

Update on DACA

June 19, 2020 Supreme Court Decision

On June 19, 2020, the Supreme Court issued a decision ruling that the federal government's decision to rescind the DACA program was arbitrary and capricious and violated the Administrative Procedures Act. The Court ruled that the government's process to rescind DACA was flawed, but it did not decide that the government's decision to rescind DACA violated the U.S. Constitution. This means that the government can still take action to terminate DACA. President Trump has expressed the intent to take new action to rescind the DACA program.

University Commitment

Illinois State University remains an open, welcoming, and inclusive campus for all students and scholars, regardless of immigration or citizenship status. All students, faculty and staff are protected by University policy against discrimination and harassment based on race, color, religion, sex, national origin, sexual orientation, order of protection, gender identity and expression, ancestry, age, marital status, disability, genetic information, unfavorable military discharge, or status as a veteran in employment.

Illinois State will continue to admit, serve, and support undocumented students as authorized by law and employ individuals with DACA status as permitted by law. We welcome DACA students and employees to our campus as full members of the Redbird community.

DACA/Employment Permits

Current DACA work permits (Employment Authorization Documents) will remain valid until they expire. The Department of Homeland Security website indicates USCIS has resumed accepting requests to renew a DACA grant. However, the website has not yet been updated after the Supreme Court decision to indicate whether or not new applications are being considered or if a new action will be taken with respect to the DACA program.

DACA/International Travel

If you are a DACA recipient, you should weigh the benefits and risks of international travel carefully as border agents have wide discretion in determining the admissibility of any person presenting at the border.

Permission to travel internationally (advance parole travel for DACA recipients) is no longer available. If you have a previously approved DACA advance parole application, it will remain valid until it expires. If you have a current DACA permit, and you leave the country with no

approved advance parole application, your ability to re-enter the United States at a point of entry may be denied.

If any member of the University community has planned or scheduled international travel (study abroad, research, alt-spring break, service trips) that could be impacted by the new DACA restrictions, we advise you to consult with the sponsoring University department immediately or contact Amy Hurd, Associate Vice President for Undergraduate Education, at arhurd@IllinoisState.edu or (309) 438-2157 for further information or referral.

Historical Information

On September 5, 2017 the Trump administration announced the decision to wind down the federal Deferred Action for Childhood Arrivals (DACA) program.

The Department of Homeland Security (DHS) issued a memorandum regarding rescission of the Executive Order that grounded DACA. The memo provided legal context from DHS' perspective as well as some specific statements about how applications under DACA would be handled while the decision was subject to a legal challenge in courts.

[Read the full text of the memorandum](#)

Lawsuits were filed in multiple federal courts challenging this decision. As part of the litigation, courts issued injunctions requiring the U.S. Citizenship & Immigration Services to continue to process DACA renewal applications. No new applications for DACA status were accepted after the original decision to rescind the DACA program was made. On June 28, 2019, the U.S. Supreme Court agreed to hear the DACA court cases. The Supreme Court heard oral arguments in the cases on Tuesday, November 12, 2019.

The University is monitoring developments closely and will post further information on this site as it becomes available.