<u>The Influence of Legal Status on Educational Transitions among Mexican Immigrant Youth:</u>
<u>Empirical Patterns and Policy Implications</u>

Emily Greenman and Matthew Hall

The educational success of children of immigrants is paramount to the national interest. More than

one fifth of children in U.S. public schools now come from immigrant families. Of these children,

the most common country of origin is Mexico, accounting for 27% of children of immigrants under

18 (Capps et al. 2005). The size of this group, its high poverty rates, and its lower-than-average

academic achievement combine to make the educational outcomes of Mexican-origin children of

special interest to researchers and policymakers. While much research has explored the

determinants of the educational outcomes of Mexican and other immigrant-origin children, little

work has explicitly considered the role of one potentially crucial factor: legal status. According to

estimates by the Urban Institute, about 65,000 undocumented students graduate from U.S. high

schools each year (Konet 2007). An unknown additional number drop out before reaching high

school graduation. Yet almost nothing is known about how undocumented status affects these

students' educational attainment. By providing a quantitative assessment of the relationship

between legal status and the educational attainment of Mexican immigrant youth in the U.S., this

project will help policymakers evaluate policies governing access to education for undocumented

youth.

Specific Aims

This project will examine the influence of legal status on Mexican immigrant children's progression

through the U.S. educational system. Legal status is likely to affect children's educational progress

both directly, due to policies aimed at undocumented immigrants, and indirectly through its

association with family poverty and other disadvantages. Because undocumented children have a

legal right to K-12 education, the direct effect of legal status may become most salient as students leave high school and consider college enrollment. While policies vary by state, undocumented students' access to financial aid is extremely limited, and most public institutions charge out-of-state tuition even to long-term undocumented residents (Konet 2007). The effect of such policies on the educational attainment of undocumented youth may not be limited to college: Qualitative evidence has indicated that high school students' academic motivation can be severely affected by the realization that their undocumented status may prevent them from going to college (Abrego 2006). The time around the transition from high school to college thus represents a juncture at which legal status is likely to exert a critical influence on immigrant children's ultimate educational attainment (Abrego 2006). Educational attainment, in turn, is a critical determinant of whether the children of Mexican immigrants will succeed in leaving behind the extremely high poverty rates suffered by their parents.

This project will investigate the influence of legal status on Mexican immigrant students' schooling during this critical juncture. Specifically, the project will a) assess differences in high school graduation rates by legal status; b) assess overall differences in college enrollment rates by legal status; c) decompose differences in college enrollment rates into their component parts: differences in the probability of high school graduation and differences in the probability of enrolling in college for high school graduates; and d) estimate the extent to which all of the above are attributable to observable differences in personal and family background characteristics between documented and undocumented students, rather than legal status itself. To answer these questions, the project will employ a unique method for inferring the legal status of Mexican immigrants in the 2001 and 2004 panels of the Survey of Income and Program Participation (SIPP).

Background

Because undocumented children already have access to public education through high school, the crucial educational policy question affecting this group is whether public resources should be used to assure they have access to college education. Access to college admission and financial aid for undocumented immigrant youth is presently a subject of great political contention. The DREAM act, which has been introduced into the U.S. Senate, would provide a pathway to a college education and eventual legal residence for undocumented youth who arrived in the U.S. as children. Access to college education for undocumented students has been contentious at the state level as well. While 10 states have granted in-state tuition to undocumented students graduating from in-state high schools, 4 other states have passed legislation making this practice explicitly illegal (Devarics 2006), and another (North Carolina) recently barred undocumented students entirely from admission to community colleges (Pluviouse 2008). The group at issue in these debates is not undocumented immigrants in general, but young people who were brought to the U.S. illegally as children, attended U.S. schools, and recognize no other country as home. A majority of this group originates in Mexico (Passel 2005). Thus, the key consequence of these policy decisions is the ability of undocumented students who are already enrolled in U.S. K-12 schools to continue their educations (as opposed, for example, to college access for adult immigrants). However, it is difficult to evaluate the merits of policy options regarding college access for undocumented youth given our current lack of information about the effect of legal status on the progression of immigrant children through the U.S. educational system.

The primary reason for this lack of knowledge is probably the scarcity of data on legal status. Legal status is too sensitive a question to include on standard surveys used in quantitative studies of education, so such studies cannot directly identify undocumented students. Legal status has been ascertained directly only in smaller-scale qualitative studies based on in-depth interviews.

In the only study to date to focus on high school and college-aged youth, Abrego (2006) found that documented and undocumented Latino immigrant students faced similar barriers to educational achievement, such as poverty and poor-quality public schools, until they approached college. At this point, the undocumented students found their prospects for higher education severely curtailed due to lack of financial aid. Anticipation of such barriers discouraged some undocumented students from making an effort in high school. Another qualitative study, which focused on adults from Central America, found that immigrant parents perceived their children's undocumented status as an almost insurmountable barrier to college education (Menjivar 2008).

Kaushal's 2008 study, which used Current Population Survey data to examine the effects of state-level tuition policy on the educational attainment of Mexican noncitizen young adults, is the only existent quantitative study to explicitly focus on the U.S. educational attainment of undocumented Mexican immigrants. Kaushal's descriptive statistics show that Mexican noncitizen youth (who are treated as a proxy group for Mexican undocumented youth, who Kaushal is unable to identify more specifically) are far less likely to attend college or graduate from high school than Mexican or Anglo citizen youth. These findings are suggestive of the importance of legal status for educational attainment, but still fail to give a clear picture of the effect of legal status on students' progression through the U.S. educational system. There are two problems: First, Kaushal's analysis includes immigrants who arrived as young adults, even though this group is unlikely to have ever been enrolled in the U.S. educational system. Second, while Kaushal (2008) shows that Mexican noncitizen youth are far less likely to attend college than citizens, it is unclear to what extent this enrollment gap is due to their lower rates of high school graduation as opposed to lower rates of college entry for high school graduates. Because increasing high school graduation rates and increasing access to college may require very different policy solutions, it is critical to make this distinction. The proposed project, by contrast, will identify distinct effects of legal status on high

school graduation and college enrollment and will focus specifically on Mexican immigrant youth in the U.S. educational system.

Data

This project will analyze data from the 2001 and 2004 panels of the Survey of Income and Program Participation (SIPP). SIPP is a panel study focused on tracking U.S. workers' employment and public program experiences. The SIPP design draws a nationally representative sample of U.S. households and interviews each household member every four months for four years. At each interview, respondents are asked wave-specific topical questions and a set of core questions that cover the reference months and preceding three months. In a given panel, for a respondent who completes all 12 interviews, there are thus 48 months of observations. Respondents can choose to complete the survey in Spanish or English.

SIPP is uniquely suited for this study for several reasons. First, these data contain a wealth of information on educational attainment, enrollment in school, and work experience. Second, the combined samples of the 2001 and 2004 panels include a large number of children of Mexican immigrants. Third, unlike other large, nationally representative data sources, SIPP includes key variables, such as immigrant entry status, that can be used to assess the legality of Mexican immigrants.

While the SIPP follows respondents for 4 years, this is not long enough to observe both high school dropout and college enrollment for the same sample of respondents. Thus, respondents age 18-22 are used for the college portion of the analysis, while those age 14-17 are used for the high school portion. Respondents who are younger at the beginning of the panel but who "age in" to these groups are included after reaching the age cutoff. Because the central research question concerns the progress of students within the U.S. educational system, additional selection criteria are imposed on both groups to ensure that they had a high chance of being enrolled in a U.S.

secondary school. To be included, respondents must have completed at least 8 years of schooling and must have arrived in the U.S. prior to age 14. These criteria should weed out children who dropped out of school in Mexico prior to migration (i.e., because most students complete 6th grade at age 12, an immigrant who arrives at age 12 and has completed a total of 8 years of schooling would normally have completed 2 of these years in the U.S.). The high school-age sample sizes for Mexican immigrants, Latino natives, and white natives are approximately 254, 1188, and 6547 individuals, respectively. The respective college-age sample sizes are approximately 308, 1037, and 6680. A power analysis will be conducted to confirm that I have an adequate sample size to detect differences between groups. If not, I will fold in the 1996 SIPP panel, which will increase sample sizes by approximately 50%.

Inferring Legal Status with SIPP data

My key independent variable is legal status. As with most surveys, undocumented status is not measured directly in SIPP. However, with knowledge of Mexican migration patterns derived from earlier research and data from the Department of Homeland Security (DHS), it is possible to use information available in SIPP to infer legal status for Mexican immigrant youth. (See Appendix 1 for a schematic presentation of the imputation strategy). The SIPP gathers information on whether sampled immigrants are naturalized citizens or legal permanent residents (LPRs) (see Appendix 2 for survey questions). I classify such immigrants as legal. If an immigrant receives federal welfare benefits in his/her own name (e.g., Food Stamps, Medicaid, SSI, TANF), for which undocumented immigrants are not eligible, he or she is also classified as legal. The remainder are either undocumented or have visas falling into one of several categories: refugees and asylees, students and exchange visitors, tourist and business travelers, temporary workers, and diplomats and other political representatives (U.S. Department of Homeland Security 2007). Tourists and other short-term visitors are not sampled by SIPP and, historically, very few Mexicans have been granted

asylum in the U.S. Because my sample is composed of children who migrated prior to age 14, there should be few or none who were admitted on student, diplomat, or temporary worker visas. (Children who have entered the country illegally are not eligible to later receive student or other visas). It is possible, however, that they were legally admitted along with a parent falling into one of these categories. Therefore, children under 18 are classified as "legal" if their parents are classified as legal (see below). If one parent is legal and the other is not, the parent whose arrival time matches most closely with the child's is used. In sum, Mexican immigrant youth are considered to be legal immigrants if they are U.S. citizens or LPRs, receive federal welfare benefits, or have legal parents (for those under 18). Otherwise, they are considered undocumented.

Determination of legal status for the parents of these youths, who arrived as adults, is slightly more complex. As with their children, they are considered legal if they are U.S. citizens, LPRs, or if they "personally", as opposed to "dependently" (i.e., via a child's eligibility), receive federal welfare benefits. To account for parents who may have student visas, I classify parents as legal if they or their spouses are enrolled in school. To account for those admitted as diplomats, I deem Mexican foreigners that report being or are married to those employed as high ranking public officials to be in the country legally. The only group of temporary migrants that I am unable to directly infer is temporary workers. However, authorized temporary workers form a small minority of Mexicans in the U.S. (see Department of Homeland Security 2007). Nonetheless, readers should keep in mind that the group I refer to as "undocumented" parents may include a small proportion of authorized temporary workers.

Key information needed to assess legal status, including nativity, admittance status, and whether respondents' visa status has changed, are queried in the second wave of interviews, and are only asked of respondents who are, at that time, at least 15 years of age. Thus, for those age 14 or younger at Wave 2, I infer nativity, time in the U.S., and legal status based on child's date of birth,

mother's arrival date in the U.S., and mother's legal status. Those aged15+ who did not participate in the Wave 2 interview are excluded from my sample.

Analyses

Part 1 of the analysis will provide the literature's first quantitative analysis of differences in college attendance by legal status. Because legal status is not necessarily a stable characteristic and the transition from high school to college is the most critical period, I focus on the influence of legal status around the time of this transition (ages 18-22). This necessitates studying college enrollment rather than degree completion, since most students will be too young to have completed a degree by age 22. Extending the age range, however, would run the risk of including too many respondents who gained legal status *after* the typical age of college entry. A respondent will be classified as having attended college if s/he is currently enrolled or has completed any college education.

I will use logistic regression to estimate a) differences in the overall probability of college attendance for documented and undocumented Mexican immigrants, native whites, and native Latinos[1]; b) differences in the probability of college attendance for these groups, conditional on having graduated from high school; and c) the extent to which such differences can be explained on the basis of observable characteristics such as English ability, family income, age, gender, marital and parental status, and state of residence. Differences between documented and undocumented Mexican immigrants not explained by such observable covariates provide an upper-bound estimate of the barrier to college enrollment posed by undocumented status. Differences between Mexican immigrants and the two groups of natives, while of secondary importance, will both contextualize the descriptive results and allow readers to compare the size of the gaps by legal status with those by race and nativity.

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[1] Native Latinos, rather than natives of Mexican origin, are used as a comparison group because the 2004 SIPP does not ascertain specific Hispanic ethnicity.

Part 2 of the analysis will provide a more detailed investigation of differences in high school completion by legal status. In particular, it will assess whether there is evidence that legal status has an effect on high school dropout above and beyond the socioeconomic and demographic characteristics likely to be associated with it. It is especially important to control for family income and poverty status; because undocumented students are more likely to be from very poor families, they may feel greater pressure to drop out of school and enter the labor force at early ages. Family background variables must be ascertained in SIPP data by matching minor respondents with their parents or guardians within the same household. This portion of the analysis will therefore focus on teenagers aged 14-17 who were observed living with parents or guardians for at least one wave of SIPP. Control variables will include child's age and gender, English ability, years since migration, parental education, family structure, number of older siblings, number of younger siblings, parental household income, parents' labor force participation and hours worked, and child's labor force participation and hours worked. As for Part 1 of the analysis, Part 2 will compare documented and undocumented Mexican immigrant youth with each other as well as with native Whites and Latinos. For youth age 14-17 living with parents it is also possible to distinguish native-born children of Mexican immigrants, who will form an additional comparison group.

The ideal research design for a study of high school dropout behavior would be to follow a cohort of children until high school graduation or dropout has occurred for all members. Because SIPP does not provide an adequate sample size or length of follow-up for such a design, I instead use discrete-time logit regression hazards models. The outcome is whether high school dropout occurs[2]. These models allow observations to be included even if the outcome has not yet been determined by the end of the study, which will be the case for many respondents who are under 18

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[2] Dropout, rather than graduation, is used because dropout can occur any time over the age interval studied, while graduation would typically be observed only for those who are 18 or older at the study's end.

at last observation (and thus would not be expected to be high school graduates). Under the assumption that there are no major cohort changes over the study period, this approach allows me to piece together a complete picture of patterns of school dropout between ages 14-17, despite the fact that most respondents are observed for only part of this age interval. The data will be structured into person-year format. The outcome is whether the respondent drops out within a one-year interval, given that s/he was still at risk (i.e., had not yet graduated or dropped out) at the beginning of the interval (see Allison (1984) pp. 17-20 for details on such models). The probability of dropout during the interval would be a function of the student's age, legal status, the interaction between age and legal status (to allow for the possibility that the age pattern of dropout may differ depending on legal status), and the vector of control variables mentioned above. Respondents would enter the model at first SIPP observation or upon turning 14, assuming they are still enrolled in high school.
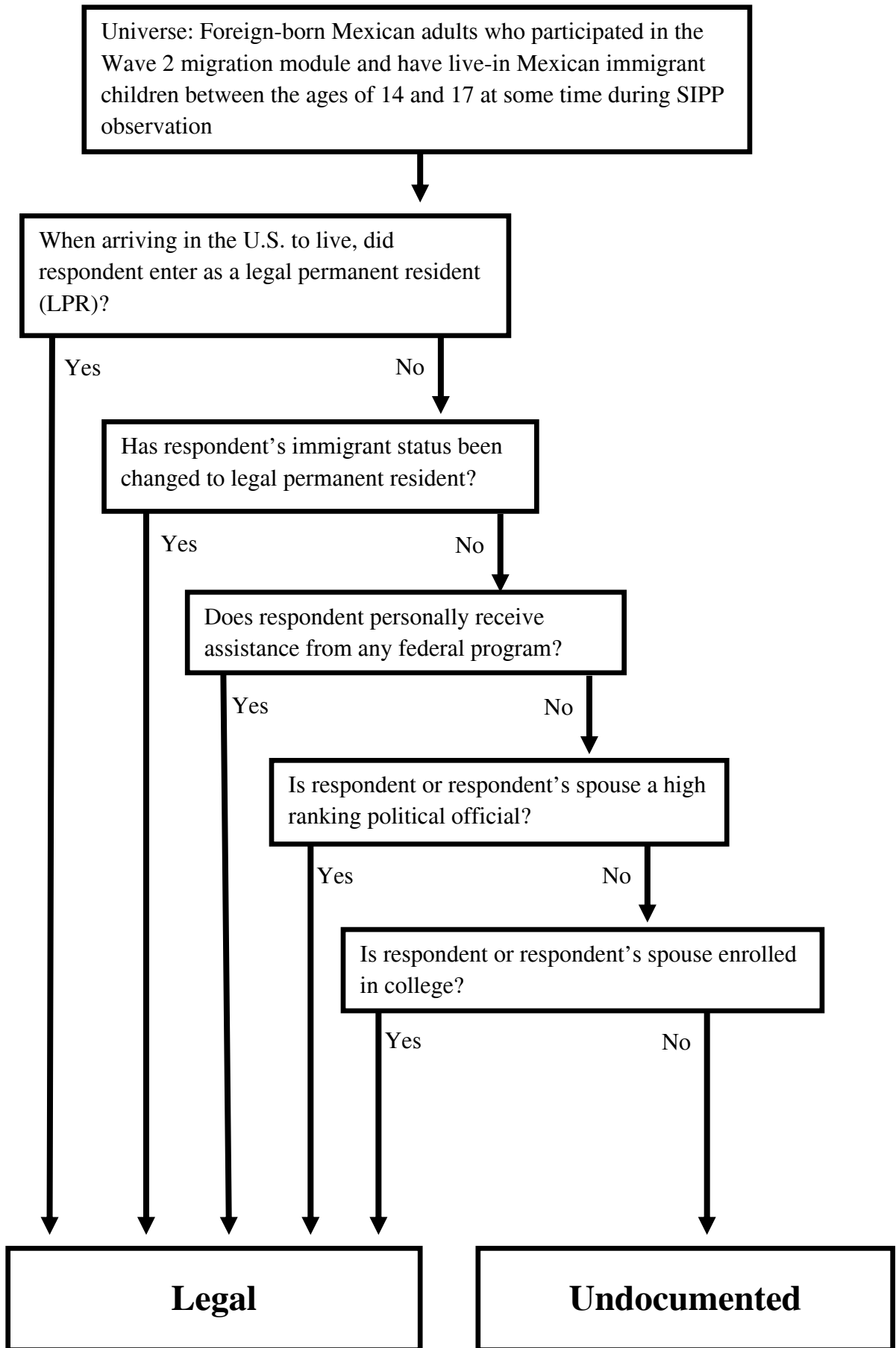
Policy Significance

The many recent political debates regarding access to college education for undocumented students have been conducted more or less in the dark: the extent to which undocumented status presents a barrier to college enrollment has never been measured. While the merits of policies granting or denying undocumented students college admission or financial aid have been debated on the grounds of fairness and other abstract principles, almost nothing is known about this more fundamental question. It is difficult to make meaningful arguments as to whether public resources be expended helping this group of students continue with their education without knowing how they are faring under current policies. This project will provide the first quantitative assessment of the effect of legal status on educational attainment for Mexican immigrant students. Furthermore, by separately investigating both high school graduation and college enrollment, it will help policymakers understand at which point in the educational "pipeline" expenditures would be targeted most effectively.
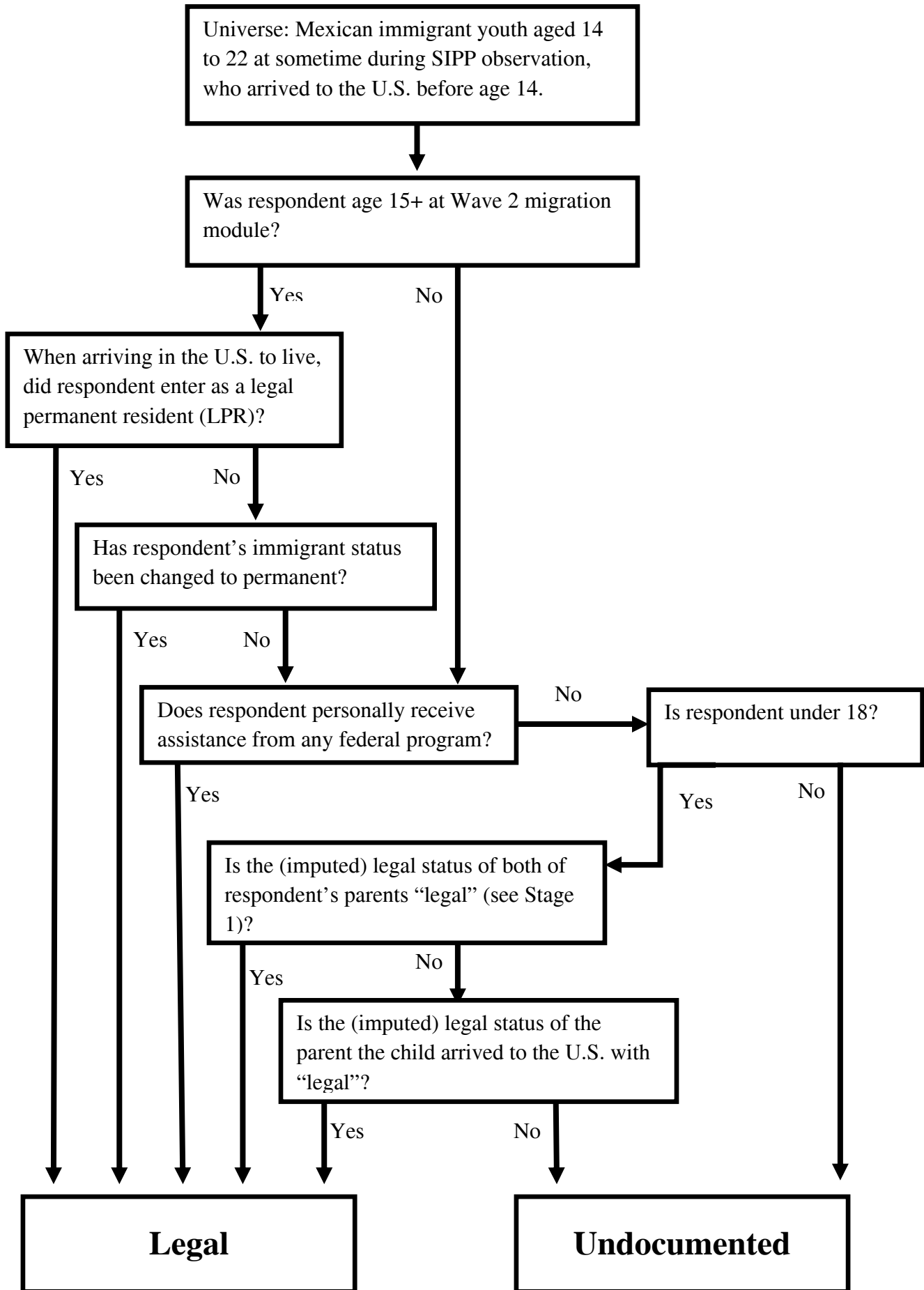
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Appendix 1: Imputation of legal status for Mexican youth with SIPP data (Two Stage Process)

Stage 1 of 2 (Parents):

Universe: Foreign-born Mexican adults who participated in the Wave 2 migration module and have live-in Mexican immigrant children between the ages of 14 and 17 at some time during SIPP observation

When arriving in the U.S. to live, did respondent enter as a legal permanent resident (LPR)?

Yes   No

Has respondent's immigrant status been changed to legal permanent resident?

Yes   No

Does respondent personally receive assistance from any federal program?

Yes   No

Is respondent or respondent's spouse a high ranking political official?

Yes   No

Is respondent or respondent's spouse enrolled in college?

Yes   No

Legal   **Undocumented**

Universe: Mexican immigrant youth aged 14 to 22 at sometime during SIPP observation, who arrived to the U.S. before age 14.

Was respondent age 15+ at Wave 2 migration module?

Yes   No

When arriving in the U.S. to live, did respondent enter as a legal permanent resident (LPR)?

Yes   No

Has respondent's immigrant status been changed to permanent?

Yes   No

Does respondent personally receive assistance from any federal program?

No → Is respondent under 18?

Yes   Yes   No

Is the (imputed) legal status of both of respondent's parents "legal" (see Stage 1)?

Yes   No

Is the (imputed) legal status of the parent the child arrived to the U.S. with "legal"?

Yes   No

Legal   **Undocumented**

Appendix 2: SIPP survey questions on citizenship and immigration status

Citizenship:
"Is [R] a U.S. Citizen?"
(1) Yes (2) No

Initial Legal Permanent Resident (LPR) Status:
"When [R] moved to the United States to live, what was [R's] immigration status?"
(1)Immediate relative or family sponsored permanent resident
(2)Employment-based permanent resident
(3)Other permanent resident
(4)Granted refugee status or granted asylum
(5)Non-immigrant (e.g., diplomatic, student,business, or tourist visa)
(6)Other
This full list of responses is restricted in the public access data to :
 1. Permanent resident   (which is response cats 1, 2, and 3 above)
 2. Other (response cats 4, 5, and 6)

Current LPR Status:
"Has [R's] status been changed to permanent resident?"
(1)Yes
(2)No