



NEVADA STUDENT ALLIANCE
NEVADA SYSTEM OF HIGHER EDUCATION

A RESOLUTION IN SUPPORT OF NEVADA'S DACA AND UNDOCUMENTED
STUDENTS INCLUDING STRUCTURAL AND FINANCIAL SUPPORT

WHEREAS, the Nevada Student Alliance represents all 110,000+ students in the Nevada System of Higher Education; and

WHEREAS, the Nevada Student Alliance is comprised of elected representatives from all NSHE institutions whose numerous responsibilities include voicing and lobbying student concerns to their elected officials at local, state, and federal levels; and

WHEREAS, the Nevada Student Alliance representatives assert and affirm the positive research and creative contributions of students who are undocumented as well as students who qualify for Deferred Action for Childhood Arrivals (DACA) at each of our respective universities; and

WHEREAS, DACAmented and undocumented students belong to two separate communities with their own hardships and characteristics and therefore are not interchangeable terms.

According to [Tacoma Community College](#), “the term *undocumented* can be applied to any person who lives or works in the United States without the legal protections of a citizen or permanent resident. Undocumented people do not automatically receive protection from DACA, and may come from any country, not only those that speak Spanish.” In contrast, DACA students are under an executive order which allows people “who were brought to the U.S. as children to legally live, go to school, drive, and work if certain criteria are met: DACA does not include a path to citizenship.”

WHEREAS, students who are DACA/undocumented made up roughly 4% of our NSHE population during the 2020 fall enrollment; and

WHEREAS, according to NSHE Institutional Research, DACA/undocumented students at four-year institutions have a higher graduation rate (67.8% in 2020) than the combined average of their peers (51.1% in 2020); and

WHEREAS, according to NSHE Institutional Research, DACA/undocumented students at two-year institutions have a higher graduation rate (41.6% in 2020) than the combined average of their peers (21.6% in 2020); and

WHEREAS, Nevada's collective colleges and universities do not have a unified overarching structure for assisting the DACA/undocumented communities, leaving these institutions with inconsistent resources throughout the state; and

WHEREAS, NSHE must recognize that a number of career paths - such as careers in medicine, education, or law - are unobtainable for undocumented students post-grad due to their status, required background checks, and/or existing state/law regulations (<https://www.marquette.edu/diversity/documents/undocuguide-life-after-college-guide.pdf>); and

WHEREAS, according to the United States Citizenship and Immigration Services,
“On July 16, 2021, the U.S. District Court for the Southern District of Texas held that the DACA policy “is illegal.” The Court granted summary judgment on plaintiffs’ Administrative Procedure Act (APA) claims; vacated the June 15, 2012 DACA memorandum issued by former Secretary of Homeland Security Napolitano; remanded the memorandum to DHS for further consideration; and issued a permanent injunction prohibiting the government’s continued administration of DACA and the reimplementing of DACA without compliance with the APA. The Court, however, temporarily stayed its order vacating the DACA memorandum and its injunction with regard to individuals who obtained DACA on or before July 16, 2021, including those with renewal requests...

Currently, the DHS is prohibited from granting initial DACA requests and accompanying requests for employment authorization. Also consistent with that order, DHS will continue to grant or deny renewal DACA requests, according to existing policy.”; and

WHEREAS, there is no current path to citizenship or permanent U.S. residency for undocumented/DACA students, as well as a policy or structure in place for undocumented students to receive federal or state assistance, or to be paid for their labor and work; and

WHEREAS, research estimates from the American Immigration Council in 2018 suggest that undocumented immigrants in Nevada paid \$241.6 million in federal taxes, and \$121.3 million in state and local taxes; and

NOW THEREFORE, BE IT RESOLVED, that the Nevada Student Alliance, on behalf of the 110,000+ students of NSHE:

- Establish a universal Nevada-wide Alternative Need Form, which would replace FAFSA for undocumented, DACA, and international students.
 - o this will allow students to navigate between different colleges and universities without having to apply at each individual institution for aid

- Establish a DACA Renewal fund for Nevada students (to date, it is currently \$495 to renew DACA for two years)
 - o “The DACA program does not provide a pathway to citizenship or permanent residency for recipients, who are required to renew their status every two years for a fee of nearly \$500, which helps fund the United States Citizenship and Immigration Services.”
<https://www.nnbw.com/news/2021/nov/23/report-quantifies-immigrant-contributions-northern/>

- Urges leadership of the Nevada System of Higher Education to work to find creative solutions and partnerships to address the needs of our undocumented student population; including updating website information and resources

- Urges leadership of the Nevada System of Higher Education to provide undocumented students with transparent information about their career options and push to provide an NSHE-wide undocumented student career guide or committing to eliminate career limitations for undocumented students, in various fields, at a state level by working with the regulatory boards of Nevada

- Urges the Board of Regents and Chancellor’s Office of the Nevada System of Higher Education to establish a detailed plan which addresses undocumented student needs in Nevada:
 - o specifically, a plan for undocumented students who do not qualify for DACA, according to the Consideration of Deferred Action for Childhood Arrivals (DACA) | USCIS:
 - ANY first time, initial applications for DACA
 - must have been under the age of 31 as of June 15, 2012
 - had to have arrived in the US before their 16th birthday
 - had to have continuously resided in the US from June 15, 2007 until the present day
 - were physically present in the US on June 15, 2012, AND at the time of filing your DACA request
 - have had no lawful immigration status on June 15, 2012;
 - any lawful immigration status or parole you’ve obtained in the past will disqualify you from applying for DACA.
 - must be currently enrolled in school, OR have graduated from a US high school or obtained a GED; OR honorably discharged veteran Coast Guard or Armed Forces
 - cannot have been convicted of a felony, significant misdemeanor, or three or more misdemeanors and do not otherwise pose a threat to public safety or national security;

- have to be at least 15 years or older
 - Urges Local, City and State representatives to assist in procuring funds for any DACA renewals or scholarships for undocumented students as well as to openly advocate for the development of policy structures that are meant to support and protect the livelihood of those within the DACA and undocumented communities
 - Urges Federal Leadership to challenge the July 16, 2021 U.S. District Court ruling from the Southern District of Texas by reinstating the filing and approval of first-time DACA requests and other accompanying requests for employment authorization:
 - o this would allow students who are undocumented to formally apply for the DACA program and employment authorization
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ADOPTED by the Nevada Student Alliance on the 3rd day of March 2022.



ATTEST:

Matthew Hawn

NSA Chair & University of Nevada, Reno – Graduate Student Association (GSA) President

Caren Yap

NSA Vice Chair & University of Nevada, Las Vegas – Consolidated Student of the University of Nevada (CSUN) President



Austin Brown

NSA Secretary & University of Nevada, Reno – Associated Students of the University of Nevada (ASUN) President

Zachary Stamp

NSA Member & Great Basin College – Student Government Association (SGA) President



Zachary Johnson

NSA Member & College of Southern Nevada – Associated Students of the College of Southern Nevada (ASCSN) President



Lauren Porter

NSA Member & Nevada State College – Nevada State Student Alliance (NSSA) President



Darian Richards

NSA Member & Truckee Meadows Community College – Student Government Association (SGA) President



Andrea Sanchez De Loza

NSA Member & Western Nevada College – Associated Students of Western Nevada (ASWN)



Nicole Thomas

NSA Member & University of Nevada, Las Vegas – Graduate and Professional Student
Association (GPSA) President