

**Indiana House Bill 1402 (2011) and Its Impact on Access to Higher Education: Using *Testimonios* to  
Highlight the Lived Experiences of Undocumented Students**

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This dissertation titled  
**Indiana House Bill 1402 (2011) and Its Impact on Access to Higher Education: Using *Testimonios* to  
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### **Abstract**

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Indiana House Bill 1402 (2011) and Its Impact on access to Higher Education: Using *Testimonios* to Highlight the Lived Experiences of Undocumented Students

Chair of Dissertation Committee: Clarissa A. Willis

Indiana House Bill 1402 (2011) is legislation that prevents undocumented students from receiving the in-state tuition rate. The study focuses on the impact that Indiana House Bill 1402 (2011) has had on undocumented Latinx students as they navigate through the college choice process and attempt to access higher education in Indiana. The purpose of this study is to highlight the ways in which the legislation negatively impacts undocumented students each year as they attempt to further their education beyond high school. Through qualitative research, LatCrit as the theoretical framework, and *Testimonios* as the methodological approach, two individuals were interviewed and provided with an opportunity to share their lived experiences, their story, and how Indiana House Bill has impacted their life. The study found not only the challenges and barriers that undocumented students face when trying to access post-secondary education, but also the need for undocumented student advocates, policy change, and hope.

## Dedication

*The toughest decision that my parents ever had to make was to leave behind the country they knew and the people they loved. This doctoral journey has been difficult and challenging, but it does not compare to what my parents have had to endure over the years as immigrants. They have sacrificed so much for me and my brother to be able to have the best life we could have, including the opportunity to go to college and graduate debt free. Growing up, my mother always told me, “Nada en la vida es facil. Todo toma sacrificio.” This sacrifice is for my parents, my wife, my daughters, and for the entire family. None of this would have been possible without their love and support. Con todo corazón, le dedico esto a mi familia.*

*I would also like to dedicate this work to all the Dreamers and immigrants who have sacrificed so much in their life to come to the United States in search of a better future. I am no one special nor am I the smartest person in any given space, so if I can do it, you can too. I hope this research inspires many others like me to continue their education beyond high school and to always reach for the stars. We need to keep on fighting, never give up, and let's pave the way for the next generation.*

## Acknowledgments

I would like to take this moment to acknowledge everyone who has played a role in my success in completing this doctoral program. First and foremost, I would like to thank my wife and daughters for all the love, support, and patience that I received from them these last 4 years. It has been a tough journey and we all sacrificed the most valuable thing that we have, time. Yet, this degree is not just for me, but for our family and future generations to come.

I would also like to acknowledge and thank my parents, my brother, my in-laws, and the rest of the family who has supported me throughout this entire journey. The encouraging words and love they showed me kept me going and helped me understand that this degree was much bigger than just me.

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## Chapter 1: Introduction

It is the year 2023 and the U.S. government has not found a way to fix our broken immigration system, nor have they been able to establish a pathway to citizenship for undocumented individuals. The topic of undocumented immigration is still at the center of discourse and policies at the federal, state, and local levels, and for several decades continues to impact access to higher education for undocumented students (Trivette & English, 2017). The reality is that the United States has a history of immigration and policies that over the years, have caused great challenges for individuals to live in the United States. To put things into perspective, the last immigration reform to positively impact undocumented immigrants was passed in 1986 under the Immigration Reform and Control Act of 1986, which provided a pathway to citizenship for many immigrants (Congress, 1986). There have been new bills that have been introduced at the state and federal level that address and attempt to eliminate or alleviate the challenges that undocumented immigrants currently face due to their immigration status, but unfortunately, the bills have been unsuccessful moving forward in the process. One would argue that due to a lack of legal immigration status, undocumented immigrants are more likely to experience discrimination, racism, microaggressions, hardships, and challenges that prevent them from achieving their “American Dream.” Regardless of their unfortunate experiences, immigrants do the best that they can to succeed and knowingly or unknowingly, contribute to the success of America. Immigrants make up a significant share of the U.S. workforce in a range of industries like farming, fishing, and forestry workers. Furthermore, over 16 million immigrants work in the health care/social assistance industry, manufacturing, accommodation and food services, construction, and retail trade (American Immigration Council, 2021).

As workers, immigrants are business owners, taxpayers, and neighbors. They are an integral part of the country’s diverse and thriving communities, which make extensive contributions that benefit



the entire nation. If we focus on Deferred Action for Childhood Arrivals (DACA) recipients, after receiving DACA, more than half of the recipients reported moving into jobs that aligned more with their education/training or fitting their long-term goals (American Progress, 2021). Additionally, DACA recipients pay \$9.4 billion in taxes each year, and three-quarters of DACA recipients were employed in jobs deemed essential (health care, education, and food supply chain) by the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency. Even with limited legality, DACA immigrants try to take advantage of their current opportunities, like getting a driver's license, getting a better job, buying a home, and going to school if they live in a state that is supportive of undocumented students. The issue is, when will the rest of the undocumented students/immigrants who want to have access to higher education get more permanent opportunities? The current federal and state immigration policies are oppressing undocumented students and keeping them from achieving their educational and life goals. The United States needs to create a comprehensive immigration reform that will provide a pathway to citizenship for undocumented immigrants, which will then provide access to higher education to undocumented students living in all 50 states. A sensible, dignified, and just immigration reform is what is needed for undocumented immigrants in the United States.

### **Overview of Federal Policies**

Over the years, various types of federal policies have impacted access to education for immigrants, specifically undocumented immigrants. In 1975, the Texas legislature gave authorization to local school districts to deny enrollment to foreign-born children who were not lawfully present in the United States (American Immigration Council, 2016) and to withhold funds from public school districts that allowed access to primary and secondary education to undocumented students (Enyioha, 2019). Eventually, in 1982, the supreme court ruled that Texas could not deny access to free primary and secondary public education to immigrant children regardless of their immigration status. This set the

foundation for access to education for undocumented students, but the case focused on primary and secondary education and made no mention of higher education. This left access to higher education for undocumented students in question which resulted in other policies being passed.

With access to higher education left in question, federal laws like Title IV of the Higher Education Act of 1965 continued to forbid undocumented students from being able to receive federal financial aid to go to college (Drachman, 2006). Additionally, both The Personal Responsibility and Work Opportunity Act and The Illegal Immigration Reform and Immigration Responsibility Act, which were passed in 1996, aimed to exclude undocumented students from being eligible to access local and state benefits for postsecondary education (Enyioha, 2019; Peña, 2021). From a financial aspect, this tremendously impacted access to higher education for undocumented students, but there were no state or federal policies in place that forbid undocumented students from attending college if they could afford the out-of-pocket costs. This has become one of the main issues and reasons that undocumented students do not go to college, without access to state and federal financial aid, the cost of going to college is too financially overwhelming and results in not attending college. Bills like the DREAM Act or executive orders like Deferred Action for Childhood Arrivals (DACA) have been introduced to alleviate the cost of higher education. Unfortunately, the DREAM Act was never passed by congress, and DACA only provides temporary, limited legal benefits.

The DREAM Act was introduced in 2001 as a bi-partisan initiative that would have not only provided access to state and federal financial aid but would have ultimately provided a pathway to citizenship for undocumented students (Peña, 2019). After several revisions and similar bills introduced but never passed, in 2012, President Barack Obama signed an executive order known as Deferred Action for Childhood Arrivals (DACA) that provided a 2-year administrative relief from deportation and eligibility for a work permit for undocumented individuals (Benuto et al., 2018). Due to being an

executive order, this meant that it was not permanent, and any following president could terminate it for any reason. In September of 2017, the U.S. Citizenship and Immigration Services (USCIS) issued a memorandum that rescinded DACA, but the rescission was paused by preliminary injunctions through the federal courts (Regan & McDaniel, 2019). In July 2021, the U.S. district court of Texas issued a decision and injunction in *Texas v. United States*, holding DACA as unlawful but allowing DACA to continue for those who are current recipients (National Immigration Law Center, 2021). This means that USCIS can continue to process DACA renewals and also process new applications if they submitted their first-time application on or before July 16, 2021. The federal government announced that they would appeal the decision to the Fifth Circuit Court of Appeals.

Being a DACA-holder can be complicated because benefits vary depending on the state that one lives in. Although DACA is in limbo, unless you live in Alabama, Georgia, Missouri, New Hampshire, North Carolina, South Carolina, and Tennessee, DACA holders can still receive some benefits in regard to access to higher education (Higher Ed Immigration Portal, 2022). Alabama, Georgia, and South Carolina have the most restrictive state laws in regard to access to higher education for undocumented students. These three states do not allow undocumented students from enrolling in all or certain public institutions but may still allow DACA recipients to enroll. For those DACA students, even if they enrolled, they are denied access to in-state tuition and state financial aid. For Missouri, New Hampshire, North Carolina, Tennessee, and Wisconsin, state laws are also very restrictive, with the difference that undocumented and DACA students can be enrolled in their public institutions. Like Alabama, Georgia, and South Carolina, regardless if the student is undocumented or a DACA recipient, they are not eligible to receive in-state tuition or state financial aid. The other 42 states vary as well, ranging from in-state tuition only for DACA recipients to in-state tuition and state financial aid for undocumented and DACA

recipients. For Indiana, in particular, it provides in-state tuition for DACA recipients only but does not provide access to state financial aid.

Since DACA was signed, there have been no other executive orders created to help undocumented immigrants, nor has there been immigration reform. New attempts have been made at the federal level to fix our broken immigration system and provide a pathway toward citizenship for undocumented immigrants living in the United States. In February of 2021, the U.S. Citizenship Act was sponsored by Congresswoman Linda Sánchez as a new attempt to pass comprehensive immigration reform (Congress, 2021). The bill would establish a pathway toward citizenship for undocumented individuals and ultimately resolve the issue of access to higher education for undocumented students. Once becoming documented, undocumented students would have access to in-state tuition regardless of the state they live in and access to state and federal aid. In March of 2021, the House voted to pass two separate immigration bills: the American Dream and Promise Act and the Farm Workforce Modernization Act, and in May of 2021, House and Senate lawmakers introduced bicameral bills for another separate citizenship bill, the Citizenship for Essential Workers Act (Ishak, 2022). By the summer of 2021, watered-down immigration provisions were made through President Joe Biden's comprehensive Build Back Better Act. A version of the bill was passed through the House in November of 2021, which contained five small immigration revisions, none of which included a pathway to citizenship for undocumented immigrants, but eventually, after different attempts, Congress failed to pass the bill. With so many unsuccessful attempts to provide legal status to undocumented students, states continue to have the power to make state laws that prevent undocumented students from receiving full access to higher education.

### **Overview of Indiana State Policy**

Indiana limits access to higher education by only allowing those who have a lawful status, i.e., U.S. citizens, permanent residents, Temporary Protected Status holders, and DACA holders, to receive in-state tuition. For those who do not have any form of lawful status (undocumented), they are not eligible for in-state tuition. The State of Indiana passed a bill in 2011, known as Indiana House Bill 1402, which stated that any individual who is unlawfully present in the United States is not eligible to receive the in-state tuition rate deemed by the public institution (Adams & Boyne, 2015; Martinez Hoy & Nguyen, 2019). Eventually, after DACA was signed, DACA students in Indiana were able to receive in-state tuition due to now being “lawfully present.” This is the only higher education benefit that DACA can provide for its holders. Aside from the in-state tuition eligibility, DACA or any other undocumented student is not eligible to receive state or federal aid. This poses a great disadvantage for many undocumented and DACA students, regardless of their academic success and graduation from high school.

Additional bills have been introduced in Indiana that attempt to provide in-state tuition to undocumented students. Most recently in January of 2023, Senate Bill 135 was introduced to provide in-state tuition for undocumented students who graduated from an Indiana high school (Indiana General Assembly, 2023). One can only hope that this bill does not have the same result as House Bill 1017(2022), Senate Bills 138 (2022), 227 (2018), and 319 (2018), in which they were never voted on and left to die (Indiana General Assembly, 2018a, 2018b, 2022a, 2022b). Due to the views and beliefs toward undocumented immigrants by political parties and individuals, these types of bills continue to be pushed aside and ignored. This results in ongoing political debates and each year more undocumented high school graduates not being able to continue their education. By each state dealing with undocumented students in their own way, it provides for further restrictions and criminalization of undocumented students.

## **Purpose of Study and Research Questions**

It has been more than a decade since Indiana House Bill 1402 was implemented into Indiana public higher education, and still, researchers, educators, and policymakers know little regarding the educational experiences of undocumented students, specifically those who may have had the grades and the desire to proceed with their education beyond high school but were stopped due to the financial hardships that HB 1402 brought. The lack of research in this area is especially problematic when Latinx immigrants and immigrant rights continue to be attacked and challenged at the state and federal level.

The New American Economy (2022) estimates that there are 101,773 undocumented immigrants, with 11,155 being DACA eligible, and 2,376 being TPS holders. To be a little more specific, according to Batalova and Feldblum (2020), an estimated 7,000 first-generation immigrant students are living in Indiana, undocumented students being included in that number. Due to the difficulty in estimating how many students in the state are actually undocumented, this data is most likely significantly underestimated. Each year, as more undocumented students graduate from Indiana high schools, they are going to face the challenge of continuing their education beyond high school due to their immigration status and Indiana HB 1402.

As the United States continues to debate the topic of undocumented immigration/immigrants without providing any resolution, there is a sense of urgency in addressing immigration reform for undocumented students in order to have greater access to higher education (Drachman, 2006; Keyes, 2013; Sahay et al., 2016). Although Indiana is not a state with a large immigrant or undocumented population, the reality is that it still has undocumented students who are being educated in the Indiana education system and some who would like to continue their education beyond high school. The research problem that this study seeks to address is the lack of understanding of the lived experiences

of undocumented individuals who had intentions of going to college but were not able to due to the negative impact of Indiana HB 1402 (2011). The policy has created extreme barriers in access to higher education and life opportunities for undocumented individuals. The findings of this study will contribute to an understanding of the lived experiences of Latinx undocumented students and provide policy recommendations for state/federal government and higher education institutions to better serve the needs of this particular population.

This study seeks to answer the following research questions:

- 1) In what ways do undocumented young adults describe their experiences after being unable to attend a post-secondary education institution?
- 2) What challenges have arisen when accessing upward mobility without a college education?

This LatCrit inquiry, is a framework committed to uncovering issues that are often ignored by other critical race frameworks, such as language, immigration, ethnicity, culture, identity, phenotype, and sexuality (Solorzano & Delgado Bernal, 2001). It will also provide the lens for experiential knowledge, which will legitimize the lived experiences of undocumented students and immigrants. We then connect *testimonios* (testimonies) as a methodological approach that will highlight the experiences of the oppressed individuals and how they have made meaning to the lack of access to education and life opportunities after high school. The combination of LatCrit and *testimonios* will bring to light the hidden experiences of undocumented individuals and humanize their lived experiences of survival as undocumented immigrants in the United States.

## Chapter 2: Review of Literature

The review of literature will focus on three areas that will help contextualize the history of immigration policy and its effects on access to higher education for undocumented students. The first section of the literature review will provide a historical examination of how immigration policies have changed over time. The second section will highlight the barriers that make access to higher education difficult for undocumented students to achieve, like immigration status, financial aid, and lack of support/guidance from high school and college admissions counselors. The third section will include prior research in which researchers provide suggestions for how undocumented students can be supported when trying to access higher education. The literature review section then concludes with the theoretical framework that guided my research in examining the lived experiences of undocumented individuals who were unable to proceed with higher education after high school.

### Overview of Federal Immigration Policies

#### *Plyler v. Doe*

Access to education for undocumented immigrants became more of a controversial issue in 1975 when the Texas legislature gave authorization to local school districts to deny enrollment to foreign-born children who were not lawfully present in the United States (American Immigration Council, 2016). Two years later, the Tyler Independent School District implemented a policy that required undocumented students in the State of Texas to pay for their education unless they could verify that they were lawfully present or were taking steps to adjust their status (Drachman, 2006; Enyioha, 2019; Peña, 2019). Shortly after this policy implementation, there was a class action lawsuit challenging the policy. The district court held that the policy violated the U.S. Constitution and was also preempted by federal immigration law (American Immigration Council, 2016). Then, the Tyler Independent School District filed a petition with the Supreme Court, which was granted for review



(American Immigration Council, 2016). By 1982, the United States Supreme Court ruled that it was unconstitutional not to provide access to K-12 public education, regardless of immigration status (Enyioha, 2019; Nguyen & Serna, 2014; Peña, 2019). Plyler v. Doe was a pivotal decision because it provided an opportunity to continue learning and to receive a high school degree regardless of immigration status.

### ***Personal Responsibility and Work Opportunity Responsibility Act (PRWORA)***

The Personal Responsibility and Work Opportunity Responsibility Act (PRWORA) was passed into law in 1996 under the Clinton Administration. PRWORA was a welfare reform that changed the nation's welfare system by requiring work in exchange for temporary assistance (Office of the Assistant Secretary for Planning and Evaluation, 1996). Within this law, it prevented undocumented immigrants from being eligible to receive federal benefits such as retirement, welfare, health, disability, public or assisted housing, post-secondary education, food assistance, and unemployment benefits (Enyioha, 2019). For undocumented students, who are also categorized as immigrants, the PRWORA affected them by not being able to receive any form of federal benefits that would help them as college students, like federal Pell Grants, federal student loans, public housing, health insurance and food assistance. Without being able to receive federal financial aid and other benefits from the federal government, obtaining a post-secondary education degree is oftentimes out of reach (Drachman, 2006; Enyioha, 2019).

### ***The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA)***

The Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) was passed in 1996 as an attempt to fix the illegal immigration issue in the United States. Within the IIRIRA, it focused on six different areas of immigration: border enforcement, enhanced enforcement and penalties, exclusion and deportation, employer sanctions, welfare provisions, and refugee and asylum proceedings (Fragomen, 1997). Between the Personal Responsibility and Work Opportunity Responsibility Act

(PRWORA) and The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), it declared undocumented immigrants ineligible for federal public benefits and ineligible to receive postsecondary education benefits unless the immigrant was a U.S. citizen (Enyioha, 2019; Nguyen & Serna, 2014). Within a few years after PRWORA and IIRIRA, individual states began to implement their own state policies for in-state tuition, out-of-state tuition, state financial aid, and international rates (Enyioha, 2019; Nguyen & Serna, 2014; Peña, 2019). Some of these state and federal legislations have created extreme challenges for anyone who is undocumented and has the desire to continue their education past high school.

#### ***Development, Relief, and Education for Alien Minors (DREAM) Act***

In 2001, the Development, Relief, and Education for Alien Minors (DREAM) Act was introduced as a way to help undocumented students receive in-state tuition and provide them a pathway to citizenship (Enyioha, 2019; Peña, 2019). Although the bill was not passed, it allowed for the conversation of immigration reform to continue and find additional ways to help undocumented students. Other states also began to introduce their own versions of the DREAM Act. States like California (AB 540), Texas (HB 1403), Washington (HB 1079), and New York (AB 9612) were among the first to provide in-state tuition to undocumented students (Peña, 2019). Each state's bill varied in the type of benefits it provided undocumented students, but all three at the very least, provided in-state tuition for undocumented students. Between 2001 and 2011, several revisions of the DREAM Act were introduced at the federal level but none of them were passed by both the House and the Senate.

#### ***Deferred Action for Childhood Arrivals (DACA)***

In 2012, President Barack Obama signed the Deferred Action for Childhood Arrivals (DACA), an executive order which allowed undocumented students to apply for provisional legal status and enjoy some benefits like authorization to work and not be deported, but it did not provide a pathway to

citizenship (Nguyen & Serna, 2014; Peña, 2019; USCIS, 2021). By 2016, there were about 730,000 undocumented young individuals who had obtained DACA status and about 511,000 DACA beneficiaries had successfully renewed their status (Gonzales & Rendon-Garcia, 2016). In September of 2017, newly elected President Donald J. Trump announced plans to rescind DACA (Alulema, 2019). In the following year, seven states, led by Texas, file a lawsuit in the United States District Court in order to challenge DACA (MALDEF, 2021). After two years of litigation, on July 16, 2021, Judge Hanen ruled DACA as unlawful, but allows current recipients to maintain and renew their DACA status (MALDEF, 2021; USCIS, 2021). As long as DACA remains temporary and provides no path toward citizenship, the future of DACA recipients will be uncertain (Peña, 2021). Federal comprehensive immigration reform is needed for undocumented students in order for them to feel safe enough to come out of the shadows and access the life, liberty, and pursuit of happiness that so many long for.

## **Overview of State Legislation**

### ***Indiana State Legislation***

On July 1, 2011, Indiana General Assembly passed House Bill 1402, which stated that any individual residing in Indiana who is not lawfully present in the United States is not eligible to receive the in-state tuition rate deemed by the institution (Adams & Boyne, 2015; Martinez Hoy & Nguyen, 2019). Senate Enrollment Act 590 (SEA 590) also went into effect on July 1, 2011, and required a state agency to verify the eligibility of an applicant for public benefits, which included postsecondary education award and the resident tuition rate determined by the educational institution (Adams & Boyne, 2015). After two years of litigation, Senate Bill 207 (SB 207) was passed on May 7, 2013, and it reinstated the in-state tuition rate for those undocumented students who were already enrolled in a higher education institution before July 1, 2011 (Adams & Boyne, 2015; Martinez Hoy & Nguyen, 2019). Those who favored SB 207 hoped that this bill would help DACA students receive the in-state tuition rate since

DACA provided them with the “lawfully present” status they needed according to HB 1402 (Martinez Hoy & Nguyen, 2019). Since 2013, Indiana has not passed any other bill pertaining to access to higher education for undocumented students.

Although for more than a decade, there have not been other bills passed pertaining to access to higher education for undocumented students in Indiana, it does not mean that new bills have not been introduced. In 2018, Senator Mark Stoops (D-Bloomington) authored Senate Bill 319 that would provide in-state tuition for undocumented students and David Niezgodski (D-South Bend) did the same with Senate Bill 227 (Weddle, 2018). Although these have been good attempts, the burden remains for undocumented students who want to pursue their post-secondary education degree. Indiana alone has an undocumented immigrant population of about 102,000, with about 11,000 being DACA-eligible (New American Economy, 2022). This is not taking into consideration the number of students who do not have DACA or any other legal form of documentation that would allow them to receive in-state tuition or financial aid. For these students who live in Indiana, their immigration status continues to disadvantage them, and they also have a different perception of what it means to have access to higher education than someone with legal status. According to a study by McWhirter et al., (2013), higher education plans are constricted when high school Latina/os anticipate their immigration status to cause additional problems. Indiana House Bill 1402 is one of those problems in which undocumented students need to anticipate additional barriers due to their immigration status.

Federal immigration policies and state policies equally impact access to higher education for undocumented students. Unlike PRWORA and IIRIRA, the DREAM Act or any other comprehensive immigration reform has not been passed. This means that state policies like HB 1402 hold a great deal of power over the rights and privileges of undocumented students. DACA was and continues to be a temporary solution with limited benefits that can be taken away at any moment. In 2017, President

Donald J. Trump terminated DACA and temporary protected status (TPS) from certain individuals, which caused heightened negative emotions, like shock and fear (Andrade, 2021), due to the uncertainty of their limited legal status and their future in the United States. If the termination of DACA and TPS would not have been challenged in the courts, that would have meant that there would have been about 11,000 more undocumented people in Indiana. This would have also meant that DACA students who were already enrolled in an Indiana public college would have had to now pay the out-of-state tuition rate, which would have then caused a potential increase in college dropout rates among undocumented students. Until a comprehensive immigration reform is passed, Indiana HB 1402 will continue to discourage undocumented students from going to college.

### **Barriers to College Access**

#### ***Immigration Status***

For an undocumented student trying to access higher education, their immigration status informs their access to resources, opportunities, and rights as a student. Policies like Plyler vs Doe, PRWORA, IIRIRA, and state policies like Indiana House Bill 1402 limits or completely removes any opportunity to receive financial assistance to go to college. Plyler vs Doe addressed the issue of access to public education for undocumented students but made no mention if the protection would extend to public higher education (Olivas, 2004). PRWORA declares that undocumented immigrants cannot obtain federal public benefits, for undocumented students, this means that they are ineligible for financial assistance (Enyioha, 2019). IIRIRA implements that state residency is a state benefit and is determined by the state, and additionally, states cannot provide in-state benefits to undocumented individuals unless they do the same for non-state residents (Enyioha, 2019; Olivas, 2004; Peña, 2019). To simplify the wording and narrow it down specifically for undocumented students, a state cannot provide in-state tuition to an undocumented student based on residence unless the state is willing to provide in-state

tuition to U.S. non-residents in similar circumstances, regardless of their residence. As an example, states like California and Texas have tuition equity measures and are fully consistent with federal law as long as their criteria to receive in-state tuition can benefit U.S. Citizens (Broder, 2021). Although in-state tuition policies vary from state to state, eligible students generally must have attended a school in the state for a certain number of years and graduated from high school or obtained a GED in the state. This is very supportive from states that have tuition equity type of policies, but the reality is that not all states do. Between PRWORA and IIRIRA, living in a state without a tuition equity policy, it drastically limits undocumented students from accessing higher education based on their immigration status.

Indiana, like some other states, created its own state policy preventing unlawfully present (undocumented) individuals from being eligible to receive in-state tuition at public colleges and universities (Martinez Hoy & Nguyen, 2019). Undocumented students in Indiana have to consider their immigration status when thinking about going to college. DACA students are eligible to receive in-state tuition because they are considered *lawfully present*, but they cannot receive any other benefits (i.e., in-state or federal financial aid). The average cost of attendance at Indiana universities and colleges in 2021 was \$22,869 for Indiana residents and \$35,788 for out-of-state students (College Tuition Compare, 2021), which undocumented students in Indiana would pay the out-of-state cost. When seeing the significant difference between in-state and out-of-state, without receiving any state or federal aid, immigration status matters in order to access higher education.

For college students who are fortunate to be citizens of the United States or have some form of permanent legal status, the thought of residency status probably does not cross their minds very much. For college students who are undocumented or have a limited legal immigration status, that is an everyday thought. Even undocumented college students with limited legal immigration status (i.e. DACA and TPS holders), face many challenges, and their status is unclear and vulnerable. The Deferred Action

for Childhood Arrivals executive order created some uncertainties in how students would navigate their “legal” status. Although DACA provided undocumented students with the ability to work legally, attend college, and have a driver’s license, it still does not provide them with the privileges that legal citizens enjoy (Caicedo, 2019; Sahay et al., 2016). At the same time, for some individuals, DACA motivated them to continue their education regardless of the barriers that were still lingering (Caicedo, 2019).

DACA’s liminal legality creates de facto segregation. This happens in a variety of ways such as; institutional agents that neglect assisting in the college choice process (Nienhusser, 2013), limited information regarding postsecondary education options (Nienhusser et al, 2016), and fear associated with immigration status (Gonzales, 2011). Some of the benefits that DACA holders have may not necessarily outweigh the challenges that it poses for them when trying to access post-secondary education. For that reason, like undocumented students, DACA students have to navigate through challenges and limited access to benefits (Nienhusser & Oshio, 2020; Sahay et al., 2016).

### ***Financial Aid Barriers***

Going to college is an investment for anyone, but it is a greater investment for undocumented students who are truly weighing the cost/benefits. In a human capital framework, students choose to further their education by going to college as long as the benefits of college credentials outweighs the cost (Paulsen & Smart, 2001). Additionally, the availability of financial assistance is a determining factor when a student is trying to calculate its cost/benefit ratio in order to reduce uncertainty (Altonji, 1993). For undocumented students, who are a vulnerable and marginalized population with many uncertainties, not having adequate financial aid options is a salient factor informing access to higher education. Lack of financial resources and instability are not the only things that undocumented students have to consider when deciding on postsecondary options, they also have to deal with the fear of deportation, lack of English fluency and linguisticism, unclear pathways to citizenship, and the

uncertainty of the labor market (Pérez et al., 2010). The burdens of undocumented students are immense, and with lack of financial resources from the institution, state, and/or federal government, the possibility of undocumented students going to college is greatly reduced.

By the time that many undocumented students finish high school, many of them have had similar experiences to their documented peers, specifically internalizing U.S. values and expectations in which academic success equates to economic stability (Abrego, 2006). The issues arise when the student graduates from high school and is looking to go to college. For undocumented students, reality sets in when their immigration status prevents them from having full access to higher education. One of the major barriers that undocumented students face when trying to access postsecondary education is lack of financial aid, whether that be through FAFSA or college scholarships (Benuto et al., 2018). The financial aid barriers make it a challenge to continue postsecondary education for both undocumented and DACA students (Drachman, 2006). For those that make the tough decision not to go to college due to the lack of aid, they are forced to live in the shadows and always be uncertain about their legal status (Drachman, 2006). Due to state and federal policies affecting in-state tuition and access to financial aid, it is recommended to alleviate the cost by providing more need-based scholarships and fee waivers (Ngo & Astudillo, 2019).

### ***Lack of Support for Undocumented Students***

Like many other students who seek support from their parents when navigating through the higher education process, many undocumented students do the same. The difference is that many of the parents of undocumented students either did not attend college themselves or lack the ability to speak English proficiently enough to ask questions. Even though this might be the case for some parents, they still promote college attendance as a norm and expectation, emphasizing to their child that it was lack of opportunity, not desire, that kept them from going to college themselves (Carolan-Silva & Reyes,



2013). This encourages the student to continue and find ways to go to college. Although parent support is important, they may not necessarily be the right people to provide guidance in how to navigate through the process. Immigrant parents who have not attended school nor have gone to college, may not understand how to properly guide their son or daughter through the U.S. higher education system. Parents who lack knowledge about the higher education process may fail to instruct their son or daughter to tour various campuses, ask about financial aid, help them understand the importance of sense of belonging on a college campus, and also educate them on how to access resources on and off campus. This is why institutional agents play a vital role in providing accurate information, guidance, and preparation for undocumented students when navigating through the college process (Carolan-Silva & Reyes, 2013; Martinez Hoy & Nguyen, 2019; Nienhusser, 2013; Nienhusser et al., 2015; Perez, 2010). Whether they are a high school counselor, admissions counselor, teacher, or a community leader, their guidance and the information they share with their student sometimes determines if the student is able to successfully navigate through the enrollment process.

The issue of lack of support can be seen at two different levels, one being high school and the second being college. When in high school, this is when the learning, developing, and navigating the process comes into play for many students who are considering going to college. Within the 4 years that the students are in high school, they are supposed to receive support from the school in many ways to get them prepared for college, whether that be providing them with information about courses that will elevate their chances of going to college (i.e. AP courses) (Carolan-Silva & Reyes, 2013), intentional outreach to parents and students (Nienhusser, 2013), and emotional support (Nienhusser, et al., 2015). Without these support systems, it becomes quite challenging for undocumented students to navigate the college process, which then makes it arduous to move forward. The greatest challenge for high school administrators and teachers is that many of them are not familiar with the policies in place that

affect undocumented students, nor do they have proper resources to guide them in the right direction (Nienhusser et al, 2015). If institutional agents at the high school level were more educated with the complexities of being an undocumented student, they would be able to support and guide their students with accuracy.

The second level of support must come from the higher education institutions. Similar to the challenges that high school institutional agents face, so do admissions counselors, faculty, and staff at the higher education level. Institutional agents at the college level must be able to provide various types of resources like social support, trained to be sensitive to the needs of undocumented students, personal development courses, support services, and most importantly, assistance in securing financial resources (Perez, 2010). The first line of support should be the admissions counselors, and it starts by being familiar and understanding institutional, state, and federal policies that impact undocumented students. Once they understand how immigration policies affect access to higher education for undocumented states, the institution as a whole is able to establish visible networks of support in order to better connect with undocumented students (Valenzuela et al., 2015). Colleges and universities need to be collaborating more in order to provide a more rounded support system of information and guidance for undocumented students. Undocumented students get lost in the process because both high schools and colleges are ill-informed and unprepared to work with these types of students. For undocumented students, school officers are sometimes the only people who can help them bridge the gap between high school and college.

### **Ways to Improve Support for Undocumented Students According to Prior Research**

#### ***State Policy Change***

One solution for access to higher education for undocumented students would be for congress to pass a comprehensive immigration reform that provides a pathway to citizenship. Since it is unknown

if or when there will be an immigration reform, it is vital for states and higher education institutions to make changes within their realm that provide more support for undocumented students. For example, in the last two decades, several states have passed legislation in support of in-state tuition for undocumented students (National Conference of State Legislatures, 2021). Currently, there are 18 states that provide in-state tuition and some state financial aid for undocumented and DACA students, four states that only provide in-state tuition for undocumented and DACA students, seven states with limited benefits (including Indiana), five states with restrictive benefits, three states with prohibitive access to public higher education, and eight states plus Puerto Rico that do not have a state policy addressing the issue of higher education for undocumented students (Higher Ed Immigration Portal, 2022). For the 18 states that provide in-state tuition and some state financial aid for undocumented students, they are providing as much access to higher education as they possibly can at their level. Although in-state tuition and state financial aid are helpful, the financial barriers for undocumented students will not be diminished unless they have access to federal financial aid (Nguyen & Serna, 2014).

State policies, whether positive or negative, have a huge impact on the amount of access of higher education for undocumented students. A study was done by Bozick and Miller (2014) that showed that high school students between the ages of 15-17 living in states that had limited or restricted in-state tuition policies were 49% less likely to be enrolled in school, in comparison to undocumented students living in states that provide in-state tuition which were 65% more likely to enroll in school. Other studies have been done that show that undocumented students living in states with limited or restrictive policies for access to higher education are less likely to go to college while students who live in states with more inclusive policies are more likely to go on to college after high school (Flores, 2010; Flores & Chapa, 2009). In Indiana, a state with limited access to higher education for undocumented students, it would not be shocking to see lower enrollment rates for undocumented

students at 2 and 4-year colleges after the implementation of House Bill 1402. For this reason, it is imperative for states to have more inclusive state policies that provide access to higher education on different levels for undocumented students.

### ***Institutional Change***

Another major change that could help undocumented students is through institutional policies. Institutional policies can make a positive change for undocumented students by providing them with additional opportunities to succeed (Thangasamy & Horan, 2016). Undocumented students rely on supportive policies to help them navigate through the institution and succeed (Serna et al., 2017). It is also important to state that not all institutions are as forthcoming and supportive toward undocumented students as others. Each institution may have their reasons, but in order for undocumented students to feel like they can succeed, they need institutions that will provide a supportive tone for their undocumented population without fear. Institutions need to be unapologetically supportive of their undocumented students through their institutional messages and services (George Mwangi et al., 2019). The more support students receive from higher education institutions, the easier it will be for undocumented students to navigate through the system, especially in states where there are restrictive or limited access to higher education policies.

Another way that many institutions across the country have improved access to higher education for undocumented students, regardless of state policy, has been by creating ways to offer in-state tuition for undocumented students (Patel, 2017; Serna et al., 2017; Thangasamy & Horan, 2016). For example, in the fall of 2016, at Eastern Connecticut State University, the institution welcomed their first cohort of Opportunity Scholars, which is a program focused on providing affordable tuition and access to higher education to undocumented students from states that do not provide in-state tuition for undocumented students (Patel, 2017). The Opportunity Scholarship program is a privately funded

program through TheDream.US, in which in their first year, the organization devoted \$80,000 to help fund the costs college for undocumented students and earn their bachelor's degree (Osborn, 2016). This program is currently active and by the fall of 2021, they had enrolled 224 Dreamers (Rouleau, 2021). Privately funded programs like this one could have a major impact in access to higher education for all undocumented students.

### ***Trainings for Institutional Agents***

Institutional change, in-state tuition, and financial aid would undoubtedly help undocumented students access higher education, but we must also remember that there are other ways to break down barriers for undocumented students. How higher education institutions work with or support undocumented students is vitally important. One of the ways to ensure institutional agents are using best practices when working with undocumented students is by providing trainings/professional development (George Mwangi et al., 2019; Nienhusser, 2018; Nienhusser et al., 2015; Perez, 2010; Valenzuela et al., 2015) and using better outreach/recruitment strategies (Perez, 2010; Valenzuela et al., 2015). Having a better understanding of state and federal policies that affect undocumented students, and also the barriers that they have to face, will provide a better experience for undocumented students who are trying to navigate the higher education process. It is also understandable that sometimes higher education institutions are not as vocal about their resources for undocumented students due to the fear of retribution with stricter legislation (Martinez Hoy & Nguyen, 2019). This is a prime example why higher education institution should advocate for legislative change so that they do not have to fear of any backlash if they were to provide services or resources for undocumented students. If resources and assistance is deprived of undocumented students as they try to access higher education, the barriers that they continue to face will never be eliminated.

### **Summary of Literature**

The current literature examined the history of federal and state policies that impact access to higher education for undocumented students, the additional barriers that undocumented students face like lack of financial aid and support/guidance from institutional agents, and ways to improve access to higher education for undocumented students. Researchers made it known that lack of access to higher education has been an issue for many years, but it was not until the early 2000s that state policies started to have a greater impact on the access to higher education for undocumented students, whether that be positive or negative. Through the literature, it was highlighted that institutions can improve access to higher education for undocumented students regardless of state and federal policies through intentional changes within their institution. Changes like financial support through special programs and training/professional development to enhance best practices when working with undocumented students. Researchers have shown that more advocacy is needed at the institutional, state, and federal level, in hopes that one day undocumented students will no longer have to live in the shadows and their aspirations to earn a higher education degree is attainable.

Additional work is needed because although research has been done on the experiences and barriers of undocumented students in accessing higher education, what is not known is what happens to those students who do not go to college due to state policy that prevents them from receiving in-state tuition and financial support. The research that is available focuses on students who are still navigating through the higher education process while in high school or are navigating through the barriers in college. The lived experiences of undocumented adults who were not able to continue with their education after high school due to barriers set by state policies need to be emphasized and researched. Researchers need to be asking how these particular undocumented immigrants are navigating through life, raising their family, and adjusting to living in a state that allowed them to receive K-12 education but set barriers for higher education. Has the state created a group of second-class citizens that is

contributing to the educational wealth gap in the state and in the country by not allowing undocumented students from advancing in their education and building generational wealth? This study will help answer these questions and highlight the lived experiences and challenges of undocumented adults who graduated from high school in the state. The research will emphasize the negative impact that Indiana House Bill 1402 is continuously having, not only on access to higher education, but also the forced trajectory for undocumented students after high school. The researcher will be looking at Indiana House Bill 1402 from a critical lens, specifically LatCrit, in order to address the educational inequity, racism, and xenophobia that is interwoven within the policy.

## **Theoretical Framework**

### ***Critical Race Theory/LatCrit***

Critical Race Theory (CRT) is a movement from a collection of activists and scholars that question and study concepts of inequalities focused on race, racism, and power (Delgado & Stefancic, 2017). LatCrit focuses on the multidimensional identities of Latinas/Latinos and addresses the intersectionality of racism, sexism, classism, linguicism, and immigration policy (Delgado Bernal, 2002; Solorzano & Delgado Bernal, 2001). Furthermore, not only do Solorzano and Delgado Bernal (2001), argue that CRT and LatCrit challenge the dominate discourse as it relates to race and racism within the realm of education, they also argue that LatCrit can be utilized as a way to examine the unique experiences of Latinx undocumented students. An important principle of CRT is the re-centering of knowledge produced within undocumented communities.

Solorzano and Delgado Bernal (2001), argue that the following five themes form a framework for methodology and pedagogy that use the lens of CRT and LatCrit.

1. ***The centrality of race and racism and the intersection with other forms of subordination.*** This theme addresses that race and racism are permanent and are

central to individuals' experiences. Scholars argue that oppression based on race and class cannot account for oppression based on gender, language, or immigration status. It is through this intersection that we can get some answers to theoretical, conceptual, and methodological questions.

2. ***The challenge to dominant ideology.*** This theme focuses on examining the education system and challenges societal inequalities. Through CRT and LatCrit, power and privilege of the dominate culture is being used to make sense of social and cultural assumptions.
3. ***The commitment to social justice*** as a way to eliminate racism, sexism, and poverty, all while empowering underrepresented minority groups.
4. ***The centrality of experiential knowledge*** of the lived experiences of students of color. Critical Race Theory and LatCrit recognize that the experiences of students of color are legitimate, appropriate, and critical in how we understand, analyze, and teach about racial subordination in our education system.
5. ***The interdisciplinary perspective,*** which uses historical and contemporary context by using interdisciplinary method to allow for a richer analysis in educational experiences of undocumented students.

The LatCrit framework also displays the oppression of a dominate discourse that frames undocumented communities as “criminal,” “dangerous,” “illegal,” and a “drain” to limited U.S. social resources (Pérez Huber, 2009). Specifically on the topic of undocumented students, LatCrit provides a framework that helps us understand student narratives as counternarratives in order to give voice to the stories of undocumented students who have been marginalized or feel like they have been silenced. Through a critical lens, CRT emphasizes the potential for change in educational policies and disrupt



educational inequities by using student voices (Vue et al., 2017). Solorzano and Delgado Bernal (2001), offer an understanding to CRT and LatCrit as a framework that would help us see the possibility of societal change and transformation by focusing on issues that have been marginalized by critical race theorists, such as, language, immigration, ethnicity, culture, identity, phenotype and sexuality through Latinx multi-dimensionality. Critical Race Theory looks at various forms of resistant movements and behavior in terms of effectiveness, and in terms of social oppression and motivation for social justice. Through my research, and using Solorzano and Delgado Bernal's five themes, I looked at the centrality of race and racism within the implementation of Indiana House Bill 1402 as a policy, and I also focused my attention on the centrality of experiential knowledge which helped me better understand the lived experiences of undocumented students. This research was a commitment to social justice and fighting for educational rights and equity for undocumented students.

Critical Race Theory scholars have used the theory in various ways, one way has been to explore the ways in which race, class, and gender shape the experiences of undocumented students. CRT opens up a new door to how we view and understand the stories of individuals, specifically those stories that have been ignored. Pérez Huber (2010) uses CRT and LatCrit to develop the framework of racist nativism, as a way to highlight the intersections of racism and nativism. The framework of racist nativism connects well with LatCrit as ways to analyze the experiences of undocumented Latinx college students, especially now in this political climate that is consistently shaping the experiences of students based on race, ethnicity, gender, sexuality, class, language, culture, and immigration status (Shelton, 2018). With continuous political debates over immigration reform, border security, and unauthorized immigration, there is a sense of xenophobia from American politicians and some Americans. According to Budiman (2020), Mexican immigrants make up 25% of the total immigrant population in the United States with a rising increase of immigrants from Central America, which has led to about a 25% of Americans believing

that immigrants burden the country by taking jobs, housing and health care. DACA has also been a controversial topic with providing temporary limited legalization to more than 800,000 immigrants, with about 93% of DACA holders being immigrants from Latin America (López & Krogstad, 2017). With Latin Americans being the largest immigrant population in the United States, and the ethnic group (Latinos/Hispanic) associated most to unauthorized immigration, there have been racially targeted policies implemented to deter immigration. Indiana House Bill 1402 can be seen as one of those state policies that continues to oppress Latinx undocumented immigrants from having full access to higher education.

Through my research, I analyzed the lived experiences of undocumented young adults who were deprived of the opportunity to go to college due to their immigration status and a state policy that added barriers and is racially and ethnically charged. Additionally, it was important to use counter-narratives to uplift the voices of immigrant students as a way to challenge the dominant narrative, which for many undocumented students, portrays negative and dehumanizing images that question their ability and deservingness to access higher education (Shelton, 2018). Additional research was needed, specifically focusing on the counternarratives of undocumented individuals who did not have the opportunity to go to college due to state and federal policies that were developed and ingrained in racism and xenophobia. LatCrit, as a framework, served as a tool to help understand how racism and xenophobia are rooted in the notion of white supremacy that has created negative constructions of undocumented students.

Critical Race Theory and LatCrit were very important in this study as they helped guide the storytelling and lived experiences of the undocumented individuals. This theory emphasized the counternarrative of these individuals who were unsuccessful in navigating through the higher education

process and who are now navigating through new barriers and challenges due to their immigration status and lack of postsecondary education.

### Chapter 3: Methodology

#### Qualitative Research

The purpose of this qualitative study was to develop a deeper understanding of the lived experiences of undocumented adults and the aftermath of not able to attend college due to Indiana House Bill 1402 and their immigration status. My research questions were:

- 1) In what ways do undocumented young adults describe their experiences after being unable to attend a post-secondary education institution?
- 2) What challenges have arisen when accessing upward mobility without a college education?

By taking a qualitative approach, I was able to focus on the context of human experiences and the ways in which we make meaning of those experiences (Bhattacharya, 2017). My research framework takes up LatCrit and it aligns with *testimonios* as a methodology. *Testimonios* reveals injustices caused by oppression, challenges dominant Eurocentric ideologies, validates experiential knowledge, and acknowledges the human collectivity (Pérez Huber, 2012). It can provide a space in which undocumented students can share their story, their experiences, and their emotions without being challenged by oppressive ideologies. *Testimonios* serves as a critical strategy to conduct LatCrit research that is guided by an anti-racist and social justice agenda.

*Testimonio* has become quite popular among scholars in the field of education, and are using it as a pedagogical, methodological, and activist approach to social justice (Delgado Bernal et al., 2012).

*Testimonio* originated from the field of Latin American Studies and has been used to document experiences of oppressed groups and denounce injustices (Booker, 2002). Over the years, scholars have identified and defined *testimonios* in their own way, mainly because there is no true definition. Yúdice (1991), describes *Testimonio* as an 'authentic narrative' that is told by an individual's personal experience as an agent of a collective memory and identity and not as a representative. Similar to

Yúdice's idea of collective experiences, Brabeck (2003) states that *Testimonio* is not of a single autonomous account but rather an expression of a collectively experienced reality, in which it offers marginalized voices to speak for themselves and for those who are part of the dominant group to understand their voice because of their unique characteristics. *Testimonio* is a unique methodological tool that scholars use as a product and a tool (Delgado Bernal et al., 2012).

Over time, *Testimonio* has progressed and developed in various ways, moving beyond the field of Latin American Studies and into fields such as anthropology, education, ethnic studies, humanities, psychology, and women's studies (Angueira, 1988; Benmayor, 2008; Brabeck, 2003; Gutiérrez, 2008; Haig-Brown, 2003; Irizarry, 2005; Yúdice, 1991; Zimmerman, 1991). Regardless of the field, researchers are utilizing *Testimonio* in their own way and how they see fit for their research. Saavedra and Salazar Pérez (2012) used *testimonios* to examine their own *testimonios* for the purpose of providing a critical self-reflection that was needed to unlearn oppression that exists within each of them and to be able to move forward as Chicana and Black feminist scholars in the field of education. For Saavedra and Salazar Pérez, it was a way to process and understand what they experienced in academia but also how to release those oppressive experiences in order to move forward. Other researchers like Pérez Huber and Cueva (2012), used *testimonios* as a methodological approach to understand the lived experiences of undocumented and U.S.-born Chicana/Latina students which experienced the effects of and responses to a systemic, subtle, and cumulative form of racism and racist nativist microaggressions. The researchers drew from critical race and Chicana feminist frameworks to understand the effects of microaggressions, which is embodied in systemic oppression. Pérez Huber and Cueva (2012) thought *testimonios* would be the right approach because it would not only provide their participants with a space to reflect and share their educational experiences as mediated by race, immigration status, class,

and gender, but it would also serve as a methodological tool that supports critical reflection, healing, and collective memory through the act of *Testimoniando* (providing one's own testimony).

For this research, I used *Testimonio* as a methodological approach that will shed light on the life experiences of young undocumented immigrants focused on political, social, historical, and cultural histories, all to bring about change through consciousness raising (Delgado Bernal et al., 2012). This was an appropriate choice because this research will inform and make people aware of the hardships and challenges that Indiana House Bill 1402 (2011) has imposed on undocumented people beyond receiving a post-secondary education. By using LatCrit as a theoretical framework to reveal the ways in which Latinx students experience issues related to immigration status and combining it with *testimonios* as a methodological approach to document and theorize the experiences of undocumented students, it will reveal the injustices caused by an oppressive policy and validate their experiential knowledge (Pérez Huber, 2009).

### **Role of Researcher**

#### ***Personal Experience***

I took time to reflect and process my personal views, experiences, and beliefs about the research because I understood that my position on each of these matters informed the design and execution of my research (Darwin Holmes, 2020). My reflections consisted of intentional conversations with various individuals who knew my purpose for this research, understood my personal challenges in accessing higher education, and validated my feelings and beliefs of our broken immigration system and the challenges it poses on non-U.S. Citizen and Permanent Resident students. I wanted to reassure myself that my personal experiences would contribute to the research and not hinder it. As a LatCrit scholar (Solorzano & Yosso, 2001; Haney López, 1997; Valdes, 2005), I took the position that I am unable to remove myself from the research topic because my positionality shapes my work and belief that

immigrants are being educationally and socially oppressed. I identify as a Latino immigrant who not only understands the immigration system in the United States, but I have also faced educational barriers after high school due to my immigration status. I was also personally affected by Indiana House Bill 1402 (2011) when it was implemented. For this reason, I have my own perspective of what it means to have access to higher education, specifically for those who are non-U.S. citizens or U.S. Permanent Residents.

My perspectives, beliefs, and views come from my own personal experiences of navigating through the education system and overcoming multiple obstacles. It is also important to understand that every immigrant student story and journey toward accessing higher education is unique but with some similar challenges. Growing up in the Latinx immigrant community, I met other Latinx students who faced similar challenges as I did, and we struggled to find guidance and support when trying to access post-secondary education. We understood that each of us had our unique barriers and restrictions due to our immigration status. We knew that it would not be as simple as applying to college, getting accepted, filling out FAFSA, and waiting to see how much our financial aid would be. We had to guide ourselves and hoped to come across someone who would be able to help. Many teachers, administrators, and college counselors did not know how to answer our questions or guide us in the process. Where my story changes from the others is that I was one of the fortunate ones that was able to enroll and go to college, while others were unable to and had to forge a new path in life without a post-secondary education. For those particular individuals who were forced into a path without a post-secondary education, I am unsure of what challenges they faced and continue to deal with. I realize that overtime, I have been able to receive certain privileges that unfortunately not all immigrants have, like access to in higher education. Some of my privileges are my higher education degrees, my career, my legal immigration status, and the network I have created within the community. These privileges have opened doors for me and have provided me with access to many opportunities, like being in this

doctorate program. Although my higher education journey differs from other immigrant students, I am able to connect with students who unfortunately are still dealing with lack of access, support, and guidance toward higher education.

My connection to the Latinx community was very beneficial in my research because I had access to leaders who work with and advocate for the needs of the Latinx community. In my last professional position at a non-profit organization, I served as an outreach coordinator and focused my efforts in providing outreach services to the Latinx community of southwestern Indiana. I traveled weekly between five cities that had a large Latinx presence and needed various types of services. Within the three years that I worked for the non-profit organization, I was able to meet individuals who also worked with the Latinx community and provided services like financial support/stability, interpretation/ESL classes, and community support for those students who wanted to continue their education beyond high school. I was also able to join Latinx-focused organizations that focused their efforts on empowering and supporting the Latinx community.

I have met several individuals from various types of organizations that have a passion for education and have always championed access to higher education for Latinx students. The relationships that I have built over the years not only helped me search for participants, but it also helped me build trust with the participants. Although the participants may have seen me as an outsider, I wanted them to trust me. Not because I identify as a Latino, but because like them, I experienced similar challenges and hardships due to my immigration status. My connections to the community and education leaders helped me build that bridge with the participants and ease some of the challenges that other researchers may experience if they were to do a similar study. At the same time, I was aware that there would be concerns from those individuals in the community that would question me as a researcher. I had to build trust and assure them that my intentions were not malicious in nature.



***Role in Higher Education***

I am employed at a higher education institution within a department that focuses on providing programs and services for underrepresented and minority students. I have been in this position for seven years and have focused most of my attention on the retention of Latinx students through programs and advising. I believe that this gives me a unique perspective because it allows me to understand how the process of higher education operates. During my time at the institution, I have tried to collaborate with various individuals at different levels to try to ease some of the challenges that Latinx students face. Through these collaborations, I have been able to see not only why access to high education is difficult to achieve for undocumented students, but I have also been able to see how it is challenging for public higher education institutions to make changes that would have a positive impact on access to higher education for undocumented students.

The challenges undocumented students face when navigating and trying to access post-secondary education is real and as a professional agent in higher education, I do what I can to support those students in the community who are considering coming to our institution. I try to make myself as available as I can and offer one on one meetings and family meetings. The meetings focus on the application process, financial aid opportunities, the atmosphere of campus, and available resources. My goal has always been to be the person that students can trust and count on when they need help. Having the opportunity to work in higher education has provided me with opportunities to better serve our Latinx community and help families familiarize themselves with the process of higher education. In a sense, I have tried to create a name for myself within the Latinx community as a higher education professional that family members or students can trust if they need help. Not only have I done this with the Latinx community, but I have also done this with the surrounding high schools. Latinx students have

been referred to me by their high school counselors and teachers because they know that they can trust me.

To best serve underrepresented students, it is important to build those relationships with high school administrators and teachers. Over the years, I have worked to build strong relationships with high school administrators and teachers at schools with a high Latinx population in southwestern Indiana. Through these partnerships, I have been able to stay informed of the challenges that Latinx high school students face as they navigate through the higher education process. Our institution has tried to alleviate some of the challenges by connecting the students to individuals like myself who can support them in their education journey but also provide resources and information for parents in Spanish. One of the services that we provide for our Spanish speaking families is, *Lunes de Latinos* (Latino Mondays). We provide monthly information sessions and campus tours in Spanish. This reduces one challenge that Spanish-speaking parents have when they visit a school with their son or daughter, and they are unable to retain information due to a language barrier. Having an intentional and purposeful service like *Lunes de Latinos* and the ongoing relationship with the high school administrators helps me build trust with the students and their family. The relationships that I have built with the high school administrators will also help me identify individuals who may be interested in participating in this study.

### ***Participant Selection***

Participants for this study were undocumented adults between the ages of 18 to 29 years old. Participants were selected through personal connections with professionals who either work in education, work at a non-profit organization, or work within the Latinx community. I intentionally reached out to these individuals to help me connect with students who not only fit the criteria but would also be willing to be part of the study. Through this network, it helped me build the initial connection that was needed with the participants for there to be some trust in not only me but also in

the study and its purpose. I chose this method of sampling in consideration of the participants who understandably, may have felt a need to have established trust with the recommender or myself before deciding to participate in a study that will ask questions about their immigration status.

Keeping the participants' anonymity was crucially important in this research due to the sensitivity of personal information like immigration status. The initial intent to keep anonymity was to use a composite narrative (Willis, 2019), which allows to contextualize stories without having to resort to fiction. Through this method, the interview transcripts for both participants would have been combined to form a composite narrative, which would have created one pseudo-participant. However, due to the circumstance of the research, it was best to take a different approach and not combine both participants. The individuals selected to be part of this research had unique experiences to share and it was better to keep their stories separate. Anonymity was still important, that is why the names of the participants were changed and specific the locations of where they resided were not used. Furthermore, all quotes came directly from each participant's interview transcript in order to keep their stories true and separate from each other. Keeping each participant's identity anonymous was important for me as the researcher because I wanted to ensure the participants that when the research was complete, regardless of who reads my work, the participants would not be identified or located. Therefore, I also changed the names of the individuals that interacted with the participants and changed the names of certain locations. The point was to keep the participants' identities anonymous in order to keep them safe, but also to help them feel comfortable enough to be able to share their story without omitting any of the important details of their experiences due to fear of being identified by someone.

By keeping the participants' anonymity, it helped build trust and rapport, which allowed us to have more open conversations, share personal and sensitive stories, and receive more context to their experiences as undocumented individuals. It is also important to understand that research like this

always comes with a risk. The participants were risking their identity being compromised, potentially being reported to U.S. Immigration and Customs Enforcement (ICE) and being deported. Yet, this research was critical in bringing more awareness to the issue and doing it by sharing the real experiences and stories of undocumented individuals who want to pursue higher education.

Undocumented students graduate from Indiana high schools every year, and many are not able to continue their education because of the barriers that Indiana House Bill 1402 (2011) poses to access to higher education. Through this study, education professionals and policymakers have a better understanding of how the lives of undocumented students are impacted because they are unable to go to college. In order to bring about change, it is important to shed light on untold and marginalized stories.

### ***Participant Criteria***

The criteria for the participant selection are the following:

- Two participants
- Undocumented (not a U.S. Citizen or U.S. Permanent Resident)
- Living in Indiana
- Between the ages of 18 to 29 years old
- Graduated from an Indiana high school
- Graduated with at least a 2.5 cumulative GPA
- Did not attend college due to immigration status

The original intent was to have a pool of participants that were diverse in age. Prioritization would have been given to the youngest and oldest participants in the group in order to receive two different perspectives and life experiences based on age. However, the participant pool lacked age-

based diversity, and as a result, two young individuals of the same age were selected. Additionally, for scheduling flexibility, I focused on those participants who were in the southern Indiana region.

### ***Data Collection***

Data was collected by using semi-structured personal narrative interviews in order to provide flexibility and an opportunity for the participants to share with me what they believe was important for them to share. I had a small set of questions prepared in order to guide our conversation but not to limit the participants' responses to specific answers. By doing semi-structured interviews, I was able to get a better insight into how their lived experiences after high school and not being able to attend college impacted their life. I particularly looked for information that pertains to hardships, missed opportunities, major life decisions, and overall look on life in regard to upward mobility without a higher education degree.

Each participant had the option to do up to two interviews. The first interview focused on the participant's description of their background, what their educational trajectories were in high school, their experience navigating post-secondary options as an undocumented student, and their life navigational strategy after high school. The second interview would have focused on asking follow-up questions and clarifying anything that the participants may have mentioned in the first interview. By using this interview method, it allowed me to obtain more in-depth information from each participant. Ultimately, only one interview was conducted with each participant and all the information that was needed was obtained. The second interview became unnecessary. Interviews were conducted in the summer of 2022, and participants had the choice of where they wanted the interview to be held. This allowed the participants to feel more comfortable and feel like they had a say in the research process. Interviews were audio recorded as a way to capture all the details of the interview, and it also helped me be more attentive and respectful while they shared their story. I also used a notebook to

occasionally take certain notes that the audio recording was not able to capture, like emotions. I did not devote majority of my time to note taking because I wanted the interviews to feel more like conversations than formal interviews. After interviews had been conducted, each interview was transcribed verbatim and reviewed a second time to check for accuracy and that no data was omitted.

### ***Data Analysis***

After transcriptions had been completed, I followed Creswell and Poth's (2017) outline of phenomenological data analysis derived from Moustakas (1994). I reviewed the participants' *testimonios* to develop significant statements of how young undocumented immigrants make meaning of their lived experiences in navigating through the higher education process and living in the United States undocumented without a higher education degree and then listing these significant statements (horizontalization of the data). I then grouped these statements into clusters of meaning and categorized them into themes, which then provided me with the foundation for interpretation. I included verbatim statements to develop a textual description of "what" young undocumented immigrants experienced. Then, I developed a description of "how" young undocumented immigrants make meaning of their lived experiences when navigating through the higher education process with Indiana House Bill 1402 (2011) in place, living in Indiana without legal documents, and without a post-secondary education degree. Next, I created a composite of their lived experiences incorporating both the textual and structural descriptions that portrayed the "essence" of the experiences.

### ***Credibility/Trustworthiness***

The focus of this study was to capture the essence of the lived experiences of young undocumented immigrants who were unable to go to college due to the barriers set by Indiana House Bill 1402 (2011) and the lived experiences they have had as young undocumented immigrants living in Indiana without a higher education degree. The integrity of the research was illustrated in the accuracy

of capturing the voices and the lived experiences of the participants. I selected the experiences that were most impactful and significant to the participants based on the effects of Indiana House Bill 1402 (2011), whether that be high school experiences navigating through the college process or post-high school experiences of living without a higher education degree. Through their lived experiences, I was able to not only make sense of their struggles and hardships but was also able to showcase how dehumanizing and racist Indiana House Bill 1402 (2011) is toward undocumented immigrants. I was able to tell the story of how undocumented immigrants are continuously opposed by government policies and politicians who use immigrants as voting tokens, regardless of party. Their lived experiences are a direct result of a long history of oppression, racism, and marginalization of racial minority groups and immigrants in America.

The experiences from the participants that were most impactful and significant were used to tell their own *testimonio*, yet it also highlights the lived experiences of many young undocumented immigrants living in Indiana and across the United States. These experiences were also compared and validated by using past research focused on the experiences of undocumented students navigating through the college choice process (Abrego, 2006; Benuto et al., 2018; Drachman, 2006). What we need to know and learn from the participants are the lived experiences of undocumented young adults after high school and who were not able to pursue their educational and career dreams because of the effects of Indiana House Bill 1402 (2011).

Once the experiences of the participants were collected and analyzed, I conducted member checks to ensure that I captured the true essence of their experiences (Candela, 2019). Through member checks, I supplied them with a copy of the analysis and saw if they agreed with the factors that I identified, if I omitted anything important, or if I misrepresented them or their experiences in any way. I

believe that by doing this, I was able to create trustworthiness and feel confident that my analysis was accurate, not based on my terms, but on the terms of the participants.



## Chapter 4: Findings

### Overview

In this study, I examined the impact of restrictions placed on undocumented individuals who wanted to pursue a higher education degree at public institutions. Both of the subjects in my study lived in a state where undocumented persons could not pursue their higher education goals. Specifically, this study examined the experiences of these individuals in terms of navigating the higher education enrollment process and eligibility requirements. Initially my study began with two specific questions: In what ways undocumented young adults describe their experiences after being unable to attend a post-secondary education institution? What challenges have arisen when accessing upward mobility without a college education?

The study used the *testimonios* of two individuals who identified as undocumented Latinx immigrants to describe the barriers and challenges they faced when they tried to access higher education. Specifically, the study used *testimonios* to incorporate various aspects of lived experiences and focused on social, political, and cultural histories from the two individuals. The *testimonios* were obtained via in-person interviews and included the following: their early history of their migration/adjustment in the United States, navigating the process of higher education, and how their immigration status impacts their daily life. A second interview was an option, but not needed after their initial interview.

In brief, the two individuals came to the United States at different times. One individual was brought to the United States at age two, while the other was brought at age 14. They were both born in Mexico and settled in Indiana. After high school, one of the individuals was able to attend a two-year college while the other one was not able to continue pursuing an education beyond high school. Both

have a desire to earn post-secondary degrees and believe such a degree would enable them to create a life for themselves that they can be proud of.

The findings are organized by following Creswell and Poth's (2017) outline of phenomenological data analysis derived from Moustakas (1994). I reviewed the participants' *testimonios* to develop significant statements of how young undocumented immigrants make meaning of their lived experiences in navigating through the higher education process and living in the United States undocumented without a higher education degree. I then grouped these statements into clusters of meaning and sorted them into themes, which then provided me with the foundation for interpretation. I included verbatim statements to develop a textual description of "what" young undocumented immigrants experience. I developed a description of "how" young undocumented immigrants make meaning of their lived experiences when navigating through the higher education process with Indiana House Bill 1402 (2011) in place, living in Indiana without legal documents and without a post-secondary education degree. Lastly, I created a composite of their lived experiences incorporating both the textual and structural descriptions that portrayed the "essence" of the experiences.

### **The Undocumented Experience**

The experiences of undocumented immigrants, specifically children, can be very complex. Everyone may have a different experience, whether good or bad, depending on various variables like available community support/resources, presence of parents, how long they have been in the United States, and what state they live in. Nevertheless, there are many commonalities among undocumented immigrants, such as racial profiling, ongoing discrimination, exposure to gangs, immigration raids in their communities, arbitrary stopping of family members to check their documentation status, being forcibly taken or separated from their families, placement in detention camps or the child welfare system, and deportation (American Psychological Association, 2013). The hardships that undocumented youth

endure are real and must not be taken lightly. The participants in this study experienced their own lived experiences as undocumented immigrants and their *testimonios* revealed that their trauma has continued into their present-day situations.

### **Adjustments in the United States**

The two participants shared their stories of leaving their native country, but because of the age difference when they immigrated to the United States, the experiences differ. In José's *testimonio*, he describes how old he was when he left and why.

*I don't know, I was like, I was like 14 years old, 13, 14, something like that. And then, I don't know, from, from nowhere, my mom decided to come here and I was like, "Yeah, why not?" The only reason why I came here because I like to sing. I like to play the guitar, I like to do music, and quiero ser famoso (I want to be famous). Me gustaría (I would like to) but that's why I came here and porque aquí hay muchas oportunidades (because here there are many opportunities).*

In his *testimonio*, José shares how he viewed the opportunity to come to the United States as a young teenager, not knowing the harsh reality of coming undocumented and how that would impact his future. His thoughts were very innocent because he believed that coming to the United States was an opportunity for him to create a name for himself by being a famous musician. Although, his parents' reasons for coming to the United States were not the same as his.

*Well, my mom's reason was, era otra (it was another). Otra razon por la que ella se quería venir...dinero, economía (Another reason why she wanted wanted to come here...money, economic reasons). Y como mi papá mi mamá no viven juntos (And because my dad and my mom don't live together), so that's why he decided like, you gotta support my, you know, era el bebé de la casa (I was the baby of the house). Entonces ella me tenía que apoyar (So she had to take care of me). Mi hermano, él tenía como, él es tres años mayor que yo, entonces yo estaba*

*como 13 y él estaba como 17 por hay, 18? And, pues, tenía que, no, no hay trabajos (My brother, he was like, he is three years older than me, so I was like 13 and he was like 17, somewhere around there, 18? And, well, he had to, there were no, there were jobs). No opportunities. Nada (nothing).*

José's parents wanted to come to the United States to find work and create a better life than the one that they had in their own country. As a young family, they desired to come to the United States to find those job opportunities that they were not able to get in their home country. They were willing to risk leaving their extended family behind, their culture, their way of life, and everything that was familiar to them. Undocumented immigrants risk many things, all to hopefully gain a better life for themselves. The sad reality is that José's story is not much different from other undocumented families. Their experiences of coming to the United States may differ, but the risk they take and everything that they leave behind is similar.

Like José, María was brought to the United States by her parents. The difference between María and José is that she was brought at age two. She also does not have many memories of their immigration journey to the United States. Her earliest memory was a couple of years after she arrived in the United States and was in preschool.

*I was in preschool for two years. Didn't know the language. Didn't know anything. Didn't know how to communicate with people. I struggled a lot with that. Um, I struggled so much to the point where I could confuse words that I would hear. There was one time (slight chuckle), there was a girl who made a drawing. This was, I was in preschool. Um, and she showed it to me and she asked me if I liked it. And obviously my brain wasn't obtaining the words and I was confusing words all the time, so, I thought ugly was pretty. So, I told her, "No, no, no, it's ugly. Me trying to be nice saying that it was pretty. So, I would go through stuff like that all the time, where I would*

*say rude things but without meaning it, because I thought I was saying nice things, cause I would hear it, and then I would want to repeat it, but I would never know when the time to repeat it was.*

María struggled to adapt to the language and be able to communicate with people, especially once she was in school. It is important to point out that María communication challenges began about 2 years after she had arrived in the United States. For the first couple of years in the United States, she did not need to speak English. Once María went to preschool, she was essentially immersed in the English language, and that is when she began to learn it. José experienced a similar embarrassment when he was learning English.

*Recuerdo cuando yo recién llegué aquí, que tenía como 13 años. Estaba aprendiendo a hablar inglés. A las clases de inglés. Por primer día yo no entendía nada. Primero en la escuela, “no, haz esto. No, haz esta clase, haz este trabajo.” Me metieron con una persona, una maestra. Y la maestra dio la clase y todo, todo y dio los papeles. Pues, yo no entendía nada y quería de a fuerzas que yo lo terminara. Pues, yo no entendía nada. Que no sé, no sé hacer nada. Entonces la maestra, me quedaba mirando y se empieza a reír, enfrente de todos. En frente de todos, y yo, no, yo no podía no defenderme, nada. Entonces, como era mi primer día, me dí como un bajón y yo como que no, no quiero venir a la escuela. Ya no quiero venir a la escuela. Pero miraba a otros que a los trataban bien y todo. Y recuerdo que me propuse una, estaba, sí como a los 13 años, y me puse una meta de, de aprender inglés ese mismo año. Y iba a las clases de inglés. Recuerdo que cuando llegaba a la casa, me ponía a ver vídeos en inglés, música en inglés, hablar en inglés. Aunque no podía, yo te decía las palabras. Mi mamá se reía, pero yo lo decía. Y pues yo intente, intente, intente. No le miento, a los 3 meses, ya hablaba inglés. Mis maestras, como llevábamos un nivel, un nivel bajo, medio, como los 3 meses me cambiaron a la clase siguiente. Y dije, “No, si*

*yo puedo hacer esto.” Y seguí viendo vídeos, música y todo. (I remember when I recently arrived here. I was like 13 years old. I was learning how to speak English. In English classes. On the first day I did not understand anything. At school, “No, do this, do that.” They placed me with a person, a teacher. The teacher taught the class and everything, and she handed out some papers. Well, I did not understand anything but she wanted me to finish the assignment. I was like, “I don’t know. I don’t know how to do anything.” So the teacher kept looking at me and started to laugh. In front of everyone. And I couldn’t even defend myself. I couldn’t do anything. So, since it was my first day, I discouraged myself and I was like, “No, I don’t want to come to school. I don’t want to come to school.” But I saw other students and that they were treated well and everything. I remember I made, yeah, when I was like 13 years old, I gave myself goal to learn English that same year. And I went to English classes. I remember when I got home, I would watch video in English, music in English, I would speak in English. Even though sometimes I couldn’t speak well, I would try to say some words. My mom would laugh but I would say them. So, I kept trying and trying and trying. I am not lying to you when I say that in three months I was speaking English. My teachers, since they had me in like a lower level, mid-level, in like three months they were putting me in another class. And so I told myself, “I can do this.” So I kept watching videos, music, and everything.)*

José was embarrassed by the laughter of his teacher when he did not understand how to do the assignment. Even though it was a humiliating experience for him, he took that experience and set a goal for himself to learn English as quickly as possible. Not all young immigrant children have the same motivation that José has. This can be a very traumatic experience for many immigrant children who want to succeed but certain individuals cause them to feel unintelligent and incapable of succeeding in

school. Schools are supposed to be safe spaces where students can learn, ask questions, and be guided by teachers, especially when there is a language barrier.

Even though José was able to learn English very quickly, that did not prevent him from having other humiliating and degrading experiences in school. When José was in high school, he experienced a time when his teacher questioned his immigration status in front of the class. He was so humiliated and felt so disrespected that the teacher had the audacity to ask such a personal question while other students were in the classroom.

*Yo recuerdo que llegué, estábamos llenando unos papeles. Y me dice, "llena esto." La maestra, la maestra me dice...habían 2 maestros. Uno como el ayudante del maestro. Entonces, no, hay que llenar esto y esto, y esto. Ok. Y dice, "saquen el ID para que pongan," no, no, no, el social. Social? Yo creo. No, sí, ya no recuerdo, pero era algo así. Entonces yo no tenía nada y yo me quedé mirando a los demás y pues yo no llene nada y la maestra dice, "Qué pasó?" Y me dice, y le digo, "pues es que no tengo." "No, no, no, no te preocupes. No te preocupes. Ahorita voy a hablar con el maestro." Al final de la, al fin de la clase, me llama el maestro y se me queda mirando y me dice, "Are you done?" Y estaba, "No," le digo. "No puedo llenar esto." Me dice, "Are you a citizen?" Y todos empiezan a reír. A mi me gusta ser serio. Yo le doy respeto y no, no hay, no hay por qué faltarme el respeto de esa manera. Sabe que es algo que a mí no me gusta. Si yo por respeto yo no le dije nada. Porque, créame, yo tenía el valor de pegarle y salirme corriendo. Pero yo no. Yo dije, "No, cálmate, cálmate y tengo que hacer esto." Pues le dije, "No." Y me dice, "So, so..." Y nomás me quedaba y decía, "So..." Y como que, ¿Qué hago? No tengo, no tengo. Que más no, no puedo inventar, me entiendes? Entonces me dice, "¿Y cuál es tu plan? Te vas a casar? Te vas, vas a agarrar papeles?" Y nomás agarré la mochila y me fui. Son experiencias que no me gustan, pues. Y, y son tristes al momento, son tristes, pero es entendible. Porque aquí es un país*

*donde hay muchas personas, de varias partes del mundo, porque no solamente de América. De todo el mundo, [pero] hay racismo. Uno quiere ser más que el otro. Unos quieren gobernar aquí que otros. (I remember I got there and we were filling out some papers. And I was told, "Fill this out." The teacher, the teacher told me...there were two teachers. One was like the teacher's assistant. So, were told that we had to fill these papers out. Ok. And the assistant teacher said, "Get your ID so that you can put,"no, no, no, my social. My social? I think that's what it was. Yeah, I can't remember anymore, but it was something like that. So I did not have anything and started to look at the others in the class, and I did not fill anything out. The assistant teacher said, "What's wrong?" So I told her, "Well, I don't have one." "No, no, no, no, don't worry. Don't worry. I'll speak with the teacher right now." At the end of, at the end of class, the teacher called me up and he looked at me and said, "Are you done?" And I was like, "No. I can't fill this out." He said, "Are you a citizen?" And everyone began to laugh. I am a serious person. I showed him respect and there was, there was no reason for him to disrespect me like that. You know, that is something that I don't like. Because I was showing him respect, I did not say anything, because believe me, I had the guts of hitting him and running out. But I didn't. I said, "No, calm down. I have to do this." So, I told him, "No." So he says to me, "So, so.." And he would just say, "So..." and I was like, "What do I do? I don't have anything. What else can I do? I can't make something up, you know?" So he tells me, "So what's your plan? Are you going to get married? Are you going to get your papers?" All I did was grab my backpack and left. These are experiences that I don't like. And in the moment they are sad, they are sad, but it's understandable. Because this is a country where there are many people, people from various parts of the world, not just the United States. There are people from all over the world, but there is racism. People want to be better than someone else. Some want to control others.)*



The experience of humiliation, discrimination, and racism may have caused José to be distrustful of people. Even more important, it may have kept him from seeking help from others when it came time to considering his options in terms of higher education. These lived experiences for José and María will have lasting impacts on their life. One can only hope that the impact was not so negative that it has caused life-long trauma. We must understand that these two individuals experienced these things while they were in school at very young ages. These individuals had to, and continue to navigate a system, whether that be the education system or society at large, that is ill-prepared and ill-informed to interact with undocumented individuals. An undocumented individual's immigration status is part of their identity and as one gets older, it becomes more difficult to hide. For José, there is no reason why he should have been treated the way that he was at school.

### **Lack of Legal Documentation**

For José and María, their immigration status as undocumented immigrants has impacted their lives immensely. It has set barriers for them academically and economically. Every decision that they have made and continue to make, whether big or small, will be guided by their immigration status. This is not unique to just José and María, this is very common for any undocumented individuals. José and María are adjusting to their immigration status more now than before because as they get older, they are having to make more decisions for themselves and are seeing the greater challenges that they must face because of their lack of legal documents. Access to post-secondary education was a dream for José and María, but they quickly saw how difficult it was to enroll in a post-secondary education institution. José's teacher encouraged him to look at a community college and to give it a try.

*Y empecé a buscar y me dicen, Ivy Tech. Quería ir a Ivy Tech. ¿Para qué? Para ser un arquitecto. Tuve una cita en Ivy Tech y todo. Pero, pa, fue algo diferente porque, cause as soon as I got there, they were like, "Yeah, but I need your ID and your social security." And as soon as I hear*

*that, I was like, "No," and I got sad. Entonces, nah, ya desde esa vez yo dije, "No, ya no. A lo mejor no sé si la escuela es pa mí. No, la escuela es no, no es pa mí." O a lo mejor es más difícil aquí, con todo eso de papeles y todo. Y pues, en realidad perdí muchas oportunidades por, por lo mismo. Por el ID, toda la información que me pedían. Pero, no, todavía no me rendí. Y después, a finales como noviembre, diciembre del, del año pasado. Uh, mi counselor, me llamó una vez a la oficina. Y me dice, "Oye, te gustaría ir al Ivy Tech?" Y yo como que, "Sí, ya fui." "Y, sí pero, ahorita ya hay más oportunidades." Y que no. Y yo como que, está bien, puedo intentar. Y ellos, ellos me preguntaron por...¿Qué me preguntaron? O, solamente del GPA y todo eso. Entonces, pues estaba atento a lo que ellos me decían. Y al siguiente día, me acuerdo, me llamaron a la oficina otra vez, y me dice, "No, ¿sabes qué? No, no, no podemos ayudarte." Y le dije, "¿Por qué?" Me dice, "porque no eres ciudadano." Así me lo dijo (chuckles). En la cara. Y yo como que, "que descarada." (And I began to look and I was told Ivy Tech. I wanted to go to Ivy Tech. What for? To be an architect. I had an appointment at Ivy Tech and everything. But it was something different because, cause as soon as I got there, they were like, "Yeah, but I need your ID and your social security." And as soon as I hear that, I was like, "No," and I got sad. So, ever since that time I told myself, "No, that's it. I don't know, maybe school isn't for me. No, maybe school isn't for me." Or maybe it is more difficult here, with the papers and everything. So, in reality, I missed a lot of opportunities, all for the same reason, because of the ID and all the information that they ask me for. But, no, I still didn't give up. And then, at the end of November, December, of last year, uh, my counselor called me to their office. My counselor said, "Hey, would you like to go to Ivy Tech?" And I was like, "Yeah, I already went." "Yeah, but now there are more opportunities." And I was like, alright, I can try it again. And they, and they asked me...what did they ask me? Oh, about my GPA and stuff like that. So, I was very interested in what they were going to say.*

*The next day, I remember, I was called to the office again, and my counselor said, "No, you know what, we can't help you." And I said, "Why?" And I was told, "Because you are not a U.S. citizen." That's how it was said to me (chuckles). To my face. And I was like, "What nerve."*

José's disappointment of not being able to receive help because of his lack of legal documentation was quite hard on him. The feeling of rejection and not being able to do something that he really wanted to do hurt him emotionally. He also wondered how he would help his mother.

*Me acuerdo, empecé a llorar esa vez en la oficina y me senti mal y yo dije, "¿Pues, qué hago?" Y ya busqué en este lado, este lado, no hay. Ah, pues ya no, ya no le busque para más y termine la high school. Me gradué. Y a la semana me puse a trabajar. Porque no hay otra option. Y me puse a trabajar para ayudar a mi mamá como ella está, ella está grande. No puedo dejarle todo, todo el encargo a ella. (I remember that I began to cry that day in the office and I felt bad, and I said, "So, what should I do?" I have already tried here and there and nothing. So, that was it and I stopped looking for more options and I just finished high school. I graduated. And the following week I started to work. There was no other option. And I began to work to help my mom since she is, she is older. I can't leave everything to her. All the responsibilities on her.*

José was even approached by a college soccer coach to play at their school but once they found out about his immigration status, the opportunity was taken away from him again. Individuals like José are devastated when they are offered opportunities to continue their education after high school only to find those opportunities disappear once their immigration status is known. Their hopes are lifted but then quickly come crashing down when told that they cannot achieve their goals because of their status.

In many states, including Indiana, if you do not have legal documentation, life can be very difficult for young immigrants. For José, he envisioned life after high school at a college where he would be able to pursue his dreams of being an architect. With Indiana House Bill 1402 in place, public colleges

and universities are limited by the support that they can provide an undocumented student, specifically financial support. One of the greatest challenges for any student wanting to go to college is knowing how they will pay for it. For an undocumented student in Indiana, the challenge becomes greater when at public universities across the state require undocumented students to pay out-of-state tuition and they are also not allowed to access state and federal financial aid (Higher Ed Immigration Portal, 2023). Financial aid like state funded scholarships and FAFSA are not available for undocumented students. The only access to scholarships that undocumented students have is to privately funded scholarships. Even then, private scholarships are difficult to obtain, and with the higher cost of tuition, one would need multiple high-dollar private scholarships to be able to pay for school. This is not feasible for most undocumented students.

Similar to José's experience, María endured many challenges when she started applying to colleges and universities.

*Um, when it came to looking for colleges, I feel like a lot of people around me, they were all like, "Oh, I got accepted here. I got accepted here." Right away. I waited, I think for my very first accept, acceptance, I waited like two months. I didn't hear anything from any college for at least two months. And I, I, I don't know, just really, it brought me down because I thought, "Oh, like all, all of these people are getting in, but I'm not getting in. Like it was people, I'm not going to say that I'm better than anyone, but it was people that didn't try in the ways that I tried and they didn't give as much effort as I did, or at least that's how I saw it. They were getting in and I wasn't getting it. They were getting into like top schools, and I still hadn't heard anything from a single college. So, I feel like, that really, that brought down my self-esteem a lot. That just made me think that I wasn't going to finish school, and after high school I was done. But as soon as my senior year ended, I knew that college was definitely something that I wanted to accomplish and*

*be able to say that I did it. So, I feel like, if I wouldn't even have the chance to be here [in college], then I honestly don't know what I'd be doing. Probably just working here all the time and then I don't know just being here, even if it's just three days a week. It's just not something that I want to do for the rest of my life. I don't make a, I don't make good income and it's just not something I can live off of.*

The thought of not being able to go to college scared María. She wanted to have the opportunity to go to college because she felt like she deserved it after working so hard in high school. For María, going to college was not just about her, it was about the opportunities that would open for the entire family. It was about the future of the family and a way to reach a certain level of economic freedom and opportunities. María was adamant about going to college and sought every opportunity she could find, even if that meant experiencing disappointment along the way.

*María: I think I applied to 10 [colleges and universities].*

*César: To how many of those did you get accepted?*

*María: Three. The other ones were asking if I was applying as an international student. Like, if I was going to study abroad or something. So, I just didn't even worry about filling any of that stuff out because I didn't want...cause I did try it with ISU. But when I did, it was like, what visa or something are you here with? And honestly, I didn't have anything, so I just thought, didn't even worry about those other schools.*

During the application process, María tried to avoid situations that were too complicated. Any time the schools asked about her immigration status, or asked for specific documents, she retracted. She was concerned about giving too much information and did not want to make a mistake.

*Yeah, I just didn't want to have to worry about putting in information and then me not putting in the right information and then getting in trouble for that. Like, I'm a big person that, like, if I feel*

*like any, like say, if I get information wrong and I write it down and any of that could lead to me getting in trouble, I just, I avoid it.*

María's fear of doing something wrong, or filling out something incorrectly, caused her to not pursue enrolling in certain schools that she had applied to. Although she was not admitted to most of the schools she applied to, there were three schools that did admit her. She ended up choosing one of those schools to go to college and will be completing her first year of college by May of 2023. Unlike, José, who was not able to go to college, María was able to do so because of the support and guidance that she received from a K-12 school employee and a college counselor that knew how to help undocumented student be enrolled to college. José stated that he received some help from some of his teachers, but their help felt short whenever colleges told him that they were not able to help him. The sad reality is that many undocumented students like José have strong support from their family to go to college but lack the support and information needed from school representatives to achieve their goals (Carolan-Silva & Reyes, 2013). Without a strong support system from both high school representatives and college counselors, undocumented students get lost in the enrollment process. At the same time, there has been a temporary solution that has been able to help undocumented students get to college and find jobs, and that is by getting Deferred Action for Childhood Arrivals (DACA). DACA provides temporary lawful status for immigrants and also gives them the opportunity to go to college, get a driver's license, open up a bank account, get a mortgage, a car loan, and work legally. Unfortunately, for José and María, they were unable to apply for DACA. José was not already living in the United States by the time the executive order was signed (2012), which is one of the requirements for eligibility. As for María, she met all the requirements but was denied access because of President Trump's order to rescind the executive order.

*I applied when I was 15 and then COVID hit. DACA got stopped for a little bit, then it reopened. Uh, President Trump shut it down. As soon as my application, as soon as we had just sent in my fingerprints, President Trump shut it down. So, then, um, I think I got an e-mail and it was like, uh, only people who have done that can renew theirs and stuff like that. As soon as I read that, I just felt like my whole world crumbled on me, 'cause I mean I don't really have many alternatives. When we look at it, my only two alternatives, now without DACA, are marriage or getting adopted. And I mean, those two are just things that right now aren't on the table, so.*

María and José's lack of legal documentation caused them deal with many challenges, i.e. no access to a driver's license, not being able to work legally, not being able to receive in-state tuition for higher education, and I think the one that hurts the most, not being able to live the life that they envisioned for themselves. José and María have their own dreams of going to college and having a future that they can be happy with. For them, the first part of achieving a happy and productive future is going to college and getting a degree.

### **Support and Guidance**

With Indiana House Bill 1402, José and María's path to college was a great challenge because of the barriers that the policy puts on undocumented students. As stated earlier, the policy takes away the opportunity for undocumented students who graduated from an Indiana high school to receive in-state tuition and state/federal financial assistance. The strictness of the policy not only affects the students, but also teachers, counselors, community support systems, and anyone who wants to help undocumented students go to college. Guidance and support are needed by undocumented students but whenever we have people and institutions that are not sure how to help because of the fear of breaking the law, then the easy response to any undocumented student is, "We cannot help because you are not a U.S. citizen." This is the response that José and María heard time and time again.

As I stated earlier, María was fortunate enough to have a couple of individuals who understood her challenges but also were committed to helping achieve her goal of going to college.

*Leticia helped me so much. She, um, I think she helped me talk to the University of Indianapolis because I was getting tired of waiting to hear back. So, Leticia helped me call and ask if I could attend without social and all that. And at first, they were saying yes. At first, they said that it was fine. I didn't need it. And then, later on, they said that I would need it and that I would need all this other stuff and that's just kind of what threw that out of the picture, so.*

Eventually, María was able to find a school, but more importantly she found an individual who was able to help her through the enrollment process. He guided her and provided the sense of comfort that she was looking for.

*It was so easy. Um, I think I talked to, I think he's an advisor. I don't know if you know him. I talked to him. He helped me through the whole enrolling process. He helped me with my classes. He helped me look for any scholarships. Unfortunately, I didn't find any that weren't like state funded, so, but he helped me with the whole process of getting into the school. So, he made it go so smooth. He, if there was any paperwork he was like, "I'll take care of it, but if I need your help, I'll call you." So, he was really big help.*

Even with Leticia and the admission counselor who was able to help María enroll in college, the challenges did not end there. María was still faced with having to pay the cost of school without being able to receive any state or federal financial aid. This was also another big hurdle that María and her parents had to overcome.

*Yeah, it's hard. It's really hard because my mom got surgery. She got a hip surgery, full hip replacement. So not only are they paying for that bill, but they're paying for my bill because I was in the hospital for couple of weeks because I had a miniature heart attack, so they're paying*



*for my mom's hospital bill, my hospital bill. I was in the hospital last year for a month. So that's three hospital bills right there and then they're still trying to pay off my wisdom teeth and then on top of all that, they're paying for my tuition. So, they have all these bills, they have to pay all these costs, the utilities, any home bills, rent, all of that, and they, they always manage to do it. They always find a way to get it done. Get it paid. I feel like loans would be definitely a lot, a lot of help because at that point I could pay for them from what I make, even if it's just like a little bit of money, \$200 dollars, \$300 each month, like it's, it's just stuff I can pay, and it's something to take payments off their shoulders.*

Even though Maria had to pay for her first academic year completely out of pocket, she was able to attend college. At the same time, María, nor her parents, can guarantee that they will have money next year to pay for school again. As María stated, her family has experienced some extreme medical hardships, and one can only hope that they will stay healthy in order to continue to be able to pay for school. Without scholarships or any form of financial aid, paying for school becomes very difficult and uncertain.

As for José, unfortunately, he did not have the same experience in regard to being able to go to college. Although he had some teachers and his soccer coach who helped in certain regards, he was not able to find someone who understood the enrollment process for undocumented students, which left him very discouraged.

*Entonces yo tomé la decisión de, de, renunciar de buscar opciones porque cada opción que encontraba me decían, no. O me pedían la formación. Entonces yo siento que. Fue muy difícil porque por un año siempre le estuve buscando por todos lados, por todos lados. No lo hacía por mí. La hacía por mi mamá. Por mi mamá y yo soy el pequeño. Tengo un hermano más grande, sólo somos 2. Entonces, yo dije, "No, vuelvo como un teacher o algo así." Me gustaría ayudar a*

*mi mama, a mis hermanos y, o no sé. Pero no, no, no pude. En realidad, no pude. Y ni para el DACA. No, no apli, no me dejaron en la escuela para aplicarla a la DACA. Entonces, no hay, no hay suppo, como le dice apoyo. No hay apoyo que que alguien le diga. Hay personas que, “Oh, mira, investiga esto y esto.” Pero solamente investiga, o sea, no hay como que, “O sabes que, dame tus papeles, voy hacer esto y esto y esto y esto.” Desafortunadamente, no, no hay, perdí muchas oportunidades. (So, I made the decision to, to, stop looking for other options because every time I thought I would find something, they would tell me no. Or they would ask me for my information. So, I was like, no. It was tough because for a whole year I looked at multiple places. I looked everywhere. I did not just do it for me, I also did it for my mom. I did it for my mom and I was the youngest. I have an older brother, it’s just the two of us. So, I told myself, “No, I can be a teacher or something like that.” I would like to help my mom, my siblings, I don’t know. But, no, I couldn’t. In all fairness, I couldn’t. I couldn’t even get DACA. No, I didn’t apply. They did not apply for DACA at school. So, there wasn’t, there wasn’t supp, how do you say, support. There is no support like someone saying, “Hey, look, look into this or that.” But just look into, you know, there’s no like, “Oh, you know what, give me your information, I am going to do this, this, and this.” Unfortunately, there is nothing like that. I missed many opportunities.)*

José felt like he did not have the guidance and support that he needed to go to college. He was left with many questions and uncertainties about what his options really were after high school. After losing so many battles and trying to figure out if college was going to be an option for him, he eventually decided to make use of his time by working after school and helping his mother out.

*Me puse a trabajar después de la high school. I mean, después de la, de la escuela, en las tardes. Yo me iba a trabajar, llegaba a las 11 de la noche a la casa, 12, 11, 12, y el otro día as las 5 y media de la mañana para, listo para la escuela, para estar listo a la escuela. Fue un año donde*

*no tuve amigos. No me importo nada. Namas me importo mi familia. Y pues, yo me puse hacer las dos cosas al mismo tiempo. Todo, todo un año, un año completo. Trabajaba de, 4 de la tarde hasta 12 de la noche, 11-12 de la noche. Y apoye a mi mamá en el transcurso del año, en la escuela y todo, pues, I did my best. (I started working after high school. I mean, after school, in the evenings. I would go to work, I would get home at 11 p.m., 12 a.m., 11 p.m., 12 a.m., and the next day at 5 a.m. I would get up and get ready for school. It was a year where I did not have friends. I did not care about anything. All I cared about was my family. So, I began doing both things at the same time. For a whole year. I worked from 4 in the afternoon to midnight, 11 p.m., 12 a.m. And I helped my mom in that year, while going to school, like, I did my best.)*

Both José and María struggled to get where they are today. One was able to enroll in college, while the other was unable to but is helping support his family. Aside from their difference in life paths after college, one commonality is certain: they both needed support. Support was needed not only from their family, but from their teachers, guidance counselors, admission counselors, and all those who had an interest in their success. Their support system obviously looked different, but we can see the impact that it has when someone has good support from multiple people as they navigate the higher education system. More of this support and guidance is needed across the entire country but the focus of this research relates to Indiana in particular. With Indiana House Bill in place and with no signs of it being removed, it is important that institutional agents do everything in their power to lift and guide students like José and María who want to go to college.

### **Toward a Brighter Future**

Neither José nor María has lost hope in their future. They have tried to stay optimistic even while they face daily challenges and even when their chance of adjusting their status becomes more and

more questionable in today's political climate. Being able to adjust their status to a permanent resident and eventually a U.S. citizen would be their ultimate dream. In María's *testimonio*, she stated:

*I feel like that's one of my biggest dreams. It's just something I want to accomplish and I feel like it'll open up so many, so many more opportunities to me. Um, I can finally do what I want to do, such as open up my own business. Um, I don't know, it just, it opens up so many more doors for me and I feel like that's just, that's something I want in life and it's something I work for every day.*

When José was asked what it would mean to him and his future if immigration policies changed and an immigration reform was approved, he stated:

*Algo muy grande. Porque ya no, ya no sería para nosotros los estudiantes, también para todos los Hispanos. Tanto hay personas mayores que quieren seguir estudiando, que, que no terminaron la, un ejemplo, la prepa o la secundaria, pueden seguir y dedicarse a algo. La edad no define nada, entonces, yo siento que beneficiaría a todos. (It would be something very big. Because it would not only be for just us students, but also for all Hispanics. There are older people who also want to continue going to school, like, they did not finish, for example, they did not finish high school but can continue and make something out of it. Age doesn't mean anything, so, I believe that it would benefit everyone.*

For José, he says he is not giving up hope and believes that eventually something will change and it will be positive for all those who are undocumented. As for him, his dream is to go to college, and has a short-term plan that will hopefully get him there.

*Algunos que dicen, "No, la escuela no es para mí. La escuela es tal tal." Pero yo sé que como yo le digo el dicho que, que me decía mi abuelo. Pues siempre lo tengo grabado y, y no se me sale que la escuela...Porque ellos son maestros, ellos son maestros jubilados, entonces son casi, toda*

*la fam, y mi mama, en realidad, mi mamá es licenciada, pero mire dónde estamos. Entonces yo lo que voy es, que no, no sé si decirlo, mi futuro no está caído que, digamos, "O, ya, sin la escuela no voy a hacer nada." Pero es como, como que esa piedrita, que le falta al hoyito para llenarlo. Y sí, yo de hecho yo tengo las ganas de, de, a lo mejor no ahorita, juntar, de hecho, me gusta ahorrar dinero. Y ahorro mi dinero y en un año aplicó. No me importa si es una escuela privada que me estén pagando, que me estén cobrando. Lo que, lo que estén cobrando pero recibir las clases online o hacer mis trabajos online. O sea, no se me quita el pie del renglón de que quiero, quiero algo. Quiero, cómo se dice, especificarse, en algo. Entonces, sí me gustaría estudiar, a lo mejor ya no una carrera muy grande como arquitecto, ingeniero, porque son carreras que, que todo que todos quieren. Y también es, es, es bien pagada, pero también hay que pagar. Entonces, me gustaría, por lo menos, recibirme como maestro o no sé, maestro de, de así como los que entrenan fútbol, o, o, no sé, pero carreras, carreras como que no muy populares. Por ejemplo, mesas de computadoras o especificarme en algo de eso, sí me gustaría. Me gustaría seguir. Y como usted dice, a lo mejor en un futuro nadie sabe, agarro papeles o lo que sea. Pues, me gustaría meterme en la escuela de nuevo. (There are some who say, "No, school isn't for me. School is this and that." But I know, like a saying that my grandpa used to say to me. But, like, I always have it in my head and it never leaves...because they are teachers, they are retired teachers, so, like, the entire family, my mom, and really, my mom has a degree, but look where we are at. So, how I look at it, I don't know how to say it, my future isn't over, like, I am not one to say, "Oh, without school I am not going to do anything." But it's like, it's like that little rock that is missing from that little hole in order to fill it in. And, yeah, I still have the desire, to, to, maybe not right now, but, like, I like to save money, and I would like to save some money and in one year I will apply to college. I don't care if it's like a private school where I have to keep*

*paying. Like, where they will be charging me for school all the time but I could take classes online and do my assignments online. So, like, my desire has not diminished. I still want to go to school or something. I want to, how do you say it, specialize myself in something. So, yeah, like, I would like to keep going to school, and maybe not get like a fancy career like architect, engineer, because those are careers that everyone wants. And I know that they are also good paying jobs but you also have to pay for those types of degrees. So, like, I would like to graduate as a teacher, I mean, I don't know. I could be a teacher like those who coach soccer, or, or, I don't know, get a career that isn't that popular. For example, work with computers or something like that. I would like that. I would like to continue. And like you said, maybe in the future, no one knows, I can get my papers, or something. So, like, I would like to go back to school.)*

Although María was limited to go to a 2-year college, the thought of not being to get a 4-year degree did not discourage her from her future goals too much.

*I feel like sometimes I missed out on the big college experience. Living in a dorm. Having a different person be my roommate, the dining hall food, but at the same time, I don't really regret it because, I mean, where I'm studying right now, I get good opportunities. I get one-on-one help, and I can talk to any of my professors whenever I need them. Like, I can e-mail them at any time and they'll, they'll answer me right away and I get to eat my mom's food, so. But I am only getting an associate degree right now. Then, when I graduate, I'm getting my real estate license and then I'm going back to school and I'm going to open up my own real estate company.*

María's hope is encouraging, yet, disheartening because of the additional roadblocks such as immigration status and the limitations that it brings. Although María intends to get her real estate license after graduation, the reality is that she won't be able to because she does not have legal documentation. The State of Indiana does not allow any undocumented individual to receive any

professional licensure. María may either be unaware or misinformed about the possibilities of obtaining a real estate license after graduation from college. We can only hope that policies will have changed, either at the state level or federal level. A change in policy is the only pathway that will allow her to gain access to licenses and to be able to work legally.

María and José are both young individuals who just graduated high school and have big dreams. They are still trying to figure out what their future holds, but they know that they want to keep alive their hope for a better future. I took the opportunity to ask them what they would like to share with whoever reads this study. María focused more on being heard as a community. She wanted people to try and understand different points of views, her struggles, and not to focus on what they hear from other sources. Instead, listen to people who are telling their own story and experiences. As for José, he stated:

*O no sé que, que se den cuenta de que no somos uno, no somos cinco, cuatro personas aquí en todo el país o todo el estado, por ejemplo, en el estado de Indiana. Somos muchos que tienen el deseo de ir, pero, desafortunadamente, por los papeles, pero yo siento que ellos deberían darnos una oportunidad. Porque es, para eso estamos aquí. Para mejorar y tener una mejor vida. Tener mejores opciones y darle y tener un buen futuro. Pues, es, y ¿qué más? Pues creo que eso es todo y como yo tengo metas, metas en la escuela, metas en mi futuro, metas con mi futura familia, pues me gustaría, me gustaría que ellos no, no apagarán más sueños, porque somos, somos soñadores, somos soñadores en este país que queremos tener algo bueno para nosotros. Un título. (Oh, I don't know. I want them to realize that we are not just one. We are not five or four people here in this country, or in this whole state, for example, here in the State of Indiana. We are many who would like to go to school, but, unfortunately, because of our papers, but I feel like they should give us an opportunity. Because that is why we are here, to better ourselves and*

*have a better life. To have better options and to give and to have a better future. But, yeah, what else? I think that's it but I have goals, goals for school, goals for my future, goals for my family, so, like, I would like for them not to take our dreams away. We are dreamers in this country, and we would like to have something good for us. Like a degree.*

José wants people to realize that his story is not unique. There are many others out there like him who are dreamers and have come to this country for a better life and better opportunities. He asked that whoever reads this, to not take away his dreams and the dreams of many other undocumented students. He states that all they want is to have something better for themselves, like a college degree.

What is very admirable about José and María *testimonios* is that they could have easily focused solely on their hardships and what they want, but they both made it a point to mention that they are not the only ones going through these hardships. Although hardships vary from person to person, José and María understand that this is an issue that affects thousands of undocumented students but also millions of immigrants that want equal access to opportunities. Policies like Indiana House Bill 1402, whether at the state or federal level, are keeping people like José and María from achieving their goals, whether that be educational goals, economic goals, or life goals in general. These are individuals that want to see a brighter future not only for themselves but for all immigrants who are struggling and have been struggling for a long time. A brighter future means change, and José and María are calling for change now.



## Chapter 5: Conclusion

This study explored the lived experiences of undocumented Latinx individuals as they navigated and tried to access post-secondary education. I was interested in discovering how their experiences impacted their ability to access post-secondary education and how they saw their future without a degree. This study offers relative insight for researchers, educators, student advocates, faculty, and administrators in high school and higher education. My research through the results aimed to provide additional knowledge and awareness of the challenges undocumented students face yearly. The study aimed to answer the following research questions:

- In what ways do undocumented young adults describe their experiences after being unable to attend a post-secondary education institution?
- What challenges have arisen when accessing upward mobility without a college education?

This study provides the *testimonios* of two undocumented Latinx individuals to give voice to their experiences, educational dreams, and aspirations as immigrants living in the United States. The data collected for this study came from informal, in-person interviews to provide a more in-depth understanding of their lived experiences and how they navigated the higher education process.

### Discussion

This study sought to answer two questions: (1) How do undocumented young adults describe their experiences after being unable to attend a post-secondary education institution? (2) What challenges have arisen when accessing upward mobility without a college education? Findings were categorized by significant statements and themes, which resulted in additional support from student advocates, policy change, and hope.

### Additional Support for Undocumented Students

The young immigrants in this study provided insight into how institutional agents/student advocates, or lack thereof, can play a critical role in how an undocumented student navigates the higher education process. For these two young individuals, the support that was or was not given to them determined whether they would have the opportunity to attend college. High schools and higher education institutions must understand the complexities undocumented students experience when navigating the higher education process. It is also essential for institutional agents/student advocates to be well-educated on the challenges and barriers that undocumented students face to better serve them in the college choice process. It is about providing better intentional support for undocumented students, whether emotional or social (Nienhusser et al., 2015). For José and María, the type of support they had determined their opportunity to go to college after high school. José received some support, but those who tried to help him were unsure what to do after colleges told them they could not help him be admitted. As for María, she had an advocate who was very familiar with the challenges and barriers that undocumented students face when trying to access higher education. She connected her with an admissions counselor who was equally knowledgeable and knew how to navigate the admission process for undocumented students. This resulted in María being able to go to college.

### ***Recommendation for Schools/Institutions***

As undocumented students enter high school, it is essential to have educated institutional agents who can guide them through the process. A study by Nienhusser (2013) found that certain school practices were very impactful on an undocumented student's path to college. This included one-on-one counseling, scholarship access, and course curriculums focused on educating students about the college process and transition. If high schools and colleges had individuals like the ones that helped María get into college, more undocumented would feel supported and encouraged to attend college. There may also be fewer cases like José in which he lacked the support he needed and could not enroll in a college.

Another way to support undocumented students as they navigate the higher education process is to find scholarships that are not state-funded and that they are eligible to receive. Private scholarships can sometimes be very difficult to obtain because they are available to several students. Still, the suggestion for high schools and colleges is to invest time and effort into creating school scholarships for undocumented students through private donations. Nienhusser (2013) focuses on the actions that high schools can take in creating scholarships for undocumented students, and Valenzuela et al. (2015) recommends that higher education institutions explore the opportunities to work with philanthropic organizations and businesses to create scholarships that undocumented students can access. Both high schools and higher education institutions should think creatively about how they can support their undocumented student population through guidance and financial support.

### **Policy Change**

In a state like Indiana, with a policy like Indiana House Bill 1402, undocumented students in Indiana will stay the same unless there are government policy changes. Policy change is needed at the state and federal level to provide more opportunities for undocumented students to access higher education. If Indiana House Bill 1402 was repealed and better legislation was passed, it would give opportunities for undocumented students to go to college. Other states have passed legislation to allow undocumented students to have more opportunities to go to college, like California (AB 540), Texas (HB 1403), Nevada (SB 347), Utah (HB 144), Illinois (PA 093-0007), New York (AB 9612), Arizona (Proposition 308) and there 16 more states with similar legislation along with the District of Columbia (Higher Ed Immigration Portal, 2023). These states provide, at the very least, in-state tuition for undocumented students who graduated from a state high school. In Indiana, that is not the case. An undocumented who has graduated from an Indiana high school is not eligible for in-state tuition or state/federal financial aid, which makes the likelihood of an undocumented student going to college very slim. José

and María's *testimonios* have shown us that their pathway to higher education was very restricted, specifically financially, due to not being allowed to pay the in-state rate at public colleges/universities. María shared her hardship of having to pay for college entirely out of pocket and the financial impact that it has had on her and her parents. In Indiana and other states across the country that have restrictive policies for undocumented students, federal legislation needs to be passed to provide permanent change. This would mean passing the Dream Act or another similar bill allowing undocumented individuals to adjust their status and eventually become permanent residents and then U.S. citizens. Once becoming at least a permanent resident, individuals can receive in-state tuition and access to state and federal aid (state-funded scholarships and FAFSA).

### ***Recommendation for Policy Change***

Policy change at the state or federal level can bring many benefits, but only at the national level can it provide permanent solutions for undocumented students. In Indiana, legislation has been introduced to provide opportunities for undocumented students to receive in-state tuition, like Senate Bill 227, 319, and, most recently, Senate Bill 135. Senate Bill 135 is a bi-partisan authored bill that would provide individuals who meet certain conditions eligible for in-state tuition (Indiana General Assembly, 2023). Being qualified to receive in-state tuition would "crack open" doors for undocumented students interested in attending college. They would be more likely to afford a two-year public college and 4-year public institutions. If in-state tuition is all that is provided at the state level, with no access to state/federally funded scholarships or financial aid, then the cost of college may still be too much. Even states like California, where they have state policies that provide in-state tuition and financial aid for undocumented students, need more state funds to cover a significant amount of the cost of tuition (Ngo & Astudillo, 2018). Policy changes at the federal level would create the most impact because they would allow undocumented students to adjust their immigration status permanently and have access to state

and federal financial aid, along with in-state tuition (Contreras, 2011). This can be done by congress by passing the Dream Act or immigration reform.

### **Hope**

There is no question that change is needed at all levels of government in order for undocumented students to have education equality and equity. The appalling reality is that due to the political climate that we live in and the controversy over immigration in the United States, the future does not look bright. We have politicians on both sides of the aisle that make many promises but do not push to get anything done. Every election season, immigration is always a topic of debate, and "solutions" are provided by all political leaders. After the election, there are no talks about immigration and how to fix our broken immigration system. Latinos and many other immigrants are being used for political votes and taken advantage of. At the same time, the interviewed participants kept their optimism through all the challenges and setbacks they have experienced over the years. As they continue to live as undocumented immigrants in a state with little to no support for the undocumented immigrant population, José and María, have kept dreaming and continue to work toward their goals. In a study by Bahena (2020), the researcher tested the immigrant optimism hypothesis and found that undocumented students reported significantly higher levels of hope than permanent residents/U.S. citizens. Their hope kept them doing well academically, gave them educational aspirations, and helped them make post-graduation plans. José still hopes to get the opportunity to not only go to college but also adjust his status. María still has hope that she will be able to graduate from college and start her own real estate company. Hope might be the only thing that keeps them motivated and pushing for a better future, not just for themselves but for their family as well.

### **Limitations**

There were some limitations in this study. Due to the sensitivity of the topic and the fear of the potential participants being discovered if they participated in the study, I could only find two individuals willing to participate. The participants were also very young and had just graduated high school. Although they were able to provide the contemporary perspective of what it is like navigating the higher education process as an undocumented student in 2023, they also lacked specific life experiences that people in their mid to late 20s may have. As one ages and more time lapses since graduating high school, one's experiences and outlook on life may differ. Additionally, by the mid to late 20s, people start deciding to start a family, which brings an entirely new perspective and experience for undocumented immigrants.

An additional limitation was that the participants resided in southern Indiana. Compared to larger cities like Indianapolis and Fort Wayne, southern Indiana may have fewer resources and support systems to help undocumented students find a pathway to college. There may be more options for undocumented students living in larger cities to attend college and have the resources and support to continue their post-secondary education.

### **Future Study**

I intended to focus on undocumented students who did not attend college but met the requirements to enroll in most Indiana public colleges. Due to my limitation in the selection pool, I also had to consider individuals who did go to college. I still believe that more research is needed specifically on undocumented individuals who did not go to college due to the impact of Indiana House Bill 1402. Future researchers can continue this research and expand the target population to find a more diverse pool of undocumented individuals who graduated from Indiana high schools. This could also include non-Latinx undocumented immigrants. More research on anti-immigrant policies like Indiana House Bill

1402 will increase awareness of the negative impact it has had on the undocumented population living in the state.

Another future research opportunity is to further compare the lived experiences of undocumented individuals who could enroll in college and those who could not, specifically looking at the impact of institutional agents and support systems. This future research may shed more light on the impact that school counselors, admissions counselors, school policies, and community organizations have on access to higher education for undocumented students in Indiana. A larger pool of participants is recommended in order to get various types of lived experiences and a better overview of the differences between the two groups.

### **Conclusion**

Examining the *testimonios* of undocumented individuals who have dreams of making a better life for themselves through higher education brings more awareness to the problems of Indiana House Bill 1402. The participants are young Dreamers who hope that one day they will be allowed to come out of the shadows and live without fear of deportation. Live a life filled with opportunities without roadblocks and intentional policies set to keep them from reaching their highest potential. Given the anti-immigrant rhetoric in the United States over many years, it is crucial to understand and empathize with undocumented immigrants. By being compassionate and understanding of the lived experiences of many undocumented individuals, we are more likely to push our elected officials to create positive policy changes. Undocumented students confront racism, discrimination, inequities, and fear imposed by political, legal, and education systems that keep them from reaching their ultimate educational success and limit them from future career opportunities. All institutions of education, community organizations, and immigrant allies in Indiana have a duty to demand change in our state policies. We

must allow all students to learn and further their education beyond high school, whether at a community college, trade school, or four-year university.

My investigation utilized *testimonios* as a methodology to provide insight into the lived experiences of undocumented individuals wanting to pursue higher education. The two participants provided rich data from their interviews, and my findings revealed the importance and the need for additional support from student advocates, policy change, and hope. The *testimonios* of the undocumented individuals were used to provide a voice to their lived experiences and life journey. Through this study, the participants felt empowered to share their stories and lived experiences, even when living in a country that at times has been unwelcoming and has invalidated their feelings, their purpose, and their dreams. Even as an immigrant myself, this study helped me remember the importance of telling one's story without fear and with pride. I hope that sharing these powerful *testimonios* from two very strong and brave individuals, it will bring awareness, prompt questions, and inspire all Dreamers to keep dreaming and to hope for a better future.



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Appendices

### **Appendix A: Interview Questions**

1. Tell me a little about yourself.
2. What memories or experiences do you have of coming to the United States?
3. What can you tell me about your earliest memory in school in the United States?
4. Can you tell me about your experience navigating through the college process in high school?
5. Can you tell me what you know about Indiana House Bill 1402 (2011) and the impact it had on your opportunity to go to college?
6. What does it mean for you to not have had the opportunity to go to college? Have you been able to adjust?
7. How do you see your current life and your future without a higher education degree and being undocumented?