UNDOCUMENTED STUDENTS AND HIGHER EDUCATION IN THE STATE OF GEORGIA: THE “DON’T ASK, DON’T TELL” POLICY OF ILLEGAL IMMIGRANT CHILDREN

by

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DEDICATION

To Jorge and Emma Sophia, with all my love.
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To my family, thank you for believing in me. Remember when Grandpa said, “Well, you will not be a real doctor, but the first Ph.D. in our family…”? Jenn, you know all the stories, all the words to our songs and movies. I love you mom and you lived to see the day I got my Ph.D! Sra. Mabel, gracias por todo!! Love to Grandma, Dad, Barb, Heather, Bill, Louise, Auntie, Vicky and Steve the Great.

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ABSTRACT

MELISSA MCCANTS CRUZ
UNDOCUMENTED STUDENTS AND HIGHER EDUCATION IN THE STATE OF GEORGIA: THE “DON’T ASK, DON’T TELL” POLICY OF ILLEGAL IMMIGRANT CHILDREN
Under the direction of ELAINE M. ARTMAN, Ed.D.

The study detailed the life history of a family of five, Georgia high school graduates, undocumented students using semi-structured interviews. Because the five participants were all of Latino descent and undocumented students, their lived experiences were expected to add to the relatively young research concerning the sensitive, yet powerful, subject of undocumented people and higher education preparedness, access and achievement. The themes derived from the findings of the interviews, academic attainment, family unit issues, immigration issues, identity and challenges to daily life are all areas that are affected by the legal predicaments in which the undocumented students find themselves. Following the five principles of LatCrit, the participants acknowledge 1) that their race accounts for their experiences of oppression and cultural racism; 2) conventional concepts of the educational system do not apply to them as undocumented students; 3) equal opportunities is lacking when dealing with undocumented students; 4) empowering siblings with the lived experience of the eldest sibling and of others is very important to the advancing of their educational attainment and 5) poor educational support is a reality for undocumented, Hispanic students.
CHAPTER 1

INTRODUCTION TO THE STUDY

Minors who enter the United States illegally are considered undocumented students and are protected by both federal and state law (Deguili, 2011). These minors are allowed to attend elementary, middle and high schools, as well as have access to health care and publicly offered services. At the age of 18, however, this status changes. Once a student reaches majority, he or she is considered an “illegal alien” and is susceptible to the felony penalties for said illegal immigration status (Gonzales, 2009; Rumbaut, 2004). Increased ambiguity and lack of educational resources pertaining to undocumented students in higher education among leaders of the education system leads to different adherence practices, misinterpretation of laws and, ultimately, inaction (Albrecht, 2007; Feranchak, 2007; Oseguera, Flores and Burciaga, 2010; Reich & Mendoza, 2008; Varsanyi, 2006). Citizens need to be reminded that undocumented students are not criminals merely because of their undocumented status (Lizardy-Hajbi, 2011, Reich & Mendoza, 2008) and deserve the opportunity to access higher education (Stumpf, 2006; Varsanyi, 2006).

Post-secondary education is an advantage not only to the recipient of the education but to society in general (Baum & Ma, 2007; Williams & Swail, 2005). Barriers to post-secondary education entry for many students include being a first-generation college student, high tuition costs and non-scholarship eligibility due to citizen
status (Dougherty, Nienhusser, & Vega, 2010). The majority of undocumented Hispanic families in the U.S. live in poverty (Flores, 2010; Passel 2005; Passel & Cohn, 2009) and Hispanic children are the fastest growing segment of the population and are a significant group to study (Camarota, 2007; Passel, 2005). Though they make up a large segment of the population, undocumented students affected by the passage of Georgia House Bill 87 have found going to a public college is impossible (NILC, 2011). As non-citizens, undocumented high school graduates are ineligible for federal financial aid to attend college (Dougherty et al., 2010; Olivas, 2004).

State laws are constantly changing and, with all the other duties of university leaders, the laws concerning undocumented students are often overlooked (Roberts et. al, 2005; Russell, 2011). Additionally, detailed information about how to help these students legally is largely unavailable. The Pew Research Hispanic Center projects that the Hispanic population will account for at least 40% of the new eligible electorates over the next 15 years (Taylor, Gonzalez-Barrera, Passel & Lopez, 2012) and their significant increase could change legislation.

Many researchers (Chavez McKay, 2010; Perez Huber, 2010; Sponsler, 2011) state there is a significant lack of current research on state policies regarding undocumented students’ access to higher education. Past research has focused on social or economic issues that impact primary or secondary education (Doyle, 2006; Howard, 2006; McLendon, 2003) and has concluded that leaders in higher education lack the concrete information necessary to explain policy-making procedures (Sponsler, 2011). Colleges do not uniformly adopt legislated residency policies that affect undocumented students (Albrecht, 2007; Lizardy-Hajbi, 2011). Policy understanding and the attitudes of
leaders regarding undocumented students' enrollment eligibility in K-12 public education have been addressed in research (Feranchak, 2007), while no studies investigate the attitudes of leaders of higher education institutions (Oliverez, 2006). Chavez McKay (2010) noted that a limited amount of data exist on undocumented college students. Feranchak (2007) investigated differences among leaders of higher education institutes regarding attitudes toward educating undocumented students and Flores (2010) suggested further research was needed on institutional support of enrolled undocumented students and consistent adoption of polices affecting undocumented students.

Feranchak (2007) notes that individualized recruitment efforts will counteract the lack of knowledge undocumented students have about their eligibility to attend college. University leaders, in positions to make admissions decisions that benefit undocumented students in an atmosphere of legal ambiguity, can specifically target communities that have higher populations of undocumented students and attempt to address undocumented students' issues with secondary school leaders in their college preparatory programs (Roach, 2004; Sponsler, 2011).

In response to legislation, Georgia has ruled that “a person who is not lawfully present in the United States shall not be eligible for admission to any University System institution which, for the two most recent academic years, did not admit all academically qualified applicants” (GA Board of Regents, General Policy 4.1.6, 2011). The Board of Regents in the state of Georgia has barred access for undocumented students into higher education institutions in the state system.
Statement of the Problem

Uncertainty due to the varying state policies associated with undocumented students attending college is a hindrance to university professionals and their ability to enroll students into college (Albrecht, 2007; Lizardy-Hajbi, 2011; Passel, 2006; Sponsler, 2011). University professionals often feel discouraged in their attempts to help, and these feelings of discouragement are reinforced by the unavailable resources or educational opportunities for the leaders and staff to educate themselves about helping undocumented students attend college (Oseguera et. al, 2010). Many students qualify for full-tuition scholarships in the state of Georgia (Stevenson, 2004); however, due to their immigration status, these highly qualified students are denied admission altogether. Harmon, Carne, Lizardy-Hajbi and Wilkerson (2010) described a high school student who, while meeting with her college counselor to discuss college application procedures, watched as the counselor took out a red pen and wrote “She is Undocumented” on her high school transcript and then told the student there was no help for her. Denying access to the largest growing population in the United States could lead to the growth of a permanent underclass and cause a strain on national and state level finances as the conditions in Mexico and dependence on U.S. economy continue to affect the desire to emigrate (Gonzalez & Fernandez, 2002, Hinojosa-Ojeda & Cruz-Takash, 2009; Perez Huber, 2010).

Under prior national-level legal protections (Plyler v. Doe 457 U.S. 202, 1982), undocumented students are guaranteed primary and secondary education. However, with unemployment levels for high school graduates twice that of people with a bachelor’s
degrees, pursuing advanced degrees is necessary to advance in today’s society (Perez, 2009), yet undocumented students are denied access to higher education (Rincon, 2005).

The Purpose of Study

University leaders and admissions officers have identified Hispanics as an important group of minorities and have begun to recruit them for enrollment (Roach, 2004). “Undocumented students bring increased diversity to campus” (Coughlin, 2012 p. 11). When recruiting Hispanic students, the undocumented population of this student group needs to be addressed (Abrego, 2011; Bank Munoz, 2009). This study investigated the path to higher education of five undocumented, Hispanic high school graduates, who graduated from Georgia high schools. This study sought to ascertain the effects on one family as a result of policy decisions that led to the purposeful exclusion of these five undocumented students who were brought to the United States as minors by their parents and who are now ineligible for enrollment in public colleges and universities in Georgia. This study also documents the paths taken by some of these five undocumented students to successfully attain enrollment into higher education institutions.

Research Question

This study was guided by the following overarching research question: How do higher education policies of the state of Georgia affect higher education attainment for undocumented, Hispanic high school graduates?

Theoretical Framework

Race has been central to the formation of many laws in the United States (Epenshade & Calhoun, 1993), and racism in the context of this study will be associated with Marable’s (1992) definition of oppression of persons based on their ethnicity and
culture. Originally, CRT was used for legal research; however, it has crossed disciplines to include education (McDonald, Botti & Clark, 2007; Velez, Huber, Lopez, de la Luz & Solorzan, 2008). Citizenship is also significant when discussing CRT as the concept of property ownership linked to decision-making about the nation is in contrast with those who reside in the United States and did not own property (Ladson-Billings, 1999).

Latino Critical Race Theory

The historically African American focused Critical Race Theory (CRT) (Bell, 1976 & 1995; Delgado & Stefancic, 2001; Gillborn, 2009) forms the basis of the theoretical framework, Latino Critical Race Theory, used in this study. Perez Huber (2009) explains the use of the expanded CRT of Latino Critical Race Theory in education when discussing undocumented students as “LatCrit in education helps us understand that race has much to do with the ways Latina/o undocumented immigrants have been framed. Moreover, LatCrit illuminates the ways in which this framing relegates Latina/o undocumented immigrants and students in particular, to a subordinate position in U.S. schools and society” (p. 707-708). Perez Huber (2010) acknowledges the nativist mentality of the American population that is “the practice of assigning values real or imagined differences, in order to justify the superiority of the native, and to defend the native’s right to dominance, at the expense of the non-native.” (p.80).

Negative issues associated with attending college for undocumented high school graduates, such as barriers to college attendance for first-generation college students today (Lopez, 2010), parallel 1960s America for African-Americans (Evans, 2000; Lizardy-Hajbi, 2010). Multiple layers of state and federal laws (Lopez, 2010) have
marginalized undocumented residents of the United States and LatCrit proposes to be a voice for this group of marginalized persons (Davies, 2007).

Significance of the Study

According to the 2010 U.S. census, the number of Hispanic residents in the United States is rising. The 2010 census found that “more than half of the growth in the total population of the United States between 2000 and 2010 was due to the increase in the Hispanic population” (U.S. Census Bureau, 2011). Passel and Cohn (2009) posit that more than 1.5 million undocumented children (youth under the age of 18) are in the United States, of which about 75% are Hispanic. Continued research and gathering of resources for higher educational professionals who seek to assist undocumented Hispanic students and serve to alleviate some of the “underground” efforts and bring professionals out of the “shadows” for fear of shedding too much light on these students (Groseclose, 2010; Lopez & Lopez, 2010). This research will assist with the interpretation of laws and policies pertaining to undocumented students and will aid university personnel in interpreting residency status requirement for students. Without access to higher education, there is a high probability that Latinos will be relegated to low-wage jobs, a lower quality of life, poor health care, and inadequate housing.

Research Design

Data were collected following the research design of a topical life-history (Minichiello, Aroni, Timewell, & Alexander, 1990.) The topical life-history is designed to extract the detailed life-history of the participants. Siblings of an undocumented Hispanic family were interviewed that were over the age of 18, immigrated to the United States as minor children and the have graduated from high school in the state of Georgia.
These interviews sought to ascertain the participants' understanding of the implementation of laws regarding undocumented students, knowledge of various higher education admissions policies and aspirations for higher education.

The transcriptions were coded using analytic induction, and a report was formed based on the identified themes from participant answers. Data gathered from interviews were compared with supplemental documents taken from the internet. The time line of policies in the state of Georgia pertaining to undocumented students was illustrated beside the lives of the now adult children of the undocumented family to demonstrate how state and national policy decisions affected the lives of undocumented children and their completion of high school and college.

Limitations and Delimitations

The limitations of this study were participants may not have been completely forthcoming in their responses, the small sample size and the fact that the research used one family. The participants could have held back information for fear of legal retribution due to their illegal status or had not been entirely truthful.

The delimitations of the study were defined by the selection of a specific family of undocumented, Hispanic students. The possible effect on the study included lack of cooperation, less than forthcoming answers, desire to protect personal family information or answered influenced by siblings. The participant also had to have graduated from a high school in Georgia. Some of the participants had to have attended some college.

Definition of Terms

The following definitions are intended to assist with the clarity of terms:

Undocumented Student: A child under the age of 18 residing in the United States who is
Illegal Immigrant: Any person who is residing in the United States, is not a citizen, and does not currently have a legal permanent or temporary immigration status (Passel, Van Hook & Bean, 2004.)

1.5 Generation: Any child brought to the United States as a minor (under the age of 16) by and adult illegal alien with the intent of living for a long period of time in the United States (Abrego, 2008.)

Hispanic: Used to describe persons of descent from Mexico, Central America, and South America (Escoto, 2012.)

Summary

The purpose of this research was to determine how five high school graduates of one undocumented family overcame barriers to higher education and actions taken to achieve enrollment in college. Chapter 1 detailed the problem existing in the state of Georgia where qualified high school graduates cannot attend college due to their undocumented status. The research question designed to guide the study is: How do higher education policies of the state of Georgia affect higher education attainment for undocumented, Hispanic high school graduates? The significance of the study was to provide information to university personnel regarding policies pertaining to undocumented student and the implications of those policies. The research was designed to obtain life-histories of undocumented students and their academic journey through interviews. The study was guided by the conceptual framework of Latino Critical Race Theory and important definitions pertaining to the undocumented population were outlined. Chapter 2 reviews current and historical information that relates to
undocumented persons in the United States, how they arrived here and statistical and demographic data that pertain to them, as well as university admissions policies for this population and how society views these persons. In addition, legal decisions – both state and federal – that relate to undocumented persons will be reviewed. Chapter 3 details the methodology and research design of the study. Using topical life history approach, the research designed questions to obtain detailed information about the participants to determine educational aspirations. Chapter 4 reviewed the results of the interviews and organized according to themes. The interview questions were listed and examined using the major themes. Chapter 5 summarizes the research with discussion of the themes which pointed to conclusions, implications, and recommendations for education professionals and suggestions for future research.
CHAPTER 2
REVIEW OF THE LITERATURE

Introduction

Researchers exploring the issue of undocumented students have increased since the DREAM Act was proposed in 2001 (Feranchak 2007; Lizardy-Hajbi, 2011). The majority of the works written and researched focus on three areas: a) the experience of the undocumented students, b) their access to higher education and c) the effects of existing laws on the undocumented students. Given that the majority of undocumented students are of Hispanic descent, prior research on Latino students and higher education issues, Latino students and high school issues and Latino immigration issues will be explored in this chapter (Nienhusser, 2011). Access to higher education and barriers to higher education that are specifically attributed to Hispanic students will be included. In addition, the policy implementation of various states with large Hispanic and undocumented persons in residence will be reviewed with emphasis on the State of Georgia. Issues relating to illegal immigration and the climate of fear of deportation will be included. Specific laws will be examined later in this chapter.

Sections to give historical context to the issue include: a) Latino Critical Race Theory; b) the history of Hispanic immigration in the United States; c) the current demographic and statistical data about undocumented students; d) legal decisions that pertain to immigrants and undocumented students; e) information about higher educational aspirations of undocumented students; f) university and admissions policies
that pertain to undocumented students; g) generational differences of undocumented persons.

Latino Critical Race Theory

Originally, Critical Race Theory (CRT) was used exclusively for legal research; however, it has crossed disciplines to now include education. Latino Critical Race Theory (LatCrit), considered a close cousin to CRT, was developed from the need to address the status of immigration, forms of oppression, and the role of race and racism when researching Hispanic students (Perez Huber, 2009; Velez, Perez Huber, Lopez, del la Luz & Solorzano, 2008). Solorzano and Delgado Bernal (2001) describe LatCrit as a lens that focuses research for educational scholars on the experiences of Hispanic students based on immigration, language and other aspects unique to the Hispanic culture. Citizenship is also significant when discussing CRT, as the concept of property ownership linked to decision-making about the nation is in contrast to those who only lived in the United States and did not own property (Ladson-Billings, 1999). By expanding the use of LatCrit to education, Solorzano and Yosso (2001) note that

LatCrit theory in education is a framework that can be used to theorize and examine the ways in which race and racism explicitly and implicitly impact the educational structures, processes and discourses that affect People of Color generally and Latina/os specifically. Utilizing the experiences of Latina/os, a LatCrit theory in education also theorizes and examines that place where racism intersects with other forms of subordination such as sexism and classism. LatCrit scholars in education acknowledge that educational institutions operate in contradictory ways with their potential to oppress and marginalize coexisting with their potential to emancipate and empower. (p. 479)
LaCrit allows for the examination of immigration, race, marginalism and classism in the field of education, where progressive scholarship attempts to negate oppression (Sanchez, 2001; Solorzano & Delgado Bernal, 2001; Solorzano & Yasso, 2001; Velez, et al, 2008). Figure 1 shows the incorporation of many theories into the formation of CRT and how CRT and LatCrit encompasses both the understanding of race, social justice and inequality while being uniquely associated with education (Crenshaw, Gotanda, Peller, & Thomas, 1995).

Scholars explain the five tenets as structure for the basic definitions of the assumptions and perceptions of the LatCrit framework (Solorzano & Delgado Bernal, 2001; Villalpando & Delgado Bernal, 2002). a) Acknowledging race and racism
influences the experiences of class oppression and cultural oppression (Villalpando, 2004), b) challenging dominant ideology through LatCrit that conventional concepts of the educational system and the authority associated with America's dominant culture (Calmore, 1992), c) a framework centered on social justice (Matsuda, 1996; Solorzano & Delgado Bernal, 2001) that emphasizes the commitment of the society to provide learners with equal opportunities (Villalpando, 2004), d) the importance of experiential knowledge in LatCrit (Solorzano & Delgado Bernal, 2001) and that the lived experiences are significant to empowerment for students, and e) LatCrit and the historical context (Olivas, 1986) of Latinos being victims of discrimination with poor educational support.

LatCrit uses a lens that focuses research on the historical effects of many aspects on the educational achievements of Latinos to explain how the marginalization of Latinos, particularly undocumented students, has created the overarching situation of lower academic preparation of Hispanic students (Villalpando, 2004).

History of Hispanic Immigration in the United States

Because the labor force was reduced post World War II, the Bracero Program was developed in Mexico to bring agricultural laborers into the U.S. for temporary periods (Daniels, 2005; Feranchak, 2007; Seif, 2004). Since then, the number of Mexican immigrants to the U.S. has been steadily increasing (Passel & Cohn, 2009), and by 2000, 50% of all immigrants were Hispanic. This contrasts the pre-1960s census reports, which indicated the majority of immigrants were of European descent. According to Wilson (2006), the number of workers from the Bracero Program overstaying residency permits increased, and employees were exploited by receiving lower wages. Passel and Cohn
(2009) assert that 5.4% of the workforce in the United States is comprised of undocumented immigrants.

The extreme disparity of both working and living conditions in Mexico and Central America compared to the U.S. drove people to risk conviction of the crime of illegal immigration to find work in the United States to work (Chavez, 1994). Gonzalez and Fernandez (2002) cite the North American Free Trade Act (NAFTA) for Mexican dependence on the U.S. economy and contend that the U.S. is tearing Mexico’s economy apart. Media and legal discussions blame immigration problems on the immigrants, as well as blaming the lack of security and governmental control on both sides of the border (Lakoff & Ferguson, 2006). However, the economic reason for the immigrants risking their lives to come to the U.S. is not often addressed (Chavez, 1994).

Because the majority of undocumented persons in the United States are of Hispanic descent, the media and general population tend to incorrectly identify the term “illegal immigrant” as pertaining exclusively to Latinos (Santa Ana, 2002; Passel, 2006). Chavez (2008) notes that the use of the term “illegal alien” dehumanizes immigrants as criminals, and the portrayal in the media of undocumented persons as illegal “brands them as outcasts and nullifies their contribution to society” (Abrego, 2011 p. 353).

Mexican nationals who live in the United States are no longer viewed in their home country as an embarrassment, no matter their legal status in the United States (Suarez-Orozco, 2001). Beginning in the late 1990s and early 2000s the government of Mexico, headed at the time by president Vicente Fox, began to formally recognize the importance of Mexican nationals living in the United States for their financial
contributions to the Mexican economy and their influence on Mexican politics (Suarez-Orozco, 2001).

Immigrant Education Levels

A contrast in the education levels of recent (the past 20 years) immigrants and earlier immigrants correlates with race (Dixon, 2006). Immigrants from Asia are the most educated and highly skilled immigrants entering the United States (Flores, 2004). Fueled by the increase of “knowledge-intensive” sectors of the growing U.S. economy, immigrants of Asian descent are more likely to have higher education degrees compared to native-born citizens (Suarez-Orozco, 2001). The preponderance of immigrant engineers and scientists in California’s Silicon Valley and all of the 1999 U.S. winners of the Nobel Prizes being immigrants support the assertion of the importance of immigrants in relation to bringing high levels of skills and research to the States. However, according to Flores, more recent immigrants are mostly unskilled workers with little to no education which results in almost a quarter of adult immigrants entering the U.S. having less than a ninth-grade education. Hispanic immigrants enter the country with the greatest number of uneducated persons at 34.6%, compared to immigrants of Asian descent at just 10% (Flores, 2004).

Uneducated Hispanics can only obtain low-wage jobs that typically do not offer upward mobility (Kochhar, 2006), and they tend to cluster in geographical areas that are characterized by poverty and racial segregation. Massey and Denton (1993) discovered that

no matter what their personal traits or characteristics, people who grow up and live in environments of concentrated poverty and racial isolation are more likely to become teenage mothers, drop out of school, achieve low levels of education and early lower adult incomes (p.3)
The figure below, provided by the Pew Research Hispanic Center, illustrates distribution of jobs held by undocumented workers:

![Occupations with High Shares of Unauthorized Immigrants](chart)


Immigrant and Hispanic students, for the most part, attend overcrowded, substandard schools (Seif, 2004), and about 94% of them live in metropolitan areas (Passel and Cohn, 2009). Schools in these neighborhoods are known as “toxic,” with a culture of violence, and, due to their extremely limited resources, do not provide the educational foundation necessary for higher education opportunities (Suarez-Orozco, 2001). Almost 50% of all undocumented students never graduate from high school (Passel, 2005).

Suarez-Orozco (2001) argues for the importance of young adults to educate themselves in the continuing globalization of the U.S. economy. She further asserts that
the issue of globalization is directly related to the increase of immigrants in the United States, and, therefore, is pertinent when discussing the education of immigrant children.

Schooling in the era of globalization, arguably more than ever before, profoundly shapes the current and future well-being of children, as well as their chances and opportunities. Children who thrive in schools, immigrant or otherwise, will be better prepared to penetrate the well-remunerated opportunity structure. (p.354)

Additionally, schooling is the primary source of social contact for immigrant children, which assists their successful integration into U.S. society. Increased numbers of undocumented persons places strain on some states' resources due the disproportionate amount of undocumented persons within their borders (Passel and Cohn, 2011.) “Clearly, education is the key to ensuring that immigrants will contribute to the U.S. economy, which, in turn, will justify the cost of their education” (Carabelli, 2009, p. 124).

Immigrants tend to cluster in certain geographical areas. Reich and Barth (2010) note that Georgia is one of the new “gateway” states and is one of ten states with the largest population of undocumented residents. Table 1 on the next page shows total estimated number of undocumented persons and percentage of undocumented population by state. The table indicates that some states, including Nevada, California, Texas, New Jersey and Arizona, have over 6% of their population estimated as undocumented.
Table 1

States with Largest Share of Unauthorized Immigrants - 2010

<table>
<thead>
<tr>
<th></th>
<th>Total Population (thousands)</th>
<th>Unauthorized Population (thousands)</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. Total</td>
<td>305,999</td>
<td>11,200</td>
<td>3.70</td>
</tr>
<tr>
<td>Nevada</td>
<td>2,655</td>
<td>190</td>
<td>7.20</td>
</tr>
<tr>
<td>California</td>
<td>37,210</td>
<td>2,550</td>
<td>6.80</td>
</tr>
<tr>
<td>Texas</td>
<td>24,850</td>
<td>1,650</td>
<td>6.70</td>
</tr>
<tr>
<td>New Jersey</td>
<td>8,743</td>
<td>550</td>
<td>6.20</td>
</tr>
<tr>
<td>Arizona</td>
<td>6,559</td>
<td>400</td>
<td>6.00</td>
</tr>
<tr>
<td>Maryland</td>
<td>5,702</td>
<td>275</td>
<td>4.60</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>600</td>
<td>275</td>
<td>4.50</td>
</tr>
<tr>
<td>Florida</td>
<td>18,490</td>
<td>825</td>
<td>4.50</td>
</tr>
<tr>
<td>Georgia</td>
<td>9,722</td>
<td>425</td>
<td>4.40</td>
</tr>
<tr>
<td>New Mexico</td>
<td>1,997</td>
<td>85</td>
<td>4.30</td>
</tr>
<tr>
<td>Oregon</td>
<td>3,854</td>
<td>160</td>
<td>4.30</td>
</tr>
<tr>
<td>Illinois</td>
<td>12,840</td>
<td>525</td>
<td>4.10</td>
</tr>
</tbody>
</table>


Current and Demographical Data on Undocumented Students

According to the Department of Labor Statistics, in 1980 an estimated 2.05 million undocumented aliens lived in the United States, of whom 55% were specifically of Mexican origin and an estimated 70% were Hispanic. The Bureau also projected that the United States could expect an average of 200,000 undocumented aliens to enter the U.S. each year. Today, 85% of the undocumented immigrant population is of Hispanic
descent, and of that group about 70% are specifically of Mexican descent. Figure 3 below shows the distribution of country of origin of parents of undocumented children.

![Figure 3. Country of Origin of Illegal Immigrants. Adapted from Jeffrey Passel and D’Vera Cohn. Pew Research Hispanic Center, Washington, D.C. (February 1, 2011).](image)

In contrast, the naturalization rate of Hispanic immigrants, specifically Mexicans, is lower than that of any other race (Dixon, 2006; Passel, 2005). Also, the education attainment levels of Hispanic immigrants are the lowest of any other race of immigrant (Hagy & Staniec, 2002).

The increased attainment of higher educational levels by Hispanics in the United States is beneficial to the overall economy (Passel, 2006). The continuing increase of Hispanics affects the labor population and, according to Gonzales (2007), by 2030 the labor force will be comprised mostly of foreign-born workers or workers who are the children of foreign-born persons. Not only will the labor force be immigrants or children of immigrants, jobs will be increasingly more sophisticated and will require at least an associate’s degree (Gonzales, 2007.)
The Pew Research Hispanic Center estimated that the undocumented population in the United States in 2001 (7.8 million) would grow to 11.1 million in 2009 (Pew Research Hispanic Center, 2011). The 2010 census found that “more than half of the growth in the total population of the United States between 2000 and 2010 was due to the increase in the Hispanic population” (U.S. Census Bureau, 2011). According to Passel and Cohn (2009), more than 1.5 million undocumented children (youth under the age of 18) are in the United States, of which about 75% are Hispanic. In addition to these undocumented children, an estimated additional four million children are U.S. citizens by birth but their parents are undocumented (Passel & Cohn, 2009, Rumbaut, 2008). According to the Pew Research Hispanic Center, the number of children born to illegal immigrants has increased from 3.6 million in 2000 to 5.5 million in 2010 (Pew Research Hispanic Center, 2010)

In summation, a report released by the Pew Research Hispanic Center in 2008 portrays the unauthorized immigrant population by the following statistics:

- Adult unauthorized immigrants are disproportionately likely to be poorly educated.
- The 2007 median household income of unauthorized immigrants was $36,000, well below the $50,000 median household income for U.S.-born residents.
- A third of the children of unauthorized immigrants and a fifth of adult unauthorized immigrants live in poverty.
- More than half of adult unauthorized immigrants (59%) had no health insurance throughout 2007 (Passel & Cohen, 2008, p.1)
Legal Decisions

Johnson and Janosik (2008) attempt to untangle the web of state and federal laws and policies that pertain to undocumented students and their access to higher education by highlighting the basic cause of complexity surrounding this legal issue. "While the federal government is preeminent in matters of immigration policy, states also play a role in managing access to their systems of higher education, often in contradiction to federal code" (p. 33). For example, Texas allows full access to their higher education system for undocumented students, while Georgia denies them access, and Virginia is currently still debating the issue. Supreme Court decisions currently provide protection for immigrants, while federal statues consider the same actions crimes (Johnson & Janosik, 2008).

Immigrant Legislation

Two Supreme Court decisions handed down in 1982 have framed policy decisions for states for undocumented students’ access to education. In 1975, Texas banned undocumented children from attending public schools on the basis that they were a financial burden to the school system. Two years later, the state decided to allow the children to attend school if the parents paid $1,000 per child. If a parent could not pay the amount, the child was expelled from school. Most of the undocumented students were children of low-income parents and could not afford the $1,000 (Valencia, 2002). In 1977, undocumented parents filed a case in federal district court that was taken to the Supreme Court. The case, Plyler v. Doe (457 US 202, 1982), argued for equal protection under the Fourteenth Amendment and pursuant to the Equal Protection Clause the undocumented immigrant students should be granted qualification as "persons" and
therefore protected under the law. The Clause states "...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" (U.S. Constitution, Amendment XIV).

The Supreme Court ruled 5 to 4 that Texas could not charge fees to the parents of undocumented students, nor could Texas discriminate in any way against these children. The majority in the decision noted that if these children were not educated, they would produce an underclass. The court found that the state would not benefit from denying education to the minor children of undocumented persons (Seif, 2004).

Associate Justice Lewis F. Powell wrote the opinion of the court stating the "result of denying an education to these children is the creation of a subclass of illiterate persons adding to the problems and costs of unemployment, welfare and crime" (Carabelli, 2009). In addition, Justice Brennan opined by denying these children a basic education, we deny them the ability to live within the structure of our civic institutions and foreclose any realistic possibility that they will contribute in even the smallest way to the progress of our nation (Valencia, 2002, p. 243)

The investment in education would be a way for states to recoup the funding of public education. According to Johnson and Janosik, (2008), as the children grow and become employed, they would be net contributors to the state. Although higher education was not specifically addressed, these researchers concluded that this case set the precedent for undocumented students’ access to public education.

The second case addressing undocumented students access to education was *Toll v. Moreno* (458 U.S. 1, 1982) to review the University of Maryland’s denial of in-state
tuition to legal aliens who were not considered residents of Maryland. The court ruled that the federal government has exclusive powers over immigration laws and an individual state cannot attempt to interfere with that power (Olivas, 2004). This ruling further contradicts issues surrounding states' rights to decide residency policy as it pertains to in-state tuition at public universities or colleges (Johnson and Janosik, 2008.)

In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA, P.L. 204-208, 8 USC § 1623) was passed, which directly contradicted the two earlier cases. Section 505 of the IIRIRA reads as follows:

Notwithstanding any other provision of law, an alien who is not lawfully present in the United State 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)

Knowing that many institutions plan their operating budgets based on the number of out-of-state students who pay higher tuition rates, the legislators who drafted this act included this section to prohibit states from granting in-state tuition to illegal immigrants who graduated from high schools in their state while still charging legal residents of other states out-of-state tuition (Maki, 2004; Morphew, 2006; Olivas, 2004). The intention of this statute was to force undocumented students to pursue paths to legal residency; however, the act does not include any guidelines to help students work toward accomplishing legal status (Maki, 2004). Opposing interpretations of this law exist, ranging from Fung (2007) who says that this was a necessary act to prevent the encouragement of illegal immigrants from remaining in an illegal status to Olivas (2004),
who argued that the federal government does not have the right to regulate state benefits to persons who reside within their borders.

Current Rulings

More recent cases involving undocumented students in the United States include *Equal Access Education v. Merten* (305 F.Supp.2d 585, 2004) in which the court reviewed the case of undocumented students who sued the boards of visitors of George Mason University, James Madison University, Northern Virginia Community College, the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University and the College of William and Mary. The students, assisted by a non-profit organization, sought tuition relief and to be granted admission to the colleges and universities listed as defendants. The commonwealth of Virginia’s legislation, H.B. 2632, set admissions policies and denied undocumented students in-state tuition or any educational benefits. Earlier legislation, H.B. 14, states that “an alien who is unlawfully present in the United States shall not be eligible for initial enrollment in a public institution of higher education in Virginia.” (p.1.)

Additional cases involving universities included: Student Advocates for Higher Educ. v. Trustees, Cal. State Univ., (Cal. App. Dep’t Super Ct. CAL. EDUC. CODE §68040 (West 2010); CAL. CODE REGS. tit. V, §41904 , 2010) which ended in a ruling by the San Francisco Superior Court that California State could not make residency decisions for their students based on the immigration status of their parents. Although dismissed on jurisdictional status and merit, *Martinez v. Regents of the University of California* (50 CAL. 4TH 1277, 241 P.3D 855, 117 CAL. RPTR. 3D 359, 2006), argued
that state legislation on in-state residency was in direct conflict with federal laws. Also dismissed was *Day v. Bond* (500 F.3d 1127, 10th. Cir., 2007) against Kansas State University and Emporia State University that challenged the schools' rights to grant in-state tuition to certain non-citizens.

Johnson and Janosik (2008) point out that these cases, even the ones that were dismissed, further the argument that no clear laws or interpretations of the laws exist regarding in-state tuition, admissions of undocumented students or states' rights to grant residency privileges to non-residents. Additionally, granting non-residents resident status would put a strain on college budgets. "Continued policy confusion regarding undocumented students and public higher education guarantees future litigation for administrations throughout higher education and the resultant expenditure of public funds to combat it" (p. 39).

DREAM Act. Since 2001, the Development, Relief and Education for Alien Minors (DREAM) Act has been introduced multiple times by legislators in an effort to repeal Section 505 of the IIRIRA (Espinoza, 2008; Lizardy-Hajbi 2011). The DREAM Act is an attempt to reverse the punishment handed down to undocumented children for the crimes of their parents (Espinoza, 2008, Dream Act: United We Dream 2009) and would grant avenues to persons under the age of 30 who came to the United States at an age less than 16 to attend college or join the military (Miranda, 2011). A six-year conditional legal status would be granted to those who met all qualifications but more importantly, the undocumented students would be allowed to pay in-state tuition and apply for financial aid (Perez, 2009). If the person completed two or more years of
college or served at least two years in the military, they would be granted permission to change their status to conditional resident, thereby giving them an official path to citizenship (Coughlin, 2012; Perez, 2009).

Multiple bills and acts have been proposed – and some passed – that ultimately affect the lives of undocumented students as illegal immigrants. Bills passed include:

1. **1986 - Immigration Reform and Control Act (IRCA)**
   The act made employment of undocumented persons a crime and anyone caught employing an illegal immigrant could face charges.

   This act increased the charge of illegal immigration to a felony, which allowed for issuing of harsher punishments for employers of illegal immigrants and required Social Security verification for employment.

3. **2006 - Secure Fence Act (H.R. 6061)**
   This act authorized the construction of a 700-mile fence along the U.S./Mexico border.

**State Legislation**

Reich and Barth (2010) examine legislative writings dealing with immigration and note that all 50 states have discussed immigration-related issues in the past few years. As an example, in 2007 all 50 states discussed a total of 1,562 immigration-related legislation issues. The combination of unequal dispersion of illegal immigrants settling within states and the lack of clear and comprehensive federal immigration laws has created a diverse state-level adoption of immigrant-related policies. The National Forum places states into three categories according to their policies regarding undocumented students. **Inclusive**: includes policies that show the value of the inclusion of undocumented students into their states higher education system. This includes granting
residency status, in-state tuition, and funding. *Restrictive:* banning admission to public colleges and universities, specifically limiting access, limiting in-state tuition.

*Unstipulated:* without a coordinated policy across colleges and universities in the state. (TheNationalForum.org)

Using California as an example, Seif (2004) asserts that it is very clear how voting changes as the 1.5 generation grows to their majority and begins to influence the laws. In 1994, Californians were more conservative in their voting on laws and policies that affected undocumented persons, yet once enough children of illegal immigrants are old enough to vote, they will begin to change these previously passed laws concerning illegal immigration (Seif, 2004). He explains that by 2000, the political make-up of California included a Latino Caucus whose members were first-generation college graduates and children of illegal immigrants had successfully lobbied for the passing of AB 540 in California in 2001, which allows undocumented students to receive in-state tuition (Seif, 2004).

Table 2 shows that Texas and New Mexico allow their undocumented populations the most access to higher education of any other state by offering these students in-state tuition as well as eligibility for financial aid. A recent comparison study of two states that are similar in demographics (Kansas and Arkansas) yet differ in legislative decisions regarding undocumented students shows how the social acceptance of illegal immigrants and the framing of these student affect the legal outcomes (Olivas, 2010; Reich & Barth, 2010).
### Table 2

**State Approaches to Undocumented Students**

<table>
<thead>
<tr>
<th>Approach</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allows in-state tuition for some undocumented students and eligibility</td>
<td>New Mexico &amp; Texas</td>
</tr>
<tr>
<td>for state aid</td>
<td></td>
</tr>
<tr>
<td>Allows in-state tuition for some undocumented students but not state aid</td>
<td>California, Illinois, Kansas, Nebraska, New York, Utah, &amp; Washington &amp; Oklahoma</td>
</tr>
<tr>
<td>Does not specifically allow for undocumented students to receive in-state tuition, but has policies that result in undocumented students becoming eligible for in-state tuition rates</td>
<td>Minnesota &amp; Nevada</td>
</tr>
<tr>
<td>Explicitly prohibits undocumented immigrants from being granted in-state tuition</td>
<td>Arizona, Indiana, Colorado &amp; Georgia</td>
</tr>
<tr>
<td>Bans admission of undocumented immigrants at some or all public colleges</td>
<td>Alabama, Georgia, North Carolina &amp; South Carolina</td>
</tr>
</tbody>
</table>


In 2011 the Civil Rights Division of the Department of Justice and the U.S. Department of Education co-released a letter to all public schools reminding them

...of the Federal obligation to provide equal educational opportunities to all children residing within your district and to offer our assistance in ensuring that you comply with the law... Denying “innocent children: access to a public education ... imposes a lifetime hardship on a discrete class of children not accountable for their disabling status... As Plyler makes clear, the undocumented or non-citizen status of a student (or his or her parent or guardian) is irrelevant to that student’s entitlement to an elementary and secondary public education... As the Supreme Court noted in the landmark case of Brown v. Board of Education, 347 U.S. 483
(1954), "it is doubtful that any child may reasonably be expected to succeed in life if he [or she] is denied the opportunity of an education (Ali, Rose, & Perez, 2011, p.2.)

Georgia Legal Decisions. Undocumented students in the state of Georgia have limited or no public higher educational opportunities (Escoto, 2012). Georgia’s Board of Regents, the governing body of public colleges and universities in the State of Georgia, voted in 2010 to ban undocumented students from attending the selective institutions of Georgia State University, University of Georgia, Georgia Institute of Technology, Georgia Health Sciences University and Georgia College and State University. In addition, the board added restrictions to all students attending any college in the state, requiring that they must be legally present in the United States which has essentially banned all undocumented students from all Georgia colleges and universities.

According to the Georgia Latino Alliance for Human Rights, to support this ban, the state legislation is considering House Bill 59 that would explicitly exclude all undocumented students from all public colleges in the state of Georgia. This bill describes education as a public benefit only available to citizens and legal residents.

In 2011, Georgia, following Arizona’s lead, passed Georgia House Bill 87 which included the following stipulations:

- Allows any Georgia peace officer to verify a suspect’s immigration status in the investigation of a violation of state or federal crime;
- Empowers local and state police to arrest illegal immigrants and transport them to state and federal jails;
- Punish people who use fake identification to get a job in Georgia with up to 15 years in prison and up to $250,000 in fines;
• Penalize people who—while committing another crime--knowingly transport or harbor illegal immigrants or encourages them to come to Georgia. First-time offenders would face imprisonment for up to 12 months and up to $1,000 in fines. (Georgia General Assembly Summary, 2011, p.2)

In response, the Georgia Latino Alliance for Human Rights filed a suit against Governor Deal and the state of Georgia in 2012, citing the violation of Fourth and Fourteenth Amendments and their constitutional rights to travel. In addition, the plaintiffs contended that the new law adds a layer of probable cause that a crime had been committed. The Eleventh Circuit Court of Appeals ruled that there were conflicts in Georgia’s House Bill 87 and federal rulings showing that the plaintiffs have met their burden to show preemption of federal law. The Court also noted that a conflict between federal and state law ‘is imminent’ when ‘two separate remedies are brought to bear on the same activity.’ (p.27). The Court rejected the validity of Georgia’s preenforcement challenge and concluded:

The illegal-immigration issues that our country faces today are, no doubt, exceptionally important to both the state and federal governments. As a federal court, we do not sit in judgment of the policy decisions of state legislatures, and we are usually reluctant to conclude that states are forbidden from enacting However, when state laws intrude into areas of overwhelming federal interest and erode the discretion implicit in the sovereignty of the country, we must recognize the supremacy of federal law. Georgia Latino v. Governor of Georgia (691 F.3d 1250, 2012)

Deferred Action for Childhood Arrivals (DACA)

adults (Deferred Action, 2012). Citing the children’s lack of intent to violate any law as they were brought to the U.S. by their parents, the Department of Homeland Security (DHS) proposes to defer deportation procedures for these individuals under certain circumstances. Those who were to be considered should meet the following criteria:

- Came to the United States under the age of sixteen
- Has continuously resided in the United States for at least five years preceding the date of this memorandum and is present in the United States on the date of this memorandum;
- Is currently in school, has graduated from high school, has obtained a general education development certificate, or is honorably discharged veteran of the Coast Guard or Armed Forces of the United States
- Has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety and
- Is not above the age of thirty  (DACA - FAQ. 2, www.dhs.gov)

If an individual meets the above five criteria and are not in a current state of deportation removal proceedings and pass a background check these additional criteria must also be met:

- USCIS should establish a clear and efficient process for exercising prosecutorial discretion, on an individual basis, by deferring action against individuals who meet the above criteria and are at least 15 years old, for a
period of two years, subject to renewal, in order to prevent low priority individuals from being placed into removal proceedings or removed from the United States.

• The USCIS process shall also be available to individuals subject to a final order of removal regardless of their age

• USCIS is directed to begin implementing this process within 60 days of the date of this memorandum (www.uscis.gov)

Finally, if all the above criteria are met, the person will be granted permission to work during the period of deferred action (www.USCIS.gov). At this time, an estimated 800,000 youths are eligible to apply; however, in the deferred action condition, undocumented students will still not qualify for federal financial aid (www.DOE.gov).

Illegal Immigrant Contributions

While it is widely assumed that illegal immigrants cost the U.S. government more financial in services used compared to what they contribute to society, research has shown that the opposite is actual reality (Perez, 2009). Even though citizens argue that illegal immigrants do not pay taxes, the National Immigration Law Center finds immigrants are net contributors to the U.S. economy on the federal level (Carabelli, 2009). Illegal immigrants are subject to all taxes: income, payroll and sales taxes (Iowa Legislative Services Agency Fiscal Services, 2007). The Internal Revenue Service (2007) reported that out of almost 11 million illegal immigrants, almost 6 million illegal immigrants file federal tax returns each year, and the IRS further estimates that 50 to 75 percent of illegal immigrants pay local, state and federal taxes.
Undocumented persons spend money, buy homes, run businesses and through each of these activities provide additional tax revenue. Undocumented persons working contribute more in taxes and social security contributions than they collectively cost society in public services. The labor force of undocumented person’s lowers costs of goods. Perez concludes that in 2000 alone, undocumented person’s using invalid social security numbers contributed $49 billion surplus, according to the U.S. Social Security Trust Fund. According to Perez, California, the state with the highest population of undocumented persons, “research indicates that undocumented residents not only use fewer health services than do citizens and documented residents, they also tend to be younger and healthier than the average Californian (Perez 2009, xxiii). If these undocumented persons do use healthcare, they, for the most part, do not use Medicaid or Medicare and typically pay out of pocket.

Generational Differences in Undocumented Persons

Seif (2004) notes that when discussing two generational undocumented families, most legislatures stress members of the younger generation are “kids” and make sure that they continue to refer to them as children to stress to voters their innocence and also to separate them from their parents’ illegal entry. Abrego (2011) identifies the difference in legal consciousness of the older generation – or first-generation illegal immigrants – and their children as, the 1.5 generation. Recent studies conclude the media has not criminalized all illegal immigrants, instead focusing the criminalization on the male adult workers (Abrego & Gonzales, 2010; Preston, 2009). The younger generations – who tend to easily integrate themselves into the educational system – are not viewed as
criminals (Olivas, 2004; Salinas, 2006). Immigration and Custom Enforcement (ICE) raids have always focused on first-generation workers at their places of work; therefore, youth are relatively safe from such raids, as they are never performed at schools (Abrego & Gonzales 2010; Preston 2009). The media’s history of covering worksite raids and labeling the workers as criminals is in stark contrast to the public outcry of jailing students who are mostly referred to as undocumented and not labeled as criminals (Chavez, 2008).

Preston (2009) explains that the younger generation’s situation as students has become a socially accepted status. However, life-stage at the time of arrival to the U.S. greatly affects each undocumented person’s self-perception as illegal (Abrego, 2011). The parents take ownership of their illegal status, as they were the ones who chose to enter the U.S. illegally. The 1.5 generation, however, argue that they were not in the position to make decisions about their illegal immigration status and did not participate in the decision to migrate; therefore, they do not believe they should bear any burden of their unauthorized status (Diaz-Strong, Gomez, Luna-Duarte & Meiners, 2007; Hoefer, Rytina & Campbell, 2006). Students typically do not discover their illegal status until their junior or senior years of high school, when they need to apply for a Social Security number to obtain a driver’s license or to enroll in college courses (Degiuli, 2011).

Adults tend to let fear rule their acceptance of their illegal status, either because of the possibility of deportation or having to re-experience the sometimes-horrific journey of entering the U.S. illegally (Abrego, 2011). From several interviews Abrego conducted of youths who were brought into the U.S. illegally by their parents he found, many
students do not recall much of the journey and are not influenced by the same fear as their parents. Abrego explains that

The findings shed light on the diversity of experiences among undocumented immigrants by underscoring that although both subgroups are undocumented, they develop different types of legal consciousness as a result of migrating at different life-stages and interacting with different social institutions in the United States. Therefore, members of the undocumented first generation internalize the law most prominently as fear while members of the undocumented 1.5 generation internalize the law most notably as a source of stigma. (p. 347-348)

Additionally, they are protected and are granted equal rights as their legal peers while in the primary and secondary school system, which further legitimizes their status in their own minds.

Identity

Undocumented students have trouble with their self-identity (Degiuli, 2011; Gonzales, 2009) because they have grown up in the United States and attended public schools many times through the twelfth grade. Yet when they are asked to define their nationality, they are unable to answer. They have embraced the American culture, but find it difficult to label themselves as Americans when the United States does not accept them legally. Because of their ambiguous identity, they feel demoted as non-human, with their basic humanity erased by American society (Lahman, Mendoza, Rodriguez & Schwartz, 2011). Terms used to describe the otherness (Madriz, 2000) of undocumented students, further dehumanize these individuals, including words such as: "wetback," "illegal alien," "beaner," "stoop laborer," "spic," and "frijolero" (Lahman, Geist, Rodriguez, Gralia & DeRoache, 2010).
In a study that investigated the social values of the United States and the importance of social standing, Abrego (2011) found the 1.5-generation strives to distance themselves from their parents. To downplay the stigma surrounding them and raise their social standing – thereby giving them more of a feeling of belonging – students use education to lead them on a path different from that of their parents (Abrego, 2008). Olivas (2009) explains that the American society values educational achievement and efforts of the individuals, so emphasizing their status as students will elevate the status of undocumented students and allow them to feel more inclusive and legitimate. Degiuli (2011) explained how the presence of undocumented students influences their communities and shapes society as a whole.

Gonzales (2009) opines that as the years pass beyond their arrival to the United States, undocumented students become less acquainted with their nation of origin identity. Even though they learn English, while their parents do not, the older they become, the closer they get to the time when they can be hindered by their illegal status as adults (Coughlin, 2012).

Vulnerability of Undocumented Students

The literature on vulnerable subjects, such as undocumented students, is not especially robust resulting in scholars examining literature concerning subjects that participate in illegal activities. To bridge the literature, Adler and Adler’s (2001) research on vulnerable subjects can be compared to undocumented students (Lahman et al., 2011). As members of an illegal group, they become vulnerable to crimes or addiction to illegal substances (Lahman, 2008). Undocumented students can become
great leaders in many aspects of their lives and their community, thereby showing a person can be both vulnerable and competent (Lahman, 2008). Undocumented students are vulnerable to legal actions because of their status as illegal immigrants once they reach adulthood, yet these undocumented students can be powerful in other contexts (Lahman et. al, 2011).

Perceptions of Undocumented Students

Labeled as a triple minority, undocumented students are 90% Hispanic (a minority race), unauthorized immigrants, and of a poverty background (Perez, 2010). They are raised in with a sense of fear of others, especially of police and anyone in authority (Abrego, 2006; Perez, 2009). Because of “otherness”, these students experience discrimination and often discouragement from teachers, other students and authority figures (Madriz, 2000).

Undocumented students live with the fear of persecution and nativist sentiments from U.S. citizens fed by hostile media images of illegal immigration. The anti-immigrant rhetoric has fueled negative opinions of undocumented immigrants (Coughlin, 2012; Perez, 2009). Nativism has changed to target specific groups of non-white immigrants, which almost always include Hispanics (Perez Huber, 2010). Perez Huber (2010) describes three components of nativism as “(1) there is often intense opposition to the ‘foreigner’ which, (2) creates the defense and protection of a nationalistic identity, where (3) the foreigner becomes a perceived threat to that nationalistic identity” (p.80).
Undocumented Students and Higher Education

When transitioning from high school student to college student, undocumented students face issues of residency, tuition costs, and deportation. Post-secondary implementation of in-state and out-of-state tuition policies affect undocumented students, as they are unable to establish U.S. or in-state residency (Biswas, 2005; Flores, 2010; Nienhusser, 2011).

Next, students fear being deported as a result of applying for admission to college and disclosing their illegal status (Bank Munoz, 2009; Biswas, 2005; Lopez, 2010). As almost 90% of undocumented students are Hispanic (Passel & Cohn, 2011), the majority of these Hispanic students are not academically prepared for college (Fry, 2003; Gonzalez, 2007; Perez Huber, Huidor, Malagon, Sanchez & Solorzano, 2006), nor are they encouraged to attend college (Gonzalez, 2010; Suarez-Orozco, Pimentel, & Martin, 2009).

There is a lack of studies that examine influences on access to universities by undocumented students (Coronado, 2008; De Leon, 2005). However, one study found that undocumented children who arrive in the U.S. before they turn 14 are more likely to attend college (Passel & Cohn, 2009).

University and College Admissions Policies

Higher education administrators and faculty in several states and from many types of colleges support the education of undocumented students (Miranda, 2011). Leaders of universities have begun to make decisions with little guidance regarding enrolling undocumented students who are being denied admission to colleges in their states of
residence. Specifically, university professionals lack training, lack a method of identifying undocumented students, and have little contact with the students once they enroll, even if they are in need of support services (Oseguera, Flores, & Burciaga, 2010). Albrecht (2007) noted in her research that university professionals know little about undocumented students, their legal standings, or any laws or regulation that pertain to them.

College administrators have the responsibility for instructing their staff on how to interpret state and national policies and are responsible for the difficult task of verifying residency for many undocumented students (Bank Munoz, 2009; Olivas, 1988, 1992). Admissions counselors, financial aid officers and registrar are the personnel obtaining pertinent information and determining residency based on their understanding of university, state and national polices, which Biswas (2005) says is very difficult because many states have ambiguous definitions of requirements for in-state tuition. Interpretation of laws by university personnel and thereby making residency decisions is essential to many undocumented students as their classification of either residents or non-residents will ultimately determine whether they can enroll in college or not (Flores, 2010; Nienhusser, 2011).

Research has shown that adherence issues have arisen because of continued changing of laws governing undocumented students and their enrollment in institutions of higher education in different states. In some cases the state laws change rapidly and state colleges and universities must react quickly to abide by new policies (Russell, 2011). Using the state of North Carolina as an example for complex legal ruling regarding
undocumented students, the following list is an overview of laws associated with undocumented students and higher education, specifically the community colleges, changed over an eight-year period. In 2001, the state approved the policy that all undocumented students were to be barred from enrolling in public colleges. In 2004, the policy was amended giving individual colleges and universities the ability to decide individually if they would accept undocumented students. In 2007, the state required that all 58 community colleges admit undocumented students. At the time of this decision, 20 colleges had written official policies regarding undocumented students’ admissions. In 2008, the community colleges were informed by the attorney general to deny admissions to all undocumented students. Finally, in 2009, the State Board reversed the 2008 policy and began allowing undocumented students to attend community colleges.

Russell noted that the question of the possibility for undocumented students to access higher education hinges on three issues: in-state tuition, ability to enroll in college and eligibility for financial aid. To further confuse the issue, the Department of Homeland security issued letters to public institutions stating (a) enrollment of an undocumented student does not violate federal law, (b) it is for the individual state to decide on the enrollment laws of their public colleges, and (c) in the absence of a state specified law it is up to the individual college or university to decide (Russell, 2011).

Price Sensitivity of Undocumented Students and In-State Tuition

Since 2001, 21 states have written official policies concerning the admissions criteria for undocumented students. In contrast, Flores (2010) found eight states have developed different admissions policies that specifically prohibit undocumented students
not only from receiving in-state tuition, but also from attending state colleges altogether. Ten states offer in-state tuition to these students with the argument that the more educated the residents of the state become, the greater the economic benefit will be and the lower the crime rate will be (Flores, 2010, Hinojosa-Ojeda & Cruz-Takash, 2010). Additionally, two studies have shown that post-adoption of state laws allowing undocumented high school student’s in-state tuition has positively affected the enrollment numbers of undocumented students in those states (Flores, 2007, 2010).

Section 505 of the IIRIRA of 1996 specifically directs states to give higher education benefits, such as in-state tuition, to all students equally; however, as residency of a state is a state-level decision, colleges must rely on state-level polices for direction to determine which students are granted in-state tuition (Ruge & Iza, 2005; Salsbury, 2003). As most undocumented Hispanic students attend close-to-home public colleges due to their price sensitivity (Flores, 2010; Flores & Chapa, 2009), the significant difference between in-state and out-of-state tuition is a determining factor whether or not they enroll (Gonzales, 2010; Nienhusser, 2011; Rangel, 2001). Table 3 shows a sample of the tuition structure and difference in-state and out-of-state tuition of colleges in the state of Georgia.
Table 3

Sample of tuition structure for public colleges in Georgia – Per Semester

<table>
<thead>
<tr>
<th></th>
<th>FY 2012 In-State Tuition</th>
<th>FY 2012 Out-of-State Tuition</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gainesville State College</td>
<td>$1,388.00</td>
<td>$5,129.00</td>
<td>$3,741.00</td>
</tr>
<tr>
<td>Southern Polytechnic State</td>
<td>$2,564.00</td>
<td>$9,124.00</td>
<td>$6,560.00</td>
</tr>
<tr>
<td>University</td>
<td>$3,641.00</td>
<td>$12,746.00</td>
<td>$9,105.00</td>
</tr>
<tr>
<td>Georgia Institute of Technology</td>
<td>$3,641.00</td>
<td>$12,746.00</td>
<td>$9,105.00</td>
</tr>
<tr>
<td>University of Georgia</td>
<td>$3,236.00</td>
<td>$11,755.00</td>
<td>$8,519.00</td>
</tr>
<tr>
<td>Georgia College and State</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


Most undocumented students choose to attend community colleges due to their proximity to the students’ homes, lower cost, and flexibility in course scheduling to allow for work (Coughlin, 2012; Perez, 2010). These students are sensitive to tuition and between 1976 and 2004, public four-year colleges have seen a 732% in tuition and community colleges increases of 634% (Orfield, Marin & Horn, 2005).

Financial aid packages have become more important to college-bound students; however, undocumented students do not qualify for resources like grants, loans and work-study assistance (Coughlin, 2012). These students face an additional financial hardship because their parents, also because of their illegal status, cannot assist by applying for loans for payment of college (Matthay, 1995). Additionally, because the parents typically hold low-income jobs (Degiuli, 2011), they cannot save for their children’s college tuition (Abrego & Gonzalez, 2010).
Acknowledging the price sensitivity of undocumented students, California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Texas, Utah, Washington and Wisconsin have decided to offer in-state tuition to all undocumented high school graduates of their states. Illinois, New Mexico and Texas have gone one step further and passed laws to also offer state aid for undocumented college students. Lopez and Lopez (2010) have found that granting in-state tuition benefits to undocumented students has not resulted in an overwhelming increase of the number of undocumented students at the public colleges, nor have financial burdens been added to the states. In fact, their study found tuition revenues have increased because of this new student population, who would not have previously enrolled in the university.

Public Benefit of Attainment of Higher Education

Higher education is the way for most children to advance from their socioeconomic settings; however, at present this option is not available to most undocumented students (Miranda, 2011). Passel and Cohn (2009) estimated that only about 25% of undocumented immigrants have attended college, which is less than half of the number of legal immigrants who have had some college (54%) and the total of U.S. citizens who have had some college (61%). Even if undocumented students attain a college degree, only 5 to 10% will be granted permanent residency, and the others face returning to their countries of birth or entering low wage jobs with no chance of using their earned degrees (Degiuli, 2011). Degiuli claims risk of deportation presents a barrier to education beyond the financial burden of attending college. He asserts that not being
able to reap the wage and lifestyle benefits that are typically associated with their level of education is a very real barrier. Erisman and Looney (2007) explain that while

more education [for undocumented students] can lead to higher incomes, which in turn, lead to additional tax revenues, greater productivity, and increased consumption, all of which add to the nation’s economy. Studies have shown that better educated people... are more likely to vote and volunteer in their communities... Educated immigrants, in particular, have much to offer American society, including the ability to speak several languages and an understanding of more than one culture – skills that are increasingly valuable as the United States becomes more economically connected to the global community. (p.17)

Bowen, Kurzweil, Tobin, and Pichler (2005) conclude that the United States risks losing its preeminent position achieved by having the highest levels of education of any country if, as a society, the country cannot support educating large numbers of students, especially those from lower economic backgrounds.

In 2001, Vernez and Mizell explained many benefits would result in at least doubling the rate of college graduation for Hispanics, which reduction of public assistance expenditures, reduction of law enforcement expenditures, increases in tax incomes on both the state and federal levels, significant increase in disposable income for this group and, finally, decreases in the disparity of educational levels among the races in the United States.

Perez’s study in 2010 notes undocumented students,

despite high levels of achievement, community service, leadership experience, and a deep sense of commitment to American society, they remain without legal status, are not considered American and thus are not eligible for any type of assistance to attend college... If these qualifications do not warrant access to higher education and legal status, what more can they do? (p.24)
Hispanic Preparation for College

Nienhusser (2011) found three major themes in literature and research concerning Hispanic students’ educational achievement: dismal educational attainment levels, individual and institutional factors that affect access to higher education, and individual and institutional factors that influence college choice.

Barriers to Access to Higher Education

It is common for undocumented students to not learn of their immigration status until the last two years of high school, which is when the college search process begins for most students (Deguili, 2011). Abrego (2011) asserted that these high school students face negative stereotyping and often do not attempt to pursue a college degree. “Social stigma can be a considerable barrier for undocumented youth, especially given their life state. It can be consequential in various daily interactions and in the long term, both in and out of school” (p. 357). Degiuli cites family instability as a barrier to undocumented students attending college because two-parent households of undocumented students work an average of two jobs each to support their children’s educations. “Their parents’ jobs are highly disposable and, often, their lives and prospects for education may change in a matter of days” (Degiuli, 2011, p. 13). Nienhusser (2011) explains that the literature informs us that undocumented immigrants face significant barriers in their pursuit of postsecondary education. In particular, they have received an inadequate level of outreach and information related to postsecondary education enrollment. Simultaneously, ambiguous definitions and eligibility criteria of in-state tuition policies cause one to surmise that the application of such policies has been haphazard. Also, a prominent reality for undocumented immigrants is the constant fear of deportation. This trepidation might discourage undocumented
immigrants’ enrollment due to the possibility that government and other agencies may discover their immigration status. (p 21)

Two barriers to education that affect most undocumented children are coming from a minority background and being in a low-income family setting (Bowen, Kurzweil, Tobin, & Pichler, 2005). The American Association of State Colleges and Universities calculates that fewer than 10% of the undocumented students who graduate from high school also graduate from college. Coronado (2008) noted that the greatest stressor for undocumented students was the financial burden of attending college.

Transportation and household arrangements not conducive to studying due to number of family members living in the same location are additional barriers to achievement in higher education for undocumented students (Abrego & Gonzalez, 2010). In most cases, undocumented students remain at home to save housing costs (Escoto, 2012), yet researchers found that when the entire family is undocumented and none have a driver’s license, the ability to travel to a college campus, go to the library to study, meet with professors or attend college events is a serious barrier.

Lack of academic achievement does not equate to a lack of desire for academic achievement by undocumented students or their parents (Oseguera, Flores & Buciaga, 2010). Oseguera et al. opine that the parents have desires for their children to attend college and consider their own illegal status as an acceptable sacrifice to make for their children. “Undocumented settlers have a clear set of values, hopes and desires for their children’s future that form part of the immigration dream… [and] hope their children will be better educated and find better, less menial jobs than they” (Chavez, 1998, p. 182).
The parents' desire for their children to achieve more explains the multiple low paying jobs that these parents accept, which in turn contributes to their inability to pay for college (Abrego & Gonzalez, 2010). In all but two states, undocumented students do not quality for financial aid, and the responsibility of paying for college falls on the low wage achieving family members. According to Escoto (2012), students “were forced to drop out of school, set aside their aspiration for a better life, and obtain unauthorized employment” (p. 28). Erisman and Looney (2007) also noted that some uneducated parents do not understand the long-term economic benefit of higher education and instead encourage their children to work to help meet immediate family needs instead of deferring income to attend college.

Educational Attainment

Children whose parents graduated from high school and had attended some college are more likely to become aware of higher educational possibilities early on in their lives (Baum & Flores, 2011); however, over half of immigrant parents have not completed high school (Fortuny & Golden, 2010). Attendance in pre-school programs predicts educational achievement, yet the majority of undocumented children do not attend pre-school (Fry & Gonzalez, 2008). Abrego and Gonzalez (2010) note high poverty elementary schools in California are largely Hispanic (46%), and African American (34%), Asian (4%) and Caucasian (2%). High poverty areas are prone to crime, lack role models for children and marginalize the vulnerable Hispanic, undocumented students.
Table 4 summarizes the U.S Department of Education data file on the graduation rates of high school students by state for the 2010-2011-cohort year and notes the major race categories, along with the students who speak English as a second language. The table confirms graduation rates for Hispanic/Latino students are below average for each state listed and students with limited English graduate at the lowest levels in all states listed.

Table 4

*Overview of Graduation rates by race (states with the highest population of Hispanics)*

<table>
<thead>
<tr>
<th>State</th>
<th>All Students</th>
<th>Native American</th>
<th>Asian/Pacific Islander</th>
<th>African American</th>
<th>Hispanic</th>
<th>White</th>
<th>Limited English</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>78%</td>
<td>62%</td>
<td>87%</td>
<td>74%</td>
<td>72%</td>
<td>85%</td>
<td>25%</td>
</tr>
<tr>
<td>California</td>
<td>76%</td>
<td>68%</td>
<td>89%</td>
<td>63%</td>
<td>70%</td>
<td>85%</td>
<td>60%</td>
</tr>
<tr>
<td>Florida</td>
<td>71%</td>
<td>70%</td>
<td>86%</td>
<td>59%</td>
<td>69%</td>
<td>76%</td>
<td>53%</td>
</tr>
<tr>
<td>Georgia</td>
<td>67%</td>
<td>68%</td>
<td>79%</td>
<td>60%</td>
<td>58%</td>
<td>76%</td>
<td>32%</td>
</tr>
<tr>
<td>Illinois</td>
<td>84%</td>
<td>76%</td>
<td>92%</td>
<td>74%</td>
<td>77%</td>
<td>89%</td>
<td>68%</td>
</tr>
<tr>
<td>Maryland</td>
<td>83%</td>
<td>74%</td>
<td>93%</td>
<td>76%</td>
<td>72%</td>
<td>89%</td>
<td>54%</td>
</tr>
<tr>
<td>Nevada</td>
<td>62%</td>
<td>52%</td>
<td>74%</td>
<td>43%</td>
<td>53%</td>
<td>71%</td>
<td>29%</td>
</tr>
<tr>
<td>New Jersey</td>
<td>83%</td>
<td>87%</td>
<td>93%</td>
<td>69%</td>
<td>73%</td>
<td>90%</td>
<td>68%</td>
</tr>
<tr>
<td>New Mexico</td>
<td>63%</td>
<td>56%</td>
<td>78%</td>
<td>60%</td>
<td>59%</td>
<td>73%</td>
<td>56%</td>
</tr>
<tr>
<td>New York</td>
<td>77%</td>
<td>64%</td>
<td>86%</td>
<td>64%</td>
<td>63%</td>
<td>86%</td>
<td>46%</td>
</tr>
<tr>
<td>North Carolina</td>
<td>78%</td>
<td>70%</td>
<td>87%</td>
<td>72%</td>
<td>69%</td>
<td>83%</td>
<td>48%</td>
</tr>
<tr>
<td>Oregon</td>
<td>68%</td>
<td>52%</td>
<td>78%</td>
<td>54%</td>
<td>58%</td>
<td>70%</td>
<td>52%</td>
</tr>
<tr>
<td>Texas</td>
<td>86%</td>
<td>87%</td>
<td>95%</td>
<td>81%</td>
<td>82%</td>
<td>92%</td>
<td>58%</td>
</tr>
<tr>
<td>Virginia</td>
<td>82%</td>
<td>-</td>
<td>-</td>
<td>73%</td>
<td>71%</td>
<td>86%</td>
<td>55%</td>
</tr>
</tbody>
</table>

While Hispanic children account for more than half of the population growth in the United States (56%) (Passel, Cohn & Lopez, 2011), primary and secondary education shows very little progress towards increasing graduation rates of Hispanic children (Gandara, 2008). In 2008, one in five students attending public schools was of Hispanic descent (Fry & Gonzalez, 2008) and Hispanic students have the highest dropout rate in the United States (Aud, Hussar, Kena, Bianco, Frohlich, Kemp, & Tahan, 2011; Center for Labor Market Studies, 2009).

Swail, Cabrera and Lee (2004) discovered that Latino students take significantly less rigorous coursework in high school and only one in four is academically prepared for higher education coursework. Schools with higher levels of Latino student populations have an inverse relationship with resources and experienced teachers (Gandara, 2009; Perez Huber et al., 2006). Inexperienced teachers often create an uncaring environment for Latino and especially undocumented students (Suarez-Orozco et al., 2009) and do not recognize the positive aspects of the Latino culture (Gonzales, 2010). In these lower academic achieving environments, these students have less access to resources and tend to “fall through the cracks” (Gonzales, 2010).

College Choices

“Immigration status and barriers to higher education contribute towards a higher dropout rate. Having a clear opportunity for higher education following graduation would provide an incentive to finish high school” (Lopez & Lopez, 2010, p. 62). Lack of opportunity creates a subclass of young adults, which Portes and Rumbaut (2001) explain as a widespread lack of opportunities that lead Hispanic, undocumented adolescents to
closely associate with peers who are in violent gangs. This negative association with delinquent students will constrain their opportunities or choices to attend college (Suarez-Orozco, 2001).

Effect of Associative Relationships

Alfaro & Umana-Taylor (2010) assert “there is support for the notion that support from siblings is associated with positive academic outcomes; however, there is a need to examine whether these findings extend to sibling academic support specific to academic motivation” (p. 551). Prior studies found that at closeness, warmth and satisfaction (Brody, Stoneman, Smith & Gibson, 1999), levels of encouragement and amount of advice (Spitze & Trent, 2006), tangibility of college enrollment based on attendance by sibling (Attinasi, 1989) and ages of sibling relationships (Gonzalez et al. 2001). All effect educational motivation differently in Hispanic families. Alfaro and Umana-Taylor’s (2010) study showed differences in sibling relationship and academic achievement between the male and female children.

The convoy model (Antonucci, Jackson & Biggs, 2007) suggests that adolescents obtain support from those who surround them if they share a close relationship. Alfaro and Umana-Taylor found that this model especially applies to Hispanic boys and that the higher the level of sibling academic support, the higher the academic motivation. Academic resilience perspective, a moderation model, shows that the quality of the relationship affects the relationship between academic support and academic motivation (Alfaro & Umana-Taylor, 2010; Garmezy, 1991) and accounts for the protective function of a sibling relationship and identifies factors in a stressful environment (Gass, Jenkins,
& Dunn, 2007). Gass et al. concluded that the higher the amount of sibling protectiveness the less internalizing of stressors shown by siblings.

In traditional Hispanic families, protection of the girls and an emphasis on family relationships guides the academic motivation of the Hispanic girls. “The overarching influence of sibling relationship quality for girls seems to suggest that sibling relationship quality is important for multiple aspects for girls’ lives and not just sibling-related variables” (Alfaro & Umana-Taylor, 2010, p. 655).

Summary

In summary, the literature concerning Latino Critical Race Theory can explain the lack of educational attainment of undocumented students. Societal beliefs about federal or state legal decisions affecting undocumented persons explain the issues faced by undocumented students. Social issues related to undocumented persons and their families, in addition to previous research conducted concerning undocumented persons.

Next, Chapter 3 provides a comprehensive description of the methodology used in this study, including research question, rationale for population selection, sample and participants, method of collection of data, and description of data analysis plan.
CHAPTER 3

METHODOLOGY

Introduction

This study examined the college experiences and college aspirations of one undocumented family of five siblings after passage of Georgia House Bill 87. The now adult children of undocumented persons, who were all undocumented high school students, were interviewed to ascertain their higher educational efforts, as well as their understanding of the laws pertaining to undocumented students and higher education. This study sought to ascertain influences in the lives of the undocumented students as they attempted to enroll in higher education and their experiences as a family dealing with their collective illegal immigration status.

Qualitative research is an accepted methodology in the field of education and, more importantly, when researching subjects that are sensitive - such as undocumented persons – where information is difficult to capture quantitatively (Chavez, 1993). Seif (2004) noted that undocumented students are not labeled or identified as such, archival data containing high school academic performance can only be examined if self-reported. The nature of the illegality of the presence of undocumented persons in the United States makes attempting a quantitative study challenging due to the fact that statistical data is not available as undocumented students are not identified in high school or higher education data sets (Seif, 2004). Qualitative studies seek to learn about the importance of
a specific phenomenon in the lives of the individuals being studied (Rubin & Rubin, 2005). Creswell (2007) notes that the importance of the person telling his or her own story is key to gaining a detailed context to allow the researcher more understanding of the event (Leedy & Ormond, 2001). A topical life history examining the experiences of undocumented students who have graduated from high school in the state of Georgia served as a qualitative approach to provide an in-depth look into the phenomena (Bogden & Biklen, 2007).

The focus on Hispanic, undocumented high school students was intended to describe the experiences of the majority of undocumented students in the United States as shown by review of demographics of the undocumented population in Chapter 2. The study used semi-structured interviews along with document analysis and field notes, which allowed for more robust examination of the phenomenon (Patton, 1987). The purpose was to gather, in detail, the rich human aspects of the area of research and to provide "adequate accounts of non-mainstream lives or to provide the material for a criticism" (Lincoln & Guba 1994, p. 106). The ability for subjects to relay their journey in detail and describe how the make sense of their lived experiences in their own words forms a clear picture for the researcher of the phenomenon being examined (Creswell, 2007, Merriam, 1998.)

Research Questions

The overarching question in this study is: How do higher education policies of the state of Georgia affect higher education attainment for undocumented, Hispanic high school graduates?

The supporting research questions that guided the interview questions:
1. What are the lived experiences of undocumented students in Georgia?
2. What are the understandings of admissions policies of undocumented students?
3. What are the effects of current laws on undocumented student experiences in higher education?
4. What support is in place to assist undocumented college students?
5. What academic paths are in place to prepare undocumented students for college?

These questions were integrated into dialogue with undocumented students to tease out their college aspiration decisions and their lived experiences as undocumented students.

**Topical Life History**

The purpose of a topical life history approach is to allow the participant to share a series of life experiences, place their own value on the experiences, and provide insight into events leading up to, through and past the specific focus of the study for the researcher (Minichiello, Aroni, Timewell, & Alexander, 1990.)

Knowles and Coles (2002) acknowledge that life history research is a qualitative method similar to phenomenology. The life-history study seeks to connect events in the life of the participant with the situation being studied, and the structural nature of a topical life history involves having another person suggest the ideas to discuss and then emphasize specific details (Atkinson, 1998; Miller, 2000). With prompting from the researcher, the participant verbally describes a length of his or her history, with specific highlighting of a part of their life that is pertinent to the research. In addition, the topical life history study seeks to study a life story while simultaneously allowing the participant
to develop a realization of their experiences through the telling of personal history (Denzin, 1970).

Elliott (2005) and Smith-Ligon (2011) note that topical life history lends to a detailed historical view with increased amount of details. The temporal dimension is the participant’s life history as it takes place over time. Each person’s individual life history is shaped by history and culture that the subject is exposed to during a period of his or her life. Because life histories differ, each person living at the same time may experience events differently or perceive history differently. The individual participant has memories stored in the temporal dimension that will be uniquely different from each other person’s experiences in the same situations.

Cause-and-effect can be applied to study of life history as in-depth information is gathered to form a framework (Knowles & Cole, 2001). Three areas comprise life history including the complete, the topical and the edited. For purposes of this study, the topical component of the life history of undocumented students in one family was used. In addition to the three areas, researchers have noted three elements that can further emphasize the uniqueness of the lived experience of the participant through examination of the individual’s life by using the lens of the individual, using a societal view to ascertain individual’s responses to lived events, and comparison of the events as they are viewed by past life experiences of others (Potts, 2004.)

Research Design

Observing humans in their natural settings is important to qualitative research and allows for an in-depth study that generates more complete and full understanding of an event (Creswell, 2007; Lichtman, 2010; Merriam, 1998). Therefore, the method of
selection of a phenomenon to research is not to select a standard case for generalization purposes. "The design of all research requires conceptual organization, ideas to express needed understanding, conceptual bridges from what is already known, cognitive structures to guide data gathering, and outlines for presenting interpretations to others" (Creswell, p. 15).

Population

Currently, the majority of Hispanic population in the state of Georgia lives within the 24-county Atlanta metropolitan area, as described by the census bureau. The U.S. Census Bureau and the Pew Research Hispanic Center websites were reviewed for demographic data on the Hispanic population of the United States and Georgia. The undocumented Hispanic student populations in the state of Georgia, and specifically in its metropolitan counties, were examined to determine comparative data of those counties to Georgia.

The researcher used an Internet search for organizations that support the DREAM Act or other movements to assist undocumented students. Search topics entered were "undocumented student support" and "DREAM Act." Additionally, the social media site Facebook was examined for forums on undocumented students, what colleges they were attending and view the public conversations. To narrow the site selection the researcher contacted members of the organizations listed in an online forum to see if any participants attend college or had graduated from college. The students were asked to reply if they met the following four criteria:

1. Were willing to participate in interviews
2. Had graduated from a high school in the state of Georgia
3. Were of Hispanic descent and undocumented
4. Had multiple siblings that had also graduated from high school in Georgia

From all the respondents, only one male self-identified that met all of the criteria and was willing to participate in a research project. He identified himself as an illegal immigrant with siblings that all graduated from high school in Georgia.

Sample

Purposeful sampling is a very important component of qualitative research (Creswell, 2008). It is non-probabilistic and is based on the idea that the researcher wants to examine a particular event and, therefore, must select participants that contain all the desired characteristics (Merriam, 1998).

As described by Lichtman (2010), snowball sampling is the technique by which a researcher contacts a participant that meets his or her research criteria and then asks for recommendations of additional participants that share similar characteristics. Once contact was established with the interview participants, they were asked to supply additional names of potential participants for interview who, according to their knowledge, may have something to add to the researcher's case study.

Participants

For the purpose of this study, undocumented student participants were identified as those minor children who were brought to the United States by their undocumented parents. These students have been identified as important participants as they are the population segment who, due to their length of time in the public school system in the United States and the young age at which they were brought into the country, would be eligible for legal residency when the DREAM Act is passed.
One college graduate volunteered to participate, and this undocumented person was active in promoting awareness of the situations of undocumented students and attempts to pass the DREAM Act. The initial volunteer participant had indicated that he/she could recruit siblings who were also undocumented and were willing to discuss their experiences. The researcher ensured that all any potential participants or volunteers suggested are confidentially contacted on the researcher's behalf before being contacted by the researcher. All participants that volunteered or agreed to participate in the study were anonymous from the initial contact, with the request each volunteer participant chose a pseudonym before participation. All personal information, names, or otherwise identifying data were masked by the researcher, and all participants were identified throughout the study, reports or publications by the pseudonyms chosen by the participants.

Patton (2002) emphasizes that the purpose of case studies is to gather in-depth understanding, and therefore a researcher must select participants who will deliver the information-rich data needed. Participants from the student population were selected if met all the following criteria:

1. Were of Hispanic descent
2. Self-identify as being undocumented.
3. Graduated from a Georgia high school

The Fitz family (a pseudonym chosen by the family) is originally from Mexico and agreed to participate in this study. The chart below gives basic demographic information of the siblings and detailed information on each sibling will be included in Chapter 4. The chart identifies them by their chosen pseudonyms.
Table 5

Demographics of Siblings

<table>
<thead>
<tr>
<th>Name</th>
<th>Gender</th>
<th>Age range (at time of interview)</th>
<th>Age range when entered the U.S.</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alex</td>
<td>Male</td>
<td>Late 20's</td>
<td>Mid teens</td>
<td>documented</td>
</tr>
<tr>
<td>Stephen</td>
<td>Male</td>
<td>Mid 20's</td>
<td>Pre-teen</td>
<td>undocumented</td>
</tr>
<tr>
<td>David</td>
<td>Male</td>
<td>Early 20's</td>
<td>Pre-teen</td>
<td>undocumented</td>
</tr>
<tr>
<td>Josephine</td>
<td>Female</td>
<td>Early 20's</td>
<td>Young child</td>
<td>undocumented</td>
</tr>
<tr>
<td>Aria</td>
<td>Female</td>
<td>Early 20's</td>
<td>Young child</td>
<td>undocumented</td>
</tr>
</tbody>
</table>

Data Collection

IRB approval was obtained from Mercer University prior to data collection. Data were collected through interviews, field notes and document analysis, and interviews were the primary sources of data. The interviews were recorded with a digital recording devise. Lichtman (2010) suggests that the iterative process of gathering and analyzing data is an ongoing process. In addition, a Constas chart was used in the organization of themes and ideas after the interviews were transcribed.

Interviews

Seidman (2006) explains that interviews enable the researcher to go in-depth to the root of human experiences. As a primary source of information in education research, the interviewer seeks to gain understanding and interpretation of the person who experienced the event. "A basic assumption in in-depth interviewing research is that meaning people make of their experience affects the way they carry out that experience" (Seidman, 2006, p.10).
However, Seidman (2006) cautions that the role of the interviewer is equally important to the process, as the interaction between researcher and respondent is essential to the data gathering process. Informal interviewing is also referred to as a conversation with a purpose (Burgess, 1984). The researcher must account for biases and be well-prepared to keep the conversation flowing to obtain rich data. The respondent must feel comfortable, respected and not pre-judged in order to provide adequate rich data for the researcher (Merriam, 1998).

Prior to the interviews, the participants were contacted via e-mail and an interview time was scheduled. The researcher and the research study were introduced to the respondent. A form outlining the intent of the research was provided to the participant. An informed consent was explained and any questions the respondent had were answered prior to the interview.

In the data collection process it was essential for the researcher to create a relationship of trust due to the sensitivity of the participant being researched. Tschannen-Moran (2004) notes that researchers must be cognizant of the fear of the participant that their best interest is not being taken into consideration. Sharing their status of undocumented student creates a significant level of stress on the participant and the researcher can create a sense of benevolence, reliability and competence (Escoto, 2012). These are essential to creating a relationship of trust between the participant and the researcher. I visited with the siblings multiple times throughout the process before sitting down for the formal interview. The family invited me to several holiday gatherings. It was through these interactions that trust was established and a clear understanding of the intention of the study was gained by the participants.
Due to the sensitive legal standing of the participants, anonymous informed consent forms were used. The form contained all the information pertaining to the study; however, a signature section was not included. All students who volunteered or agreed to participate in the study will remain anonymous from the initial contact with the request each volunteer participant chose a pseudonym before participation. All personal information, names, or otherwise identifying data will be masked by the researcher and all student participants will be identified throughout the study, reports or publications by the pseudonyms chosen by the participants.

Each interview was voice recorded and each respondent was assigned a pseudonym for anonymity. The interviews were between 45 to 65 minutes in length. The participants were made aware of this timeline in advance. The location of the interview was of the participant's choosing, and the researcher suggested locations to ensure confidentiality.

Each respondent was informed of the confidential nature of this research and used pseudonyms for each participant to further protect their identity. The importance of confidentiality was explained to each participant and the participant was allowed to ask questions. The participant was made aware that the interview data collected will not be reviewed by anyone outside of the research committee. The participant was informed that a sample or quote of his or her interview may be included in the final dissertation, but that the pseudonym will be used to identify the response.

A predetermined set, or protocol, of questions served as a guide for the interview and was asked to obtain information. The list of questions used to guide the semi-structured interview can be found in the appendix. Background and demographic
information on the participant was obtained prior to the interview. A follow-up e-mail was sent to confirm the time and place of the meeting if there was no response to the first e-mail. To establish rapport, I introduced myself, gave a brief overview of the research, and reviewed answered demographical data. At the end of the interview the participant was given the opportunity to add anything that was not covered in the questions. The interviews were transcribed by myself and were listened to multiple times to correct any errors.

Each participant was given the opportunity to check or review the transcription of his or her interview and was granted the chance to make changes to any answers if desired. A follow-up interview was determined to not be needed. The availability of the transcriptions to the participants is an additional level of trustworthiness in the case study. The digital recordings of the interviews will be kept in the researcher’s office and will be destroyed three years after the initial recordings.

The participants were asked if they have any additional material that they would like to share, such as essays describing their experiences submitted as class assignments, editorials, copies of personal notes from meetings or discussions they may have had while in college or high school. Again, given the sensitive nature of the study, sharing or providing printed documents was not a requirement to participate in the interviews.

**Ethical Considerations**

Culturally Responsive Relational Reflexive Ethics (CRRRE) advance research strategies toward advanced levels of confidentiality and sensitivity (Lahman, Geist, Rodriguez, Gralia, & DeRoche, 2010). When studying undocumented students, the eight tenets of CRRRE highlight the experiences of undocumented students and showcase their
competent, capable and vulnerable nature. The formation of the research strategy is formed from previously culturally sensitive studies regarding competent yet vulnerable participants in the Latino community (Ojeda, Flores, Meza, & Morales, 2011) and members of the Maori (Cram, 2009). In addition, the researchers’ understanding of the delicate and potentially conflicting nature of certain research participants is important to the design of the research (Lahman et al., 2011; Villegas & Lucas, 2002). Particular research participants give emphasis to the privilege of the researcher as a legal citizen and the difference of the lack of risk to the researcher compared to the participant. The researcher composed the research based upon the CRRRE list below:

1. Culturally responsive relational reflexive ethics
2. Gain socio-cultural consciousness
3. Develop affirming attitude toward research participant from culturally diverse backgrounds
4. Acquire the commitment and skills to act as agents of change through research
5. Understand constructivist and critical foundations of culturally responsive research
6. Learn about participants and their communities and employ reflexivity throughout the research process
7. Commit to seek the good through research
8. Integrate all tenets to cultivate culturally responsive relational reflexive ethical research practices  Lahman et al., 2011, p. 313

The difference in anonymity and confidentiality is crucial for researchers to consider when facing the unique challenge of studying undocumented students (Birdman, 2006). Researchers stress the need for confidentiality when studying undocumented students as in the past, researchers have been ordered by government agencies to reveal sources and jailed (Adler & Adler, 2001). Additionally, in the state of Georgia, where the House Bill 87 has passed, a person can be convicted of a misdemeanor up to a felony for transporting known illegal immigrants with the severity of the charges depending on the
number of offenses and the number of illegal immigrants transported (H.B. 87, 151st Gen. Assem., Reg. Sess H (GA. 2011)).

Interviewing Sensitive Participants. Because of the sensitive nature of the topic and the participants' lives or experiences, ethical research is an integral part of this case study. However, this research only identifies the students' status and makes no conclusions or presumptions that they are participating in any illegal activity or displaying illegal behavior. Beverly (2000) writes that interviews specific to sensitive narratives of oppressed groups are referred to as testimonies. Testimonio is a recognized research method originally used to discuss oppressed Latin American persons involved in various wars to examine injustices (Booker, 2002). Testimonio has critical elements similar to LatCrit in that

*Testimonio* and LatCrit both validate and center the experiential knowledge of People of Color, recognize the power of collective memory and knowledge, and are guided by the larger goals of transformation and empowerment for Communities of Color. Highlighting the ways a LatCrit frame is similar to the key element of *testimonio*, critical race *testimonio* can be described as, a verbal journey of a witness who speaks to reveal the racial, classed, gendered, and nativist injustices they have suffered as a means of healing, empowerment and advocacy for a more humane present and future (Perez Huber, 2010, p. 83).

The researcher acknowledges her status as a legal citizen and is acutely aware of the potential personal risk that could accrue to the participant. Because of the possible risk to participants, all identities remain masked throughout the study.

Based on research on conducting *testimonio* interviews with sensitive participants and vulnerable participants, this research will follow the suggestions of researchers Lahman, Mendoza, Rodriguez, and Schwartz in their 2011 research. Aspects of undocumented students were highlighted in the research of undocumented students
including the fear of deportation that will be followed include: Culturally Responsive Relational Reflexive Ethics recognizing that undocumented participants are capable, competent, yet also vulnerable. The 8-step process outlined in that article will be followed by the researcher along with noting the importance of giving the information contained in an informed consent, without requiring or having a signature. Comfort in the setting as well as continued questioning of comfort level and willingness to participate is important to interviews with undocumented students and will be addressed by using process consent.

In this study, nothing in the recorded interview or gathered data included identifying information that can be traced back to the participant. All interview transcripts and names noted in the interview used the pseudonym that was chosen by the participant. D. The researcher took this consent one step further and implemented the use of witness consent. Past IRB decisions at other universities dealing with research concerning undocumented students have requested this to further limit the paper trail to the participant. Witnessed consent was be taken by reading the informed consent to the participant in the audience of a third party of the participants’ choosing, with nothing signed. The participant was given the information sheet and neither the researcher nor the participant will have anything that is signed.

Field Notes

The researcher made general notes about the setting in which the participant choose to be interviewed. Field notes were written during and after each interview. Direct contact with the respondent in his or her setting enabled the researcher to better
understand the context. The interviews were conducted at a location of the participants' choosing.

Conducting some of the interviews at the home of the participants allowed the researcher the opportunity to make notes about the physical layout of the home and observe some interaction among the participants. Also, the ability to observe situations that the respondent may not be comfortable with talking about allowed the researcher the opportunity to draw on previously researched literature that assisted in the reflection and interpretation of the data, an important part of analysis.

Documents

The importance of documents in a case study lies in the ability of the document to augment, corroborate the data gathered from interviews and observations (Yin, 1994 (Merriam, 1998). A search of websites was performed using the words “undocumented,” “Georgia,” “Hispanic” and “Latino” to find web-based documents that may contain information helpful to the researcher. The participants will be asked to provide any additional documents that they can think of to augment their interviews.

These documents were read to obtain additional information pertaining to the research and noted for themes that are identified in the interviews. Also, they were reviewed to see if additional concepts are apparent that were not identified in interviews, and this resulted in a follow-up e-mail with questions to the respondent. A list of documents reviewed and the Document Protocol is in the appendix.

All documents served only as additional information sources for the researcher to gain rich and meaningful understanding of the participants’ experiences and will not be published in their full entirety or in any way in which individual participants or the
institution can be identified. The main method of data collection is from the interviews; any printed materials are supplemental and explanatory in nature. All documents or copies of documents supplied by participants will be held by the researcher until the end of the study, at which time all data will be destroyed.

Data Analysis

In an effort to present the findings in an organized manner, the data collected were systematically searched and arranged (Bogden & Biklen, 2007; Merriam, 1998). Line-by-line review of documents and transcripts was conducted for identification of themes and major concepts. The data were arranged chronologically to form a historical outline of the themes and concepts. Some analysis occurred during data gathering; however the majority took place once the data were gathered. Data were initially organized according to the source. Transcription of interview and documents from each source, or person, was grouped together. Initial field notes from reviewing each group will be organized. Wolcott (2009) suggests that this will assist the researcher in visualizing processes.

Once the initial review was performed, the data were organized to review the various concepts that are identified. Next, the transcription and the documents were reviewed again and noted on, indicating the presence of the previously identified concepts. This resulted in multiple concepts that were reviewed to group overarching concepts and themes.

Using the open, axial and selective coding-techniques outlined by and Corbin and Strauss (2007), all documents and transcripts were reviewed and coded for similar concepts and reoccurring themes. Open coding included line-by-line review of
transcripts, field notes and documents and served to identify major themes guided from
the literature review. Axial coding followed to identify major categories of themes and
their affiliate sub-categories of themes. Axial coding served to separate into component
parts the themes or major participants identified in the open coding. Careful organization
of data was performed, and extensive, detailed memos were written following every
observation and interview. Visual representations of the themes were made to assist the
researcher in describing the phenomenon. Continuous refining and coding was
conducted to identify main concepts and themes (Appendices D & F.)

A codebook to assist with future reference to specific themes was developed using
columns of sources (participant, field note or document) of theme identified and included
additional details such as a quote from participants that include the theme or quote from a
document or a field note that included the theme. The column headings were the major
themes identified in the coding of the sources. Each column contains extractions or
quotes of the source as it related to the theme. This method has resulted in a large
spreadsheet of data gathered and will be used to further refine categories of themes and
concepts. Major categories and sub-categories have been identified. Information
gathered and detailed in Chapter 2 provided the matrix for identifying important ideas
that, through analytic induction of the gathered and transcribed data, identified concepts
and ideas formed concerning undocumented students. The researcher reviewed previous
literature to classify key issues and ideas and then used these to categorize the data
collected in order to describe what is found in the case study research (Patton, 2002).
Finally, I documented my analytical process following the work of Constas (1992).
Summary

Chapter 3 has provided the research planning for the intended study. The chapter has outlined the research questions that will guide the interview questions. The research design was reviewed to guide the planning of the execution of the dissertation. The design identifies the population that was desired to participate and outlined how the sample within the population was identified and contacted. The participants were described and detailed methods of contact, interview and follow-up was included. The method of data collection was described to assist the researcher with planning the collection and subsequent review and analysis of the data collected. The importance of confidentiality and method of interviewing sensitive participants and protection of identify was carefully noted. The method of data analysis used was detailed. Chapter 4 reviewed the data collected in the interviews, addressed questions Chapter 3 posed and outlines the major themes identified in the data collected.
CHAPTER 4

RESULTS

Introduction

This research intended to ascertain the paths to successful enrollment in an institution of higher education by undocumented students by contrasting enrollment experiences to reveal barriers to success and to determine how higher education policies of the state of Georgia affect postsecondary attainment for undocumented, Hispanic high school graduates. By interviewing five siblings, the researcher was able to study in depth the familial relationship to educational achievement for Hispanic undocumented students. Because the five participants were all of Latino descent and undocumented students, their lived experiences were expected to add to the relatively young research concerning the sensitive, yet powerful, subject of undocumented people and higher education preparedness, access and achievement.

In this chapter, the timeline of the participant family’s lived experiences will be outlined and displayed beside the timeline of state and federal laws and the policies of state universities in their state of residence. The family’s lived history addressed the questions introduced in Chapters 1 and 3: How do higher education policies of the state of Georgia effect higher education attainment for undocumented, Hispanic high school graduates? Interview questions used to extract information were

1. What are the life experiences of undocumented students in Georgia?
2. What are the understandings of admissions policies of undocumented students?

3. What are the effects of current laws on undocumented student experiences in higher education?

4. What support is in place to assist undocumented students?

5. What academic preparations are in place to prepare undocumented students for college?

By framing the study with Latino Critical Race Theory, the research question and interview questions were designed to guide the qualitative research to address the higher education access issues of undocumented students in the State of Georgia post passing of House Bill 87. The research was conducted with careful attention to the sensitive nature and vulnerability of the participants. The qualitative approach was planned to allow the participants to delve into and share their histories and their realities.

It was essential to this research to develop a caring relationship with the participants to encourage open and honest discussion. I intended to interview all five sibling and one parent; however as the day arrived for the scheduled time to interview the mother of the participants, she declined. I offered to let her record her story on the digital recorder by herself with no one there and I would translate it later, but she declined this offer as well. I attempted one more time to interview her and offered to bring another elder Mexican woman to assist with the discomfort in the situation; however, the mother again declined and did not want to participate. This was a surprise to all siblings when I later discussed this with them. Prior to collecting the interview data, the youngest three insisted that she would participate and were surprised when she changed her mind at the last minute. However, when asked, they all surmised that she did not want them to know
the 'real story' behind some of the shared experiences of the family, or some of what she had to do in order to keep her family together.

Each sibling was interviewed in a setting of his or her choosing and was asked to convey the individual version of their family's journey to the United States, the timeline of happenings after they settled in Georgia, educational experiences, understanding of laws that apply to them as undocumented students, and current situation, including any attempts or lack of attempts to attend college.

The initial and second line-by-line review of the transcripts of the five interviews yielded a total of 51 codes (Appendix D.) The raw list was typed and reviewed again to ascertain groupings of like-themed codes. Five major themes were identified as being present across all five interviews and encompassed previously identified codes, creating major category codes and sub-category codes (Appendix E.)

In the next section, basic information on the family is reviewed, this information was determined from the collective interviews and observations made during the interviews.

Overview of Family Unit

The Fitz (the pseudonym chosen by the participants) family is comprised of five children, mother and father all living in the same home in Georgia. The house is a two-story home with a full basement. There was simple, unadorned furniture in each room that was visible to the researcher and the main level was decorated with only a few wall hangings. The mother and father do not sleep in the same bedroom as the mother sleeps in the large bedroom shared by the female children. A two-car garage is used for religious
gatherings rather than for the cars, which are all parked in the driveway. Three cars were in the driveway and all were older model four-door sedans.

The siblings allowed the sisters to choose a surname, Fitz, after which each chose the following pseudonyms:

- Alex – Eldest Son
- Stephen – Second Son
- David – Third Son
- Aria – Eldest Daughter
- Josephine – Second Daughter

The children participating in this study are all over the age of 18.

During the course of the interviews, several comments made from each sibling indicated lack of participation in the family unit or in family activities by the father. The father does live in the home; however, for each of my six visits to the home, I never saw him. I did see the mother each time. In addition to the siblings, often times there were other young Hispanic adults in the home who were identified as friends, relatives or members of their congregation. Each of the male siblings was interviewed in their home and the female siblings were interviewed in my home. The male siblings were comfortable being interviewed at the kitchen table in their own home. The eldest and youngest sons were interviewed with no one else on the main level of the home. The female siblings asked to be taken away from the home to conduct their interviews.

During the time of the scheduled interview for the second son, Stephen, the other siblings had approximately five other young adults at the home. Approximately five young adults were in the living room, in addition to the five siblings, watching a movie. I asked if Stephen wanted me to return at another time, or go into the garage, or to another location. Stephen did not want to go anywhere else and the entire group offered to turn
off the movie and be quiet during the interview. I interviewed Stephen with all the siblings and friends listening, and it did not appear that the presence of all the people prevented Stephen from opening up to the questions. At times the group laughed at his answers or made low-voiced comments on his responses, but these did not prevent Stephen from continuing the conversation.

Summary of Interview Findings

The categories were organized according to the questions asked and will be reviewed below.

Interview Question 1: What are the life experiences of undocumented students in Georgia?

The life experiences of undocumented students in the state of Georgia as described by the participants of the study included several themes. The responses to the question contained reflections on personal identity issues, self-awareness, sense of belonging to two nations, understanding of immigration laws and perceptions of how others view them as undocumented students.

According to Alex, the eldest son, the children entered the United States in the late 1990s with their mother to join their father who had come to the United States on a 90-day visitors visa months earlier to establish a place for them. From the point that the 90-day visa expired, the entire family was officially undocumented. Alex was always aware of his status and, as the eldest son of the family, mentioned that once they were enrolled in public primary and secondary schools in Georgia, their status of undocumented student began to have effects on their daily lives, Alex said, "I was always aware... I think that it was something that we kind of talked about that is was something
we did not have yet and it was going to be a problem but that we just had to keep on.”

With the knowledge of their immigration status, came many social and educational complications.

Identity. Because Alex was fifteen when the family entered the United States, he was old enough to be fully aware of his family’s status in the United States. He entered high school shortly after his arrival and was treated in all aspects of his life as undocumented. When asked if felt different from his fellow classmates in school, Alex said,

Oh yeah, they treated me differently if they thought I was undocumented or if they knew I was undocumented. Not just in school, but at work or out with my family, they made comments “Oh, we would like to invite you to this trip, but we know your situation.” Yeah, definitely knew that I was undocumented and was treated like that sometimes.”

The daughters were aware of their situation at different times. The older daughter noted that the family was and is always on alert for police and are careful to not draw attention to themselves. The continuous fear of being discovered by authorities was what drove Aria, the elder daughter, to being acutely aware of her status here in the United States. When asked about her understanding of being undocumented, Aria said,

Ever since we came here to the United States. Yeah, because you always have to look out and when my dad would drive us we had to be careful because we did not want to get stopped by the police. There was always this fear with the police, are we going to be stopped, are we going to be sent back to Mexico? So, I guess ever since I was little.

The younger daughter, Josephine, said that real understanding of her situation came in middle school when she wanted to join sports teams.

I think that it was when I hit middle school that was when I first started realizing that we don’t have the same privileges that other kids do. Wanting to join a sport in middle school, I couldn’t because my mom
would not let me because we did not have any insurance and she was
worried about that if I were to get hurt or break a bone we could not pay
for the doctors. So, that was when I realized that there were things that I
could not do.

The second and third sons, Stephen and David, both noted that they were always
distantly aware of their status, but the fact that they were undocumented did not affect
their lives until they were in high school and had turned sixteen. Both brothers indicated
they really felt the effects of not being a legal resident when they could not obtain a
driver’s license. David said,

I knew when I was in high school and I saw my friends driving and I told
my mom that I wanted to drive and she said that I couldn’t because I did
not have a driver’s license and I asked her why I could not get one and she
said it was because I don’t have papers. So that was when I started
[knowing]. I was a freshman.

Stephen replied to the question,

When did it hit me? Pretty much the car. When everybody started driving
that is when it hit me and I was like man I don’t have a car I can’t do
anything. I have to take a bus to do anything. I couldn’t do extracurricular
activities or I couldn’t do any sports or clubs. That is it, your social life –
you know the peer pressure of having a car in high school is big.

Belonging. As all the siblings were born in Mexico and they formed their
understanding of themselves based on their memories of their lives in Mexico and their
lives in Georgia. Conflicting internal feelings of belonging to two different places was
present in all the siblings’ conversations. Being aware that they were living in the United
States, in Georgia, while not legal residents, created some internal conflicts on how they
identified themselves. Stephen explained his feelings by saying,

I don’t know. I know that I’m not from there [Mexico] but I’m not from
here you don’t really have a... I think that I am from Mexico but when I
talk to people who live in Mexico I don’t think that I am fully Mexican.
So it's kind of confusing because in some parts you feel Mexican and some parts I don't feel Mexican.

Alex was the only sibling that was a teenager at the time the family moved to the United States, and he did not want to come. He was firmly rooted into the Mexican culture, had friends near his former home and was about to enroll in a prestigious colegio (a high school) prior to the move. Alex was very proud of his academic achievement and attainment of a place in the colegio, and this sense of achievement created a deep disappointment in learning that they were going to the United States. Alex noted that he was not given the opportunity to give his opinion on the family moving. He was very adamant that if he had been given an option, he would have chosen to stay in Mexico. Alex said,

Yeah, it was a very short transition. I was told right after graduating from secundaria. A week later I was told we were going to be moving and I had already studied for my entrance exam and I had worked very hard for my grades and whenever I was told that I was very disappointed and we did not have time to just get used to moving, not to another house, not to another city, but to another different country where we did not know the language or anything.

David, on the other hand, expresses his love for the United States by stating that if he could join the Army and fight for the United States, he would, much to the disappointment of his mother. David, the youngest son, also mentioned that he was reluctant to tell his classmates about his undocumented status. When asked if he ever felt resentful of his situation, David said,

Yeah, I did. It was hard and like I never really told people that I was an immigrant and even if people asked me about it, I'd be like – yeah, and I wouldn't talk about it. I would just change the conversation and I felt like me telling them that I would not fit in with those guys.

Aria felt her difference as she could not speak English well and said,
I guess almost all the time until...I guess I could not get along with other people. So, I guess it was until I learned English, so throughout elementary years I really felt Mexican. I did not really get English until my 5th grade year, so I guess I until then I felt like an outsider.

All the other siblings were similar in that none spoke English prior to coming to the United States. The language barrier was significant to the younger three siblings because they felt they did not master the language until high school, and by then, they were all still in the ESOL track. Josephine really feels the duality of identifying with her birth country and the country she has lived in for most of her life, saying,

I consider myself not really Mexican and not really American because I don't really know my own culture and I don't really feel accepted here as an American so, neither.

On one hand, Stephen expressed a feeling of being stuck or in limbo in his undocumented status. Once he graduated from high school and attempted some college, his legal classmates left him behind academically,

They [Americans] ask you how come you don't have a car. They think that you are some sort of bum that you don’t work. That is the worst thing because I see people in work that I used to be in high school with, teacher and stuff and they ask you hey you have you finished school year and you tell them no, not yet. They asked why, what is keeping you from finishing, I mean it’s like you can’t explain that to them.

On the other hand, Stephen noted that there was camaraderie in high school among the undocumented students. He spoke of not feeling bad about his status because most of his close friends in school were also undocumented. He and his friends did most of the same activities, worked illegally and sharing the same experiences built a sense of solidarity.

David, the 3rd sibling, seemed to be the most adventurous of all the siblings. He described himself as the wild one and the clown of the family. While the other members of his family formed their patterns carefully to avoid police and feared the possibility of
being arrested for being undocumented, David was the rebel. He said of the probability of the laws being changed to positively affect the undocumented students as,

I know that my parents will feel different; they will not have to live in fear anymore that they will send us back. But for me, not really, I still feel the same. I think that the reason I still feel the same is because I did a lot of things that my family did not do because they were afraid of getting in trouble. Like I drove without permission, I was on a plane. For me that was a big thing for me because I did not want to be like my parents. I felt like they were living in a cave and afraid to go out. I did not care. I even bought myself a scooter and I was going everywhere and I was always coming home late.

Even though the siblings agreed they felt a lack of belonging in the United States, Josephine said that the thought of going back to Mexico was terrifying. She also knows of people that have been deported and commented if she were deported back to Mexico, now that she has been in the United States for so long her rusty language skills in Spanish would be a barrier for her, like English was when she first arrived in the U.S.

Aria spoke more about the possibility of deportation after mentioning that some members of her church had been deported and it was very difficult on the families that remained,

Yeah, we would talk to my mom and she would say that [deportation] is why we need to be really careful, I mean she would not know what to do if one of us were deported. I mean of course she would send us money and make us live with a family member. But I mean it has crossed our minds but we never really want to think about it.

Being undocumented as Aria mentioned, was to always remain aware of the possibility of deportation. As a family they discussed what they would do if one of the family members were deported.

Josephine countered that the fear of deportation and the difficulties she faces as an undocumented student do not outweigh the benefits of living in the United States
compared to the life they had in Mexico. The better living conditions and opportunities make her thankful to live here.

Values. The self-awareness of their undocumented status and the acknowledgement of their struggles with self-identity as Mexican or American caused the siblings to make several comments on the differences in Mexican and American cultures. More specifically, the siblings explained they identify positively with what they consider Mexican values more so than the American ways of life. All the siblings mentioned the value and importance of family in their own lives and that of Mexicans in general. Not that Americans don’t have family values Aria said, it was just that she felt Mexicans had a stronger family unit.

I guess Mexican people are more like family and they do stuff as a family a lot. Like anything to celebrate they have to do as a family they gather up the neighbors over and everything. I guess for Americans they do that too but not as often or as much. They don’t make a big deal out of it.

Alex spoke of his understanding of his and his Mexican culture values,

Work ethics, family values, conservative values that is pretty much it as far of what I think. There is a strong sense or feeling of you got to help each other out. It does not matter if you are relatives or not if you feel you build a certain type of relationship as a friendship or anything else there is a strong feeling that you have to help each other out. Either economically or listening to them. Sometimes in the American culture, I might be mistaken, is they are more concerned about themselves. “What am I doing, I’m more independent, I’m more self sufficient, I don’t need to help you out.” That is what I think that the Mexican culture can bring to this culture.

Stephen discussed his views of Mexican versus American cultures in the arena that he knows, his experience of serving them in a restaurant,

They are always busy, I mean I have grown accustomed to it, I am a part of it, but I guess it is in the American culture it this think that we [Americans] spend all our time working for things we don’t even have
time to enjoy. So that is why we don’t even have time to cook because we are always working and instead of spending money on food to cook, we spend it on fast food because we don’t have time to do anything. So that is the main thing, that we are so busy, we work so much and we have all these things that they don’t have in other countries but we don’t even have time to enjoy them.

Political Views, Conservative Values. When discussing the latest elections Josephine said,

I was worried, I was worried that Obama was not going to win and we were going to get kicked out and just having to adjust to being in Mexico and leaving everything behind here, so, yes I was very worried.

The discussion of the recent election revealed the complication of the Fitz siblings’ personal beliefs and the legal situation they find themselves in. The decisions made from elections, that they cannot participate in, sometimes conflicted their personal values.

Aria struggled greatly with the most recent presidential election. She was not eligible to vote however, she was aware that a democratic president win could greatly affect the lives of undocumented students in the United States. Aria’s personal values conflict with the political system that could benefit her status here. When discussing the November 2012 presidential election Aria said,

It was tough because in a way I did not like Obama because he is pro-gay marriage and abortion and that is against my religion. And then there is Romney but he did not say anything about immigration, he was basically like ‘just kick them all out and they [undocumented students, illegal immigrants] don’t belong here.’ So, I was like, ughhh. So, I guess I did want Obama to win because he was going to give us the deferred action and give residency to most of the undocumented students so when he won I guess I was happy, but there was a constant battle in me.

Stephen also had some opinions on the political leanings of Hispanics and said that he believed that if the issue of immigration and status of undocumented students
were off the table in elections, Hispanics would vote conservative Republican. When asked where his value system aligned with which political party, Stephen replied,

Actually, those Republicans, I don’t know what they are thinking because I think that most of the Hispanics would be Republicans if they [Republicans] would become pro-immigrant. I feel like most Hispanics would become hardcore Republicans because they are more conservative in more areas because most of them have that Catholic background, so I don’t know, I think that is where they lost the election. They could have won it if they became pro-immigrant. I would consider myself pretty conservative and I would have voted for Romney as a Republican if he was not against immigrants because I am pro-life and everything and I have Christian values, but that guy [Romney] just does not understand.

Perceptions – Illegal Immigrants contributions to society. Being undocumented means being aware of negative feelings towards illegal immigrants and immigration in general. All siblings discussed negative issues and comments directed at them as Mexican, Hispanic children and young adults by others in the state of Georgia. Josephine felt that most Americans categorize all undocumented students as illegal Mexicans. Her perception of American thoughts on undocumented students were that undocumented students are all the same, are troublemakers, are always getting into trouble, are not hard working and are mostly in gangs.

Stephen ended his interview with a statement about how he reacted to negative perceptions of illegal immigrants,

I hate how some Americans say that illegals don’t pay taxes. We [undocumented people] are at work with a fake social [security number] and they take taxes every check from our checks and we don’t even get the money back. They keep it. So we give money to the government more than they do...we pay sales taxes and all those kinds of taxes. Very few people work by cash, very few and if they do, they work by cash they get paid less than what you get paid when you actually get a check. So I hate it when they say, ‘oh you don’t pay taxes.’ I hate that because we pay all the same taxes that you guys do and we don’t get our money back. So I hate it when they say we don’t want to give you money or government...
help because our fathers pay for that money and they shouldn't be taking that. If at all, they take advantage of us because they don't give us our tax money back.

When Josephine was asked what she would say to someone who thought she should not be in the United States, she responded that she has just as much right to be here as they do. She like her siblings, believe this is a country where people work hard and undocumented people are working hard too.

Interview Question 2: What are the understandings of admissions policies of undocumented students?

Each sibling was asked about their understandings of higher education policies regarding their collective status as undocumented. Major themes that were identified included higher education attainment and paying for college and financial familial support. Also, as a group, the siblings claimed that Alex, the eldest sibling, was the source of education policy knowledge for all the siblings.

All of Alex’s siblings said that he was the main foundation of their information on admissions and applications policies. Alex was self-taught when it came to processes for undocumented students and higher education. All the siblings noted the extreme effort Alex placed into higher education achievement. Alex successfully graduated from college and obtained a bachelor’s degree. Three of Alex’s four siblings said Alex was the most influential person in their lives. Not only was Alex the eldest brother, but he was the main financial supporter of the family and had purchased a house for them.

Higher Education Attainment – Paying for College. All the siblings expressed understanding of the tuition policies of higher education in the state of Georgia for undocumented students and noted that tuition was the most important aspect to consider
when discussing higher education. The cost of higher education has affected all the siblings' college degree attainment. Josephine spoke of Alex's experience,

For my brother, it was hard for him because of his immigration state. It wasn’t easy. I mean he had to work two jobs and he was out of the house, so it was pretty hard for him. It was all him by himself because my parents had to work for the bills of the house so it was him all alone. He was never really at home when I was at home, I would only see him sleeping or getting ready for work.

Alex wanted to attend law school; however, due to his undocumented status, he decided to study engineering. After he graduated from high school he contacted colleges to see which would allow undocumented students without social security numbers. Alex found out that even though he had taken AP courses, had very good grades, he did not qualify for scholarships or aid at any university in the state. Alex said,

I was asking everybody about scholarships and no one knew of any scholarship that I would be eligible for. I applied for a couple and was turned down and one day I was just going through the newspaper, the Spanish speaking newspaper and I saw an ad saying that there was a scholarship for people who did not have documents so I was like OK, let me call them. So I called them, got the information and got the forms and I filled them out and I went to my teachers back in high school... I spent my summers working with a community organization or through the summer school programs at Willingham College, first because I really enjoyed doing this but also so it could give me extra points for consideration. Thank God I got that scholarship and I also applied for in-state tuition and it was given to me.

Alex attended Willingham College and later transferred to Ruiz University. The last semester he was to attended Ruiz University, the tuition laws changed in the state and he was no longer eligible for in-state tuition. At this point Alex was no longer able to take classes full time and had to attend part-time and work for an additional two semesters in order to graduate.
When asked about assisting his siblings with understanding educational policies that affect undocumented students he said,

I will guide them, tell them what steps to take, tell them the challenges and difficulties that they will face. And if they need help filing out any paperwork that I already did. Giving them some advice of what classes to take and tell them what my mistakes were so that they don’t have to make the same mistakes and being there you know and helping them out financial if I can, which I have with one of my brothers. Whatever I can help them with, you know.

Alex also spoke of his understanding of the differences within the Hispanic cultures. He noted that from his experience the Mexicans in the United States and in Georgia are generally less educated.

Because not everyone Hispanic is from Mexico, some are from South America. A person from Mexico, not all of them, but a lot of them, come from very uneducated maybe not wealthy background, compared to people from South America. Because, in order for them to get here [Georgia], they have to have a visa or have taken an airplane, so they have some sort of money and are better educated.

Interview Question 3: What are the effects of current laws on undocumented student experiences in higher education?

Each sibling was asked about his/her level of understanding of the legal ramifications of the state and national laws that affect undocumented students and their pursuit of higher education enrollment. This question produced responses that address immigration issues and laws that are applicable to undocumented students.

Having to pay out of state tuition and the legislation that banned all undocumented students from the Georgia University system were the main legal barriers to attending college. Alex said,

I would say the number one [barrier] is having to pay out of state tuition, but also that since a year or two ago all undocumented students were
banned from the Georgia University system. So, even if you had the money you are not given the opportunity. Yeah, they would be turned away. Of course, if they had the opportunity to go they wouldn’t have the money.

Stephen has only been able to attend part time for a few years at Willingham College, but has not completed two full years of credit, and he stated that tuition prices are preventing him from completing his degree. Stephen graduated from high school in 2006 when state laws were in place to firmly establish residency for all applicants, thereby excluding undocumented students from receiving in state tuition. In addition, as state tuition rises, so does the out-of-state tuition. Within one year, the tuition doubled and the family was no longer able to support Stephen going to college. When discussing tuition Stephen said,

The out-of-state tuition is killing me. And not being able to get government loans. I mean, its not like I want free money but I want to able to borrow some money and pay it back.

As undocumented students, the siblings are ineligible to receive driver’s licenses, which compounds the effect transportation has on the ability of undocumented students to have physical access to college. Aria spoke of the cyclical nature of being undocumented, which is illustrated in Figure 4.
Neither Aria nor Josephine had attended college at the time of their interviews. Because the family is supporting David in college, there are not enough funds to also support Aria and Josephine in college. Alex added to this predicament by adding that even if an undocumented student was given admission to a private college,

...it is even more expensive. And on top of that you can’t drive. I mean you can, but you are not supposed to and if you get pulled over it’s even more problems. Not being able to drive and not have a good job, or a job legally.

The family was aware of other states’ policies on tuition and admissions policies, and, through their pastor, learned of a university in Texas that David was eligible to attend. David attended this college on a partial scholarship, with the remaining financial demands covered by the family. However, the price of supporting David in another state became too much for the family to manage, and he returned to Georgia.
When asked about advice he would give to other undocumented students about navigating the path to higher education, Stephen said,

Now I see that the government is so screwed up that sometimes you have to do illegal things to move on with your life and now I don’t care. That is what I would say. If you told those people that are going through that stuff, I would say do whatever you got to do to move on.

Stephen noted that if he had the chance he would move to another state to live and go to school. The main barrier for Stephen is not having a car that he needs in order to work to pay for his tuition.

I know that some of them [states] are giving opportunities to illegal immigrants and I think that some state is trying to pass a law to allow drivers license. So that is why I would move to another state because I don’t like this state at all. I don’t like this Bible-belt south.

When discussing the issues surrounding state and national laws that effect undocumented students access to higher education and all illegal immigrants, several of the siblings spoke about voting rights and the history of Hispanic votes in Georgia. Because the laws are only changed through political influence, Stephen explained,

The bad thing about us [Hispanics] is I don’t think that we vote much. I don’t think that we care much about voting. The Hispanics that have the right to, the privilege to, vote. Because they don’t really care once they get their citizenship, they don’t really care about other people. That is pretty much it; they don’t care.

Laws – Legal Issues/Laws, Hispanic/Undocumented Activism. David spoke about how his older brother, Alex, tried to get him involved in undocumented student political movements by taking him to some walks and rallies. However, unlike Alex, David was not very interested in advancing Hispanic and undocumented students’ agendas. David said,
I was not too involved, but I know that my older brother was. He took me twice to a walk; I forgot how it was called. But it was when I was a freshmen. And we went to a conference that was in Willingham College. So I guess kind of, but not really, so I say no. Because I was there only because of my brother and I was not really involved.

Unlike his younger brother, Alex is very positive about the political leanings of the Hispanic population in Georgia and in the nation. He thinks that the Hispanic population is going to be the basis of the future of the American culture. Alex emphasizes that the current generation of undocumented students work very hard and it is very important that the second and third generations not forget what they [the first generation of undocumented students] went through to pave the way for the following generations.

Alex has been active politically since graduating from high school, saying he would vote if he could, but currently he is not eligible. He assists his community, and strives to inform the younger generation of Hispanics about current laws that affect their family members. In explaining his actions, he stated,

Whenever there are elections, I help register eligible Latinos to register to vote. Whenever there is any type of new law that affects the community, I get informed, and then I help out spreading the word. And if there is any type of organization that helps out the community, I try to help them out. I am very active in my church, and through our church, we also help the community. With the DACA, the Deferred Action, we brought a lawyer to our church and so that he could give out information, and we helped fill out applications for free.

Alex expressed his wish to be able to vote by stating that he cannot wait to become a citizen, and, with the help of his community will organize Hispanics to make a change in Georgia. He realizes that Georgia is a red state and there is no question that most of the residents are conservative. Because of the conservative beliefs of the residents, Alex
knows that they will not vote in favor of laws that will benefit undocumented students. He mentioned that it is just a matter of time that the non-Hispanic residents will get accustomed to the fact that immigrants live in the state, immigrants who are not a subtractive group of people; but are here to add positively to the economy of Georgia. Alex notes that,

They [Hispanic Immigrants] are here to contribute and everybody needs each other but the Hispanic community also has to do their work as far as being informed, register to vote, becoming citizens do what they need to do to stay on the legal side of the street and I think, I have hope for Georgia to not be a blue state or a red state, but a more balanced state and that is one of the things that I will be working on for the rest of my life.

Each of the siblings mentioned the Dream Act, the legal path to citizenship for undocumented students, and Deferred Action for Childhood Arrival, DACA, the Deferred Deportation plan for undocumented students. All of the siblings had a little different understanding of the details of the act, but they all knew that after many years of attempts to pass the DREAM act, it has not been successful. The DACA, however, has been passed and from what they understand all the siblings in the Fitz family qualify for this action. The plan allows for a grace period of two years for undocumented high school graduates or GED recipients to work legally. But more importantly to the Fitz family, does not include any educational opportunities. They do, however, see the benefits of all the siblings being able to work legally, thereby generating enough income for each in turn to attend public colleges and pay the out-of-state tuition.

Stephen noted that some undocumented youths do not qualify for the deferred action for various reasons and his advice was,
There is always a way. Sometimes you have to do illegal stuff just to find a way. That does not excuse it, but there is always a way. I would tell them to get married or something.

Stephen spoke about the years that he felt he wasted waiting on the laws to change to allow him to continue with his aspirations to attain a college degree and obtain a good job.

If I could go back, I would have gotten married for my papers just to move on with my life. I didn’t do it earlier because of conviction and all that stuff...

Interview Question 4: What support is in place to assist undocumented students?

The siblings were queried to determine what support systems were or were not in place to assist them in their lives and with their academic pursuits. The importance of familial support, parental presence, positive and negative influence of their teachers, and peer pressure were all themes that were identified in the responses.

Familial Support – Sibling, Financial, Parental. The importance of support, emotional and financial, from siblings was mentioned throughout each of the interviews. Stephen stated the importance the example of his brother Alex, simply as “Because he did it, so there was some hope, hope that I could do it too.” It being, Alex graduated from high school, obtained a scholarship, enrolled in two different colleges, and graduated with a degree in engineering, later buying a house for the entire family to live in and two cars for the family to drive. Aria noted that Alex accomplished all his successes without the financial support of their parents, because, at the time their parents were supporting the other four siblings and had nothing extra available for Alex’s college expenses.

Each sibling only mentioned their father in the beginning of the interview even though he still lives in the house with them. They spoke of their parents, desire to reunite
the family was the motivation for their journey to the United States, but that was the only
time they spoke of their father. Aria specifically stated that their father was not really in
the picture as far as their family unit was concerned. Although the father’s role in the
family was largely minimized, all the siblings talked about how hard their mother worked
cleaning houses and supporting them emotionally. Josephine said of their mother,

She is everything. She has been the dad and the mom and the one that
worked. Basically she is the one that has brought us where we are right
now. She has been a father and a mother at the same time. She has been
our hero and someone you can really look up to.

Mrs. Fitz had been described as the emotional support for all the siblings, keeping
them all together, always encouraging them; always working with strong ethics and
always speaking with a kind word to make them feel better. Stephen described their
mother’s strong religious convictions and how she formed their faith consciousness and
taught them what is right and wrong. David remembered his mother telling him that not
wanting to better himself and go to college was equivalent to slapping her in the face. He
decided, since she risked and sacrificed everything for her children, he would go to
college. David said,

Also like one of the reasons that I also wanted to go to college was for me
to not go to college for my parents would be pretty much be like a slap in
my parents face, to see everything that they went through for me to just
continue and not have a better life and to take the opportunity. I
remember my mom telling me once that I gave everything for you guys
and you telling me you don’t want to go to college is like slapping me in
my face. So that was one of the reasons that I wanted to go to college.

Josephine said that their mother encouraged them all to study in high school and
did not want them to have a low wage job like her. She described how her mother suffers
the disrespect of her employers, ladies she cleans houses for. Because Josephine and
Aria often help her, they have witnessed what Mrs. Fitz has to tolerate to bring home money to feed the family. Each sibling noted that their mom was able to provide a home and put food on the table no matter where they lived. David, the youngest of the three brothers, related about the one bedroom apartment they lived in for many years before they could afford anything else. All siblings agreed that even though she was able to provide for their needs, she was not able to give them any extra funds to attend college.

The three brothers have attended three different colleges and none used any of the support services at the colleges or university. Alex, Stephen, and David all stated that they did not have time to access any services at the different colleges due to their class and work schedules. While in college, all the brothers worked full time during the academic year and throughout the summers. Only Alex and David took courses full time, but Stephen was not able to attend full time because of the tuition cost. When he was not taking classes, Stephen worked at a restaurant as a server. Also, Stephen noted that even if he wanted to access additional resources at school, he could not, because he did not have personal transportation. Both Alex and Stephen mentioned that they never used the library because they did not have convenient transportation to get to the library and back home.

Academic Achievement – Teacher influence. When asked about motivational support for attending college provided by high school teachers, the siblings’ descriptions of experiences varied greatly, from apathy to outright discouragement, to support in the form of coming over to their house to give advice. Alex’s memory of the transition to school in the United States was different from his siblings. Alex said “I think that they were having fun and I was more concerned about my education and that I had a lot of
good friends back in Mexico that I had to leave behind. I think that transition for them was a lot easier than mine."

Josephine had a teacher tell her that she was not going to make anything of herself and that they would see her in the local fast food restaurant working some day. Josephine said that similar comments were made to other Hispanic students in her class, and even if "they said it sarcastically; yes of course, it hurts." David noted that working in a fast food restaurant was what actually motivated him to go to college.

I started thinking about college when I was working in that restaurant. And I was the dishwasher, and man, I hated that job, and actually I would pray to God to send me to college. But the thing about it was that I could not go to college because I did not finish one of my graduation exams, which was science, so it took me two years to finally pass it... So, actually yeah, I first thought about college when I was working at that fast food restaurant being the dishwasher and I hated that job. I really hated that job.

Aria remembers her teachers being neutral towards her and the possibility of attending college. Her teachers neither encouraged nor discouraged her to apply for admissions.

When asked about the influence of his high school teachers and his achievement Stephen said,

Some of those teachers, I don’t know why they became teachers. I guess they were some that stereotyped the Hispanics so much that they just know that all Hispanic kids don’t care about school. Most of them were like, ah, he does not care about school so they were not going to really care about us.

David recounted that he had a lot of poor influences in high school. He got into trouble in high school when he began to hang out exclusively with other undocumented, Hispanic students. David said,
I started getting into trouble in high school when I guess I finally started hanging out with my people. People that did not want to go to school or just also other clowns in the school.

He began to fail classes and did not care about graduating from high school or attending college. David did complete high school; however, he did not pass all the graduation exams.

Interview Question 5: What academic preparations are in place to prepare undocumented students for college?

The final question sought to determine the level and methods to which the siblings were prepared academically for college. The siblings noted the lower academic achievement in high school, the difference in their education in Mexico versus Georgia, and the amount of time spent in the ESL programs.

Academic Attainment. The remembered differences in the education system between Mexico and Georgia were expressed in different ways, depending on the age of the sibling when they entered the United States. The daughters, the youngest of the five siblings, remember their elementary school in Georgia as being clean, with bright classrooms, playgrounds, ice cream available at lunch, food prepared at school, recess and extra activities, like gym and music class. David remembered,

That my parents told me my teacher was bilingual and would teach in both languages. But that was a bunch of lies, it was all in English. I could not understand anything and I was really shy and it was weird at the same time. I saw a black student and I did not see that in Mexico and an Asian guy, so that was really weird for me.

Aria compared Georgia schools with their school in Mexico where they celebrated a lot of festivals, and she remembers dancing and participating in events. Alex, being the eldest, remembered more about his Mexican schools.
In Mexico you learn more. You are given more subjects and given more homework. You are given more information. You are given a lot more there. And here, you have everything that you need. You have a bus to take you to school, you have lunch meals, A/C and heat. The school provides the material that you need. In Mexico we walked to school, you have to buy your own material. You have to wear a uniform, and it is very strict. And there was not a lot of security, as far as you did not have a cop or a security guard in there. You were pretty much on your own.

Alex recalled that there were young men hanging outside of his school in Mexico that were waiting to take advantage of the students, but when he was in school in Georgia, he never feared for his life like he had in Mexico. Alex was the only sibling to reject the grade he was placed in when entering public school in Georgia. None of the Fitz siblings spoke English, but Alex was determined to be placed into the grade level appropriate for his age and not based on his English skills. He finally convinced the administrators in the high school to place him in 10th grade, as he wanted to be in high school for the shortest amount of time as possible. Alex enrolled in Advanced Placement courses and took physics, calculus and other higher-level courses to prepare himself for college. He felt the courses were not very challenging due to the level of instruction he received in Mexico, explaining he had the most education in Mexico compared to his siblings. He said,

I think that I had the upper hand and had an advantage as far as being educated in Mexico because I was better prepared in math and in science. Not history of course, but I was prepared more academically to study and do homework. The [study] ethics was very helpful. I guess my brothers were not used to that workload. To be honest, the workload in the American high school is not as heavy. But then college was a different story.

In addition to his advanced coursework, Alex remembered his teachers encouraging him, especially the ESL teacher he had the first year he was in school in
Georgia. He remembers that she was originally from Germany and, at one time, was undocumented and therefore was sympathetic to his situation. More importantly this teacher encouraged him to get out, to not get stuck in, the ESL program. Alex remembers that his non-ESL teachers were mostly concerned with him passing their classes, not with the larger goal of attending college. They just wanted him to graduate from high school and did not discuss his future.

The other siblings were placed into the ESL programs and like Alex, Stephen was the only other sibling to matriculate from the ESL program in school and, by the 9th grade, entered the college preparation courses. David entered school in Georgia in the third grade; Aria and Josephine entered in the second grade, and all three remained in the ESL program until they completed 12th grade. When asked about taking college preparation courses in high school David said,

No, I was still in ESL classes. The classes were, like, when I was a senior, I was still taking sophomore level courses. So, when I was a senior, I did not take any senior level classes.

It took the family three years from when David graduated from high school to successfully enroll him in a college. By that time, David says he had forgotten much of what he had learned in high school and felt very unprepared for college. He went to college in San Antonio for only one year before he dropped out. He said,

I felt like I did not belong there at all. It was very difficult for me because, after I was done with high school, three years later I moved to San Antonio to go to college, and for those three years, I did not really read and forgot a lot of things. Especially, like about writing papers and stuff, it was hard for me. There were a lot of students that were 17, and I was already 21 so, I felt kind of like man. All those years, I should have been doing something.
Additionally, the scholarship David received in San Antonio was to study Theology and, after one year, he decided that he would prefer a business degree. For the time being, David has given up his dream of going to college, has moved back to Georgia, and would like to attend a trade school to become a barber.

Each sibling was asked about the academic achievement of his or her parents. All the siblings said their father attended some college and their mother completed only kindergarten, first, or the second grade. The siblings were not in agreement over the grade level their mother completed, but the consensus was she did not complete elementary school or anything beyond the second grade.

The siblings spoke of the despair they felt in their senior years. As a senior, Aria wondered what she was going to do when she graduated and remembered lamenting over her situation of being undocumented, she explained,

All my friends were like, “where are you going to college” and I thought, damn, when am I going to do that because being undocumented is kind of hard.

Aria and Josephine discussed feeling secure when they were in school and, when they were seniors, began to feel the lessening of their security due not having options when they graduated.

Stephen and Aria received diplomas, having successfully completed the graduation exams, but David and Josephine received certificates of participation because they did not pass all levels of the graduation exams. David spent an additional two years beyond his 12th grade year attempting to pass the graduation exams and finally passed the exams just prior to enrolling in college. At the time of the interviews, Josephine was still attempting to pass the math and science portions of the exams.
Stephen talked about becoming more and more discouraged with his life during his senior year. He felt pressured by the conflicting desire to go to college and the knowledge that he was not financially prepared.

I mean it was kind of depressing, actually, the last year of school, because I felt the pressure of what am I going to do. What am I going to do because I don’t have money, because I don’t have a job to pay for school? I don’t even have a car, and how was I going to find a job.

Josephine said her senior year was definitely the most stressful time in her life. When she was faced with the limited possibilities of her future, she knew that she could not depend on her mother or her brothers anymore.

Timeline of Fitz Family and Legal Decisions

To illustrate how the timing of legal decisions made on the state level and national level effect the lives of the Fitz family, a parallel timeline of the siblings’ journey as undocumented students and the state and national legal decisions that have affected them is on the next page:
National and State Legal Decisions

**Plyer v. Doe and Toll v. Moreno** 1982

**Illegal Immigration Reform and Immigrant Responsibility Act** 1996

**DREAM Act Proposed** 2001

**Border Protection Act Passed** 2005

**Georgia - SIC Act - S.B. 529** 2006

**GA Board of Regents Policy 4.1.6** 2011

**DACA Passed** 2012

**Fitz Family Timeline**

80’s Alex Born - Mexico

80’s Stephen Born - Mexico

90’s David Born - Mexico

90’s Aria and Josephine Born - Mexico

Fitz siblings arrive in the United States

2002 Alex graduates from High School

2006 Stephen graduates from High School

2007 Alex graduates from college

2009 David graduates from High School

2010 Aria drops out of college

2010 Josephine graduates from high school

2011 David goes to college in Texas

2012 David drops out of college

Figure 5. Timeline of Fitz Family and Legal Decisions

Themes Identified from the Data Collected

The responses to the questions posed by the researcher were analyzed and major themes were identified. Five major themes were identified during the course of evaluating and examining the data collected. Below is table outlining the themes identified followed by a description of the themes and a description of the sub-themes that were attributed to their major themes.
Major Themes Identified

<table>
<thead>
<tr>
<th>Academic Attainment</th>
<th>Challenges to academic attainment for undocumented students arise both during and after high school.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Unit Issues</td>
<td>The dynamic of the family lent to two subcategories of the major theme of family unit issues that included parent/child boundaries and familial support (both emotional and financial.)</td>
</tr>
<tr>
<td>Identity</td>
<td>Nativism and the knowledge that Americans are identifying most Hispanics as outsiders have shaped the self identity of the undocumented siblings in this study.</td>
</tr>
<tr>
<td>Immigration Issues</td>
<td>Perceptions of undocumented students by those around them in Georgia and national and state laws that shape their lives are included.</td>
</tr>
<tr>
<td>Challenges to Daily Life</td>
<td>Early in their lives language was a barrier, no transportation and inability to work legally are issues.</td>
</tr>
</tbody>
</table>

Table 6. Major Themes Identified in Study

Academic Attainment

Barriers to academic achievement in high school and higher education attainment were identified by the participants. Alex said when comparing his Mexican education versus his American education:

The testing [in Georgia] was more of so the average person can pass, and in Mexico you have to have an A or a B average in order to make it to the next level. So, yeah, I see that [education in Mexico] was a huge advantage for me as I was going through high school.

Barriers included lack of preparation and lack of funding. In addition, the lower level of education of not only their parents, but friends was also mentioned as a barrier to
preparation or knowledge of paths to attaining a higher education. Josephine mentioned that some of her classmates, also undocumented

had a problem in getting to college, like the right situation, money issues too, others were afraid that they were not going to be able to go to college because they were not smart enough.

Within the theme of academic attainment, college awareness, college stress and paying for college was discussed by the siblings. Although some siblings were highly motivated to attend college; this level of motivation was not encouraged by their teachers.

Aria discussed her teachers’ involvement in her path to attending college as

I don’t think that any of them had much influence on me all them were like uh there. I don’t really remember any of them encouraging me “yes you have to go [to college]” or the opposite “you don’t, you can’t go to college.” The teachers they were just kind of there.

Stephen was able to attend college for several semesters, but he never felt like he was a ‘real’ college students due to his undocumented status saying that

Well I did not really have the whole college experience because I had to go to school and then rush to work, I always felt rushed. So, I had to do the homework and go to work, so I never had that whole college experience that people talk about. It was a community college, so I did not live the dorm or nothing like that.

Family Unit Issues

The strength of the bond between the siblings was apparent from their discussion of each other and especially of their respect for their eldest brother. The dynamic of the family lent to two sub-categories of the major theme of family unit issues that included parent/child boundaries and familial support (both emotional and financial). Several examples of one of the siblings, especially the eldest brother, acting as a parental figure was given by the siblings. Alex described his role in the family as “well I am the oldest
son trying to provide them with whatever they need. Trying to tell my siblings how they should do things in the best way possible.” Aria mentions her eldest brother as doing everything on his own without the help of their parents. The strength of their family bond was apparent and the desire to keep the family together to the point that none of the siblings are married or have their own families at the time of the interview. David mentioned that the strength of their family unit is what has enabled them to thrive through stressful times.

I remember one of the things about when we first got here to the US was my dad was just working and we were living in an apartment with just one room and we were there for months. And I would see my dad working all day and he only had one day off and finally my mom started working so I think that the hardest things is being an immigrant is your parents not being there. But then you have to understand that the reason they could not be there is because they had to work to put clothes on our bodies and put food on the tables and a place to stay. I did not understand that until I was in high school and I got my first job. Yeah, and even today it even hurts to see your parents getting old and still working and you know that they cannot retire. Because the moment they retire they will not have enough money for themselves.

Stress at home within the family dynamics was mentioned due to their undocumented status as well as the physical absence of the working parents.

The lack of education and undocumented status of the parents led to lower-paying jobs and the inability of the parents to financially support the siblings desire to attend college. Emotional support and the desire to make their parents proud motivated the male siblings to gain employment and assist with the family income. David hesitated to mention, and besides Alex was the only one to discuss the difficult time Alex had when asserting his independence, and

He [Alex] was the one [the most influential on David’s life], he went through a hard time. He pretty much got kicked out of the house right
when he started college. But he continued to work and study and my mom would cry and was always worrying about him because she would say that he did not having anything to eat or money to pay for his college.

It was also important to the older male siblings to set a good example for the young female siblings, and the eldest male sibling was a great influence on his younger brothers. The male siblings attempted to protect their sisters as much as possible, even not ‘allowing’ then girls to work illegally.

Identity

The aforementioned concept of nativism and the knowledge that Americans are identifying most Hispanics as outsiders have shaped the self identity of the undocumented siblings in this study. The question and confusion of belonging, identity, feelings of being an outsider, even as children, the siblings were aware of their undocumented status and felt the pressure of this status. Stephen talked about other undocumented, Mexican students in his class when he first moved to the U.S. and said that

Really they were more of a bad influence than a good influence because they came from parts of Mexico that were not really nice and they were more corrupted than I was by the time I got there [to school in Georgia]

The siblings’ social life was curtailed due to their undocumented status. The siblings recognized the differences in the U.S. and Mexico and the subsequent shaping of their personal values and family values based on their age at the time of living in Mexico versus the U.S. David noted that he was young when they moved to the U.S. and that he couldn’t tell you about it [Mexico], but I don’t think that I experienced much of the Mexican culture. When I was young we never went out of the house. We were poor and we never really went out. I don’t really remember me being in Mexico at all, I just have some pictures in my head.
So, I don’t really remember anything at all so I can’t compare as I don’t remember. I guess I just adapted to the culture here.

Conflicts within themselves were mentioned when discussing political preferences and conservative values and the sometimes denial or ignoring of personal values in order to advance an immigration cause. Hope and fear also were mentioned as shaping their everyday behavior and how they viewed themselves. Some of the siblings rebelled and refused to have fear, while some of the siblings acknowledged that fear dictated most of their daily actions.

Immigration Issues

The siblings discussed both the perceptions of undocumented students by those around them in Georgia and national and state laws that shape their lives. The siblings in general felt that the average Georgian did not understand the existing or potential contribution to society by the undocumented students, that the general population was anti-immigrant and lacked compassion and understanding for the reasons behind illegal immigration. Josephine noted that it has “been hard living here, but I am just thankful that I live here, because I live in better conditions than how I used to live in Mexico.” Additionally, Alex spoke of the dangerous living conditions where they were in Mexico and had daily feared for the safety of himself and his siblings as they walked to school.

In addition to perception, the actual laws that pertain to undocumented students were identified and how they relate to the family having to be careful to avoid deportation. Aria said they get by
I guess day by day, I mean no one in my is a resident so going to work, finding someone to give us a ride to work or getting stopped on his [her father] way to work, so that is always stressful.

Also, the general political view of the residents of the state of Georgia was mentioned and groups of persons acting to improve the lives of the Hispanic and undocumented population.

Challenges to Daily Life

The sibling’s early years in the United States were very challenging due to their lack of English language proficiency. Aria remembers of her first day of school that she did not understand anything, I remember we were in computer class and I guess it was almost time for the class to leave and I remember being there and this guy was telling me ok it’s time to leave but I guess he was using his hands because I did not understand what he was saying.

Later, due to the fact that the siblings could not obtain drivers licenses or have valid social security number, they were limited in their social lives as teenagers as well as limited in potential employment. Relegated to specific types of labor that could be done using invalid social security numbers, the male siblings had a great strain placed on them to balance work and school. The siblings aspired to be productive members of society, but are not able to achieve this and are forced to work illegally.

Summary

Chapter 4 is a review and analysis of the data collected in the interviews of the siblings and how they answered the questions asked in Chapter 3. The major themes that were identified from the analysis were issues pertaining to academic attainment at the high school and college level for undocumented students, the complexity of the family unit of an undocumented family, the myriad of immigration issues that affect their lives,
the difficulty many face when attempting to feel like they belong to a place or have an
identity, and finally, the many challenges to daily life faced by an undocumented student.
In addition, the questions were outlined with responses based on the themes that were
identified. The interview questions asked were designed to answer the research question

*How do higher education policies of the state of Georgia affect higher education
attainment for undocumented, Hispanic high school graduates?* Chapter 5 will
summarize the study, draw conclusions and make recommendations.
CHAPTER 5
DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

Introduction

The high rate of unauthorized immigration, the ensuing increase in numbers of undocumented students and the conflicting laws regarding access to higher education focuses the need for research on legal issues and lived experiences of this population (Nienhusser, 2011; Russell, 2011.) The combination of these issues has resulted in the reality that very few undocumented students attend college. The small number of undocumented students enrolled in college subsequently creates a lack of understanding among college administrators in regards to how to apply policies and laws.

Summary of the Study

The purpose of the study was to investigate the educational journey of five Hispanic, undocumented siblings using the qualitative topical life-history approach and questions based on relevant literature review and framed with Latino Critical Race Theory. In Chapter 1 introduced the issues surrounding undocumented students and the need for research regarding the majority population of Hispanic, undocumented students were reviewed. The purpose of the study was to investigate the path to higher education of five undocumented, Hispanic siblings, using research framed by Latino Critical race theory to provide information to university professionals to assist in understanding the complex legal issues that affect undocumented students in their attempt to enroll in college. Chapter 2 provided a supportive review of pertinent literature that discusses the
history of Hispanic immigration to the United States, the phenomenon of undocumented students as a result of illegal immigration, national and state laws and educational policies that affect this population, concluding with a review of the theoretical framework used for the study, Latino Critical Race Theory.

Chapter 3 detailed the methodology of the research, the manner in which the participants were selected, the method of data collection and the overarching research questions. The importance of careful approach and sensitivity when researching vulnerable participants was outlined. The following questions were posed in each interview:

1. What are the life experiences of undocumented students in Georgia?
2. What are the understandings of admissions policies of undocumented students?
3. What are the effects of current laws on undocumented student experiences in higher education?
4. What support is in place to assist undocumented students?
5. What academic preparations are in place to prepare undocumented students for college?

After receiving IRB approval from Mercer, the researcher contacted the participants and performed five interviews of the siblings of the Fitz family, a pseudonym chose by the participants in the study. The interviews took place in the family home and in the home of the researcher. Each interview recording was transcribed verbatim by the researcher and submitted via e-mail to the participants to provide them with the opportunity to make additions or corrections. Each transcript was analyzed line-by-line and reviewed for major themes following Constas and a priori codes were applied to the
data analysis and additional major codes and sub codes were identified from the
transcribed interviews. From an initial list of 51 coded themes, five major themes were
identified from data collected that appeared in all five transcripts: (a) academic
attainment; (b) family unit issues; (c) identity; (d) immigration issues; (e) challenges to
daily life.

Chapter 4 provided a summary of responses to the questions asked and an
analysis of themes identified based upon the data collection method described in Chapter
3. The examination of the data gathered served as a guide to answer the posed research
questions.

Summary of Major Findings

The researcher answered the major research question: *How do higher education
policies of the state of Georgia affect higher education attainment for undocumented,
Hispanic high school graduates?* Understanding how higher education policies of the
state of Georgia effect higher education attainment for undocumented, Hispanic high
school graduates was achieved through examination of the major themes of academic
attainment, family unit issues, identity, immigration issues, and challenges to daily life.

Important findings include persistence in the pursuit of college degree attainment
by all the siblings and how this is achieved with collective sibling support. The
accomplishments of the eldest sibling have significantly influenced the subsequent
successes of the younger siblings. The closeness of the family unit supported the
collective successes of the siblings (Brody, Stoneman, Smith & Gibson, 1999). Also, the
length of time a sibling was educated in Georgia is directly related to his/her level of
success in higher education attainment. Alex recognized this when he noted that he had
the benefit of more years of education in Mexico and therefore was better prepared to complete high school while taking college prep courses. The younger siblings struggled more with their identity due to their limited memories of Mexico. Teachers in high school rarely encouraged the siblings, and the younger siblings were more susceptible to peer pressure. The political leaning of the voting population in Georgia is conservative, which has resulted in restrictive laws concerning illegal immigrants and undocumented students (Sponsler, 2010). The restrictions placed on the siblings by Georgia laws affected their daily life in that to support their family and college pursuits and they had to work illegally. Stephen advises other young undocumented students to not wait on the government to change. Don’t wait on other people to change ‘cause they are not going to. Sometimes you just have to work with what you got and move through the cracks and the holes and work it out. So, if not, you are just going to get stuck.

The siblings were forced to constantly be wary of police arresting their parents, were not able to drive, and could not participate in normal childhood activities like playing sports in school. The siblings are not able to vote, but under the guidance of Alex, the eldest brother, the siblings assist others in the community and their church.

Discussion of the Findings

Findings from the interviews support the literature review conducted in Chapter 2. Higher education attainment of undocumented youths is key for states to recoup investment into undocumented students’ primary and secondary education (Carabelli, 2009.) Even though Georgia is one of ten states with the highest Hispanic population, the voting population has not voted in a manner that benefits Hispanic, undocumented students. The Hispanic population in Georgia is comprised of mostly youths, many of whom cannot vote due to their illegal status. According to the Stephen, the second son, he
does not feel that even if able to vote, Hispanics would not go to the polls simply because they are not educated enough in the political system to know how to vote.

State-level decisions control access to public higher education and in the state of Georgia, the laws prevent undocumented students from receiving in-state tuition, federal and state aid, and further, deny scholarships and admission (Seif, 2004, Sponsler, 2010). Alex was able to attend college in Georgia paying in-state tuition until his last semester. The increase in tuition for his last semester caused him to delay his graduation by an additional six months. Stephen attempted some college courses, however, the tuition rate became too much for the family to pay for and he was forced to drop out.

Hispanic, undocumented students have the lowest high school graduation rates (Gandara, 2008), and the majority of undocumented students live in poverty and are price sensitive to college tuition prices. The younger three siblings did not take any college preparation courses and specifically David, when he was able to attend college, felt very unprepared academically for college coursework. The siblings of the Fitz family faced many challenges for their undocumented status.

While in primary and secondary school, undocumented students are never labeled, because it is against federal law to label a child as illegal. Because almost 90% of undocumented students are Hispanic, researchers can use data concerning Hispanic students to make assumptions about the undocumented population (Nienhusser, 2011). Hispanic students are not academically prepared for college, are not encouraged to attend college and are faced with conflicting laws that even higher education professionals find confusing when it concerns policies for undocumented student enrollment. Each sibling told stories of teachers attempting to dissuade them from attending college. Literature
notes that many undocumented students have been in the United States for most of their lives (Degiuli, 2011, Perez, 2010). They consider themselves American, even though most Americans do not consider this. Like the Fitz siblings, it is common for most undocumented students to not completely understand the true nature of their legal status until they are in high school.

Academic Attainment

Challenges to academic attainment for undocumented students arise both during and after high school. During high school, as Hispanic undocumented students, the Fitz family faced a myriad of barriers to graduating. Over half the parents of undocumented students have not completed high school and research has shown this is a negative factor in predicting higher education completion (Fortuny & Golden, 2010). For the Fitz family, their mother did not complete elementary school, and even though their father completed some college, he is an illegal resident in the United States and only worked low wage jobs.

Like is stated in the literature that Latino students take courses that are less rigorous and are not generally on the college preparation track (Swail, Cabrera & Lee, 2004). David, Aria and Josephine all reported that they did not take any college prep classes, and they remained in the ESL program for their entire time in the public school system. David and Josephine did not graduate on time. Alex had to advocate on his own behalf to be placed in his age-appropriate grade and attributes his academic success to the amount of time he was educated in Mexico. Josephine confirmed Perez Huber et al. (2006) that inexperienced and uncaring teachers create an environment for Latino students that does not foster educational attainment when she mentioned that one teacher
told her and other Hispanic students that they would never achieve anything more than working in a fast food restaurant. Stephen also said his teachers were apathetic to his success to the point where he wondered why they had chosen the education profession at all.

Continuous changing of laws regarding undocumented students and access to higher education confuses not only the students but also the personnel at universities and colleges (Johnson & Janosik, 2008; Sponsler, 2010). According to the Fitz family, Alex was their source of information concerning admissions policies and procedures for the state of Georgia. Alex noted that he conducted all his own research regarding policies and procedures of higher education as an undocumented student and did not receive assistance from college personnel nor from high school personnel. Additionally, the family reached out to their church for assistance for David to attend college in Texas, which as noted in Chapter 2, allows in-state tuition, state aid, and scholarships to undocumented students. Currently the out-of-state tuition requires of Georgia undocumented students has priced the Fitz family out of the higher education market. However, with the Deferred Action for Childhood Arrivals, DACA, passed the younger siblings will be able to work legally, and collectively they will put themselves through college.

Family Unit Issues

Antonucci, Jackson and Biggs (2007) suggest that those who closely surround a young adult provide the most support. In the case of the Fitz family, each sibling noted the emotional absence of their father, even though he lived in the same house. The mother and the eldest brother, Alex, were the most influential persons in the family. In
addition, Alex was the person who served as the inspiration for each of the younger siblings to attempt to attend college. Alfaro and Umana-Taylor (2010) assert that the quality of the relationship surrounding the youth will change the effect of the relationship. In the case of the Fitz family, the father was not close to the children and, therefore, was not an influential factor.

Each younger sibling spoke of their admiration of their eldest brother, as he was a positive role model, not only to them, but in their church and in their community. David mentioned that Alex took him to several events in the hopes of getting him involved in the DREAM Act movement. Alfaro and Umana-Taylor (2010) found that the protective nature of Hispanic families of the female children plays a role in the level of quality of relationship and their influence. As the daughters of the Fitz family, both Aria and Josephine were the youngest, and the only female, children in the Fitz family and both spoke of the protective nature of their brothers over their lives and the oversight that Alex took in their academic futures.

Both the convoy model (Antonucci, Jackson & Biggs, 2007) and the moderation model (Alfaro & Umana-Taylor, 2010; Garmezy, 1991) of relationships were apparent in the sibling relationships in the Fitz family. The quality and perspective of the relationship decreases stress in the family. For over 15 years, the Fitz family members have lived in fear of deportation, and participants spoke of the stress on the family and how their faith and closeness lessened the effect of the stress. Each sibling stated he/she did not feel resentment towards their parents for bringing them here illegally. However, Alex, as the oldest, was resentful as a teenager, but now they all agree that their lives,
even with the fear of deportation, are much better in Georgia. All the siblings respected
their closeness, and none mentioned wanting to move away from the others.

Identity

As students in the public school system, undocumented students generally are
removed from any immigration enforcement activities (Olivas, 2004). As such,
undocumented students do not consider themselves as being illegal. David is very
patriotic, considers himself an American saying he would “fight for this county” and
would join the army if he could convince his mother to let him enlist. Each sibling
described becoming aware of their family’s illegal status at different points in their lives.

Stephen explained that because laws prohibit his daily life, he sometimes behaves
in an illegal manner; he works illegally and drives illegally. Stephen even advises others
to behave in an illegal manner to “work through the system.” He had an opportunity to
marry to obtain his papers about six years ago; however, because of personal convictions,
he did not. Yet, now, he wishes he had. The situation that he has grown up in has
changed his personal convictions.

In addition to their personal beliefs, the political values of the siblings are
influenced by their illegal status. All stated that they would be Republican due to their
personal beliefs. However, due to the immigration decisions that the Democrats favor,
the siblings would all vote Democrat if they could.

Degiuli (2011) found that undocumented students have identity difficulties. All
the siblings wavered when asked to discuss whether they identify themselves as Mexican
or American. The younger siblings have less memories of Mexico and identify more
with the American culture. The eldest two felt more connected with Mexico but
expressed no desire to move back to Mexico. The language barrier faced by illegal immigrant children contributes to their sense of otherness (Gonzales, 2009). Aria felt she was an outsider in her school until she had mastered the English language. She mentioned the only time she felt truly Mexican was when she was in elementary school and was not yet proficient in English.

**Immigrations Issues**

Americans tend to believe that illegal immigrants, and, therefore, undocumented students, are a burden to society (Perez, 2009). However, research has shown (Hinojosa-Ojeda & Cruz-Takash, 2010) backed by the U.S. Social Security Trust Fund (Perez 2009), that illegal immigrants are a net contributors, accounting for surpluses in the fund. Illegal immigrants pay taxes for, but do not use, public services in fear that they will be identified as being undocumented. Stephen and Josephine both stated that their mother did not allow them to play sports in school because they did not have health insurance and she did not want to have to take them to the hospital if they were injured. Stephen also was very adamant about his years of working, although illegally, and the state and federal taxes that are removed from his paycheck every week. His statements, specifically, corroborated the study (Hinojosa-Ojeda, & Cruz-Takash, 2010) that claims illegal immigrants are net contributors to society.

The fear of deportation is very real in the lives of the Fitz family. However, the fear appeared more prevalent for the younger female siblings who spoke of it more than their brothers in their interviews. In addition, the family believed the risk of possible conviction of illegal immigration too great to have the daughters work to support the
family. The three brothers and the parents illegally obtained social security numbers in order to work and financially support the family unit.

David specifically mentioned that he was not afraid of being deported and often considered his parents and other siblings as closed off from American society because they limited mobility in fear of being caught by the police. David was the youngest male sibling and felt his parents were not there for him, and their lack of presence in his life led to him being influenced by gang members in his high school.

Challenges to Daily Life

The majority of undocumented students live in high poverty areas that are high crime areas with a lack of role models (Escoto, 2012). High poverty leads to undocumented youths dropping out of high school or college to earn money for the family (Aud et. al, 2011). David was the one family member that spoke of his involvement with other youths who got into trouble and discouraged him from graduating from high school or attending college. Stephen dropped out of college to assist with paying the bills for the family and help support David’s college attendance. As a direct result of the legal decisions in Georgia regarding illegal immigrants, three of the siblings in the Fitz family expressed a desire to move away from Georgia. The state legislation indicated they were unwanted, or at least underappreciated, by Georgia.

Because undocumented students are not eligible for federal or state aid in Georgia, or for scholarships at public colleges, and are not eligible to attend selective schools, their price sensitivity relegates them to lower ranking or lower cost colleges. The Fitz family worked hard to attempt to pay out-of-state tuition for Stephen and
ultimately was not able to do so. The same result occurred for David; the family was not able to afford the private college tuition in Texas.

Transportation is also an issue when choosing a college. The state of Georgia does not allow undocumented students to obtain a drivers license, therefore they have to either drive illegally or rely on others for transportation. Stephen mentioned if the state or the federal government would allow them to borrow money to pay for college, they would be more likely to stay in the state, work and become more productive members of the community.

At the time of the study all the siblings were at least 21; none were married nor had started a family. They all expressed a desire to marry, have children, and build their own families. However, with their current status as illegal, and not yet graduated from college, they have placed these dreams on hold. Even though Alex has graduated from college, he also has placed his life on hold to assist his siblings through college.

Conclusion

Latino Critical Race Theory was an accurate lens that focused this research on the experiences of Hispanic, undocumented students. Undocumented students' lives are shaped by the legal decisions based on the legal residents of the state in which they reside. The themes derived from the findings of the interviews, academic attainment, immigration issues, identity and challenges to daily life are all areas that are affected by the legal predicaments in which the undocumented students find themselves. The significance of the legal decisions made affecting citizens contrasts with those who only live in the United States and are non-citizens. Therefore the interests of the citizens who
are able to vote are advanced, whereas the interests of the constituents that are not eligible to vote are not advanced.

LatCrit theory in education examines the ways in which race and racism clearly affects the educational experiences of Hispanic undocumented students. Examining the events of the lives of the participants in the study, clear examples of racism and subordination exist. Higher educational institutions have operated in ways that oppress and marginalize undocumented students. Inequality of educational opportunities for undocumented students exists in both high school and in college. Ideally, progressive scholarship of the predicaments of Latino students should serve to counteract the existing oppression (Sanchez, 2001; Solorzano & Delgado Bernal, 2001; Solorzano & Yasso, 2001; Velez, et. al, 2008).

The five tenets that structure the basic definitions the LatCrit framework can be found within the transcriptions of the interviews: 1) The Fitz family acknowledges that their race, and more specifically their Mexican heritage, accounts for their experiences of oppression and cultural racism; 2) conventional concepts of the educational system do not necessarily apply to them as undocumented students; 3) social justice and the commitment of the society to provide learners with equal opportunities is lacking when dealing with undocumented students beyond their time as primary and secondary students; 4) empowering siblings with the lived experience of the eldest sibling and of others is very important to the advancing of their educational attainment and 5) poor educational support is a reality for undocumented, Hispanic students.
Answering Research Questions

The Board of Regents in the state of Georgia cites the IIRA 505 ruling to justify state legislation to prevent undocumented students from attending selective state supported colleges in the state of Georgia. This rule states undocumented students should not take the seat place of a legal resident and should not be allowed the residency benefit of in-state tuition, state aid or grants, or scholarships. Georgia is the state with the tenth highest undocumented population. The question of priorities is clear in this case where the state has chosen to not give benefits to the children that have lived in the state most of their lives. However, at this time, the state does not have the authority to overrule the national decision of the DACA ruling, and now these children are given a chance to become legal residents of the state. The beneficiaries of the Georgia’s decision of to deny undocumented students admittance to selective schools are the resident students of the state of Georgia that would have their spot in the university taken by a higher academically qualified undocumented student.

The policies of Georgia results in no possibility of undocumented students attending selective schools and discourages high school graduates from college application because there are no available college admissions. This in turn, has turned undocumented students into active illegal immigrants as they are forced to work illegally to support themselves and their families.

Implications

Hispanic undocumented students are not graduating from high school because they are poorly prepared academically, are not encouraged to graduate, and are not prepared to attend college. States that have large populations of Hispanic persons also
have underrepresented voting populations due to residency status. However, the voting power of the 1.5-generation of Hispanic undocumented students will need to be taken into consideration in the near future. This voting segment will influence policies and procedures for universities if the 1.5-generation and previously undocumented students become more active political discourse and voting rights.

As the majority of undocumented students have limited access to transportation, they will need to rely on public transportation. In the state of Georgia, public transportation is not prevalent; universities will need to consider responses to these students who will probably have difficulty arriving to campus and classes. A possible solution would be providing transportation or offering different schedules of classes to not only reduce trips to the campus, but allow students to be able to work full time.

The DACA passage has granted a grace period to some undocumented students; however, as this was just passed in 2012, no data yet exists to determine the percentage of undocumented students that have opted to apply for the DACA and the percentage that have been approved. As mentioned by two of the Fitz siblings, they had to study for two additional years to pass sections of the Georgia high school graduation exam, did not take any college preparation courses, and as David mentioned, had never taken courses above the sophomore level. If a large number of students have been approved in Georgia, they will have access to funding to attend college. Universities will need to determine what they will do to accommodate this block of students who are not academically prepared for college and may need remedial education to succeed in college.

Implications of these findings could influence legislation at the state level to investigate the lack of education attainment of undocumented students in high school and
could affect education policy in the state as it relates to these students. Continued research into the poorer performance at the P-12 level of these undocumented students could lead to policy change as increased amounts of resources may be needed to devote to the educational development of these students.

Recommendations for Future Research

As described in the interviews, the Fitz siblings experienced many instances of negative stereotyping from their teachers and other personnel while in high school. In addition, they experienced higher education professionals who were not prepared to assist them with their academic aspirations. The first area of research recommended is to examine the processes in place to instruct education professionals with sensitivity training for dealing with undocumented students.

The relationship between the Fitz siblings was crucial to the family unit for both emotional and financial support. Other undocumented students may not have the familial support the Fitz family and this may affect their educational attainment. A second recommendation for further research is to examine the nature of the sibling relationship based upon the age separation of the siblings and the number of siblings in the family. Also, research may be needed to investigate the cumulative effect of multiple siblings, as well as the quantity versus quality of sibling support, as undocumented students attempt to matriculate to colleges.

The Deferred Action for Childhood Arrivals (DACA) was just passed in 2012 and there has been no research conducted to determine the effect on those students who successfully received a deferral. The purpose of the DACA was to provide the students a window of opportunity to work, and it would be beneficial for university professionals to
know how many of these students, who successfully received the DACA, enroll in college and, if enrolled, how many are able to persist to graduation.

Summary

The study detailed the life history of a family of five, Georgia high school graduates, undocumented students using semi-structured interviews. A total of 51 codes for themes identified were noted in the analysis, and from that list a master list of five major themes were derived: (a) Academic attainment, (b) Family Unit Issues, (c) Identity, (d) Immigration issues and (e) Challenges to daily life. The researcher applied each theme to the overview of the interview questions and presented the findings in Chapter 4.

Chapter 5 provided a detailed summary of the research and major findings. Conclusions acknowledged that using Latino Critical Race Theory as the theoretical framework for the study appropriately focused the research on the experiences of Hispanic, undocumented students. Undocumented students' lives are shaped by national and state-level legal decisions, and these students' status hinders their ability to vote and influence legal decisions. Understanding how undocumented students achieve academic success and the affect of sibling influence can prepare college administrators to increase access to education for these students. University leaders can use the findings from this research to understand legal proceedings and laws that inform their professional staff of the laws affecting undocumented students and explain the complex situation in which the undocumented students live. Higher education professionals can also use these findings to illuminate the sensitive nature of an undocumented student's experiences and the issues that complicate their daily lives.
APPENDIX A

MERCER IRB APPROVAL
14-Dec-2012

Melissa McCants Cruz
Mercer University
Tift College of Education
3001 Mercer University Drive
Atlanta, GA 30341

RE: Undocumented Students and Higher Education in the State of Georgia: A Case Study of the “Don’t Ask, Don’t Tell” Policy of Illegal Immigrant Children (H1204142)

Dear Ms. Cruz:

I am in receipt of a modification submitted 28-Nov-2012, to the above protocol (H1204142). On 14-Dec-2012, I reviewed and approved the Addendum on behalf of Mercer University’s Institutional Review Board for Human Subjects Research in accordance with Federal Regulations 46.110 and 46.111(a) categories 6, 7 for expedited review.

Changes Approved:

Amendment 2: Title change from “Admissions Policy Decisions for Undocumented Students: A Case Study of Undocumented Students in One Community Attending an HBCU” to “Undocumented Students and Higher Education in the State of Georgia: A Case Study of the ‘Don’t Ask, Don’t Tell’ Policy of Illegal Immigrant Children.”

Change in study site from the Organization of the Latin American Association to a location of an immigrant family’s choosing.

Change of study participants: to a family comprised of a father, mother, three sons and two daughters. All over age 18 and all but one here illegally. All members are willing to answer questions regarding their lives.

Waiver of Written Informed Consent

NOTE: The approval date of this modification does not change the annual renewal date of your protocol.

It has been a pleasure to work with you and much success with your project!! If you need any further assistance, please feel free to contact our office.

Mercer University IRB & Office of Research Compliance
Phone (478) 301-4101
Fax (478) 301-2329
ORC_Research@Mercer.Edu

Respectfully,

Ava Chambliss-Richardson, M.Ed., CIM, CIP
Member
Institutional Review Board
APPENDIX B

INTERVIEW PROTOCOL
Interview Protocol - UNDOCUMENTED STUDENTS AND HIGHER EDUCATION IN THE STATE OF GEORGIA: THE "DON'T ASK, DON'T TELL" POLICY OF ILLEGAL IMMIGRANT CHILDREN

Principal Investigator: Melissa McCants Cruz
Faculty Advisor: Elaine Artman

Research Questions:

1: How do higher education policies of the state of Georgia effect higher education attainment for undocumented, Hispanic high school graduates?

Before beginning interview: Review anonymous consent form, briefly re-introduce the researcher and the study, have lengthy introductory conversation to establish rapport and lighten the atmosphere.

Interview with Siblings

Introductory Questions:

1. What does it mean to be an undocumented student?
2. What are your understandings of admissions policies regarding undocumented students?
3. What are the effects of current laws on your experiences in higher education?
4. What support services are in place to assist undocumented students?
5. What academic preparations are in place to prepare students to attend college?

Follow-up areas, Open-ended questions:

1. Looking back, when did you first know that you were undocumented?
2. How do you think being undocumented has affected, at all, your educational experiences?
3. Looking back, when did you first decide that you wanted to go to college?
4. Describe your experience with the admissions processes.
5. Describe your understanding of the laws as they pertain to undocumented students and higher education.
6. Have you attempted to assist any other undocumented persons in their educational pursuits?

Principal Investigator: Melissa McCants Cruz
Faculty Advisor: Elaine Artman

1: Determine *a priori* codes from the literature
2: Read all documents
3: Make detailed notes of source, date, availability of document
4: Perform line-by-line analysis of document for themes previously identified in the literature
5: Perform line-by-line analysis for additional themes not identified in the literature
6: Determine theme and sub-themes by second view of analysis
7: Add document source themes to the overall Constas chart
APPENDIX D

Sample Letter of Interview Request
Hello! My name is Melissa McCants Cruz and I am a doctoral candidate in Educational Leadership at the Tift College of Education, Mercer University. I am writing to ask for your help in a research study regarding undocumented, Hispanic high school graduates in the state of Georgia. The purpose of this study is to determine paths taken to successfully attain enrollment into higher education institutions by undocumented students.

If you volunteer to participate in this study, you will be asked to record an in-person interview with myself to talk about your life as an undocumented student and your experiences that relate to higher education admissions policies for undocumented students. Your participation will take approximately one hour. All of the information you reveal to me in the interview will be confidential and once transcribed, the recording will be destroyed. At no time will your identity be revealed and measures will be taken to mask your identity.

Please let me know if you have questions and if you would be willing to participate.
APPENDIX E

INITIAL CODE LIST
Initial Code List

A. Academic Achievement 1. Anti immigrant/immigration
B. Belonging 2. College Stress
C. Conservative Values 3. Teacher Influence
D. Education Levels 4. Curtailed Social Life
E. Language Barrier 5. Parent Absence
F. Fear 6. Ignoring Personal Values
H. Hope 8. College Awareness
I. Identity 9. Differences in Mex/U.S.
J. Political Views 10. Reasons for immigrating
K. Personal Conflict 11. Making Parents Proud
L. Lower Academic Achievement 12. Protection of Siblings
M. Motivation 13. Lack of Parent Financial Support
N. Education level of Parents 14. Stress at Home
O. Outsider 15. Deportation
P. Child being the Parent 16. Having to be Careful
Q. Work and School Balance 17. Not wanting to come to the U.S.
R. Importance of Family Unit 18. Working Illegally / Doing Something Illegal
S. Supporting the family financially 19. Hispanic/undocumented activism
T. Transportation 20. Community
U. Not understanding the language 21. Lack of compassion/understanding
V. Family Values 22. Paying for college
W. Work aspirations and ethics 23. Illegal immigrants contribution to society
X. Academic Aspirations 24. Positive example for sibling
Y. Self Awareness 25. Lack of Social Security Number
Z. Loss of Family Unit
APPENDIX F

MAJOR CATEGORY LIST WITH SUB-CATEGORIES
Major Category Code List with Sub-Categories

1. **Academic Attainment**
   - Achievement (A)
   - D. Education Levels
   - L. Lower Academic Achievement
   - N. Education levels of parents
   - X. Academic Aspirations
   - 3. Teacher influence

2. **Family Unit Issues**
   - Parent/Child boundaries
   - P. Child being the parent
   - R. Importance of family unit
   - Z. Loss of family unit
   - 5. Parent absence
   - 14. Stress at home
   - Familial Support (financial and emotional)
   - 13. Lack of parent support financially
   - S. Supporting the family financially
   - 11. Making parents proud
   - 12. Protection of sibling
   - 24. Positive example for sibling

3. **Identity**
   - B. Belonging
   - I. Identity
   - O. Outsider
   - Y. Self Awareness
   - 4. Curtained Social Life
   - 9. Differences in Mexico and U.S.
   - 7. Being appreciative, not taking for granted
   - C. Conservative Values
   - V. Family Values
   - 6. Ignoring personal values
   - K. Personal conflicts
   - H. Hope
   - F. Fear

**Higher Education Attainment**

2. College Stress
8. College Awareness
22. Paying for College
M. Motivation
4. Immigration Issues
Perceptions
23. Illegal Immigrants contribution to society
10. Reasons for immigrating
1. Anti Immigrant/Immigration
17. Not wanting to come to the U.S.
21. Lack of compassion / understanding

Laws
19. Hispanic / Undocumented activism
G. Legal Issues / Laws
15. Deportation
16. Having to be careful
J. Political views

5. Challenges to Daily Life
T. Transportation
25. Lack of Social Security Number
Q. Work and school balance
W. Work aspirations and ethics
18. Working illegally / Doing something illegal
E. Language Barrier
U. Not understanding language
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