



AAUP CSU NEWSLETTER

December 2019

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DEFENDING DACA AND DREAMERS

Steve Mumme

Like many of my AAUP Colorado colleagues, I followed the November 12 Supreme Court DACA proceedings and oral arguments with keen interest. As interested readers know, the AAUP joined other advocacy groups in its Amicus brief [<https://www.aaup.org/news/aaup-joins-amicus-brief-support-daca-program#.Xc8PDoBFzKI>] opposing the Trump Administration's determination to eliminate DACA protection for some 700,000 persons directly benefitting from this protected status.

Many of these beneficiaries are, of course, students, a fact that puts universities and colleges across the country in the bullseye of the pending Supreme Court ruling, now expected to arrive sometime in the spring of 2020, no later than June. In Colorado, universities and colleges have since 2012, when the Obama administration issued its

executive order on Deferred Action for Child Arrivals (DACA), taken proactive measures to enable DACA certified students to take advantage of the state's ASSET program, qualifying for in-state-tuition and certain other supports facilitating enrollment and progress towards degree. Most public institutions including the University of Colorado, Colorado State University at Fort Collins and Pueblo, Metropolitan State University at Denver, and the others around the state, support programs that enable and assist DACA students and Dreamers (those child arrival students not eligible for DACA under current federal regulations) to enroll and navigate their degree programs, often with the help of voluntary contributions and community resources.

There is little doubt that an adverse decision by the nation's higher court will draw greater federal scrutiny to these programs, potentially placing them in jeopardy and inviting state colleges and universities to reconsider their DACA oriented programs and benefits in conformance with

federal law. Eligibility for in-state tuition, currently available to Dreamers and DACA students who graduated from Colorado schools through Colorado's state ASSET program, may be challenged, as may eligibility for other supports limited to in-state and citizen students. It is conceivable that DACA and Dreamer students may be cast as international students subject to regulations and procedures applicable to such students, including the requirement that students obtain F-visas to study in the United States.

Should an adverse decision occur, and knowledgeable observers of the judges' responses to the November 12 oral arguments think it likely [<https://www.nytimes.com/2019/11/12/us/supreme-court-dreamers.html>], higher education institutions will immediately be faced with difficult choices pending further congressional action on behalf of this vulnerable student population. Faculty are sure to be drawn into this fray. If so, then what can and should be done to keep faith with our students?

At present, university administrators are keeping their fingers crossed as to the Supreme Court's pending decision. There is little campus-level guidance yet as to how to address this worst-case scenario. But some actions can be taken to lessen the impact on DACA and Dreamer students.

First, Colorado's university administrators and faculty must urge their legislators to stay true to the ASSET program and continue to support DACA and Dreamer eligibility for in-state tuition. Second, should the decision occur in mid-semester, faculty should urge their administrations to resist any temptation to suspend enrollment status or benefits to DACA and Dreamer students. Moreover, faculty should insist that these students' enrollments be sustained pending any legal adjustment of status, at least to the fullest extent permissible by an expansive interpretation of the law. Third, faculty should push their college and university administrations to act as if their campuses are safe havens for these students, resisting unwanted incursions by federal immigration officers to the fullest extent permitted by law. Fourth, and to state the obvious, university administrations and faculty alike should take the lead in demanding urgent action by Congress to rectify this appalling situation should it occur.

As the AAUP persuasively argues in its Amicus brief, "The recession of DACA will inflict profound harms on colleges and universities, their students, and the country as a whole" [<https://www.aaup.org/sites/default/files/AAUPFINALFILEDACEAmicusBrief10.4.19.pdf>]. As faculty, we know this is true. It is time, however, to prepare to navigate this worst-case scenario in hopes that we may soon have a government that is capable of crafting lasting relief for our DACA and Dreamer students.

#DefendDACA



1/3rd of DACA recipients are enrolled in high school



1/5th of DACA recipients are enrolled in college



1/4th of DACA recipients are juggling both college and work



The Education Trust

<http://www.migrationpolicy.org/research/education-and-work-profiles-daca-population>

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To join AAUP and our CSU chapter, sign up at the national AAUP site:

<https://www.aaup.org/membership/join>

Also contact us at aaupcsu@gmail.com for more information about additional ways to join

MEETING OF THE AAUP-CSU CHAPTER (Open to ALL interested)

December 4, 2019, 12-1, LSC 380

Ways to Become Involved

Strategies to Increase and Diversify Membership

Ideas to Enhance our Chapter's Role and Activities

Plans for Specific Activities in Spring 2020