EDUCATIONAL INEQUITIES: UNDERSTANDING AND ADDRESSING OBSTACLES CONFRONTED BY UNDOCUMENTED SCHOLARS PURSUING A GRADUATE EDUCATION IN THE UNITED STATES

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ABSTRACT

The following literature review explores the challenges undocumented scholars in the United States encounter as they pursue graduate education. By focusing on the legal constraints, economic hardships, lack of opportunities and resources, lack of familial support as first-generation students, and institutional responses, the review aims to provide a comprehensive understanding of the obstacles this unique population faces. Specific attention is placed on the impact of legal constraints, economic standing, and institutional practices. This literature review reveals that undocumented scholars pursuing a graduate education face a myriad of challenges stemming from their immigration status, which is followed by legal restrictions and financial hardships. The findings suggest that undocumented individuals encounter difficulties accessing financial aid at both state and federal levels. Undocumented individuals also face challenges as they seek internships, licensure, and employment within their field of study. These challenges impact academic achievement, long-term career prospects, and overall well-being. The literature reveals the need for future research to explore underrepresented demographics and to shift focus to individuals who are not DACA-eligible. This shift is necessary to create inclusive policies and institutional initiatives that support the specific needs of undocumented graduate students.

Keywords: *undocumented*, *DACA*, *DACA-eligible*, *graduate student*, *lawful presence*, *lawful immigration status*

Obtaining postgraduate degrees presents a myriad of obstacles for undocumented individuals. This literature review focuses on the barriers that undocumented students pursuing graduate degrees face in the United States due to their immigration status, economic standing, lack of resources and opportunities available at both regional and national levels, and the lack of familial support as first-generation students. The legal constraints surrounding financial aid, employment opportunities, and professional and occupational licensure for undocumented individuals will also be discussed. In addition, the economic constraints that impact the ability of undocumented individuals to pursue graduate degrees, such as the ability to cover tuition, living expenses, and other costs, will be explored. The lack of familial experience with higher education as first-generation students, particularly at the graduate level, and how this impacts undocumented graduate students navigating these programs will also be examined. This article concludes by addressing existing policies and making recommendations for policy and institutional improvements to aid in confronting these issues. The article will be organized into subsections addressing the lack of research on this topic and the distinct obstacles that undocumented individuals face as they pursue a graduate degree in the U.S.

DEFINITIONS

For this article, the term *undocumented* refers to anyone who is neither a lawful permanent resident nor a U.S. citizen and does not have official government authorization to be in the United States (Wong & Guarneros, 2015). Deferred Action for Childhood Arrivals (DACA) is a program that exercises prosecutorial discretion to defer deportation proceedings against a person for a certain period. DACA does not provide legal status; instead, it serves as a temporary protection from deportation and establishes lawful presence (U.S. Citizenship and Immigration Services, 2023). Lawful presence, however, does not equate to having lawful immigration status. Lawful immigration status refers to non-citizens who are considered legally present in the United States and generally includes lawful permanent residents, nonimmigrants, refugees, asylees, parolees, noncitizens in temporary protected status, and noncitizens present in the Commonwealth of the Northern Mariana Islands (CNMI) who satisfy CNMI requirements (U.S. Citizenship and Immigration Services, 2021). Deferred action holders are deemed as "lawfully present" for purposes of engaging in specific benefit programs, such as Social Security (Werlin, 2016). This implies that an individual with deferred action may remain in the United States. as long as immigration agencies exercise discretion (Werlin, 2016). DACA recipients are individuals who have been granted DACA and are lawful present in the United States. DACA-eligible refers to undocumented youth who would have been eligible for the DACA program but could not submit their application due to the program's ongoing litigation in the courts (Salazar-Chavira, 2023). A graduate student is an individual who holds a bachelor's degree and is pursuing further education in a particular field (U.S. Department of State, 2015).

BACKGROUND AND CONTEXT

For decades, undocumented students pursuing higher education in the U.S. have faced substantial barriers due to their immigration status. Notably, in June 2012, President Obama announced Deferred Action for Childhood Arrivals (DACA), thanks to the efforts of immigrant youth and activists around the country (Wong & Guarneros, 2015). DACA is a form of prosecutorial discretion that grants certain young undocumented individuals who entered the country as children, work authorization and temporary protection from deportation; it must be renewed every two years as it does not grant permanent legal status (American Immigration Council, 2021). DACA, however, was only created as a temporary solution for young immigrants and to promote the enactment of a comprehensive immigration reform (Wong & Guarneros, 2015). In 2017, the Trump administration rescinded the DACA program, which prompted legal battles, including Supreme Court rulings. In 2022, DACA was deemed unlawful by the U.S. Court of Appeals for the Fifth Circuit, which barred new applicants from the program. Under the final rule, DACA recipients can continue renewing their deferred action and work permit; however, U.S. Citizenship and Immigration Services (USCIS) cannot process new DACA requests (U.S. Citizenship and Immigration Services, 2023). It is worth noting that not all undocumented students are DACA recipients or DACA-eligible due to the program's specific requirements; therefore, the issues that undocumented individuals face in higher education must be addressed beyond the scope of those currently benefiting from the program.

Undocumented students are confronted with the intricacies of not having a legal status, lack of familial support, economic standing, and opportunities available at both regional and national levels. As Freeman and Valdivia (2021) noted, the educational environment for undocumented students at the graduate level has not been adequately researched. A comprehensive review of how these problems affect postsecondary education, immigration integration, and social inclusion is necessary (Ballerini & Feldblum, 2021). The lack of scholarly research addressing the obstacles faced by undocumented students pursuing graduate degrees in the United States proves the urgency to fill this knowledge gap. By critically examining the current body of literature, the primary goal is to make substantive contributions to the ongoing discourse about policy, advocacy, and support systems. These contributions aim to provide actionable recommendations for alleviating the myriad of obstacles encountered by undocumented scholars without DACA who are pursuing graduate degrees in the United States.

SEARCH METHODS

This literature review was conducted through a systematic review of relevant literature through online databases. The online databases used included Google Scholar, SAGE, Grand Canyon University Library, National Library of Medicine, Semantic Scholar, and U.S. Citizenship and Immigration Services. Search terms across these databases included various combinations of the following keywords and phrases: undocumented students in higher education OR in graduate programs OR graduate degrees in the U.S., firstgeneration students AND undocumented students, AND barriers OR obstacles in higher education, AND immigration status, lack of resources, lack of familial support, undocumented students in graduate programs AND lack of opportunities at regional levels OR national levels, DACA, and final rule.

REVIEW OF LITERATURE

Most individuals without lawful legal status are eligible to pursue a graduate education; however, they must carefully weigh several considerations before deciding to enroll in a graduate program. The most important aspects to consider when applying to graduate programs are location, resources, and financial assistance available to undocumented students (Cook & Gaylord, 2018). The cost of graduate education is a significant factor for undocumented students and depends on how each school categorizes the student (Cook & Gaylord, 2018). According to the Education Data Initiative, the average cost of a master's degree in the United States is between \$56,000 and \$75,000 (Hanson, 2024b). Additionally, the average cost of law school is approximately \$230,163 (Hanson, 2024c), and the average total cost of medical school is about \$235,827 (Hanson, 2024a). Nevertheless, as of 2021, 408,000 undocumented students were enrolled in U.S. higher education, with just 14.2% pursuing graduate or professional degrees (American Immigration Council & President's Alliance on Higher Education and Immigration, 2023). According to a study by Lara and Nava (2018), undocumented graduate students face various hurdles, such as funding their education, driving to work and school due to a lack of ability to obtain driver's licenses, and being ineligible for most forms of financial aid due to their immigration status, including fellowships and internships. It should be noted that since the program was halted in 2022, the number of students with DACA, or who are DACA-eligible, continues to drop each year, accounting for merely one-third of undocumented students and 0.7% of all college students (American Immigration Council & President's Alliance on Higher Education and Immigration, 2023). Notably, of the overall undocumented student population, 45.7% are Hispanic, 27.2% are Asian American Pacific Islander (AAPI), 14% are Black, and 10% are White (American Immigration Council & President's Alliance on Higher Education and Immigration, 2023). The following literature review will address additional obstacles undocumented students face as they pursue graduate education, including the lack of familial support as first-generation students, existing policies, immigration status, legal constraints, economic standing, and the lack of resources and opportunities at regional and national levels.

LACK OF FAMILIAL SUPPORT AS FIRST-GENERATION STUDENTS

The lack of familial support impacts the academic journey of undocumented graduate students, particularly those who are first-generation students. To begin, DACA and undocumented students are among the most vulnerable first-generation college students as they live in an unpredictable and frequently invisible environment where state and federal regulations constantly interfere with their ability to pursue higher education (Salazar-Chavira, 2023). Although research shows that families of undocumented students generally support their educational endeavors, it can be challenging to navigate the graduate school process as a first-generation student (Freeman & Valdivia, 2021). Undocumented young adults have additional challenges as first-generation students because they must navigate the intricacy of immigration-related policies and practices at local, state, federal, and institutional levels (Freeman & Valdivia, 2021). The parents of undocumented students play an important role in their children's educational journeys. According to research participants, familial support was essential to their success during their time in higher education (Lara & Nava, 2022). Although parents of undocumented students provide encouragement, advice, and home-employed pedagogies, they are unable to provide guidance on U.S. education (Lara & Nava, 2022). A study by Freeman and Valdivia (2021) revealed that undocumented students pursuing graduate school are among the only ones within their immediate network of family and friends to do so. Thus, undocumented students find it challenging to navigate the application process without personally knowing an undocumented graduate student who can assist them (Freeman & Valdivia, 2021). In Salazar's (2024) study, students revealed that their families serve as both a source of inspiration and a source of stress, creating more challenges to their college journey. This demonstrates the complexities that this population of students faces as first-generation students.

EXISTING POLICIES

Current immigration laws and institutional policies are contributing factors that continue to hinder the academic and career success of undocumented scholars in the United States. Undocumented students are not eligible to receive federal grants, federal work-study, or student loans due to The Personal Responsibility and Work Opportunity Responsibility Act, which disqualifies undocumented individuals from receiving federal public benefits (Ballerini & Feldblum, 2021). Given that no federal law defines what educational benefits undocumented students can receive beyond high school, states have enacted various measures to either facilitate or impede opportunities for undocumented students (Ballerini & Feldblum, 2021; Little & Mitchell, 2018). Additionally, the disparities between states regarding in-state tuition and available financial aid are significant for undocumented students, as they affect their ability to access and navigate postsecondary education, depending on the state they live in (New American Economy, 2020).

IMMIGRATION STATUS

The root of the issues that undocumented students face is due to their immigration status. Research indicates that undocumented Latino college students display strong levels of commitment and a strong sense of academic motivation; however, they find it hard to reap the full benefits of their accomplishments due to their legal status (Little & Mitchell, 2018). The landmark decision of Plyer v. Doe in 1982 guaranteed access to free K-12 public education for undocumented children; however, to this day, there is uncertainty regarding access to both undergraduate and graduate education (Freeman & Valdivia, 2021). As a result, undocumented individuals are faced with the unique intricacies of pursuing graduate degrees due to their immigration status. Studies also reveal that undocumented individuals who successfully enroll in a graduate degree program face the challenge of navigating their education as the only undocumented students in their program (Freeman & Valdivia, 2021; Lara & Nava, 2018; Wong & Guarneros, 2015). For instance, in Dreams Deported by Wong and Guarneros (2015), the difficulties of attending graduate school are shared by a student, Nancy. Nancy says that although she was awarded a private scholarship to cover her tuition, the money was withdrawn when the UCLA administration learned about her immigration status (Wong & Guareneros, 2015). A different study reveals that a law student, Pablo, and other graduate students were among the first undocumented students on their campus and within their respective programs (Lara & Nava, 2018).

LEGAL CONSTRAINTS

Undocumented individuals pursuing higher education, particularly graduate degrees, must contend with legal constraints that affect their ability to complete and practice in their field of study successfully. Interview data in Lara and Nava's (2018) study reveals that the impediments to employability after graduation influenced students' decisions to apply to graduate school. Institutional restrictions and licensing laws create greater intricacies to graduate school access. For instance, access to professions that require licensure, such as law, medicine, teaching, dentistry, and cosmetology, are restricted by state laws (Freeman & Valdivia, 2021). Licensure laws are crucial as they can determine whether graduate students can enter the workforce and whether graduate programs accept individuals without legal status (Freeman & Valdivia, 2021). Apart from being ineligible to access licensure, undocumented individuals cannot acquire identification cards, acquire driver's licenses, apply for a work permit, or apply for financial aid to attend college (Ballerini & Feldblum, 2021). Legal barriers restrict their access to postsecondary education and employment while shifting their aspirations, desires, and self-perceptions (Hamilton et al., 2021). A significant obstacle that some undocumented students face while trying to register for graduate entrance exams is the requirement of a valid form of government-issued identification (Cook & Gaylord, 2018). Certain exams require that students present a U.S. government-issued identification, which adds another challenge for undocumented students (Cook & Gaylord, 2018). These issues only exacerbate the adversities that undocumented individuals face in the higher education realm.

ECONOMIC STANDING

Undocumented students pursuing graduate degrees are faced with a variety of financial hardships that hinder their ability to enroll in and excel in higher education. To begin, it is important to note that in 2015, more than half of undocumented immigrants did not have health insurance, and one in four lived below the poverty line (Ballerini & Feldblum, 2021). Undocumented individuals have been subject to discriminatory legislation at the federal and state levels, which have restricted their access to higher education (Lara & Nava, 2022). For instance, undocumented individuals are not eligible for federal financial aid (Freeman & Valdivia, 2021). The challenges of not being eligible to apply for assistance with graduate program fees were shown by survey responses in Freeman and Valdivia's (2021) study, which revealed that these students often turn to family savings to pay for graduate school.

The primary concern for undocumented graduate students is the absence of financial aid options, as they are unable to cover the costs of application fees (Freeman & Valdivia, 2021). This limits the number of programs to which undocumented students may apply. Additionally, Freeman and Valdivia (2021) found that, after being enrolled, graduate students without legal status face severe financial difficulties because they cannot work as graduate, research, or teaching assistants. One study on University of California students found that 96% of undocumented students relied on grants and scholarships to pay for their education. However, undocumented students residing in states without tuition equity or state financial aid policies continue experiencing difficulties covering their educational expenses (Enriquez et al., 2019).

LACK OF RESOURCES AND OPPORTUNITIES AT REGIONAL AND NATIONAL LEVELS

The lack of resources and opportunities available at both regional and national levels for undocumented students is another barrier. For instance, some undocumented students have found it increasingly difficult to secure a paid internship given that certain opportunities, particularly those in public schools, government entities, and defense contractors, commonly require legal status or work authorization (Ortiz & Hinojosa, 2010). Internships are key to obtaining real-world experience and career development; however, undocumented students are limited in their ability to do so (Ballerini & Feldblum, 2021). For instance, Nancy, a graduate student at UCLA, was offered a position as a teaching assistant; however, due to her status, she was not eligible for tuition remission (Wong & Guareneros, 2015). Once she earned her master's degree, she could not accept work or use her degree due to her status. This is one of many cases demonstrating the need for opportunities and resources for undocumented students. Students often cannot apply for internship opportunities in local or well-known companies and organizations due to their status, severely limiting their opportunities compared to citizen peers in the same programs. Furthermore, findings in a study conducted by Kreisberg and Hsin (2021) reveal that the educational paths of undocumented students do not progress like those of their documented and foreign-born citizen peers. Instead, over time, they undergo what is known as educational regression. The results suggest that while undocumented students experience notable success when they first enroll in college, their growth becomes more static, and their degree of success declines the longer they remain enrolled (Kreisberg & Hsin, 2021). A report by UCLA's Institute for Research on Labor and Employment relays the importance of undocumented student services on college campuses that can help provide students with resources and career advising or professional development support. Furthermore, Kreisberg and Hsin (2021) draw attention to the significance of connecting the Latino and undocumented population within school institutions to social networks and student-acquired resources

and how these impact their achievements. Overall, this leads to the findings of Freeman and Valdivia (2021), who emphasize the urgency of institutional support for prospective and enrolled undocumented graduate students.

GAPS

The reviewed literature has provided insights into the intricate obstacles undocumented scholars face in pursuing graduate education. Nevertheless, it is imperative to acknowledge the gaps in this topic. The lack of comprehensive research on this topic renders it challenging to understand the intricacies that this group of individuals faces (Freeman & Valdivia, 2021; Lara & Nava, 2018; Lara & Nava, 2022). In this section, gaps will be identified to address areas where future research is required to understand further the intricacies of the educational journeys of undocumented individuals pursuing a graduate degree.

One notable gap in the existing body of literature concerns the limited representation of diverse ethnic, age, and cultural backgrounds among undocumented scholars pursuing graduate education (Ballerini & Feldblum, 2021; Little & Mitchell, 2018). Additionally, while many studies focus on the experiences of DACA recipients, there is an evident gap in understanding the challenges faced by undocumented individuals who are not DACAeligible (Ballerini & Feldblum, 2021; Lara & Nava, 2018; Little & Mitchell, 2018). There is also a scarcity of research on institutional responses and effective solutions and policies (Ballerini & Feldblum, 2021; Lara & Nava, 2018). Although in-state tuition has proven to assist students in pursuing their education at the undergraduate level, only 24 states and Washington D.C. provide in-state tuition for undocumented students (Higher Ed Immigration Portal, 2023). There is also a lack of research on how familial support, or lack thereof, impacts undocumented graduate students (Lara & Nava, 2022; Salazar, 2024). Only one article addressed in this literature review covered the academic distractions that undocumented students face due to their immigration status and how these affect their education, rendering this an area in need of further research. Although only one article in this review focused on this topic, other articles centered on this topic may exist. Addressing these gaps and adding more academic contributions to this topic will contribute to the academic knowledge within this field; it will inform future policies, institutional developments, and advocacy efforts to understand better the unique needs of undocumented scholars pursuing graduate education.

FINDINGS

Undocumented students pursuing graduate education in the United States face numerous obstacles stemming from their immigration status, economic standing, family support, and legal constraints. This literature review systematically analyzes these challenges to provide a comprehensive understanding and promote institutional and policy improvements. The following findings emerged from a thorough examination of the literature. Undocumented individuals face unique obstacles due to their immigration status, which hinders their access to education (Ballerini & Feldblum, 2021; Freeman & Valdivia, 2021; Lara & Nava, 2018; Lara & Nava, 2022; Little & Mitchell, 2018). The ambiguity regarding access to undergraduate and graduate education at the federal level has contributed to the uncertainty and limitations that this population faces (Ballerini & Feldblum, 2021; Little & Mitchell, 2018). Undocumented scholars also face barriers when trying to obtain government-issued identification, which is required for certain entrance exams (Cook & Gaylord, 2018). Another factor influencing their ability to practice in their field of study is licensure, which is subject to state laws (Freeman & Valdivia, 2021).

Financial hardships are exacerbated by the inability to apply for federal financial aid or employment. The Personal Responsibility and Work Opportunity Act places restrictions on federal benefits, limiting financial aid opportunities (Ballerini & Feldblum, 2021). Undocumented graduate students, who are often first-generation students, must navigate an unpredictable environment due to a lack of guidance on U.S. education and immigration policies and a lack of resources aimed at them (Freeman & Valdivia, 2021). Moreover, undocumented students face barriers to obtaining internships and other professional development opportunities that require legal status, restricting their educational and professional experience (Ballerini & Feldblum, 2021; Ortiz & Hinojosa, 2010). Overall, immigration laws and institutional policies are conducive to the disparities in states affecting in-state tuition, financial aid, and overall support for undocumented students.

DISCUSSION AND RECOMMENDATIONS

This literature review addresses the diverse and intricate obstacles that undocumented scholars pursuing graduate degrees face in the United States. Through a comprehensive examination of the aforementioned factors in this review, the nuanced experiences of undocumented individuals as they pursue graduate education, despite their unique challenges, are explored. The commonalities found throughout the literature suggest that undocumented students pursuing graduate degrees are faced with extensive financial needs as they are not eligible for federal financial aid due to their status (Ballerini & Feldblum, 2021; Freeman & Valdivia, 2021; Lara & Nava, 2018; Lara & Nava, 2022; Little & Mitchell, 2018). The research also indicates that undocumented students lack professional development opportunities and resources, limiting their postgraduate preparation (Ballerini & Feldblum, 2021; Freeman & Valdivia, 2021; Lara & Nava, 2022; Lara & Nava, 2018; Little & Mitchell, 2018). The literature addresses the legal constraints that this population encounters when trying to seek licensure and employment, present a valid identification for entrance exams or admission, and obtain a driver's license (Ballerini & Feldblum, 2021; Freeman & Valdivia, 2021; Ortiz & Hinojosa, 2010). Another common theme within the literature is the lack of institutional support due to an absence of knowledge and guidance on how to support undocumented students (Ballerini & Feldblum, 2021; Enriquez et al., 2019; Freeman & Valdivia, 2021; Ortiz & Hinojosa, 2010). These findings demonstrate the urgent need for policy reforms at the state and federal levels.

Further research is required to understand the challenges undocumented individuals pursuing a graduate education face in the United States. This research should strive to expand its reach to include the diverse narratives within this population to ensure a more comprehensive knowledge of the obstacles experienced by undocumented students pursuing graduate education. Additionally, further research should address the diverse ethnicities, ages, and cultural backgrounds of undocumented students pursuing graduate degrees in the United States. It is crucial for forthcoming research to explore strategies enabling institutions to broaden or create initiatives tailored to confront the unique obstacles undocumented individuals face without DACA as they strive to pursue graduate education. For instance, the Oregon Higher Education Coordinating Commission creates and publishes several materials on its website, including a communications toolkit for practitioners and advocates that explains the postsecondary benefits available to undocumented students (Ballerini & Feldblum, 2021). Creating resources and publishing them on college and university websites could help this population understand what resources are available.

Although current research explores the moral support that parents offer their adult students, further research surrounding the pressure, expectations, and roles that undocumented graduate students hold in their families is needed. Future research should also analyze the impact of institutional policies and investigate how successful these practices are in supporting the academic success of undocumented individuals pursuing graduate school in different states. Moreover, in accordance with Ballerini and Feldblum (2021), immigration status should be added to variables that are indicative of inequality, such as race, ethnicity, and socioeconomic status. To meet the unique needs of undocumented graduate students, advocacy efforts should center on increasing access to financial aid, reconsidering licensing requirements, encouraging inclusivity in institutional policies, and advocating for comprehensive immigration reform or the Dream Act. The Dream Act would provide a pathway to legal status for individuals who entered the United States as children. At least 11 versions of the Dream Act have been proposed in Congress for over 20 years; however, all have failed to become law (American Immigration Council, 2021). The Dream Act would offer undocumented high school graduates and GED recipients a pathway to citizenship through college, work, or military service (American Immigration Council, 2021). Considering the reviewed literature, enacting these policies at a federal level would alleviate most of the obstacles these students face.

CONCLUSION

The reviewed literature has shed light on the multifaceted challenges that undocumented scholars face in pursuing graduate education. From financial hardships to legal constraints, the experiences of these individuals are shaped by immigration laws, institutional policies, and societal factors. The findings reflect the obstacles that undocumented students must overcome to pursue their education. The lack of lawful immigration status has led to a wide range of issues in this population involving ineligibility for financial aid, professional development opportunities, employment, licensure, limited postgraduate preparation and experience, and unclear precedent on what benefits are available to them as undocumented graduate students. Considering this, it is clear that the obstacles that undocumented graduate students face have profound implications for educational systems, requiring a reassessment of policies, institutional support systems, and advocacy efforts.

These issues have an irreversible impact on these individuals' lives, education, careers, and overall well-being. Nevertheless, it is essential to recognize the limitations in the existing literature. The predominance of certain demographics among participants and the regional disparities contribute to the complexity of this field of study. Another critical limitation is the focus on students with DACA or those who are DACA-eligible. Research on individuals without DACA and those who are not DACA-eligible or who have no form of immigration relief is imperative to gain a comprehensive understanding of the broader population affected by these issues. This literature review serves to contribute to the research surrounding undocumented students pursuing graduate education, which requires further study, advocacy, and change. Research provides a platform for their voices to be amplified, to create efforts to dismantle obstacles and promote awareness, and to open doors for a more inclusive and equitable education system.

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