



AB 540 Ally Handbook

California State University, Long Beach

2009

Introduction

**IMPROVING IMMIGRANT STUDENT SUCCESS:
AB 540 ALLY TRAINING PROJECT
A Professional Development Project for Faculty and Staff
California State University, Long Beach**

California State University, Long Beach celebrates over a decade of sustained efforts on the part of many people across the campus working to improve retention and graduation, the quality of the student experience, support for faculty, technological infrastructure and the physical campus. CSULB now aims to achieve still greater distinction in four areas: *student success*, *academic quality*, *service excellence*, and *campus environment*. Student success is identified as a priority in several policy and strategy documents and its main goal is to increase student retention and graduation with highly valued degrees. In the AB 540 Ally Training Project, the University will focus on improving undocumented immigrant student success.

Undocumented Students

Enrollment rates for undocumented college students are miniscule because very few states allow for eligibility for in-state tuition and/or financial aid. The National Immigration Law Center estimates that “each year about 65,000 U.S. raised students” that are undocumented are eligible for college.¹ Undocumented students in higher education tend to be the strivers, many not realizing until they apply to college that they are undocumented. They are Americanized, having entered the United States at an early age. By definition students who qualify for AB 540 came to the United States as minors. The United States Supreme Court ruled in 1982 that these children should be allowed access to a public school education (K-12) free of charge. Undocumented children are in California public schools and are indistinguishable from children who are US-born and lawful permanent residents. Advocates for undocumented students assert that these children must be taken out of the “immigration wars.” Several states, including California have taken measures to assist these students to attend college and continue their academic success and there is a movement in Congress to allow students to earn residency and eventually citizenship once they succeed in a postsecondary education program.

Undocumented students have special needs. If they qualify under California Education Code § 68130.5², which specifies that they must have gone to a California high school for three years and graduated, they qualify to pay in-

¹ National Immigration Law Center, Dream Act: Basic Information, April 2006

² In California, this group is generally referred to as AB 540 Students, named after the legislative bill by Assemblyman Marco Firebaugh

state tuition rather than out-of-state tuition. This group is usually referred to as AB 540 students, for the bill that authorized the eligibility. Those that are undocumented and attended less than three years pay out-of-state tuition. None of the undocumented students are eligible for California or federal financial aid, may not work on campus, and are not eligible to apply for paid state and federal internships or fellowships. They are also not eligible for drivers' licenses and many other benefits. Life for these students is much more restricted than for any other group.

An early 2006 study done by CSULB Institutional Research revealed that 200 of CSULB students are undocumented. The CSU and the CCC do not track the numbers of AB 540 students. The University of California does report data on the number of undocumented students³. For the entire UC system the total number of undocumented students for the same time period (2005-2006) is 390. Of that total, 380 enrolled as undergraduates and 10 as graduate students. UC undocumented students tend to come from lower socioeconomic backgrounds, with parent income reported less than \$40,000. Of the UC undergraduates, 161 were Chicano, 37 Latino, 29 Chinese, 80 Korean and 16 Filipino. Whites represented 18 and unknown 13. Among the rest of the Asian group were also included smaller numbers of Japanese, Vietnamese, Indian/Pakistan, Pacific Islander, Thai and other Asian.

“Immigrant youth do not typically receive much research attention.”⁴ So it is not surprising that higher education has not studied nor noted the fluctuation in their enrollment. The mission of the State Universities, however, requires attention to this population. It is important to learn more about them, to identify the significance causes for the shift in enrollment, and see how research proven best practices can enhance their access and success in higher education. Importantly, professional development for faculty advisors and staff is a request from a support group of immigrant students, some who are undocumented, and shared that the university cannot serve them well when employees are not aware of the extenuating circumstances that undocumented students confront. Embarrassment, frustration, and fear of revealing their personal situations often result in students not disclosing their immigration information. They fear that an employee may not be sympathetic to their particular situation. It is the students' belief that training will improve the campus climate for immigrant students.

The training will address the status of undocumented immigrant students enrolled at California State University, Long Beach (CSULB) by engaging the

³ University of California, Office of the President, Annual Report on AB 540 Tuition Exemptions, 2005-2006 Academic Year, November 21, 2006

⁴ Hill, Laura E., The Socioeconomic Well-Being of California's Immigrant Youth, Public Policy Institute of California, 1994-2004, page 81

faculty and staff to become informed about the status of undocumented immigrant students at CSULB and, apprised of best student success practices and other resources. A secondary outcome is to create a model that can be used in other venues, particularly by other professionals that also need to learn about undocumented immigrant students, the laws that impinge upon student lives, and policies and practices that can contribute to their academic success. Participants will learn the following:

- What are the requirements for AB 540 and how does it impact the students?
- How do AB 540 students experience the campus?
- Which academic and out of classroom support practices show the most promise for immigrant students?
- What is the Dream Act?

Program Goals

The goals of the AB 540 Ally Training are to:

1. Create a welcoming and supportive campus environment for undocumented immigrant students, thus assisting their integration into campus life.
2. Increase faculty and staff knowledge and effectiveness about the needs, concerns, and issues of undocumented immigrant students and their families
3. Educate faculty and staff about relevant immigration laws impacting students and related student issues and challenges.

AB 540 Ally Handbook

The AB 540 Ally Handbook is designed to increase the effectiveness of faculty and staff that advise AB 540 students. It is a complement to the AB 540 Resource Guide for Advisors of Undocumented Students. The AB 540 Ally Handbook is provided to faculty and staff that participate in the AB 540 Ally training. Upon successful completion of the training, the Ally is awarded an AB 540 Ally decal to post in his/her immediate work area. The decal informs the reader that the professional is sensitive to and informed about the educational needs of undocumented immigrant students.

Disclaimer

The information in this handbook is general in nature and serves as a guide. Some of the campus information is subject to change without notice. Some sections of the Ally Handbook have verbatim wording from the campus catalog or web based forms.

Immigration laws are complex, subject to change, and broad in their interpretation. This is not an immigration guide. Immigration questions should be referred to an immigration attorney.



Table of Contents

Objectives of the AB 540 Training Project	6
Ally Confidentiality Statement	7
What is AB 540?	8
State Law AB 540.....	8
AB 540 Guidelines & 68130.5 Requirements for Eligibility	8
AB 540 Ineligibility	8
AB 540 Affidavit	8
Brief History of AB 540	9
How else are Undocumented Students Impacted by their Status?.....	10
But There are Some Opportunities	10
Legal Challenges to the Education of Undocumented Students.....	11
Legislative Horizon.....	11
What is the AB 540 Resource Guide?	13
What is an Ally?	14
Becoming an Ally	16
Benefits & Risks of Becoming an Ally	17
When A Student Reveals	18
Effective Ally Strategies	20
A Culturally Proficient Ally	21
Creating an Inclusive Climate	23
Displaying the AB 540 Ally Decal	24
Participating in the Training	25
Acknowledgements	26



Objectives of the Ally Training Project



To establish a university-wide network of easily visible allies that can provide support, information, and assistance to undocumented students



To provide undocumented students comfortable access to trustworthy, knowledgeable, and sensitive people that can prove a safe and nondiscriminatory environment



To provide an opportunity for CSULB faculty and staff to demonstrate their support of undocumented students



To provide CSULB students an opportunity to respond to instances of discrimination and harassment based on perceived or self-reported immigration status



To educate members of the University community on the needs and concerns of AB 540 and other undocumented students



To assist University personnel in understanding the fear and discrimination experienced by students based on their immigrant status



To foster a campus atmosphere that supports the academic and professional success of immigrant students, as well as their personal and social growth



To advance the University's progress toward a campus that discourages discrimination and openly celebrates diversity



Ally Confidentiality Statement

One of the most important aspects of being an AB 540 Ally is that you are entrusted with providing an atmosphere of safety to those that come to you. In the simplest of terms, AB 540 Ally confidentiality means that what a student says to you is confidential and stays with you.

By posting the AB 540 Ally decal, you are sending the message that information shared with you will not be shared with others, unless the student has given you permission to do so. This is important for students who have not openly declared that they are undocumented, since one of the most common concerns is whether they should even tell anyone, and subsequent fears that someone will “out” them. Outing someone refers to telling others about a person’s immigration status without that person’s permission. Moreover, confidentiality is essential in order for students to share their reactions, opinions, and feelings with you.

It is, however also important to recognize that there are limits to confidentiality. It would not be appropriate to maintain confidentiality if a person shares that they intend to physically harm one’s self or another person. Protecting the immediate safety of the individual becomes more important than protecting their confidentiality. If you have concerns or questions about what constitutes confidentiality or limits to confidentiality, please contact Counseling and Psychological Services personnel at 562-985-4001.



What is AB 540?

AB 540 is a way that some undocumented students can achieve a college education. The following narrative will discuss key questions: What is AB 540? What is the history of AB 540? How can a student qualify for AB 540? Why is an Affidavit required? Will US immigration know how to find a student enrolled under AB 540?

State Law AB 540

On October 12, 2001, Governor Gray Davis signed into law Assembly Bill 540 (Stats.2001, ch 814) that added a new section, 68130.5, to the California Education Code. Section 68130.5 created a new exemption from payment of non-resident tuition for certain nonresident students who have attended high school in California and received a high school diploma or its equivalent.

AB 540 Guidelines & 68130.5 Requirements for Eligibility

- Must have attended a California high school for 3 or more full academic years (between grades 9 through 12, inclusive and does not need to be consecutive years.);
- Must have or will graduate from a California high school or have attained a G.E.D.; or received a passing mark on the California High School Proficiency Exam (CHSPE);
- Must register or is currently enrolled at an accredited institution of public higher education in California;
- Must file or will file an affidavit as required by individual institutions, stating that the filer will apply for legal residency as soon as possible;
- Must not hold a valid non-immigrant visa (F, J, H, L, A, E, etc.)

AB 540 Ineligibility

An ineligible student is one who does not meet the AB 540 criterion. In most situations, not having met the three years attendance at a California high school is what prevents a student from qualifying for AB 540. Students can still attend the university as long as they meet the admissions criteria and are accepted by the college or university, but must pay non-resident fees.

AB 540 Affidavit

The AB 540 Affidavit serves two purposes: one is to verify that the student meets the educational requirements, and the second is to certify the intent to establish legal residency. A copy of the Student Affidavit for Exemption of Non-resident Tuition is at <http://www.csulb.edu/depts/enrollment/forms/>. The affidavit and support documentation

of high school attendance and graduation should be submitted after the university makes an admission offer and before the student pays tuition and fees. Student information obtained this way is strictly confidential unless disclosure is required under law.

Brief History of AB 540

The legislation was signed on October 12, 2001. By January 2002, the law took effect for the California Community Colleges (CCC) and the California State University (CSU) as Education Code §68130.5. On January 24, 2002, the University of California Board of Regents voted to align the UC system with the CSU and CCC policy by adopting AB 540. AB 540 applies to “any student, except a person in non-immigrant status, who meets the specific requirements, shall be exempt from paying nonresident tuition at all public colleges and universities in California.” The law set out specific requirements, including an affidavit and provided that all information provided by the student would be kept confidential by the college or university. Each system allowed for an affidavit to be submitted to its system once, so long as enrollment was continuous. Students that transfer between systems would need to re-file the affidavit. The student attests under penalty of law on the affidavit that the student meets the enrollment requirements and provides the documentation (high school transcripts) and states that he or she will adjust his or her immigration status as soon as eligible to do so.

This law provides for exemption from paying nonresident tuition for some undocumented immigrant students that meet the requirements, many of whom came to the US at an early age, who have been raised in the US and who often do not find out until high school graduation that they are undocumented. The law does not cover all undocumented students because of the requirements. The students raised here know no other country as their own and in all likelihood will remain in the US. However, students qualified as AB 540 will not be classified as California residents.

Some undocumented students may have come on visas that have since expired. The Asian Pacific Islander (API) community has been the hardest hit by the visa exemption. Many API students enter the country with a visa and remain in the country. When they apply for AB 540, they state that they came in with a B or F visa and therefore are denied eligibility for AB 540. But some expired visa holders who are “out of status” may be eligible if they meet the requirements. Such students should still be encouraged to apply.

It is estimated that the number of undocumented students is about 1.8 million nationally, or 15 percent of all immigrants. About 65,000 graduate from high school annually. In California, the estimated number of undocumented high school graduates is 20,000 to 24,000. Only about five to ten percent go on to college and university. Since the inception of AB 540 about 600 of the 1,700 AB 540 University of California students were undocumented. The law is written to account for high school seat time and graduation, thus US born students who graduate and return to California do not have to wait out a year and a day to reclaim their state residency. They can use AB 540 to become exempt from paying out-of-state tuition. The University of California is the only institution that can report the numbers. The CSU and the CCC numbers are unknown,

but are estimated at about 3,000 for the CSU. The CCCs likely have the highest enrollment. At CSULB, the number is estimated at over 200. Overall it is estimated that since the passage of AB 540 in 2001, over 5,000 undocumented students have benefited.

How Else are Undocumented Students Impacted by their Status?

Undocumented students have many challenges. The following are examples that adversely impact them. They are:

- Not eligible for state and federal financial aid and support programs
- Not eligible for a California Drivers License
- Not eligible to have a Social Security Number (SSN)
- They have no work authorization
- No paid internships, fellowships
- Not eligible for some careers that require licensure, back ground checks, or SSN
- Cannot travel to conferences, field trips, and research colloquiums when official identification (ID) is required
- Inability to take tests for graduate school that are held off campus because they do not have the required ID
- Current immigration laws limit their opportunities to regularize their immigration status

Students have other challenges. They often have limited financial support from families and may in fact be expected to contribute to the family and may have other family obligations. Because they cannot legally drive, there are transportation issues and students have to rely on buses, often traveling two or three hours to get to school. They live with the fear of being detected by immigration authorities.

When on campus they face other barriers such as limited information about campus support, insensitivity, rudeness, and demeaning attitudes about the undocumented. These students are very aware of subtle exclusory language and often assume that if not explicitly included, the services must not be for them. Simple accommodations often go unoffered because faculty and staff simply do not know what to do.

But There are Some Opportunities

- They can receive private grants and scholarships
- They can pay taxes using the Individual Taxpayer Identification Number (ITIN) instead of the SSN
- They are eligible for all other campus services

While undocumented students are not eligible for federal and state aid, they can apply for private funding. Financing their education is the primary issue, yet many of the scholarships require US citizenship or legal residency. Students and advisors should inquire whether AB 540 students might be eligible to apply by using their ITIN. Students will have to pay taxes for any awards beyond their tuition, such as books and supplies. Furthermore, if a student filed an application with the Citizenship and Immigration Services (CIS), the student may already be eligible for resident fee status and also able to receive financial aid. Students will receive a letter from the United States Citizenship

and Immigration Services informing them of this. Students who receive the letter can take it to the Financial Aid office on campus to inquire about their eligibility. Students should speak with their attorney, because utilizing any public benefits while undocumented can be deemed grounds for automatic deportation on the day the individual is able to regularize his immigration status.

Legal Challenges to the Education of Undocumented Students

Individuals interested in the legal pendulum of immigration law may want to review the following cases:

- 1982 Plyler vs. Doe: The US Supreme Court held that K-12 students regardless of immigration status have the right to a K-12 public school education. In its findings, the Court held that children of undocumented immigrants are protected under the due process clause of the 14th Amendment. The ruling meant that the state could not force out-of-status immigrant children to pay for public school education. The ruling supported all students, including language minority students, migrant students, and homeless students with meaningful and appropriate educational programs, allowing all students the same benefits and rights of participation regardless of race, color, disability, sex, religion, national origin, or age.
- 1986 Leticia A vs. the UC Regents and the CSU Board of Trustees: The Alameda County Superior Court ruled that undocumented immigrants that had graduated from a California high school were eligible to attend the University of California (UC) and the California State University (CSU) and avoid out of state fees. The decision allowed “Leticia A” students to be treated as residents for tuition and state financial aid purposes. The California Community Colleges system (CCC) was not mentioned in the ruling, but the CCC implemented the policy. The California Student Aid Commission also voted to follow the Leticia A ruling, even though it was not part of the litigation, resulting in low income qualified undocumented students of that era being eligible for the Cal Grant Program.
- 1991 Bradford vs. The UC Regents: The Los Angeles Superior Court overturned the Leticia A ruling for both the UC and the CSU. The CCC followed suit.
- 1996 Illegal Immigration Reform and Immigrant Responsibility Act: barred immigrants from receiving a public benefit. This law prevented non-citizens from receiving any type of federal benefit. AB 540 does not create a conflict to federal immigration law because paying in-state tuition does not constitute a benefit.
- Other Legal Challenges to In-State Tuition: A 2005 Kansas case, Day vs. Selecus was thrown out of court because the plaintiff could not show that they were “injured”. A 2006 California case, Martinez vs. Regents was dismissed and found AB 540 consistent with federal law. It was appealed and sent back to trial, but AB 540 is still in effect.

Legislative Horizon

Only Texas, Oklahoma, and New Mexico provide financial aid to undocumented students. The California Legislature has passed a number of bills aimed at expanding eligibility of AB 540 and providing State aid, but the Governor has vetoed the bills. There is continued support in the Legislature for a bill that would allow students to

compete for institutional aid. This bill has been widely known as the California DREAM Act, named after the federal DREAM act.

The federal DREAM Act (Development, Relief, and Education for Alien Minors Act) is a bipartisan bill in both houses of Congress. It would provide for high school graduates who were brought to the US as children (before age 16) and have lived here for at least five years, and demonstrate good moral character, and have no criminal record, and enroll in college or the military for two or four years to apply for conditional resident status.

The bill would:

- Provide protection from deportation for children 12 years of age and older that are enrolled in primary and secondary school.
- Grant conditional resident status to students that have graduated from high school or obtained the equivalent, are enrolled in two or four-year institutions of higher education or have enlisted in the armed forces.
- Allows those granted conditional resident status to become permanent residents if they have successfully completed two years of college or two years of military service.
- Enable students to be eligible for subsidized student loans, federal work-study and state financial aid programs. They would not be eligible for Pell Grants.

It is the only immigration reform proposal reported to the Senate floor in the 108th Congress. Since then, the DREAM Act has been held out to be included along with comprehensive immigration reform. Once passed, the DREAM Act would allow 360,000 high school graduates to gain the legal means to work and it is estimated that 715,000 children would be motivated to finish high school. The racial/ethnic breakdown of the undocumented is estimated to be 56 percent Mexican, 22 percent Latin American, 13 percent Asian, 6 percent from Europe and Canada, and 3 percent from Africa and other regions of the world.



What is the AB 540 Resource Guide?

The AB 540 Resource Guide is a CSULB handbook for advisors who serve undocumented students. It is available as a stand-alone document for advisors, and is a required complement to the AB 540 Ally Training Project. The guide is available on line at <http://www.csulb.edu/ogcr> . The guide is designed to address the most common questions raised in the course of advising undocumented students.

It includes information on the following:

Section One: Laws and Regulations

Section Two: University Policies and Procedures

Section Three: University Programs and Services

Section Four: Community Support

Section Five: Frequently Asked Questions

Section Six: Faculty and Staff Resource List

This section provides the names, email, and phone number of advisors that you may call upon for referral and when you or students need assistance.



What is an Ally?

An Ally of AB 540 and other undocumented students is a person who:



Acknowledges that AB 540 and other undocumented students have a right to be enrolled in the university



Becomes informed about the rights afforded by law to AB 540 students



Finds legal alternative ways that assist students meet academic requisites when the students are excluded by law from regular participation in employment, federal and state aid, federal programs, paid internships, travel, or the use of identification forms that they do not have, etc



Believes that children and youth ought not to be targets of anti-immigrant discrimination; i.e., children should be left out of the immigration “wars”



Knows that because of negative attitudes toward illegal immigration and the lack of legal rights accorded to children and youth who are undocumented, that a person who has legal status has more power in initiating institutional support and can advocate against prejudice and discrimination



Listens openly, yet does not interrogate the student on their immigration status



Does not “out” the student to others, without the student’s permission



Does not encourage students to act on matters that may compromise them when they have the opportunity to adjust their status



Creates a climate of trust that allows the student to reveal their situation at their own pace



Handles student’s emotions with reserve, empathy, and support, and refers to appropriate professional campus staff as needed.



Follows up on referrals to assess the effectiveness of the referral



Is clear about his or her own personal motivation in becoming an Ally



Is committed to maintaining confidentiality and respecting the privacy of people who are undocumented



Becoming an Ally

The four basic levels of becoming an Ally:

Awareness: Gain awareness by opening yourself to the possibility that some of the students in your class or program are undocumented. Attend training sessions on AB 540; go on-line and read about AB 540 and the DREAM Act.

Knowledge: Begin to understand policies, laws, and practices and how they affect the undocumented students. Educate yourself on the many communities of undocumented immigrants.

Skills: Take your awareness and knowledge and communicate it to others. You can acquire these skills by attending workshops, role-playing with friends and peers, and developing support networks.

Action: To effect change that improves undocumented immigrant student success, you must act. This can be as simple as allowing substitutes for paid internships, placements in non-public agencies where a background check is not required, to assisting students by getting to know them so that you can write effective letters of recommendations when they apply for the only financial aid available to them—scholarships.

Five points to remember:

One: Be aware of your own assumptions about the undocumented. AB 540 and other undocumented students are a diverse group who are not individually distinguishable from every other student. Each group has its own cultural tendencies about revealing themselves to others.

Two: It is better to be preemptive than reactive. Indicate in your course requirements that students who need alternative placements should talk privately with you, or openly offer alternatives to all students, including AB 540 students.

Three: If a student reveals that he or she is AB 540, do not interrogate them about their immigration status. Listen attentively. If you do not know how to help them, tell them that you will find out and then get back to that student.

Four: Recognize that some others may be intolerant of the undocumented and that you may be a target as well.

Five: Do not ever give immigration advice, or suggest that one can identify himself or herself as a US citizen, drive without a license, or use false identification.



Benefits & Risks of Becoming an Ally

Some benefits of being an Ally

- You learn accurate information about the undocumented
- You learn more about the residency and diversity of the AB 540 student population
- You have the opportunity to develop closer relationships with a wider range of people
- You may make a difference in the lives of young people who see you speak supportively of their population
- You empower yourself to take a more active role in creating a broader student success climate on campus
- You are a role model to others. Your actions may influence others and help them find the inner resources to speak and act in support of undocumented students

Some risks of being an Ally

- You may become the subject of gossip or rumors
- You may experience alienation from others who are not comfortable or tolerant of the undocumented
- Your patriotism, your politics, and your morality may be questioned by people who believe that the undocumented must be deported, even if the children are here through no fault of their own
- Others may speculate about your motivation and wonder what is in it for you
- You may become a target of discrimination
- Due to past negative experiences, undocumented students may not trust you and may question your motivation

Adapted from Evans N.J. & Wall V.A. (1991), "Beyond Tolerance: Gays, Lesbians, and Bisexuals on Campus". Alexandria, VA: American College Personnel Association and CSULB Safe Zone Becoming an Ally.



When a Student Reveals

When a student comes out to you, they share information about their immigration status with you with the keen awareness of the risks involved: the risk of jeopardizing their relationship with you, the risk of being rejected, and the risk of being denied success in your class or program. Unless you have given some indication of your feelings or beliefs about the undocumented, they may have no way of knowing in advance whether your reaction will be positive or negative.

What are some situations in which someone might come out to you?

The student may come out to you because you are a member of his or her own ethnic/racial group.

They feel that you are a person who will be understanding and accepting, and therefore trust you with very personal information.

They may not know how you will react, but they cannot complete the course requirements without telling you of their inability to comply with the requirements due to their situation.

They may come out to you because you are in a position to assist them with a concern, provide them information or access to certain resources.

They may come out to you because another student gave them your name.

How might you feel after someone comes out to you?

Surprised	Not sure how to help
Inquisitive	Not sure what to say
Impatient	Not sure how to find out what to do about the matter
Supportive	Want to help them seek out alternatives
Angry	Upset about anti-immigrant sentiments

How you react to their disclosure is critical. It can potentially help them or discourage them enough that they will abandon seeking help from you. The more positively the person receives the information, the more comfortable he or she will make the student. The student may even share their ambivalence about telling you. Assure them of confidentiality, do not try to “fix” everything without knowing what could jeopardize a student’s immigration status, do not give them false hope or “guesstimates”.

What you should not say:

Are you illegal?
How did you get here?
Tell me about your immigration status.
So how do you live?
Is your family illegal too?
I can't believe they let in illegals!
There are no alternatives to my requirements.

Ways you can help when someone comes out to you:

Do not ask questions that would be considered rude. If you would like more information, ask in an honest and respectful way. If you show a genuine and respectful interest in their situation, they will most likely appreciate it. Some good questions are:

Is there some way I can help you?
If I do not have the answer to this, is it okay if I ask someone that does?
How do you suggest we work this out?

Do not assume that you know what it means to be undocumented. They may not want you to do anything, as much as they need information or referral. The student may just want you to know that they are not slackers; for example, they may want you to know that they simply do not have the financial resources or the ability to travel by car or travel abroad.

Consider it an honor that the student has trusted you with this very personal information. Thank them for trusting you.

Clarify with them what level of confidentiality they expect from you. They may not want you to tell anyone.

If you do not understand something or have questions, do not expect the student to be your informant on the undocumented.

Remember that not all undocumented students are AB 540 eligible.

If you find yourself reacting negatively, remember that your feelings may change. Try to leave the door open for future communications.



Effective Ally Strategies

Take responsibility for your own education on issues related to the undocumented. Take the initiative to become as knowledgeable as you can on issues of concern to students who are immigrants and who may be undocumented, children of undocumented, or US born siblings of undocumented

Assume that the issues of prejudice and discrimination of immigrants and others are everyone's concern, not just the concern of those who are targets of prejudice and discrimination

Assume that young people have a right to education and they have done nothing wrong to become undocumented

Assume that immigration policy changes and it is just a matter of time before there is comprehensive immigration reform that gives law abiding, educated young people a pathway to legal residency and naturalization

Assume that US raised undocumented immigrant youth want to stay in the US and realize the "American Dream" as much as any other US born and raised youth

Avoid engaging in giving advice or assistance that would compromise their future pathway to citizenship

Create opportunities for allies to reduce xenophobia and create a welcoming campus climate

Get to know specific students so that you can honestly write them highly effective letters of recommendation that will help them apply for scholarships to finance their education

Within the spirit of academic standards and legal requirements, become flexible about course and program requirements so that they do not cause barriers for undocumented students' academic success

Graciously accept any gratitude you may receive, but do not expect gratitude.

Adapted from Shervor-Marcuse, R (1990) Working assumptions and guidelines for alliance building. Presented as part of an Ally Program at the annual ACPA Conference, Atlanta, GA. and CSULB Safe Zone Becoming an Ally



A Culturally Proficient Ally

Cultural proficiency is not an end state, but an ongoing process. A culturally proficient person acknowledges both individual and group differences. She or he does not walk around wondering or complaining, “Why can’t they be more like us.” Rather people striving toward cultural proficiency welcome and embrace opportunities to understand themselves as individuals, while at the same time embracing the opportunity to learn. Think of the process of striving toward cultural proficiency as being along the following continuum.

Cultural Destructiveness: the elimination of other people’s culture, either on an individual level or on a group level. Extremes include genocide and enslavement. Yet English-only policies or “renaming” a student because you cannot pronounce his or her name is culturally destructive.

“This is America, and everyone speaks English.”

Cultural Incapacity: the belief in the superiority of one’s own culture and behavior such that it disempowers another’s culture. Restrictive immigration laws, overt biases, and discriminatory hiring practices are culturally incapacitating.

“I didn’t know she was Mexican. She doesn’t look Mexican to me.”

Cultural Blindness: acting as if the cultural differences one sees do not matter, or not recognizing that there are differences among and between cultures.

“When a student walks in, I don’t see color or ability or gender. I only see a student.”

Cultural Pre-competence: an awareness of the limitations of one’s own skills or an organization’s practices when interacting with other cultural groups. This can happen when underrepresented groups are recruited to a campus/company/organization, but no support is extended, nor is there an effort made to learn more about the differences between groups.

“We need a Korean vice principal to help us with the Korean students.”
“During Black History month, we have “soul food” day.”

Cultural Competence: interacting with other cultural groups using the following:

- Acceptance and respect for differences

- Ongoing reflection on one's own culture and cultural beliefs
- Model culturally inclusive behaviors (i.e. using Spanish pronunciations)
- Adapt one's values and practices to acknowledge culture

Let's really look at how this school event might impact handicapped persons, immigrants, gay men and lesbians, and those students with no group representation."

Cultural Proficiency: the culturally proficient person...

- Values diversity
- Assesses one's own culture, and the impact of one's culture on others
- Manages the dynamics of difference through effective conflict resolution styles
- Incorporates and integrates cultural knowledge into one's practices, and educates others on the damage created by stereotypes, prejudices, and cultural ineptitude
- Adapts to diversity by developing cross-cultural skills and striving to understand the dynamics of cross-cultural differences



Creating an Inclusive Climate

Chances are most of us know an undocumented immigrant. About 15 percent of immigrants are undocumented and even documented immigrants can become undocumented at one time or another during the years after they apply for citizenship and when they are naturalized. It is not unusual for immigrant families to have members who are documented and undocumented.

AB 540 and other undocumented students look just like their peers and may be in your classes and in your programs. It is only when they feel comfortable with you that they will reveal their status. Therefore, it should be seen as a compliment to you and appreciated as an honor that these vulnerable students see you as a person who can give them honest, direct, and informed advice while protecting their confidentiality.

These guidelines provide some suggestions for creating an environment that is open, comfortable, respectful, and welcoming for students who are undocumented.

- Treat the topic of the student's concern as you would any other human difference
- Avoid making assumptions about a student's status based on their race, ethnicity, accent or appearance
- Avoid judgment language that creates barriers. Do not communicate that the student or their parents are at fault or should be ashamed of their status
- Refuse to tolerate derogatory or anti-immigrant jokes, name calling, or remarks
- Discourage others from assuming that immigrants are scapegoats for economic ills and burdens on society
- Do not grill the student to reveal the details of their immigration status. Respectfully ask for the information you need to find alternatives for the presented problem, but do not inquire into other private matters
- After coming out to the campus, some students are emboldened to become advocates. This is their choice. Advisors should avoid encouraging students to take risks that could jeopardize their future application for naturalization



Displaying the AB 540 Ally Decal

The AB 540 Ally decal was designed by an AB 540 student and accepted by the members of FUEL (Future Underrepresented Educated Leaders), a university recognized support group for undocumented students. The decal represents the outstretched arm of the Statue of Liberty, a symbol of welcoming of immigrants to the United States. The book is a symbol of education, the dream that AB 540 students pursue in order to achieve the “American Dream.”

The decal should be displayed in the office or immediate work area of the individual who has successfully completed the AB 540 Ally Training Project. It represents to AB 540 and other undocumented students that the individual who has the decal prominently displayed is an Ally, informed about the law and able to give competent and confidential advice.

The decal should not be displayed in an area where other employees may be confused with it. It belongs only to the individual who has received it and not the office at large.



Participating in the Training

University personnel wishing to participate are invited to apply to the project. Training is offered periodically. Participation is individual and voluntary. Allies may also nominate individuals to participate. Supervisors, however, are not encouraged to recommend or require their staff to participate. Interest in the training may be communicated to Dr. Elena Macías at emacias@csulb.edu.

Only individuals who successfully complete the training will be awarded the decal. Participants must display the characteristics of an Ally in order to successfully complete the project. The judgment of the training staff is final and may not be appealed.



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