

Protecting Myself and my Family as DACA Ends

Adapted from resources from the Immigrant Legal Resource Center (ILRC) and the Illinois Coalition of Immigrant and Refugee Rights (ICIRR).

September 5, 2017

On September 5, 2017, Attorney General Jeff Sessions announced the end of the Deferred Action for Childhood Arrivals (DACA). Because DACA is an executive action and not a law, the Administration has broad authority to end or change the program. Northeastern Illinois University understands that undocumented students and their families may feel anxious, uncertain, or confused about how the end of DACA may affect them in the short term and long term. We have compiled this information, and pledge to keep our students and the rest of the NEIU community informed of developments as we learn them.

DACA Applications and DACA Renewals

I think I qualify for DACA, but I have not submitted my initial application. Can I still apply?

No. The Trump administration will no longer accept initial DACA applications after September 5, 2017.

I currently have DACA. What will happen to my DACA work permit?

DACA employment authorization documents (also known as work permits) will generally continue to be valid until their expiration dates. As such:

- You have the right to continue working lawfully until your work permit expires.
- You are under no obligation to inform your employer that DACA has ended.
- Your employer does not have the right to ask you whether you are a DACA recipient or how you got your work permit.
- Your employer does not have the right to fire you, put you on leave, or change your work status until after your work permit has expired. If your expiration date is nearing, your employer may ask you for an updated work permit but cannot take any action against you until after it is expired.
- For more information about your rights as an employee see this advisory:
<https://www.nilc.org/issues/daca/daca-and-workplace-rights/>

I currently have my initial DACA application or my DACA renewal pending with USCIS. What will happen to my case?

If you submitted your initial application before September 5, 2017, it will be processed normally by USCIS. Renewal applications must be submitted by October 5, 2017 in order to be considered by USCIS.

I haven't submitted my DACA renewal, but my DACA is going to expire soon. What should I do?

If your DACA expires before March 5, 2018, you can renew your DACA status. Renewal applications must be submitted by October 5, 2017 in order to be considered by

USCIS. DACA recipients whose work permits expire on March 6, 2018 or later will not be able to renew.

What will happen to my Social Security Number (SSN)?

Your SSN is a valid SSN number for life, even once your work permit and DACA approval expires. If you have not yet applied for your valid SSN, find your nearest Social Security Administration office at <https://www.ssa.gov/chicago/illinois.html> and apply immediately. You should continue to use the SSN you received through DACA even after your work permit expires. Your SSN contains a condition on it that requires a valid work permit to use it for employment purposes.

Driver's Licenses and Other Forms of Identification Cards

What will happen to my driver's license or state ID?

In Illinois, immigrants can get regular driver's licenses if they can provide SSNs and are currently eligible for an SSN. So long as your work permit is valid, you will be eligible for an SSN and therefore eligible for a regular license. Under new Illinois laws that took effect in 2016 and 2017, anyone applying for an initial regular driver's license now must provide proof of immigration status. Any such licenses will expire on the same date that the applicant's status or work permit expires. In other words, if you have DACA and an SSN and you are applying for a license for the first time, you can get a regular license, but that license will expire on the same date as your work permit. If you are renewing a regular license first issued before July 1, 2016, and your license has not lapsed for more than one year, you should not be asked to produce any immigration documentation, and you should not volunteer any documents or information about your status. If your work permit expires or is terminated, you can apply for a Temporary Visitor Driver's License (TVDL), which will be valid for three years. TVDLs are visually distinct from regular licenses and are not valid for identification purposes. For more information on TVDLs, please visit the Illinois Secretary of State's website, <http://www.cyberdriveillinois.com/departments/drivers/TVDL/home.html>

Travel on Advance Parole

DACA recipients should be cautious about travel abroad on advance parole.

- If you are outside the country with advance parole, make sure to return right away and while your advance parole and EAD are valid. DHS has stated that it will generally honor previously granted advance paroles, but that it retains the authority to revoke or terminate an approved advance parole. The safest route is to return as soon as possible.
- If you have been granted advance parole under DACA but have not yet left the United States, speak with an attorney to determine potential risks before doing anything.
- DHS is NOT granting any new applications for advance parole even if your DACA is still valid.

Other Immigration Options

Many DACA recipients may be eligible for another immigration option to get a work permit or even a green card.

- Talk to an immigration services provider to understand your legal options and if you might be eligible for another immigration benefit.
- Avoid fraudulent service providers: confirm their credentials, ask for a written contract and a receipt for any payments, and if you have doubts, get a second opinion.

Criminal Issues

Any criminal arrest, charge, or conviction can put you at risk with immigration authorities.

- Avoid contact with law enforcement that may result in a criminal arrest. If you end up being arrested, make sure to consult an expert immigration attorney.
- If you have a criminal conviction, find out if it can be changed to lessen the impact on a future immigration case you may have.
- Under the Illinois TRUST Act, police cannot stop, search, or arrest you based on your immigration status, and cannot arrest or hold you based on an immigration warrant or detainer where there is not also a warrant issued by a judge. (This law might not apply in some communities.) For more information about the Illinois TRUST Act, please visit www.trustinil.org.

Know Your Rights

Everyone – whether documented or undocumented -- has rights in this country.

- Do not open the door unless the agents have a warrant signed by a judge
- Do not sign any documents you do not understand
- Remain silent
- Record and report the incident—call the Family Support Hotline at 855-HELP-MY-FAMILY (855-435-7693)
- Keep a **know-your-rights card with you at all times. ICIRR has created cards** in six languages (English, Spanish, Korean, Polish, Arabic, and Urdu). These cards are available at NEIU Undocumented Student Services Office, 3rd floor of the Administration Building, at ICIRR's office, and online at www.icirr.org/content/documents/kyr_card_2017.pdf

NEIU Resources

At NEIU, faculty, staff, and administrators have the obligation to serve you and as an NEIU student, you have the right to utilize the services we provide you. Here are some resources around campus that may be helpful as you navigate this transition.

Remember, it is best if you remain enrolled in the University and that you graduate as new types of immigration relief are being proposed to Congress.

Counseling Services

If you are suffering from anxiety, depression, suicidal thoughts, anger, or any other type of emotional distress, counseling and therapy can enable you to understand and deal with those issues. It can free you to make clearer and healthier decisions. To speak with a counselor here on campus, call NEIU's Counseling Services (773) 442-4650 to make an appointment or visit us in building B, office B119, on the Main Campus.

Your Information and Records

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student records, both academic and financial. However, in the case of a subpoena, the University is obligated to release information regarding a student. There is information, referred to as “Directory Information” that NEIU could release without a subpoena. The following are designated as Directory Information:

Student name, address, telephone number, dates of attendance, enrollment status, level, previous institutions attended, fields of study, awards, honors, degrees conferred with dates, past and present participation in officially recognized sports and activities, prior military service, campus e-mail address, date and place of birth, and photograph.

Under the provisions of FERPA, you have the right to withhold the disclosure of Directory Information. To learn more about this process and what it means, please contact Dan Weber, University Registrar at D-Weber3@neiu.edu. Dan is located in Enrollment Services (D-101).

Scholarships

Northeastern’s Financial Aid Office strives to provide services and programs to all Northeastern students in support of their education. Northeastern’s talent and merit tuition scholarships do not require U.S. citizenship. \$1million is available to qualified students. In addition, 96% of NEIU Foundation scholarships (\$115,200) do not require U.S. citizenship. The Aspire Scholarship and the Undocumented Student Fund are both exclusively open to undocumented students. To apply for these scholarships visit <https://neiu.academicworks.com/>

Undocumented Student Resources

Northeastern’s Undocumented Student Resources strives to continue addressing the concerns, needs, and development of undocumented students, and the faculty and staff who work with them on a daily basis. We do this by providing students with one-on-one life advising, connecting students with University and external resources, providing purposeful programing, training our faculty and staff, connecting with community based organizations and immigration experts. Please contact Luvia Moreno, Director of Undocumented student Resources at Lu-Moreno@neiu.edu or call her at (773) 442-4601. Luvia is located in the 3rd floor of the Administration building.

University Police

The University Police will continue its practice **not** to arrest or detain someone solely on the belief that the person is not a legal resident of the U.S. Additionally, U.S. Immigration and Customs Enforcement (ICE) agents will not be permitted to use University Police facilities or equipment to question someone based solely on their immigration status. For your safety and security, Campus Police can be contacted at (773) 442-4600.

Undocumented, Resilient, and Organized (URO) Student Club

URO is composed of undocumented and ally students who can relate. URO is more than just a student organization that advocates on behalf of undocumented students, URO is a space in which critical consciousness is being learned and expressed. It is a place where you can speak out, raise your voice, challenge, resist and fight against injustices of all types and at all levels. They welcome anyone interested in immigrant justice. To learn more about the club or to contact the officers, email them at uroneiu@gmail.com

External Resources

Northeastern has many community partners who advocate on behalf of and provide resources to undocumented immigrants. One of them may be near you.

- List of non-profits organizations authorized to provide **free or low-cost immigration services** and a list of trusted private attorneys and law firms prepared by ICIRR:
http://www.icirr.org/content/documents/agency_referral_2017.pdf
http://www.icirr.org/content/documents/attorney_referral_2017.pdf
- List of health **mental health resources** prepared by the Coalition of Immigrant Mental Health (CIMIL):
<http://cimhil.org/resources/mh-directory/>