

## RESOURCE GUIDE

### Deferred Action for Childhood Arrivals (DACA)

Source: [www.uscis.gov](http://www.uscis.gov)

#### What is Deferred Action?

Deferred action is a federal deferral of removal (deportation) action for individuals who meet certain guidelines. It is an act of prosecutorial discretion, not a law. An individual who has received deferred action is authorized by the Department of Homeland Security (DHS) to be present in the United States, and is therefore considered by DHS to be lawfully present during the period deferred action is in effect.

#### Where is the most current information?

The most comprehensive resource about Deferred Action for Childhood Arrivals (DACA) is the US Citizen and Immigration Services (USCIS) website at [www.uscis.gov](http://www.uscis.gov). Once you land on the USCIS home page, click on “Humanitarian” and then click on “Consideration of Deferred Action for Childhood Arrivals Process.” If you are viewing this resource on a computer with Internet access, [click here](#) to go to the website directly.

#### What are the guidelines for DACA?

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or lawful immigration status expired as of June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.
8. Individuals can call USCIS at 1-800-375-5283 with questions or to request more information on the deferred action for childhood arrivals process or visit [www.uscis.gov](http://www.uscis.gov).

#### What are the benefits?

In addition to deferral of removal action, those approved for DACA may apply for an Employment Authorization Document to work in the US, provided they can demonstrate an economic necessity to work.

Once an individual’s case has been deferred, they do not accrue unlawful presence during the period of deferred action. Unlawful presence refers to the period in which an individual is in the United States without being admitted or paroled or after the expiration of an authorized period of stay. This is important because those with accrued unlawful presence are barred from re-entering the United States for 3 or 10 years if they leave and try to return. Individuals under the age of 18 do not accrue unlawful presence, so those who receive DACA approval before turning 18 could avoid accruing unlawful presence. Deferred action does not confer lawful status, permanent resident status, citizenship or path to citizenship.

#### What are the risks?

Although individuals whose cases are deferred will not be referred to Immigration and Customs Enforcement for purposes of removal, information about the individual and family members may be shared with national security and law enforcement agencies.

**If I’m eligible for DACA, does that mean I can receive federal student financial aid through the FAFSA?** To be eligible for federal student aid, students must be U.S. citizens or eligible noncitizens, as determined by the U.S. Department of Education. Generally, DACA recipients are not considered eligible noncitizens and thus, are ineligible to receive federal financial aid.

#### If I’m eligible for DACA, and can I receive Colorado in-state tuition?

DACA is a federal policy which is not associated with the state-level policies like in-state tuition. Students in Colorado may qualify for in-state tuition through Colorado ASSET. To be eligible for Colorado ASSET students need to 1) have attended high school for three years right before they graduated, 2) be admitted to a college within twelve months of graduating, 3) sign an affidavit if they are not legally present in the United States saying they are currently seeking legal status or will seek it as soon as they are eligible. This affidavit will be part of the College Opportunity Fund, which is available at <https://cof.college-assist.org/>. Each higher education institution has its own process for students applying for the ASSET tuition. For more information, visit [www.coloradoasset.com](http://www.coloradoasset.com) or contact your college.

**What additional financial resources are available to any undocumented students?** It is imperative that DACA recipients explore other sources of funding to pay for college, including private scholarships. For a list of scholarships for DACA students, please visit <http://togethercolorado.org/resources/keeping-the-dream-alive-resources>.

Denver Public School students with DACA may be eligible for the Denver Scholarship Foundation (DSF) Scholarship. For additional information about the scholarship eligibility requirements, please visit [www.denverscholarship.org](http://www.denverscholarship.org).

*For a comprehensive list of frequently asked questions regarding DACA, please visit [www.uscis.gov](http://www.uscis.gov).*

**For help with DACA or immigration-related questions, please refer to the following community resources and organizations:**

**U.S. Senator Michael Bennet's Office**

Eva Serenil  
1127 Sherman St., Suite 150  
Denver, CO 80203  
Phone: 303.455.7600  
Email: [eva\\_serenil@bennet.state.gov](mailto:eva_serenil@bennet.state.gov)  
Website: <http://www.bennet.senate.gov/>

**Rocky Mountain Immigrant Advocacy Network (RMIAN)**

3489 W. 72nd Ave, Suite 211  
Westminster, CO 80030  
Phone: 303.433.2812  
Website: [www.rmian.org](http://www.rmian.org)

**Catholic Charities**

4045 Pecos St.  
Denver, CO 80211  
Phone: 303.742.4971  
Website: [www.ccdenver.org](http://www.ccdenver.org)

**Together Colorado**

1980 Dahlia Street  
Denver, CO 80220  
Phone: 303.399.2425  
Website: [www.togethercolorado.org](http://www.togethercolorado.org)

**Colorado Immigrant Rights Coalition (CIRC)**

2525 W. Alameda Ave, Suite 300  
Denver, CO 80219  
Phone: 303.922.3344  
Website: [www.coloradoimmigrant.org](http://www.coloradoimmigrant.org)

**Immigration Workshops**

**Mi Casa Resource Center**

Date: 3rd Tuesday of each month  
Location: 360 Acoma St.  
Denver, CO 80223  
Time: 5:30-7:30 p.m.  
Phone: 303.573.1302

*Description: Meet with an attorney free of charge and get information in the areas of Immigration, Credit, Housing, Landlord/Tenant, Employment and Family Law. Attorneys provide referrals to appropriate agencies. Spanish-speaking attorneys are available.*

**Centro San Juan Diego**

Date: 1st Wednesday of each month  
Location: 2830 Lawrence St.  
Denver, CO 80205  
Time: 5:30-7:00 p.m.  
Phone: 303.295.9470

*Description: Meet with an attorney free of charge and get information in the areas of Immigration, Credit, Housing, Landlord/Tenant, Employment and Family Law. Attorneys provide referrals to appropriate agencies. Spanish interpreters will be available.*