequality. Even though undocumented immigration issues weren’t on my radar until after college, that place in my heart to support people was very much ingrained in my life growing up. So, it was just easy for me to see that we’ve got big problems in this country with how we handle immigration. Then, as I’ve gotten to know students and their families and have been able to understand on a personal level what they’re dealing with and what their potential is, it attaches even more closely to my heart even though I’ve personally never encountered anything of this sort.

Jerry self identified as a European American from a middle class background. He talked about the experiences his 80-year-old white grandmother had in obtaining her U.S. passport. He said that this process was not difficult for her, even though she did not have the proper citizenship documentation, and wondered if someone from Mexico or another Central American country would be able to accomplish the same feat. He mused about his own background in this context:

It’s not like I and my family are not implicated in America’s immigration history. We’re clearly implicated very differently; and because of those differences, there’s some sort of responsibility to recognize them and do what I can to mitigate or ameliorate them in the future. Beyond that, I grew up in the American Southwest, and relationships with Mexico have always been right in front of my
face in terms of what it means for me to be an American. That’s really powerful for me and shapes how I perceive my role as a scholar and how I perceive our social institutions like higher education. I can’t deny that growing up where I grew up has impacted that.

All participants, when asked about whether their own backgrounds or experiences had an impact on their present commitment to assisting undocumented students, discussed personal identities and circumstances that created a sense of empathy regarding the situations of these students. Additionally, the theme of feeling privileged or fortunate in one’s current profession and position in life, regardless of individual backgrounds, presented itself as a common element. This catalyzed into either a sense of personal responsibility or a desire to assist those who possess similar backgrounds or experiences to the higher education professional.

Similar to previous stories, some individuals also responded to the question of “Why?” with overall themes related to commitments to impacting students and to providing equal education for all. Eric, a tenured professor at a private institution in the South who directs a college access program for Latino students, explained:

The rewards are dealing with students for whom you make a difference. That’s maybe putting it too grandiosely, but I think it’s probably the same kind of experience many others have. I’ve found that I’m much happier sitting, meeting, and talking with ESL instructors, people on the frontlines in rural high schools, and student service people in colleges who really want to do the right thing than I am in a faculty meeting trying to figure out whether we should cut back on lead pencils or whether candidate A, B, or C is the best for an untenured hire. Those
conversations no longer interest me, and these associations make me feel more like I’m a part of something. I don’t have children of my own, so these [undocumented students] are the kids I take some pride in.

Tom, the admissions and financial aid professional from a private college in the Southwest, remarked:

I'm passionate about education; and I think that if you work hard and do well in school, part of the promise of living in our country is that you get to go on and have a successful life in some capacity. You should have some determination of what that looks like; and with this issue, it really denies a lot of these people that opportunity to go ahead and pursue their dreams and have the life that they want.

Like Tom, all of the other higher education professionals discussed the lack of equitable college access and success for undocumented students, as was also evidenced in several previous statements from participants. In many ways, these statements regarding a sense of injustice and the sharing of frustrations over a lack of comprehensive policy illustrates why they are committed to assistance and advocacy work on this issue.

Throughout the interviews, when asked about their thoughts regarding the lack of comprehensive policy, professionals made their cases for why the issue of undocumented student access and success was so crucial. These cases or arguments, in and of themselves, signified a reply to the why question. As Lori, coordinator of a migrant student program at a state college in the Southwest, stated so succinctly and passionately:

It’s just heartbreaking. I’ve had students literally crying at my presentations; and I wish some laws would pass or that things would change. God, all they want is an
education! It’s pretty sad. All we can do is find them these small resources and try to guide them.

Statements regarding frustrations over lack of access and success for undocumented students will be revisited with more depth in following sections; however, it is important to note that these articulations were a key component in answering this particular research question.

**Research Question 2**

*What issues/barriers do higher education professionals face in assisting undocumented students with college access and success?* The main themes that presented themselves through the coding of interview transcripts were as follows: (a) finances, (b) lack of leadership/institutional support, (c) secrecy, (d) advising burdens, and (e) role struggle. While professionals discussed many issues and barriers for undocumented students themselves including legal issues, the weight of immigrant stigmas, family issues, and a sense of hopelessness, these are not the focus of this particular study. The issues faced by the professionals themselves seek to highlight previously uncovered themes that illuminate the gaps between ambiguous and inconsistent policies and this student population.

**Finances**

Issues of providing students with viable financial resources, whether through direct aid or with employment opportunities, were discussed by almost every professional as a barrier to assisting undocumented students. Mia stated:
As a Chicano Studies professor, I have a lot of students that come up to me and ask, “Do you know of any resources in terms of financial aid?” I feel so helpless. I can refer them; but how far it’ll get them, I’m not really sure.

Vera articulated this issue at the community college level:

It’s the cost—the cost of going to college. It’s four times as much as the in-district or in-state students. When you sit down and do the math as far as books, tuition, and fees, you’re paying $980 a semester for three or four classes. That’s shocking.

Overall, all 19 higher education professionals expressed sentiments regarding financial assistance. One individual succinctly summarized the issue by stating, “Pretty much any [undocumented] student that I come across asks, ‘Do you give financial aid?’ or, ‘Do you have scholarships?’ It’s one of the first questions that comes out of their mouths.”

Of course, for professionals at public institutions, there were no direct scholarship funds available to disperse to these students due to federal law. However, those at private institutions discussed two divergent themes: (a) their institutions possessed designated resources for undocumented students, or (b) their institutions were unwilling to make a commitment to providing these resources. For those individuals who worked at supportive institutions, they struggled with the lack of adequate resources to assist greater numbers of students. Faculty member Eric articulated:

We work out arrangements with the students in terms of financing. We have to find non-designated money, so that’s always been our huge obstacle—raising money to pay for all of this student by student.
Juan, an admissions professional at a private institution in the West, guides the selection process for a scholarship specifically designated for undocumented students at his university. He talked about the frustrations of this process:

It’s really a big emotional drain for me and for the committee since we have finite resources on campus. We’re not able to provide all of these awesome, awesome students an opportunity to attend our school; so that’s a huge emotional drain on me. In the application process, there are so many great students doing great things who deserve the scholarship just as much as the student that was awarded. We also have a lot of teachers, principals, and community leaders advocating for certain students, so that really makes it difficult. There’s a familiarity with some of these students because of how frequently I contact them and how frequently they call me. It’s definitely a blessing to be able to provide some opportunities to students; but the downside is seeing the students that don’t get it, knowing how disappointed they are and what that means to their future.

The issue of finite or nonexistent financial resources extended into the realm of providing viable campus employment options for undocumented students. Many higher education professionals also discussed this in conjunction with scholarship funds. Jackie, an orientation coordinator at a community college in the Southwest, recounted her experience of trying to hire undocumented students to be new student orientation leaders for her program, just on a volunteer basis:

I had a couple of students last term who really, really wanted to be orientation leaders; but they were undocumented. My HR office requires anyone who wants to volunteer to do this to go through background checks. I can't do a background
check on somebody who's not documented. So, HR was telling me I couldn't use these students in my orientation. They're great, they're bilingual, and they're really positive. And, I sure couldn't pay them. They would have been great at work studies, or whatever, but I didn't have access to being able to pay them. As soon as they found jobs, doing painting or whatever, they had to go do that.

The ability to recruit and maintain talented undocumented students for paid work, and even volunteer work as illustrated above, is guided by federal employment and work-study regulations. Kara, a higher education professional in the West who founded a non-profit that specifically grants scholarships to undocumented students, articulated the limits of what is possible in the area of employment:

- We do not advise students on employment issues. We try to advise students to talk amongst themselves to be able to learn about what other students are doing to fund their education. We definitely try to help students understand what their options are under the law; and often, that’s not an uplifting conversation.

Conclusively, higher education professionals see the issue of access to financial resources as one of the central barriers to successfully assisting these students. In order to address this issue, individuals have discovered a number of strategies and loopholes in their work, which is explicated in a following section.

**Lack of Leadership/Institutional Support**

In more than half (12) of the cases, higher education professionals talked about the ways in which their institutions and/or the leadership of their institutions were not supportive of undocumented student access and success or were simply not educated or informed about the subject. While this was not the case for all individuals interviewed, as
a few institutions and leadership were very supportive, this was nonetheless a major theme for the majority of professionals. Jane said this about the situation at her large, public institution:

I would say it’s really not on the radar on an institutional basis. [The college’s] administrators may have heard about it in the news; but other than that, I don’t know that it really comes to their attention. So, our office is very committed to providing services to the students that we work with; and we consider the undocumented students to be a special population, that it’s almost a privilege to be able to work with them.

Jane continued by talking about some of her interactions with college leaders in the past:

I’ve even had conversations where administrators asked, “Oh, they can come to college?” Just breaking down myths or stereotypes by training, informing, and educating people about this group of students is essential in order to better help them.

The theme regarding lack of education of institutional leadership was present in several other interviews. Beth encountered this issue at her private college in the course of assisting undocumented students in organizing a campus-wide forum:

As we were planning, we did some general information statements to the president, dean of students, and some other people, just to let them know that we were doing this in case somebody thought it might be controversial. I’m not even sure all of the higher-ups were aware that there were undocumented students at
[our campus]. It didn’t become an issue, but it caught me by surprise that not everyone was aware at the senior level.

When higher education professionals have attempted to talk with leaders at their institutions about this issue, many have been met with outright non-support. Nina told me of her experiences in this regard:

With the VP for enrollment that I’ve solicited many times about changing policy, or at least making it easier for them, her response has been that the research for the states that do admit students as in-state students shows that undocumented students do not persist. I felt like what she was saying is that there’s no need to pay attention to this population because they’re not going to persist anyway. I don’t agree, obviously.

This lack of support was also present in the form of institutional pressure from or fear of outside forces. Juan’s institution does not publicly advertise its scholarship for undocumented students. He said, “It’s the past president’s policy that we don’t want to publicize this in case there might be bad press. So, you won’t find this information on our website or any type of official press releases or other material.” When Tom questioned the leadership of his college regarding their policy against undocumented student admission, he received the following reasons:

There was fear of retaliation by the federal government. The legal counsel at the time had made the argument that we couldn't discriminate against the students in the admissions process; but at the same time, we couldn't fund them because the government gives us money. We have [private] money; but it all goes into one place that can't be differentiated from government funds. So the government
could say, “We're taking all of our money away, and you can't have it.” That would drastically affect us. The other fear was that they would take away our right to issue F1 visa status, which would then impact several international students and our sports programs.

Eric discussed the situation at his current private institution:

The institution was initially very generous—that’s why I moved here—and then they got very cautious. The four-year private schools are really left to decide for themselves, with pressure from the boards not to admit. That becomes very difficult, as you can well imagine.

As a result, the leadership of Eric’s institution in particular has been difficult to work with. He stated, “The lower ranks of the administration have been just wonderful. Everyone who works with students has been tremendous. The administration has been the devil in the deal.”

Overall, higher education professionals feel a sense of powerlessness to affect institutions and their leadership on this issue. Jerry argued, “There’s not a ton that I can do directly or institutionally in terms of changing administrative practices or policies. I do call them into question whenever I have the opportunity, but it doesn’t happen terribly often.” Amy feels similarly frustrated with her own private college:

In general, these institutions aren’t forward looking. In 2015, whites will be a non-majority. If liberal colleges go by the wayside, it will be largely their own doing. They will not have prepared other people to realize what this kind of an education really means to the community.
A few people also mentioned the importance of individual support by leaders of their institutions for the work that professionals are doing at the ground level on this issue. Sophia simply quipped, “We can’t be just the ones providing support to others. There has to be a support for us as well.” Sandy offered an important question about the origin of support in institutions:

When is it out of the passion of the people that are working with these students, or when is it really out of the institution? What the institution has done is allowed people such as myself to work from our passion, because there is a need and because our voices have been loud enough.

Sandy works at an institution that supports access and success for undocumented students; however, it is clear that this was not accomplished without efforts from higher education professionals within the college.

Secrecy

The third major theme that 16 of 19 individuals discussed was the issue of secrecy. Combined with the larger context of institutional secrecy, as detailed in the previous section, this theme existed at all levels. In light of current policy ambiguities and inconsistencies, secrecy was manifested not only in protecting the statuses of the students themselves, but also in higher education professionals’ work in trying to assist these students within their respective institutional contexts. Lori, a coordinator at a four-year state college in the Southwest, reflected on the need to keep a lot of her support work for undocumented students a secret. When asked about whether other individuals in her office were aware of the support that she provides, Lori responded:
They know to a certain extent. As far as my supervisors, I don't know if they know the full extent of it; and I don't know if I really want them to know because they could possibly say, “Well, that's not your job,” even though I do it on my free time. They're not the type that would do that; but either way, I just kind of keep it at a distance.

Lori also keeps files on individual undocumented students at her work desk in order to track the support services she has given to students. She coded the files so that individuals would never know the status of the students in case anyone looked through her desk. She called this work her “side underground project.”

Six individuals have employed a creative use of language in order to assist in protecting both professional and student identities. Vera never discusses her work with undocumented students in public and uses the more general language of “work with Latino students.” When she is assisting undocumented students in transferring to four-year institutions, she does the following:

I usually just call admissions; and I ask, “Is there anybody there who could help with a Latino student who will have to pay out-of-state tuition?” I’ll couch it in a way that brings someone forward. It’s like we’re all working under this taboo of serving undocumented students, which is really unfortunate. What does it say about our society?

Linda similarly remarked, “I have to be very cautious about what I say and what I share in public. I will always address things as a student issue, not an undocumented issue.”

With regard to maintaining student secrecy, Jane described this issue as “walking
a rope.” She remarked:

I want to make sure I’m advocating for them, but not to the extent that it hurts them. As an outsider to that population, and because those students themselves can decide how much they want to advocate and put themselves at risk, I don’t feel like I’ve been given full authority to do the same because I’m not a part of that group. To me, it’s the balancing factor of advocating and educating versus exposing them too much.

Similarly, other higher education professionals feel a sense of duty to protect undocumented students from harm. Nina, a Latino student center director at a large public university in the Midwest, said, “We will refer them to areas on campus that we consider safe and welcoming places for them, where they’re not going to get harassed or hassled if they reveal their situation.”

Patty, a current higher education professional in a Southwestern state institution, discussed advising undocumented students in her former role at a large state university in the South:

I was in a state that was incredibly anti-immigrant; so, we were also being cautious in saying, “I can probably get a lot more done for you if I can do this quietly than if we bring in the media.” It’s much easier to sort of work underground or behind the scenes and help students out versus putting ourselves out there [to advocate].

Linda, who currently works at another large state institution in the South, had similar sentiments, especially in regard to secrecy within one’s role:

There are other professionals and people that I know in my state that have been
warned about keeping quiet, doing their work, and not helping a lot of people that are under this situation because their board of trustees, some donor or alumni, or just an elected official was anti-immigrant.

Not everyone, however, felt that secrecy was the best option. Sophia, in her role at a large public institution in the Midwest, said:

I have to constantly tell students and parents, “Do not be afraid to flat-out say, ‘Hey, by the way, I’m undocumented; or I have no social security number.’” At the moment, thank goodness, we [higher education professionals] are not immigration. Often, by being straight at the front and letting people know, it then gives us a head’s up about what channels we have to go through. There are some [professionals] who don’t want to ask and are assuming students are U.S. citizens or permanent residents.

Conclusively, secrecy is a complex issue/barrier that higher education professionals must navigate and that is greatly dependent upon context and circumstance. Professionals may have differing opinions about what they should advise students in terms of secrecy and their undocumented status; however, what is clear is that most individuals are, in one way or another, navigating the issue of secrecy.

Advising Burdens

Twelve higher education professionals expressed that they are oftentimes asked big questions by undocumented students regarding important legal, financial, family, and career issues. Some, like Lori, have become known as “unofficial experts” on their campuses, whom students can approach for advice and assistance. She said that she does what she can for them, but there is not much that she has the capability to do when
approached with such large issues. Nina put it most saliently when she stated:

I feel like a lot of times students come to me with these big questions that involve big decisions. If I give them my opinion, I feel that they’re going to make a huge decision based on what I’ve told them. It’s a big responsibility, because if I tell them to come to [our main campus] and then they can’t afford to stay, what happens?

The burden of these big questions was further described by Jane:

Oftentimes we’re the bearer of bad news saying, “You’re not eligible to work anywhere because of your status;” and they’ve not understood that before. It’s difficult to try to make sense of their situation for them and help them then work through it. Personally, just not being able to provide a solution for them—because many times the answer to them in what they’re trying to do is, “I’m really sorry, you can’t do that,” or, “I’m really sorry, you have to wait for federal legislation to happen before you’re able to take that opportunity” is the most frustrating thing.

Jackie gives career and academic counseling to students on a daily basis, and her issues in advising undocumented students are significantly different than advising other students:

You really have to know what you can talk about, what all their options are. I think about these students that I'm trying to build degree plans and career plans with, and I'm making empty promises to them. They can get that degree but unless they're documented, they can't get the job. I also don't want to tell them something that's not true like, “Go get your Bachelor's degree, and you'll be able to do great things.” I do tell them, “Get your Bachelor's degree. I want you to
keep having hope; but along the way, you need to be convincing every person you talk with to vote for legislation that will allow you to get a job when you're done.”

Because of ambiguous and inconsistent policies, higher education professionals are challenged to provide clear, helpful advice to undocumented students. The burden of assisting these students in answering big life questions that are not simply solvable is a clear key theme found in interviews.

**Role Struggle**

A related key theme to the issues of giving advice and secrecy is the concept of role struggle. Ten individuals asserted that sometimes it is difficult to balance personal beliefs/politics with institutional politics. This was already evidenced in the experiences of Jane who is “walking a rope” and with Lori who keeps a “side underground project” filed at her desk. When asked about how personal commitments regarding undocumented students align with professional roles, Tom explained:

They're just in stark contrast because [my institution] doesn't allow undocumented students to have a chance to go to school here, so there's no true opportunity for all. We say in our statement that we value diverse perspectives and opinions and all persons. Well, that's not entirely true. We don't value people who are undocumented who live in the U.S., and that's just one category we don't value. The institution and I disagree on this issue pretty strongly.

Molly provided another example of a professional whose role is in juxtaposition to her commitments. She said:

We are at a very controversial juncture on this topic because they do not offer scholarships to undocumented students. It is certainly interesting for me, being the
person that I am, since I don’t agree with their politics.

At the community college level, Jackie expressed frustration at her institution’s lack of follow-through for undocumented students regarding its open access policy. She stated, “So, we're caught in the crossfire of it because we have these students we've taken in. Obviously we want to take them in, but what do we do with them? What do we promise them?”

Kara eloquently remarked that “it’s definitely a struggle to figure out how to bring together direct service and advocacy.” Bound by the confines of policy and how institutions both interpret and create policies, higher education professionals are, according to Jackie, “caught in the crossfire,” and are therefore placed in positions that cause strains on individual professional roles.

Taken as a whole, the five major themes of finances, lack of leadership/institutional support, secrecy, advising burdens, and role struggle paint a comprehensive picture of the issues and barriers that most plague higher education professionals who seek to assist undocumented students. These findings offer new insights into the complexities that ambiguous and inconsistent federal, state, and institutional policies create for those who are charged with implementing these policies while also maintaining a priori commitments to certain identities and beliefs.

**Research Question 3**

*Do issues differ between individuals working in states with permissive in-state tuition policies and individuals working in states with restrictive/absent in-state tuition policies?* In short, the data demonstrated that there is little difference in this regard. With the five main issues/barriers of finances, lack of leadership/institutional support, secrecy,
advising burdens, and role struggle, transcript analysis revealed that there were no expressed differences in responses. Overall, the policies that seemed to possess the most immediate impact for professionals were at the institutional level and were directly related to whether leadership at the institution was supportive of current in-state tuition policies and undocumented student access and success. Private institutions may not face the level of scrutiny in the public regard that state institutions and community colleges encounter; however, leadership and overall support at these institutions was still a key issue for professionals.

On the issue of secrecy, it is important to note that while colleges in states that possessed in-state tuition policies may be more welcoming of undocumented students on their campuses, professionals in these areas still discussed larger societal fears of backlash and expressed institutional and personal desires to maintain aspects of secrecy in order to avoid public scrutiny or negative consequences for students.

All higher education professionals, regardless of state, experienced burdens with advising undocumented students about big life decisions. Eleven individuals expressed frustrations about directing students into careers that would be most viable for them after college graduation, as they are not eligible for employment without the passage of comprehensive federal legislation such as the DREAM Act.

Issues about finances, particularly with regard to employment, were a common theme as all students are equally constrained by the larger national ineligibilities for work-study, internships, and travel. While assistance in the form of in-state tuition is a great benefit to students, professionals in states with this permissive policy expressed
frustrations at the level of misinformation and misunderstanding about these issues, as previously articulated.

Across a variety of factors that included state policy type—and encompassed other factors such as institutional type and size, employment level and authority of each professional interviewed, and institutional access to resources—common themes were present. This demonstrated that the effects of ambiguous and inconsistent federal, state, and institutional policies are, ironically, rather clear and consistent.

**Research Question 4**

What strategies do higher education professionals utilize in order to affect change of institutional policies, practices, commitments, and attitudes about undocumented student access and success? The four main themes present in participant interviews were the following: (a) networking, (b) leadership lobbying, (c) education, and (d) direct challenges. Within each of these themes, several communication tools were utilized by professionals that included conversations, presentations, letter writing, publications, emails, meetings, conferences, training programs, and events.

**Networking**

When higher education professionals were asked about whether they had formed networks and relationships with other individuals, institutions, or organizations, they provided a number of affirmative responses. These networks were both informal and formal and were formed within and outside the structure of the institution for an overall purpose of strategizing to affect institutional dynamics.

With regard to the brokering of formal relationships within particular institutions, Eric and Patty discussed their work to garner access and financial support for
undocumented students, first at their own institution and then at several other private institutions. Patty said:

At this point there are three universities that accept undocumented students and will scholarship them completely for four years. So we worked on brokering and getting universities to have a place for these students. The networking that we did, for example, to help establish these scholarships was real grassroots in terms of how we started. First, there were some professors that were key advocates, and they were willing to give money.

Eric, one of the main faculty supporters that Patty mentioned, articulated the way in which he is strategically invited to colleges to work on brokering these relationships and networks:

Well, what I’d do is get in touch with somebody in the History department and give them a menu of my books and articles. They’d invite me either to talk to a class or to do a lecture for free; and at that time, I would also come out and talk with the provosts and the enrollment manager [about undocumented students]. We’d usually look for some support on campus before we started. Then, what we would basically do is present to them a nice profile of our potential students, the FAFSA form we use that doesn’t require a Social Security number, and the legal dos and don’ts of what you can do with an undocumented student. And that’s how we do it.

At Beth’s private, Midwest institution, the admissions department hosted a day-long conference for college and high school counselors in the area who were interested in access and success for first-generation students:
There was a lot of [discussion] on the topic of how to help undocumented students to find financial aid resources and to support them. I was not personally involved, but I think our admissions office has done a bit of work to help counselors understand what the opportunities are and how [the college] can be a fit for undocumented students despite some of the challenges of funding.

With regard to formal networking opportunities outside the institution, 18 of 19 higher education professionals discussed several examples, as well as the importance of these relationships as supportive frameworks for continuing institutional change work. Nina and Sophia belong to a network for professionals in the Midwest that has been extremely beneficial to affecting institutional change in this area. Nina discusses the purposes of the group:

Our purpose is to first and foremost see if we can do some sharing of resources and best practices amongst each other on what is going on with Latino populations and how can we hold our institutions accountable for recruitment and retention and the numbers that relate to that. The summit [we recently held] was interesting because what came across every time was the issue of undocumented students and motivation based on the policies at universities not having those clear paths within the state. We feel that that’s been really positive because now we are sharing best practices. So, we’re definitely doing a good job of trying to connect with everyone across the state and using each other as resources.

One poignant outcome for this group with regard to institutional change was recounted by Sophia:
A couple of months ago, a [state college] president decided to write a letter of support for the DREAM Act. A month later, we started saying, “That president did it, so why can’t our president do it?” Then our president went ahead and did it. I’m sure there were other reasons, but . . . now we’re hitting up [another] president saying, “Hey, President X did it, Y did it…” We help individuals within their institutions to prepare an argument or even draft a letter that they could share with the presidents that all they have to do is edit and sign. Whatever people need, we try to work with them.

In this way, the network of higher education professionals places positive peer pressure on college presidents and provides support and encouragement to individuals working within their respective institutions to lobby their leaders.

Another network was created between a private, religious university in the West and its denomination’s organizational leadership body through shared social justice commitments in order to garner institutional support for undocumented student access and aid, as explained by Sandy:

As far as sharing resources, we had great allies as partners. [Our denominational leaders] are dedicated to immigration work, and they hired an immigration attorney. So that immigration attorney would come to us and meet with our students one-on-one and hear their stories. It’s just connecting with them and bringing them in to meet our students, and it’s not a cost to [the university]. People at the institution who are already working with issues of justice are connecting the dots and networking.
Kara, who started a non-profit that helps to connect educators around this issue, has been quite successful in this endeavor:

This year we’re really trying to find ways to enable educators to come out of the closet and identify themselves as supporters of students in order to be able to work together in their own schools. We have a very active Educator Ally group that has been working for the last few months in our area. I think that does differentiate us because we have more connections to educators and educational institutions than we do to immigrant rights groups, although we definitely fall within both. I think that our connections are really much more about education in the current system and how it works.

The previous examples demonstrated the work of higher education professionals in connecting with or creating relationships and networks with more formalized or recognized organizations, educational institutions, and campus departments. However, nine individuals also mentioned a number of informal relationships that have also been beneficial in assisting professionals with promoting institutional change. For example, Linda talked about her relationship with colleagues at other institutions and quipped, “Well, we have an informal network. We communicate. We send students to each other. We blast e-mails just providing information on opportunities, scholarships, or jobs.” Six higher education professionals highlighted similar informal professional networks that they have been able to access, as well as creating and maintain relationships with non-profit immigration and educational organizations and with individuals who offer resources that assist professionals in transforming institutional attitudes and policies.
These above examples point to the ways in which individuals worked to bring about change at their own institutions (and others) by creating increased educational opportunities about the issues of undocumented students to the actual admission of these students. While not all of these networking examples demonstrated direct causal links to inciting institutional change, they nonetheless proved to be important for higher education professionals in terms of educational enrichment and professional development and in terms of empowering individuals with new strategies.

**Leadership Lobbying**

Another key strategy that 12 of the 19 higher education professionals talked about was lobbying the leadership of their respective institutions in order to educate and garner support. As previously articulated, professionals felt that uninformed and unsupportive leadership was a barrier to undocumented student support; and experiences shared by individuals such as Tom and Eric have already illustrated this. In terms of strategies, Nina talked about a letter she wrote to the President of her institution:

“We have a Latina president; and at that time when she was first selected to be president, I sent her a letter. That was my first course of action with her in saying, “I’m not asking for money. I’m not asking for a bigger facility. I’m asking for a clear path for undocumented students.” I wrote a letter to her specifically asking for that. There was no response.

This did not stop Nina from writing subsequent letters, however. When her president signed a letter supporting the DREAM Act, she wrote a letter thanking the president for doing this and continued to encourage her to create institutional policy for undocumented student support.
Linda discussed her abilities to raise money for the institution through grant writing, which she believed affected her relationship with leadership:

I think that I have gained respect from my superiors because I brought money to the university through grant writing. The first one [I wrote] actually gave the university the biggest gift they had ever had in some 70 years of serving the state. It was $500,000 in 2003. The second grant was $600,000. Every year, I bring in an additional $10,000 to $20,000 through mini-grants, service-oriented programs, cultural programs, and leadership development. They see that I’m not focused on making this a political issue for the university and that I’m helping all students and the university as a whole. I think that that’s why I have gained their respect. I have also been able to support their particular agendas to diversify the student body, and that has made a difference.

Four other professionals attributed their success with institutional change to the actions and beliefs of campus leadership. Molly, an individual who currently works in the non-profit sector but has had extensive experience in higher education, articulated the reason why she was able to assist in persuading two large community college districts in the Southwest to change their in-state tuition policies to favor undocumented students:

Well, I think leadership. Both [districts] had people at the top who understood the issue and who were sympathetic. Perhaps they didn’t even know about the issues at first. It didn’t take them much to understand that this was the right thing to do in community colleges where the bulk of the students are Latino. Luckily, we had a very supportive chancellor and board members—great leaders who were attuned to student issues and willing to listen to the community.
Molly then discussed the actions of one leader who was instrumental in garnering buy-in from other leaders:

One board session was very interesting because there was very little reticence to approve the policy, very little opposition. [The chancellor] had done the prep work to make sure that the board understood that this was legal, that it was not going to cost the district a ton of money, and that it actually generated revenue because these kids were not going to attend at the current tuition rate.

Sophia was very candid when she talked about the success she has had in lobbying the leadership at her large, public institution:

It sounds very impressive; but let me tell you, it took ten freaking years to get there. We’ve gone through three presidents and two diversity vice-presidents; and now I’m on my third enrollment management vice-president. Just in this last year or so, the stars were so aligned that we really were able to get institutional support.

Patty succinctly stated, “If you can find a champion that’s far enough up in the system to be able to make things happen, that’s how you go about doing it.” Three higher education professionals mentioned other strategies to garner support from leadership such as bringing high-profile speakers and programs to campus on the subject of undocumented student access and working to create a campus-wide task force with the approval of the president. Conclusively, higher education professionals valued this strategy as an important tool for institutional change.
**Education**

Connected with both networking and leadership lobbying is the more general theme of education, not only of campus constituencies, but also of organizations and individuals outside the institution due to a public need for information on this subject. Jerry articulated a sentiment that several other professionals expressed: “I think we’ve come to recognize education as one of our primary roles, this need to change common sense around issues of immigration.” As a scholar who publishes works on undocumented students and immigration, Jerry utilizes his writings as conversations that contribute to the education of higher education institutions. Kara artfully stated, “Educators serve as gatekeepers for students really believing they can go to college; so we probably concentrate mostly on other educators because we find that there’s a lot of misinformation and ignorance out there.”

Eight higher education professionals mentioned that they have compiled and distributed lists of scholarship opportunities for undocumented students to various campus departments and to students themselves. Jane implemented a more direct approach at her large, public, Southwestern university:

I’ve been trying to work with other offices on campus to inform them about what some of the difficulties are. Over the last two years, I’ve probably presented to ten different offices on campus just to raise awareness. I think I serve as a person who’s been able to help others on campus understand that this population exists and that no matter what your political leanings are and whether or not you agree with immigration reform, this group of students exists. I hope that I’ve opened
people’s eyes to the fact that they’re here and they want to get a degree just like anybody else.

Mia, a member of a presidentially-appointed committee at a Western public institution that is dedicated to working on undocumented student issues, is partnering with others on an ally training program specifically designed for this issue:

The students created a symbol. They took that symbol and gave it to professionals that they already had established connections with. The purpose was so that those professionals could place it in their offices, and other students that were undocumented would see that symbol and know, “This is somebody that I can trust and disclose information to and that I can ask about resources.” As a committee, we took that idea and expanded it to create a training session where people can decide that they want to be an undocumented student ally and be given this symbol.

Seven individuals talked about key programs that they worked to develop on their campuses. In particular, Beth discussed a program that she sponsored and worked with undocumented students to promote:

We did this event called “A Day in the Life of an Undocumented Student.” This was a program that we put on for campus that was sponsored by my office and the theater department. It was inspired by a student leader who is undocumented and who felt like he wanted the community to know about his experience and do some education. We wanted to help him do that in a safe way that wouldn’t necessarily expose his identity. It was successful, and we had good attendance.
In a different tone, Sophia discussed the frustrations of continually educating colleagues on current policy at her multi-campus institution:

Educating individuals that work at the university level and helping them understand this policy [is difficult]. I think the problem is that with admissions people who are doing the face-to-face advising of students at entry level positions, things are so transitional. There are new people constantly coming in, and I have to re-educate because it’s not part of the standard training of incoming recruiters. I’m also constantly having to go back and remind people, especially new folks, by saying, “Hey, by the way, don’t forget…” Or, if a situation comes to my attention, then I’ve got to go back and not only help the student, but then address it with the staff.

In addition to the education and re-education of campus colleagues, 12 higher education professionals also mentioned their educational efforts outside the institution. Because of many individuals’ *a priori* commitments, they have given presentations at conferences, high schools, non-profit organizations, and professional groups. Furthermore, 11 professionals have gained reputations for being “experts” on undocumented students in their state and even nationally and have received requests for presentations. Jane stated:

For better or for worse, people contact me when they have questions about undocumented student issues on their campus, probably more in [my state] because I have a good network of colleagues in our professional organization. So, when issues arise, I’m often contacted to find out what happens at [my institution] or from my experience. They’re informal, infrequent questions that come to me;
and I just try to help those professionals on other campuses think about the bigger picture and about ways to work through processes to help their students.

Education as a strategy has been utilized by higher education professionals in a variety of ways, from conversations to printed materials and publications to presentations. Individuals view this as a strategy that can have a direct impact on the lack of institutional support that professionals voiced as a barrier to institutional change.

**Direct Challenges**

Seven higher education professionals that were interviewed provided examples of instances when they directly challenged current policies, individuals, or leadership. Tom’s story of confronting his college’s legal counsel and administration with regard to their restrictive policy was previously highlighted, as well as the experiences of several other individuals who openly lobbied their institutional leadership. Linda talked about another instance of this sort:

I held a couple of town hall meetings at the university where the issue of immigration came up, and I had people tell me in a public setting that these students are taking other people’s seats. I’ve confronted that with a lot of courage, and I’ve stood my ground and have not had any of that held against me or had repercussions from it either. As a whole, I think everybody at the university admires what we’ve done and respects and values my work because we have increased the overall Latino population, residents and citizens too.

In his role as an academic, Eric explained that he receives some protection in challenging policy, in contrast to administrators who work under different pressures:
I’m a tenured professor, and I don’t have to worry as a college president or a chancellor has to worry. I’m accountable to no one, actually. As long as I don’t screw my undergraduates, I’m going to keep my job. College administrators—they’re institutionally protective, basically liberal people who want to do the right thing; but they’re frightened of trustees and state legislators. They are people of goodwill; it’s just that they have different responsibilities.

Jerry summarized this strategy by stating, “We’re all limited in what we can do by the legislation that’s out there and by institutional practices, but we can also all contribute to disrupting those whenever we can.” Directly and openly challenging policies with information and experiences, while related to the strategies of leadership lobbying and education, demonstrates a unique theme that is not completely described by other strategies.

In conclusion, it is unclear whether these four strategies of networking, leadership lobbying, education, and direct challenges were actually effective in prompting institutional change. That is not the focus of this study; however, it is an important query for further research. What has been revealed is that a diverse cross-section of higher education professionals utilized these strategies at their respective institutions.

**Research Question 5**

*What strategies do higher education professionals utilize in order provide direct assistance to undocumented students?* Two overarching themes were present in interview transcripts: (a) the use of loopholes and (b) the building of key relationships. Both of these strategies allowed professionals to creatively assist students in light of ambiguous and inconsistent policies.
Loopholes

The main strategy that higher education professional employed was the discovery and use of loopholes within current institutional systems. These loopholes centered on tuition breaks, scholarship funds, and employment for students; and individuals provided several creative examples.

**Tuition breaks.** Six higher education professionals discovered policies at their institutions that were not intended for undocumented students but, nevertheless, applied to this population. Sophia had one such policy at her institution that was created years ago:

If a student is under the age of 21, their parent or guardian is in [the state], they’re dependent on those parents or guardians, and they graduate from high school in [that state], then they’re able to come to [our university] with in-state tuition.

About ten years ago, when we were starting to get larger numbers of undocumented students inquiring, that’s when we’re like, “Okay, we really need to sit down and look at the policies.” This policy popped out. But it’s a policy that was intended for folks who waited a year or two after high school to apply to college. We were able to turn around and say, “Technically, this can also apply for folks who don’t have a Social Security Number.”

Lori also discovered a policy with unintended positive consequences for undocumented students at her state institution:

There is a policy through our campus that . . . they don’t realize it's supporting them. It fell under a loophole. If the student applies to the college but only takes classes at the extended campus, then they can pay the flat rate fee which is only a
$200 difference from in-state tuition. This applies to any student, so the reason they are able to do so is because our extended campuses do not receive state or federal funds. They’re only paid for by student fees, so there's no documentation required. The catch is, though, that the policy also stipulates they have to do two years on the main campus and two years on the extended campus. So, when the student does the two years on the main campus, that's when that out-of-state tuition would apply. However, there are three majors that you can do the full four years at the extended campus.

Besides tuition policy loopholes, individuals have also found other strategies and programs to assist undocumented students in decreasing the cost of college. One professional discussed an established undergraduate exchange program that allows individuals to attend public universities in other states that are in the program at the cost of in-state tuition. For students living in states that possess tuition restrictive policies for undocumented students, they can apply to a public institution in another state with a tuition permissive policy and receive in-state tuition. Another program, located in the Southwest with the purpose of funneling first-generation, low-income high school students into community college, also has unintended consequences for undocumented students. Jackie described it as “a fifth year of high school that’s really your first year of college. [The high school] pays for it.”

Vera talked about helping students test out of course pre-requisites in order to save costs:

For instance, if they can speak and write in their native language, then we try to get them to take the Spanish 1 and Spanish 2 test to get credit for it. It costs $80 to
take a test versus the hundreds that they will pay for one class. They’re going to pay $900 for a class; that’s ridiculous.

Finally, with regard to the theme of tuition breaks, one individual who was interviewed as part of this study actually identified herself as an undocumented graduate student who also worked in education. She described an incredibly poignant experience:

You know, you said something about “underground.” I wasn’t going to disclose this information because I don’t want to get anyone in trouble; but since you mentioned that, I feel I need to say it. When I was doing my undergrad at the community college, there was this particular person who helped me tremendously. She actually had to change my [out-of-state tuition] status, and I was able to get a fee waiver. She had to go underground, and she had to do this secretively. She wanted to help me, and I’m very grateful to her to be able to provide that help.

But, I also knew that she was putting her job at stake—that’s why I didn’t want to disclose that information. She was just an amazing person who was willing to do that. For me, that meant a lot—it kept me going. And it’s kept me going all these years knowing that someone would do that for me. It helped me pay for my entire undergrad actually. I took the money that I would be spending for my two years at the community college, and I saved all that money which paid for my Bachelor’s program. She told me, “It’s a waste of money; so I’d rather give it to you because I know you’ll really take advantage of it.” And now, that’s actually one of the things that I do. When I see students who are very motivated, I talk to her and try to let her know about this person’s story. I let her know that this person really
wants to go to school, but they don’t have the money. And she’s like, “Just tell them to come. But remember, don’t tell anyone.”

This story provided a significant illustration of the riskier strategies that some higher education professionals employ in order to provide undocumented students with college access and success. While this may not fall completely under the theme of a “loophole,” it nevertheless signifies the ways in which higher education professionals seek and find ways to utilize institutional systems to the advantage of undocumented students. For Bonnie, this individual’s actions were a motivating factor in her desire to complete college and continue into a graduate program; and she now brings other potential students to this professional’s attention in order to provide them with similar financial assistance.

**Scholarship funds.** Five higher education professionals also found alternative ways to provide private scholarship funds to undocumented students. At Mia’s institution, the task force established an account through the university’s foundation, which is a separate organization from the institution and does not receive federal funds of any kind. This strategy was also utilized by individuals at other institutions.

Vera discussed her fundraising efforts through soliciting private donors:

Since I’ve lived in this community a long time and am active in the community, I’ve been fortunate enough to find a few donors who are willing to give to undocumented students. I have several private donors who are giving full ride scholarships to undocumented students at this time. If Mr. Jones decides to give to Juanita, he just sends the check to financial aid and they put it on her account. The
donor doesn’t have to specify the status of the student—no donor ever has to do that.

Eric even talked about giving his own money to fund undocumented students: I’m 65 years old, and I should be retiring. I make a wonderful salary, but I’m basically helping to support 19 kids in college right now. One of my kids will come into my office, and I’ll realize that he or she wouldn’t be in college right now. Eight of our nine youngsters are on the Dean’s List here at [the college]. That is the reward.

**Employment.** In addition to scholarship funds, professionals provided a number of examples of strategies they used to pay students for work on campus. Nina talked about one department on her campus that discovered a loophole in this regard:

Engineering found a way to pay undocumented students through—it’s not a stipend—it’s like a scholarship. I know two students right now that are working the summer camp, and they’re somehow paying them through a stipend/scholarship. We’re still trying to figure out how they worked that out because it has to do with the type of funding. I believe that they are doing it through gift funding, and they were able to manipulate the wording so that they didn’t have to provide any tax ID information.

Six professionals talked about providing students with research stipends through grants that they had received from private foundations. Jerry, who used this strategy at his institution, cautioned: “There are limits to how much you can put in a stipend before the institution starts to think, ‘This sounds more like a job.’ I can’t give a ton of money, but who’s going to balk at $1,000?”
Juan provided information about some creative strategies that he utilized at his private institution. In the past, he gave students gift certificates to grocery or department stores in place of wages and was also able to credit students’ tuition accounts in some cases. With regard to assisting students in finding employment after college, he provided the following information:

A lot of undocumented students that do find jobs most frequently are engineers because corporations here are able to support them with a visa as a guest worker. We’re also looking into trying to establish partnerships with different Indian reservations and the gaming industry. From what I hear, they’re under their own laws; so there’s—I don’t want to say a loophole—but they can hire undocumented students. So, we’ve been exploring those ways.

As evidenced, higher education professionals discovered a number of loopholes when it came to assisting undocumented students in financing their college education, whether it was through tuition breaks, scholarship funds, or employment stipends. Because the issue of finances presented itself as a major barrier to professionals’ abilities to adequately support these students, they were able to find and implement a number of creative solutions to the problem.

**Building Key Relationships**

Eleven higher education professionals solidified relationships with key campus colleagues and individuals at outside organizations in order to provide direct assistance to undocumented students. Nina recounted one particular instance in which a student needed financial assistance because she lost her job:
She came to me and told me what happened. I felt really horrible because she was in her last year and was going to have to pay for it herself. She didn’t have a job, so how was she going to do that? I talked to the director of financial aid—they don’t do this very often—but they ended up giving her a full ride for her senior year.

Sophia talked about the ways in which she was able to form relationships with colleagues at her institution’s other campuses:

If folks in our system know that their student is transferring to [our campus], then they will say to me, “Hey, I’m sending you somebody. Keep an eye out for them.” Or, when I do recruiting, whatever region I am in I tell people, “Somebody you can talk to is X.” You give people a name and a face and a direct contact as opposed to just general 1-800-whatever. It really helps the students to make sure they take the next step because you can overwhelm them with information.

They’re first generation college students. The whole concept of college is foreign to them, even if their parents went to college in their respective country. It’s creating those partnerships or support systems so there’s somebody that you can connect the students with and then help them with whatever steps they want to take.

Seven professionals also mentioned relationships they formed with individuals outside the realm of the institution in order to assist students. Five professionals distribute a list of community resources to students with regard to legal help or have direct relationships with attorneys who provide pro bono legal help to referrals. Based on his networking with colleagues at other institutions over email and in person, Tom generated
his own list of schools that are rumored to take undocumented students since his institution does not admit them and has distributed it to college counselors. Vera, along with others, talked about the role of conferences as opportunities to form helpful relationships: “If I get in one of those undocumented student workshops, we exchange cards and that helps.”

Clearly, the strategy of building relationships was not only beneficial for inciting institutional change, but was also helpful for assisting individual students. Combined with the utilization of loopholes, these tactics provided higher education professionals with practical resources that have allowed them to assist and support students despite inconsistent and ambiguous policy on this topic.
CHAPTER 5

DISCUSSION

How and Why

Higher education professionals indicated that key experiences in the course of their professional roles and a priori commitments to racial identity, family background, and beliefs about equal access and education were the two main catalysts for individuals’ work with and support of undocumented students. In regard to connections with critical race theory (CRT), it is clear that professionals placed a high value on experiential knowledge as a determinant of action. Because professionals gained access to primary experiential knowledge by forming relationships with and entering into the counternarratives of students, they inherited a sense of agency which prompted them to use their resources and relationships to support this population. The policy inconsistencies and ambiguities that perpetuate barriers to access and success for undocumented students is a lived experience that professionals encountered in the context of their institutional roles.
In addition, professionals’ *a priori* commitments to racial/ethnic identities, family backgrounds, and beliefs about education are exemplified in several themes of CRT, namely, the centrality of race and racism and their intersectionality with other forms of oppression and a commitment to social justice. Individuals connected the issue of race, through their own experiences as racialized beings, to the ways in which race and racism affected current policies surrounding undocumented student access and success. As educators, they also demonstrated a commitment to social justice for all students to “identify and analyze dehumanizing sociopolitical processes, reflect on their own position(s) in relation to those processes . . . and think proactively about alternative actions given this analysis (Adams et al., 2007, p. xvii). Because higher education professionals possessed these commitments and have been trained in their roles to enact this kind of framework within institutional settings, to act in juxtaposition to those deeply held beliefs was counter-intuitive. The study by Furman, Langer, Sanchez, and Negi (2007) provided evidence of similar issues within the social work field and concluded that ethical professional standards and practices were incongruent with certain policies. As shown, higher education professionals encountered this incongruence between their own professional ethics and commitments to education and current policies and practices, ultimately creating alternative strategies that honored adherence to *a priori* commitments and experiences.

**Issues/Barriers**

The issues/barriers faced by higher education professionals in providing support to undocumented students illustrated the effects of inconsistent and ambiguous policies
on those charged with implementing the policies. Issues/barriers included finances, lack of leadership/institutional support, secrecy, advising burdens, and role struggles.

By restricting access to funding for higher education, the role of capitalist societies in maintaining a cheap labor force is solidified (Bailey, 2008; Bonacich & Cheng, 1984). Because this overarching demand has driven and continue to drives U.S. immigration policy, as demonstrated in Chapter 2, equitable policies that offer tuition breaks to all individuals who qualify under the term state residents are only active in ten states.

As reported in previous studies (Albrecht, 2007; Johnson & Janosik, 2008; Oseguera et al., 2010), higher education professionals reported a lack of leadership/institutional support as a major effect of inconsistent and unambiguous policies at all levels. Because of the low level of correct and clear information that leaders and institutions possessed on this issue, the burden has fallen on those individuals who do possess this knowledge to educate their supervisors and others. In correlation with institutional theory, the use of ideological conflict (Burch, 2007) helped higher education professionals to lobby leadership and obtain some institutional buy-in for undocumented student support. Because of policy ambiguities, professionals gained legitimacy for certain supportive strategies by relating this issue with previously established policies or institutional goals such as diversity, equity, or financial gain. This flexibility on the part of some institutions to change and become more supportive of undocumented students speaks to how opportunity transparent or unpredictable (Dorado, 2005) these colleges were. However, other institutions remained opportunity opaque, resistant to change.
The barrier of secrecy can be traced to historical and current negative framing of undocumented immigrants as increasing crime rates and lowering educational standards (M. G. Gonzales, 1999). As a result of this negative framing, public opinion and pressure to pass anti-immigrant policy has become racialized and, therefore, has made it increasingly difficult for higher education professionals to openly support and assist these students. Moreover, the advising burdens faced by individuals who feel unprepared to assist students with big life questions about college, employment, and family issues has placed additional pressure on professionals, as the study by Oliverez (2006) demonstrated that this kind of support directly impacts undocumented student access to and success in higher education.

The notion of role struggle was conflated by individuals’ beliefs about education and their ethical and professional duties to assist all students. Sentiments of being “caught in the crossfire” and of “walking a rope” between current policy and the needs of students illustrates the existence of loose coupling (Weick, 1976). While certain state, federal and even institutional policies may dictate one course of action, professionals have implemented practices that may not directly correlate to those policies.

**Differences between States**

Analysis of data revealed no differences between the barriers faced by higher education professionals in permissive in-state tuition policy states and individuals in restrictive or absent in-state tuition policy states. Therefore, it is important to note that institutional and individual strategies also did not differ between participants. There may be several reasons for this phenomenon; however, there seemed to be one main reason indicated by the research: there is a lack of state leadership and coordination in states
with permissive in-state tuition policies. As earlier noted, states with permissive policies have not taken the lead in conducting research on the effects of these policies at higher education institutions, nor have they taken any proactive steps to publish policy implementation suggestions or, at the very least, general information regarding the guidelines of these policies. The lack of education and institutional support experienced by higher education professionals is a direct effect of state silence on the subject.

Furthermore, state entities possess the capacity to organize institutions around this issue, therefore creating formal networks through which higher education professionals and institutions can gain information and best practices from one another. Instead, organization on this issue has come from non-profit entities created to fill the information and resource gaps, as previously evidenced by several non-profit organizations that have been formed in the state of California.

**Strategies for Individual and Institutional Change**

Professionals’ discussions of individual strategies (loopholes and building key relationships) and institutional practices (networking, leadership lobbying, education, and direct challenges) highlighted connections to a number of theoretical concepts. With regard to CRT, individuals found ways in which to support undocumented students in their state and institutional contexts, which related to the outlaw component of outlaw culture. As hooks (1994a) argued in her work *Outlaw Culture: Resisting Representations*, it is individuals such as these

Who are defined as on the edge, as pushing the limits, disturbing the conventional, acceptable politics . . . [calling] attention to class and the myriad ways in which structures of class privilege prevent those who are not materially
privileged from having access to those forms of education for critical consciousness, that are essential to the decolonization process. (pp. 4-5)

In the midst of strategic actions, individuals embodied a CRT framework by challenging dominant ideologies not only through individual and institutional means, but also through engaging in outreach to undocumented students in the community and working to alter state and federal policies.

Thus, some higher education professionals have become “outlaws” much like the students that they work to support. In the undocumented student movement for comprehensive higher education policies, “The imagery of being concealed, underground, because of their undocumented status is also present. Some of its leaders refer to the network of student activists and their allies in this movement as the Underground Railroad, in a clear reference to the antislavery movement” (López & López, 2010, p. 55). From the experiences of higher education professionals, it is evident that these phenomena are occurring for them as well, regardless of their possible status as citizens and as higher education employees in positions of some influence and power.

Again, it must be clearly stated that most individuals exemplified outlaws through the creation of loopholes, not through the direct violation of current policies. While one story in particular illustrated a clear violation of law, most strategies that higher education professionals utilized included indirect solutions and alternative means to existing policy.

The strategy of networking emphasized the culture aspect of outlaw culture. In seeking to provide support for undocumented students, higher education professionals created ties with others who are experiencing similar struggles at their institutions. In reference to the work of Patricia Hill Collins (2000), Evans (2000) highlighted black
women’s relationships in the context of both informal friendships and formal organizations as a “focal point for the nurturing of black women’s consciousness” (p. 506). These relationships provided support, resources, and a sense of place for individuals working on behalf of undocumented students and providing challenge to dominant ideologies both within and outside the institution.

Another theme regarding the creation of networks involved an interdisciplinary approach to supporting undocumented students, another essential characteristic of CRT. Higher education professionals discussed their experiences of forming relationships with others in varying college departments or community advocacy groups that shared a common commitment to this issue. They demonstrated a willingness to extend themselves beyond their own “disciplines” in order to assist these students, a somewhat uncommon practice within academia.

With regard to institutional theory, higher education professionals employed the use of informal structures (Edelman, 1992; Scott, 1983) in order to enact their strategies. In cases where institutions were not supportive of undocumented students, the behaviors of individuals and the use of informal norms and practices were utilized, as opposed to formalized policies and procedures. According to the notion of agency (Dorado, 2005), professionals also implemented either strategic (future-oriented) or sense-making (oriented to present times of uncertainty) practices to promote institutional and individual change. The use of loopholes and building key relationships signaled a sense-making approach that could assist in meeting the immediate needs of undocumented students; and strategic agency tactics were utilized for changing institutional policies.
Oliver’s (1991) strategic responses to institutional processes (Table 1) provided a beneficial framework to understanding the actions of higher educational professionals. Direct challenges that individuals mentioned are directly correlated with the concept of challenge articulated by Oliver of “contesting rules and requirements” (p. 152).

Moreover, higher education professionals employed a number of strategic responses that included compliance, bargaining, concealing, buffering, dismissing, and co-opting. Each of these responses was mitigated by context, cause, constituents, content, and control; but analyzing the extent that these strategies affected institutional change is beyond the scope of this study.

**Summary**

Taken as a whole, responses to the five research questions illustrated an emerging pattern with regard to the effects of ambiguous and inconsistent policies for undocumented students on higher education professionals. Figure 1 highlights this pattern. First, individuals gained awareness about the issue of ambiguous and inconsistent undocumented student policies through key experiences or through *a priori* commitments (Research Question 1). Once this awareness was brought to light, higher education professionals researched federal, state, or institutional policies, although not all professionals did so to a similar extent. In the course of this research and in the midst of attempts to support undocumented students, individuals encountered barriers (Research Questions 2 and 3). In spite of these issues/barriers, individual and institutional strategies were utilized in order to assist students and bring about change at varying levels (Research Questions 4 and 5).
Figure 1. Experiential Model.

The illustration serves to portray the dynamic nature of the processes that higher education professionals engaged in through their support of undocumented students. Several steps may occur at the same time; and the process may not be a smooth cyclical one, as demonstrated by several two-directional arrows. Knowledge and awareness of policies, in some cases, occurred as a result of experienced barriers. Even with the use of strategies, barriers still presented themselves for these professionals, thus the need for an exchange between strategies and barriers. Conclusively, Figure 1 answers the question of how and why individuals engage in support of undocumented students while simultaneously describing both the policy issues and strategies enacted in order to create individual and institutional changes.
Implications and Recommendations

Through higher education professionals’ exposure of the issues/barriers and their responses to ambiguous and inconsistent undocumented student policies, increased awareness of the effects for these professionals surrounding this issue will begin to be recognized. The hope is that increased networks between professionals can be created with the overall goal of mutual support and sharing of resources and strategies. With this increased knowledge and networking, individuals can take a more active approach in advocating for institutions, states, and federal entities to create comprehensive policy at all levels.

Moreover, by situating the experiences of higher education professionals within critical race and institutional theory frameworks, a historical, contextualized understanding of the experiences of higher education professionals can gain recognition both within and beyond academic discourse. On the institutional level, this study highlights the various issues at play when attempting to bring about changes to policy and practice. Actions of institutional leaders possess a large role in this process, and higher education professionals must find strategic ways to communicate with leadership on this issue.

On a broader level, the lack of education and awareness of the struggle of undocumented students and those who support them speaks to a larger issue regarding campus climate and diversity and inclusion practices at U.S. higher education institutions. Many institutions not only struggle with attracting a diverse student population (Anderson, Daugherty, & Corrigan, 2005; Pike, Kuh, & Gonyea, 2007), but they also possess difficulties attracting and retaining diverse faculty and administrators. Even at
racially diverse institutions, lack of educational initiatives to promote student learning
around diversity and inclusion impacts student development greatly, particularly when
students are not equipped with the tools to interact with their diverse peers (Gurin &
Nagda, 2006; Hu & Kuh, 2003; W. Maxwell & Shammas, 2007; Nagda & Gurin, 2007;
Pike & Kuh, 2006; Sandeen & Barr, 2007; Umbach & Kuh, 2006). Institutions of higher
learning can take a number of approaches in creating respectful, inclusive, and equitable
environments for faculty, staff, and students in the form of policy changes (Hurtado,
G. R. Lopez, 2003) and intentional pedagogical initiatives (Chang, 2002; Mayhew &
Fernández, 2007; Mayhew & Grunwald, 2006).

As a result of this study, there are several recommendations for higher education
professionals and policymakers. These recommendations mirror the suggestions offered

1. Undocumented students who meet strict residency and high school graduation
qualifications should be granted in-state tuition to public colleges and universities. This
population of students should be given access to higher education in a manner that is
comparable to their documented peers, not only because they meet state residency
requirements, but also because they deserve equitable access to resources in order to
become productive members of U.S. society.

2. From a policy perspective, states with current in-state tuition allowances
should research, publish, disseminate, and communicate information regarding policy
guidelines, the successes and failures of their programs, and the impact of their practices
on budgets, communities, and individuals. Education regarding in-state tuition policies is
sorely needed at the institutional level. Accurate information and implementation procedures of policies must be created and distributed to K-12 and higher education institutions. This information should also be available to the public in order to correct misperceptions and misinformation about this issue. With regard to research, some studies have been conducted (particularly in Texas and California); but these studies have not been generated by states themselves. State entities must begin to take this issue seriously and conduct research on the impact of in-state tuition policies for undocumented students.

3. Higher education professionals should promote access opportunities through their various appearances, professional affiliations, and influences in the community. Professionals that were interviewed discussed their community work and professional networking relationships outside the institution as part of their a priori commitments to equitable access for all. All higher education professionals should engage in these practices in order to increase regional networking and education on the subject for the community as a whole.

4. Higher education professionals should stay abreast of legal issues and adopt practices that promote inclusion by asserting themselves as proponents of opportunity for all. Issue-based listservs and websites dedicated to tracking local, state, and federal immigration policies can be excellent resources for keeping track of legal changes in this area. Furthermore, some of the strategies utilized by the higher education professionals that were interviewed can serve as a starting point for action by a broader number of professionals. Strategies can also be built upon and new actions taken as a result of changing policies.
5. Higher education professionals should establish support systems to overcome the challenges faced in sustaining effective school/family and workforce/community partnerships. Individuals at institutions are in desperate need of the support of other professionals and community members, not only to avoid burnout and frustration, but also to gain valuable resources that can assist professionals in bringing about individual and institutional change. While some higher education professionals have done this, more networks and partnerships are needed in various regions around the country.

6. Higher education professionals should engage in frequent and thoughtful communication on this topic. Education and dialogue are key components to institutional and community change on the topic of undocumented student access and success. Higher education professionals must carefully craft their cases for policies in ways that others can envision the social, economic, and moral/ethical benefits. This includes engaging with the public on these issues, as well as boards of education and state legislators.

7. Higher education professionals must lobby senior leadership to gain institutional support for undocumented students. This is a crucial component to bringing about change at the institutional level. Since almost all of the higher education professionals in the study found ways to talk with leadership, individuals should explore ways to dialogue with their college and university leaders, whether in person or through written record.

Further Research

As the first study of its kind to capture the perspectives and strategies of higher education professionals with regard to undocumented student policies, this work offers a solid foundation to explore the possibilities for future research. While a naming of issues
and strategies was captured in the study, there was no exploration into whether certain issues/barriers prompted professionals to implement particular strategies. Investigation into patterns of this sort would be an important area of research. Furthermore, assessment of the effectiveness of these strategies should be investigated with additional studies.

In addition, a deeper analysis of the effects of inconsistent and ambiguous policies with regard to other aspects of critical race theory not addressed in this study would enhance the credibility of this theory as an appropriate and useful framework. For example, policy analyses with regard to white privilege and oppression of racial minorities warrants further exploration, as well as CRT analyses of citizenship and educational access policies for non-white immigrants.

In a similar fashion, the psychological impact of these barriers on higher education professionals themselves requires further analysis. The concept of racial microaggressions (Wing Sue et al., 2007) and the ways in which these microaggressions have specifically impacted individuals working to support undocumented students must be investigated, as well as the level of stereotype threat (Steele, 2010) that professionals experience within their institutions. Including analyses of these personal and professional effects for individuals would create further evidence of the need for clear and consistent policies at all levels in order to avoid role struggle/strain and burnout for higher education professionals.

Overall, further qualitative analyses of current policies and their effects on higher education professionals would lend credibility to the issues described here regarding ambiguous or inconsistent policies for undocumented students. Additional qualitative research must also be conducted with higher education professionals to provide other
perspectives and experiences not gathered in this study—for example, conducting interviews with professionals who are opposed to comprehensive support policies for undocumented student access and who do not provide direct assistance to these students. Quantitatively, data regarding policy effects would certainly strengthen research in this area and increase the sample size and, therefore, the validity of this study.

**Conclusion**

At the beginning of Chapter 1, the experiences of Sara, a former undocumented student, were recounted. The “angel” that she described was a higher education professional much like the individuals that were interviewed for this study. It has been demonstrated that these professionals face a myriad of challenges in working to assist undocumented students and have, as a result, implemented a number of strategies due to policy ambiguities and inconsistencies at federal, state, and institutional levels.

In this regard, policy changes must be implemented at all levels to provide financial, social, and legal support to these students, not only for the benefit of this particular population, but also for the overall well being and career longevity of higher education professionals who are “caught in the crossfire” between policymakers and undocumented students. In order for institutional, regional, and national changes to occur, politicians, higher education professionals, students, and community members must work together to find viable, socially just solutions to the very real issue of undocumented student college access and success. Only then will progress be made.
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APPENDIX A

DEMOGRAPHIC INFORMATION

Participant No. ________________  Date ________________

This information will be helpful to me as I compile and analyze participants’ responses.

1. How would you describe your racial and/or ethnic background?

2. What is your age or age range?

3. Gender?

4. What type of socioeconomic background do you claim?

5. Are/were you or a close family member a recent immigrant to the United States?

6. What is the name of the institution in which you work? Department name? This information will be kept confidential.

7. What is your employment status at the institution in which you work:

   a. Salary ____ or Hourly ____?

   b. Full-time ____ or Part-time ____?

   c. Entry-level professional/administrative support ____, Mid-level professional/coordinator or specialist ____, Manager/director or above ____, or Faculty____?
This interview is being conducted so that I can get a sense of your experiences and opinions regarding how higher education professionals and institutions provide college access for undocumented students. As a reminder, I will be recording this session. Do you have any questions?

1. What is your title and role at your institution? What duties does that entail?

2. What types of assistance does your institution offer to undocumented students? In your opinion, how have institutional/state/federal policies regarding undocumented students helped or hindered the types of support that your institution provides undocumented students?

3. How did you begin your work with undocumented students?

4. How have you personally helped to provide college access to undocumented students?

5. What are the issues that are most frustrating for you in working to provide these students with a college education?

6. What are your personal opinions regarding the provision of increased college access to undocumented students, either through in-state tuition grants, or through other means?

7. How do your personal opinions align with your official institutional role?

8. How does your own personal/family story shape your opinions on this topic?

9. What networks, if any, have been developed between your institution and higher education professionals at other institutions with the shared goal of assisting undocumented students?

10. How have those networks assisted in offering access for undocumented students?

11. Could you describe, with one or two words, the role that you have played in helping to provide college access for undocumented students?

12. Do you have any particularly meaningful stories or memories in your work with undocumented students, and why did they affect you?
## APPENDIX C

### CODEBOOK

**ISSUES**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tr>
<td>ADVICE BIG QUESTIONS</td>
<td>Advising on big life questions</td>
</tr>
<tr>
<td>AMBIGUITY</td>
<td>Policy ambiguities</td>
</tr>
<tr>
<td>COMPETITIVENESS</td>
<td>Competitiveness over talented students</td>
</tr>
<tr>
<td>FEW RESOURCES</td>
<td>Few resources for the number of students</td>
</tr>
<tr>
<td>FINANCES</td>
<td>Financial and employment issues</td>
</tr>
<tr>
<td>HOPE</td>
<td>Giving hope to students</td>
</tr>
<tr>
<td>IDENTIFICATION</td>
<td>How students are institutionally identified</td>
</tr>
<tr>
<td>IMMIGRANT STIGMA</td>
<td>Stigma associated with immigrants</td>
</tr>
<tr>
<td>INCONSISTENCIES</td>
<td>Policy inconsistencies</td>
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<tr>
<td>INST SUPPORT</td>
<td>Lack of institutional support or education</td>
</tr>
<tr>
<td>LEADERSHIP</td>
<td>Lack of leadership support</td>
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<td>LEGAL</td>
<td>Complexity of student legal issues</td>
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<td>RESIDENCY</td>
<td>Residency issues during and after college</td>
</tr>
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<td>ROLE STRUGGLE</td>
<td>Role struggles</td>
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<td>SECRECY</td>
<td>Secrecy</td>
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<td>SYMPATHY EMPATHY</td>
<td>Statements of sympathy or empathy with student experiences</td>
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<td>UNSTABLE RELATIONSHIPS</td>
<td>Loss of contact with students due to dropping out or deportation</td>
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**STRATEGIES**

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<th>Code</th>
<th>Description</th>
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<tr>
<td>CAMPUS RELATIONSHIPS</td>
<td>Relationships formed with campus colleagues</td>
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<tr>
<td>CHALLENGING</td>
<td>Direct challenges to policies or statements</td>
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<tr>
<td>EDUCATION</td>
<td>Educational efforts on or off campus</td>
</tr>
<tr>
<td>FUNDING</td>
<td>Funding strategies and resources</td>
</tr>
<tr>
<td>LEADERSHIP</td>
<td>Lobbying of institutional leadership</td>
</tr>
<tr>
<td>LOOPHOLE</td>
<td>Loopholes and alternative processes developed/discovered</td>
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<td>NETWORKS</td>
<td>Networks on and off campus</td>
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<td>PERSONAL ACTIVISM</td>
<td>Personal activism by professionals</td>
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<td>PUBLICATIONS INFO</td>
<td>Scholarly publications or materials created</td>
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<td>STUDENT ACTIVISM SUPPORT</td>
<td>Support of student activist efforts</td>
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<tr>
<td>STUDENT PROMOTION</td>
<td>Promotion of student success stories</td>
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<tr>
<td>HOW WHY</td>
<td>How and why professionals assist students</td>
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<tr>
<td>FAMILY</td>
<td>Family racial/ethnic and immigrant backgrounds</td>
</tr>
<tr>
<td>ROLE</td>
<td>Self-articulated naming of roles</td>
</tr>
</tbody>
</table>
APPENDIX D

IRB APPROVAL

University of Colorado at Colorado Springs

Institutional Review Board

1420 Austin Bluffs Parkway
P.O. Box 7150
Colorado Springs, CO 80933-7150
(719) 255-4150; swurtele@uccs.edu

Memorandum

TO: Kristina I. Lizardy-Hajbi

FROM: Sandy K. Wurtele, Ph.D.
IRB Chair

DATE: February 10, 2010

RE: Providing College Access to Undocumented Students
(IRB #10-021) Expedited
UCCS Speedtype (-) Proposal Number (-)

Thank you for submitting your Request for IRB Review. Your protocol has been approved for one year, with an expiration date of 2-10-11. **NOTE: Please include the IRB number and expiration date on your informed consent document (ICD).**

Once human subject research has been approved, it is the Principal Investigator’s (PI) responsibility to report changes in research activity related to the project. The PI must provide the IRB with all protocol and consent form amendments and revisions. IRB must approve these changes prior to their implementation. All advertisements recruiting study subjects must also receive prior approval by the IRB. The PI must promptly inform the IRB of all adverse and serious adverse events to subjects. If the project is to continue beyond the expiration date noted above, the PI must submit a Request for Renewal prior to that date. Failure to comply with these federally mandated responsibilities may result in suspension or termination of the project.

Thank you for your concern about human subject protection issues, and good luck with your research.

Cc: Office of Sponsored Research
Corinne Harmon, Ph.D.
APPENDIX E

CONSENT FORM FOR INTERVIEW

The Role of Higher Education Professionals and Institutions in Providing College Access for Undocumented Students

Kristina I. Lizardy-Hajbi
University of Colorado at Colorado Springs
303-507-2473, klizardy@uccs.edu

You are invited to take part in a research study of how higher education professionals and institutions provide college access for undocumented students. This study is being conducted as part of my Ph.D. research work in Educational Leadership, Research and Policy at the University of Colorado at Colorado Springs.

What the study is about: This study will examine how higher education professionals and institutions as a whole provide access to undocumented students seeking a college education.

What you will be asked to do: You will be asked to participate in a one-on-one interview, which will last roughly 45 minutes to an hour. Interviews will be audio recorded with a digital recorder.

Risks: There is a minimal risk of breach of confidentiality; however, I will minimize this risk by never attributing any statements or actions to you in any of the reports from this study. Your name will not be recorded in observation notes or in audiorecordings.

Benefits: As practitioners who are on the front lines of this issue, you will be a resource to other higher education professionals who may be grappling with ways to assist undocumented students. Your participation in this study also has the potential to affect institutional, state, and possibly federal policies by highlighting a need for comprehensive policy changes for undocumented students in general.

Taking part is voluntary: Taking part in this study is completely voluntary. If you choose to be in the study you can withdraw at any time without consequences of any kind. In the interview, you can choose to skip any question. You can also choose to participate in some parts of the study and not others. Participating in this study does not mean that you are giving up any of your legal rights.

Your answers will be confidential: The records of this study will be kept private and will be stored on the researcher’s home computer. All audio data will be destroyed after transcription. Any report of this research that is made available to the public will not include your name or any other individual information by which you could be identified.
**If you have questions or want a copy or summary of the study results:** Contact the researcher at the email address or phone number above. You will be given a copy of this form to keep for your records. If you have any questions about whether you have been treated in an illegal or unethical way, contact: the UCCS Institutional Research Board chair, Sandy Wurtele at 719-255-4150, swurtele@uccs.edu.

**Statement of Consent:** I have read the above information, and have received answers to any questions. I consent to take part in the research study on the role of higher education professionals and institutions in providing college access for undocumented students.

______________________________  ________________________
Participant Signature  Date

UCCS IRB Approval Number: 10-021
IRB Expiration Date: 2/11