

# Legal Resources in Immigration and Higher Education: Data and Materials on Undocumented and “DACA- mented” Students

By Michael A. Olivas

As *Bender's Immigration Bulletin* readers know, the various events concerning Immigration and Higher Education are always fluid and complex developments, with large and small implications for states, institutions of higher education, and immigrant students. As a service to the community and to further scholarship efforts, I regularly track a series of cases, statutes, administrative actions, and other materials in this fascinating field, one I have studied for many years. Because there have been a number of recent issues, ranging from DACA and DAPA to the moribund DREAM Act, stalled in Congress, I have pulled together several resources that should be of assistance to various users. These developments have already spawned over 100 articles in legal and social science journals, and should the U.S. Supreme Court grant certiorari in *Texas v. US*, this topic will be a front burner legal and political issue for some time.

I regularly circulate these data and materials, and post them at [www.law.uh.edu/ihelg](http://www.law.uh.edu/ihelg). As an end-of-the-year service, I have pulled together several tables and lists. I have annotated them in summary fashion, and they are part of a longer book project, *Perchance to DREAM: A Legal and Political History of the DREAM Act and DACA* (forthcoming, NYU Press). I have incorporated all the information I have on the nearly three dozen cases that have arisen in the dozen years since 2004, and the tables are current through December, 2015. I am also in the process of gathering state data on immigration and post-baccalaureate occupational licensing (such as immigration/eligibility requirements for lawyers, doctors, teachers, etc.) and more detailed data on the hundreds of lower-entry-level certifications and licensing in detailed state case studies, such as teacher's aides, beauticians, and the like. Most states have hundreds of such licensed occupations, and the rise of DACA and other deferred action has accorded many persons employment authorization, so that there is a tension between traditional entry requirements and immigrant EAD. There will be more to come in this space.

- <http://www.law.uh.edu/ihelg/documents/Statute-TableOne.html> [Table One: State Laws Allowing

Undocumented College Students to Establish Residency, 2015 (accommodationist state laws)]

- <http://www.law.uh.edu/ihelg/documents/Statute-TableTwo.html> [Table Two: States Restricting Access to Postsecondary Education, 2015 (restrictionist state laws)]
- <http://www.law.uh.edu/ihelg/DACA/immigration-litigation.asp> [Immigration Litigation in Higher Education and Challenges to DACA program (2004-2015)]

I hope that these are helpful to various stakeholders, and would appreciate any additional information or updates from readers.

December 2015 Tables 1, 2 3 have been formatted in a chart format for inclusion in this issue of the Bulletin.

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Michael A. Olivas, William B. Bates Distinguished Chair in Law, University of Houston Law Center, [molivas@uh.edu](mailto:molivas@uh.edu) (Editorial Board Member, *BIB*, LexisNexis/Matthew Bender)

## Table One State Laws Allowing Undocumented College Students to Establish Residency, 2015

Current as of December, 2015

State	Law	Extent of Law
Texas	H.B. 1403, 77th Leg., Reg. Sess. (Tex. 2001) [amended by S.B. 1528, 79th Leg., Reg. Sess. (Tex. 2005), relating to student financial aid]; Tex. Educ. Code Ann. § 54.052 and 54.053	Financial Aid Residency

California	A.B. 540, 2001-02 Cal. Sess. (Cal. 2001); Cal. Educ. Code §68130.5; A.B. 30 (2011), amending Cal. Educ. Code §68130.7 and adding §66021.7, relating to nonstate funded scholarships); A.B. 131, October 8, 2011 (amending Section 68130.7 of and adding Sections 66021.6, 69508.5, and 76300.5 to the Education Code, relating to state financial aid); A.B. 844, October 8, 2011 (amending Section 72023.5 and adding Sections 66016.3 and 66016.4 to the Education Code, relating to state financial aid to certain student leadership positions); S.B. 1210, Ch. 742 (2014) (amending Cal. Educ. Code §§ 70030 et seq., providing DREAM loans)	<b>Financial Aid</b> <b>Residency</b>
Utah	H.B. 144, 54th Leg., Gen. Sess. (Utah 2002); Utah Code Ann. § 53B-8-106	<b>Financial Aid</b> <b>Residency</b>
New York	S. B. 7784, 225th Leg., 2001 NY Sess. (NY 2002); N.Y. Educ. Law §355(2)(h)(8)	<b>Residency</b>
Washington	H.B. 1079, 58th Leg., Reg. Sess. (Wash. 2003); Wash. Rev. Code Ann. § 28B.15.012; and S.B. 6523, 63d Leg., Reg. Sess. (Wash. 2014); 2014 Wash. Sess. Laws ch. 1; amending Wash. Rev. Code § 28B.92.010 (2014) (relating to state financial aid)	<b>Financial Aid</b> <b>Residency</b>
Oklahoma	S.B. 596, 49th Leg., 1st Reg. Sess. (OK 2003)	<b>Residency</b>

	[financial assistance provisions rescinded, Oklahoma Taxpayer and Citizen Protection Act of 2007 (H.B. 1804)]; Okla. Stat. Ann. Tit. 70, § 3242	
Illinois	H.B. 60, 93rd Gen. Assemb., Reg. Sess. (Ill. 2003); 110 Ill. Comp. Stat. Ann. [amended by S.B. 2085, 97th Gen. Assemb., Reg. Sess. (Ill. 2011), relating to nonstate funded scholarships; 110 Ill. Comp. Stat. Ann.]	<b>Residency</b>
Kansas	H.B. 2145, 2003-2004 Leg., Reg. Sess. (KS 2004); K.S.A. §76-731a	<b>Residency</b>
New Mexico	S.B. 582, 47th Leg. Reg. Sess. (2005); N.M. Stat. Ann. §21-1-1 [allowing resident tuition and financial assistance]	<b>Financial Aid</b> <b>Residency</b>
Nebraska	L.B. 239, 99th Leg. 1st Sess. (Neb. 2006); Neb. Rev. Stat. Ann. § 85-502	<b>Financial Aid</b> <b>Residency</b>
Wisconsin	2009 Assembly Bill 75 (2009 Wisconsin Act 28); Wis. Stat. § 36.27 [repealed by AB 40, June 26, 2011]	<b>Residency</b>
Maryland	S.B. 167, 2011 Leg., Reg. Sess. (Md. 2011); MD. Code Ann. § 15-106.8 ["suspended," pending state referendum: MD Const. XVI, Sec. 2] [Ballot measure approved in general election, November, 2012]	<b>Residency</b>
Connecticut	H.B. 6390, 2011 Leg., Reg. Sess. (Conn. 2011);	<b>Residency</b>

	Conn. Gen. Stat. § 10a-29; H.B. 6844 (2015) Conn. Public Act No. 82, Conn. Gen. Stat. § 10a-29 [reducing 4 year requirement to 2 years]	
Rhode Island	S. 5.0, R.I. Board of Governors for Higher Education, September 26, 2011	<b>Residency</b>
Oregon	H.B. 2787, 77th Leg., Reg. Sess. (Or. 2013); 2013 Or. Laws Ch. 17, § 2; Or. Rev. Stat. § 351.641 (2013); S.B. 932 (2015), 2015 Or. Laws ch. 846, Or. Rev. Stat. §§ 348.180, 348.283, 348.303, 348.320, 351.641 [financial aid and scholarships: Sec. 8 (effective 2016–2017 academic year); Sec. 9 (special appropriation for 2015-2016 academic year)]	<b>Financial Aid</b> <b>Residency</b>
Colorado	S.B. 13-033, 69th Gen. Assemb., 1st Reg. Sess. (Co. 2013); amending Colo. Rev. Stat. § 23-7-110 and Colo. Rev. Stat. § 24-76.5-103 [allowing resident tuition and financial assistance]	<b>Financial Aid</b> <b>Residency</b>
Hawai'i	Haw. Code R. §§ 20-4-1-17 (LexisNexis 2013)	<b>Residency</b>
Minnesota	S.F. 1236, 88th Leg., 2013 Minn. Laws 75; Minn. Stat. § 135A.043 (2014)	<b>Residency</b>
New Jersey	S. 2479, 215th Leg., 1st Ann. Sess., N.J. Stat. Ann. § 18A:62-4.4 (West Supp. 2014)	<b>Residency</b>
Florida	Fla. Stat. § 1009.26 (2014)	<b>Residency</b>

### Notes: Developments and DACA Issues

In several states, ongoing legislative efforts or cases are involved in implementing these residency and financial aid issues. In New Jersey, an administrative action has been filed to implement financial aid for United States citizen children of undocumented parents, following *A.Z. v. Higher Education Assistance Authority*, 427 N.J. Super. 389, 398 (App. Div. 2012), available at <https://www.aclu-nj.org/legaldocket/petition-rule-making-regarding-student-eligibility-financial-aid/> [N.J.A.C. 9A:9-2-2(a)(1)]. Ironically, in one of the more unnecessary legislative efforts in this entire area, Tennessee does not allow undocumented or DACA students to establish residency, but became the only state to assure that citizen children are eligible for both status benefits, irrespective of the immigration status of their parents, <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2115&ga=108> (legislation and legislative history). This superfluous statute makes it the obverse of New Jersey, which does not accord these children financial aid. In New York, a settlement was reached in the residency case, *Strum, et al. v. SUNY, et al.* (Index No. 2011/00064), [www.suny.edu/tuitionsettlement](http://www.suny.edu/tuitionsettlement), regarding out-of-state students who attended high school in the state.

In addition, a number of states have allowed DACA recipients who meet durational requirements to establish residency status, on the premise that they are lawfully present and not undocumented; examples include Massachusetts. In the *Arizona v. MCCCCD* case on May 5, 2015, a state judge ruled that Maricopa County Community College must accord resident tuition to eligible DACA recipients, and the Arizona Board of Regents extended the resident tuition policy to the other state colleges: Statement, Arizona Board of Regents, ABOR Statement on In-State Tuition for DACA Students (May 7, 2015), <http://azregents.asu.edu/Documents/ABOR%20Statement%20on%20In-State%20Tuition%20For%20>.

In an ongoing case [*Olvera v. Univ. Sys. of Ga.'s Bd. of Regents*, No. A14A2352 (Ga. Ct. App. Mar. 19, 2015): <http://efast.gaappeals.us/download?filingId=e2388b2a-b4c8-488b-b18a-7625bfd5dc03>], the Board of Regents is being sued to implement DACA as eligibility for resident tuition.

Other states, such as Ohio, have ruled that individual public colleges in those states are eligible to make the determination about DACA-recognition for resident tuition. In a small number of states, public institutions are charged by law or administrative regulation with devising their own admissions standards and resident tuition policies, as in Michigan.

The University of Michigan, as one example, has adopted a policy that allows certain undocumented students who attended the State's middle schools and high schools to establish resident tuition. Not all Michigan public colleges in the state have adopted an accommodational approach to resident tuition policies. In Washington State, the Attorney General has ruled that DACA students may establish residence and eligibility for state financial aid, <http://www.law.uh.edu/ihelg/documents/DACA-FinancialAid.asp>.

## Table Two States Restricting Access to Postsecondary Education, 2015

Current as of December, 2015

State	Statute or Policy/Regulation
Alabama	<b>Statute:</b> H.B. 56, 2011 Leg., Reg. Sess. (Ala. 2011); Ala. Code § 31-13-8 [added section barring undocumented students from enrolling in or attending any institutions of postsecondary education; Enjoined by federal district court, October, 2011].
Arizona	<b>Statute:</b> S.C.R. 1031, § 3, Proposition 300, approved election Nov. 7, 2006, eff. Dec. 7, 2006 (Ariz. 2006); Ariz. Rev. Stat. Ann. § 15-1803 [amended to ban in-state tuition for undocumented students].
Georgia	<b>Statute:</b> S.B. 492, 149th Gen. Assemb., Reg. Sess. (Ga. 2008); Ga. Code Ann. § 20-3-66(d) [amended to ban in-state tuition for undocumented students].  <b>Policy/Regulation:</b> University System of Georgia Board of Regents, October, 2010 (affecting Georgia College & State University, Medical College of Georgia, Georgia State University, Georgia Institute of Technology, and University of Georgia), <a href="http://www.usg.edu/policymanual/section4/policy/4.1_general_policy/#p4.1.6_admission_of_persons_not_lawfully_present_in_the_united_states">http://www.usg.edu/policymanual/section4/policy/4.1_general_policy/#p4.1.6_admission_of_persons_not_lawfully_present_in_the_united_states</a> ; 4.3.4 Verification of Lawful Presence Each University System institution shall verify the lawful presence in the United States of every successfully admitted person applying for resident tuition status, as defined in Section 7.3 of this Policy Manual, and of every person admitted to an institution referenced in Section 4.1.6 of this Policy Manual, <a href="http://www.usg.edu/policymanual/section4/policy/4.3_student_residency/#p4.3.4_verification_of_lawful_presence">http://www.usg.edu/policymanual/section4/policy/4.3_student_residency/#p4.3.4_verification_of_lawful_presence</a> .

	<a href="http://www.usg.edu/policymanual/section4/policy/4.3_student_residency/#p4.3.4_verification_of_lawful_presence">edu/policymanual/section4/policy/4.3_student_residency/#p4.3.4_verification_of_lawful_presence</a> .
Indiana	<b>Statute:</b> H.B. 1402, 2011 Gen. Assemb., Reg. Sess. (Ind. 2011); Ind. Code Ann. § 21-14-11 [added Ch. 11 to title 21, banning in-state tuition for undocumented students].
Ohio	<b>Statute:</b> 129th General Assembly File No. 28, HB 153, § 101.01; O.R.C. 3333.31 (D), (E) (2011) [banning in-state tuition for undocumented students].
Missouri	<b>Statute:</b> H.B. 2003, 97th Gen. Assemb., 2d Reg. Sess. (Mo. 2014) “no funds shall be expended at public institutions of higher education that knowingly offer a tuition rate to an unlawfully present covered student pursuant to 173.1110, RSMo, that is less than the tuition rate charged to citizens or nationals of the United States whose residence is not in Missouri.” ( <a href="http://www.house.mo.gov/billtracking/bills141/biltxt/truly/HB2003T.htm">http://www.house.mo.gov/billtracking/bills141/biltxt/truly/HB2003T.htm</a> ); and S. B. 224 (“To repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program”) [Legislature overrode governor’s veto by a 2/3 vote in both the House and Senate: H.J. of Mo., 98th Gen. Assemb., Veto Sess. 27 (2015); S.J. of Mo., 98th Gen. Assemb., Veto Sess. 12 (2015)].
Montana	<b>Statute:</b> 2011 Mont. Laws 1238 [ratified by state ballot measure, November 2012; amending Mont. Code Ann. § 20-25-502 (2009), eff. 1/2013][enjoined by federal court, 6/2014]
North Carolina	<b>Policy/Regulation:</b> University of North Carolina Board of Governors, UNC Policy Manual, <a href="http://www.northcarolina.edu/apps/policy/index.php?pg=toc&amp;id=s291">http://www.northcarolina.edu/apps/policy/index.php?pg=toc&amp;id=s291</a> , Chapter 700, 700.1.4[G], Guidelines on the Admission of Undocumented Aliens:  Undocumented aliens are eligible to be considered for admission as undergraduates at UNC constituent institutions [1] based on their individual qualifications with limitations as set out below: 1. An undocumented alien may be considered for admission only if

	<p>he or she graduated from high school in the United States.</p> <p>2. Undocumented aliens may not receive state or federal financial aid in the form of a grant or a loan.</p> <p>3. An undocumented alien may not be considered a North Carolina resident for tuition purposes; all undocumented aliens must be charged out-of-state tuition.</p> <p>4. All undocumented aliens, whether or not they abide in North Carolina or graduated from a North Carolina high school, will be considered out of State for purposes of calculating the 18 percent cap on out of State freshmen pursuant to Policy 700.1.3.</p> <p>5. When considering whether or not to admit an undocumented alien into a specific program of study, constituent institutions should take into account that federal law prohibits the states from granting professional licenses to undocumented aliens.</p>
South Carolina	<b>Statute</b> H.B. 4400, 117th Gen. Assem. Reg. Sess. (S.C. 2008); S.C. Code Ann. § 59-101-430 [added section 430 to bar undocumented students from attending public institutions of higher learning, and also bar them from being able to receive in-state tuition].

**Table 3**  
**Immigration Litigation in Higher Education and Challenges to DACA program (2004-2015)**

Effective 12/2015

<b>Direct Challenges to DACA program:</b>	
Arpaio v. Obama	27 F. Supp. 3d 185 (D.D.C. 2014) (striking down AZ sheriff challenge to DACA), <i>aff'd</i> , 797 F.3d 11 (D.C. Cir. 2015), <i>petition</i>

	<i>for cert. filed</i> , 2015 U.S. S. Ct. Briefs LEXIS 4132 (Nov. 12, 2015) (No. 15-643).
United States v. Juarez-Escobar	25 F. Supp. 3d 774 (W.D. Pa. 2014) [Memorandum Opinion and Order of Court Re: Applicability of President Obama's November 20, 2014 Executive Action on Immigration to this Defendant]
Texas v. United States	86 F. Supp. 3d 591 (S.D. Tex. Feb. 16, 2015) (enjoining DHS from implementing DAPA and DACA 3 year EAD), <i>emergency stay denied</i> , 2015 U.S. Dist. LEXIS 45483 (S.D. Tex. Apr. 7, 2015), <i>aff'd</i> , 787 F.3d 733 (5th Cir. May 26, 2015), <i>preliminary injunction aff'd</i> , --- F.3d ---, 2015 U.S. App. LEXIS 19725 (5th Cir. Nov. 9, 2015), <i>petition for cert. filed</i> , 84 U.S.L.W. 706 (U.S. Nov. 20, 2015) (No. 15-674); No. 1:14-cv-254 (S.D. Tex., Dec. 16, 2015) [Order granting parties' Joint Motion to Stay Merits Proceedings Pending Supreme Court Review].
Judicial Watch, Inc. v. U.S. Dep't of Justice	20 F. Supp. 3d 260 (D.D.C. 2014) (court upholds FOIA Exemption 5 withholding of privileged DACA deliberative memos)
Crane v. Napolitano	920 F. Supp. 2d 724 (N. D. Tex. 2013) (challenge to DACA dismissed under Civil Service Reform Act (CSRA)), <i>aff'd</i> , 783 F.3d 244 (5th Cir. 2015).
Common Cause v. Biden	909 F. Supp. 2d 9 (D.D.C. 2012) (dismissing Senate debate/filibuster rules, re: immigration reform)
<b>Challenges to benefit/status denial re USC children of undocumented parents:</b>	
Herrera v. Finan	No. 7:14-cv-02255-BHH (D.S.C. filed June 10, 2014) (SC resident tuition and financial aid case concerning USC children and undocumented parents)
Ruiz v.	892 F. Supp. 2d 1321 (S.D. Fla.

Robinson	2012) (FL resident tuition case concerning USC children and undocumented parents)
A.Z. ex rel. B.Z. v. Higher Educ. Student Assistance Auth.	A.Z. ex rel. B.Z. v. Higher Educ. Student Assistance Auth., 48 A.3d 1151 (N.J. Super. Ct. App. Div. 2012) NJ (financial aid case concerning USC children and undocumented parents); consolidated with Cortes v. Higher Educ. Student Assistance Auth., No. A-2142-11-T1 (N.J. Super. Ct. App. Div. 2012) [administrative Petition for Rule Making Regarding Student Eligibility for Financial Aid: <a href="https://www.aclu-nj.org/legaldocket/petition-rule-making-regarding-student-eligibility-financial-aid/">https://www.aclu-nj.org/legaldocket/petition-rule-making-regarding-student-eligibility-financial-aid/</a> ]
Consent Decree, Student Advocates for Higher Educ. v. Bd. of Trs. of Cal. State Univ.	No. CPF-06-506755 (Cal. Super. Ct. Apr. 19, 2007).
<b>Immigration-Related Challenges to Financial Aid/Residency, Including DACA:</b>	
Doe v. Curators of Univ. of Missouri	No. 15BA-CV03499 (Mo. Cir. Ct. filed Oct. 13, 2015).
Doe v. St. Louis Cmty. Coll.,	No. 15SL-CC03511 (Mo. Cir. Ct. filed Oct. 13, 2015).
Mashiri v. Dep't of Educ.	709 F.3d 1299 (9th Cir. 2013) (Stafford Loan eligibility)
Tobin v. Rea	291 P.3d 983 (Ariz. 2013) (upholding challenge to Legislative Council's analysis of Prop. 204 [resident tuition bill] and ordering revisions to published analysis)
Hispanic Interest Coal. of Alabama v. Governor of	691 F. 3d 1236 (11th Cir. 2012), <i>cert den.</i> , Alabama v. U.S., 133 S. Ct. 2022 (2013), Scalia diss. (Ala. Code § 31-13-27), dismissal order and stipulated permanent

Alabama	injunction entered sub nom. Hispanic Interest Coal. of Alabama v. Bentley, No. 5:11-cv-2484-SLB (N.D. Ala. Nov. 25, 2013)
Marderosian v. Topinka	No. 1:12-cv-2262 (N.D. Ill. June 19, 2012) (challenge to Illinois in-state tuition law for undocumented students) [withdrawn, re-filed as Ardash Marderosian Trust v. Quinn, 2013 U.S. Dist. LEXIS 137008 (N.D. Ill. Sept. 25, 2013) [No. 1:12-cv-06869] (challenge to Illinois scholarship law for undocumented student scholarship fund, including scholarship funded by original gift)]
Orellana v. State Council of Higher Educ. for Virginia	No. CL13003086-00 (Va. Cir. Ct. Dec. 17, 2013) (Complaint for Declaratory Relief) (seeking to have DACA recipients considered eligible for resident tuition, unopposed motion for nonsuit granted Feb. 12, 2014),
Olvera v. Univ. Sys. of Georgia's Bd. of Regents	771 S.E.2d 91 (Ga. Ct. App. 2015) (affirming trial court dismissal of action seeking to have DACA recipients considered eligible for resident tuition), <i>cert. granted</i> , 2015 Ga. LEXIS 461 (Ga. June 15, 2015) (No. S15G1130).
Martinez v. Regents of the Univ. of California	241 P.3d 855 (Cal. 2010), <i>cert. den.</i> , 131 S.Ct. 2961 (2011) (upholding CA resident tuition policy for undocumented students).
Arizona v. Maricopa Cnty. Coll. Dist. Bd. ("MCCCD")	No. CV-2013-009093 (Ariz. Super. Ct. May 5, 2015) (DACA recipients are "lawfully present" for the purposes of Prop 300 and in-state tuition rates)
Doe v. Maryland State Bd. of Elections	No. O2-C11-163050 (Md. Cir. Ct. Feb. 17, 2012) (unsuccessful challenge to the state ballot measure "freezing" the 2011 Maryland Dream Act implementation), <i>affirmed on appeal</i> , Doe v. Maryland State Bd. of Elections, 53 A.3d 1111 (Md. 2012)

Immigration Reform Coal. of Texas (IRCOT) v. Texas	706 F. Supp. 2d 760 (S.D. Tex. 2010) (removed to state court); IRCOT's Notice of Nonsuit, Immigration Reform Coal. of Texas v. Hegar, No. 2009-79110 (281st Dist. Ct., Harris County, Tex. Dec. 10, 2015) (dismissing original suit); re-filed as Lone Star Coll. Sys. v. Immigration Reform Coal. of Texas (IRCOT), 418 S.W.3d 263 (Tex. App.—Houston [14th Dist.] 2013) (standing and procedural issues). Lone Star College System and Richard Carpenter v. Immigration Reform Coalition of Texas (IRCOT), No. 14-0031 (Tex. Oct. 24, 2014) (Supreme Court of Texas denied petition for review; Motion to Re-Urge Intervention and Motion to File Brief dismissed as moot).
Philips v. Bd. of Trustees of Montgomery Coll	No. C-342882 (Md. Cir. Ct. Aug. 16, 2011) (dismissing challenge to Montgomery College tuition policy for undocumented in-district residents)
Mannschreck v. Clare	No. Ci 10-8 (Neb. Dist. Ct. Dec. 17, 2010) (striking down challenge to Nebraska residency statute)
Dominguez v. Texas	No. 5:07-cv-00549 (W.D. Tex. Nov. 6, 2008) (settlement agreement with notice of withdrawal regarding TX veterans college benefit)
Day v. Sebelius	376 F. Supp. 2d 1022 (D. Kansas, 2005); Day v. Bond, 500 F. 3d 1127 (10th Cir. 2007) (dismissing challenge to Kansas state residency requirement)
Equal Access Education v. Merten	325 F. Supp. 2d 655 (2004) (state need not enact state law to offer resident tuition for undocumented students)
<b>DACA Challenges to Drivers' License Policies:</b>	
Arizona Dream Act Coal. v. Brewer	757 F.3d 1053 (9th Cir. 2014), <i>aff'd on remand</i> , 81 F.Supp.3d 795 (D. Ariz. 2015), <i>appeal docketed</i> , No. 15-15307 (9th Cir. Feb. 20,

	2015) (Arizona drivers' license ban in Arizona; defendants permanently enjoined from enforcing any policy or practice by which the Arizona Department of Transportation refuses to accept Employment Authorization Documents, issued under DACA, as proof that the document holders are authorized under federal law to be present in the United States for purposes of obtaining a driver's license or state identification card)
One Michigan v. Johnson	No. 2:12-cv-15551 (E.D. Mich. Dec. 19, 2012) (challenge to Michigan policy of denying driver's licenses to DACA recipients (dismissed after Michigan reversed policy)
Hernandez v. Heineman	No. CI-13-2124 (Neb. Dist. Ct. June 10, 2013) (challenge to Nebraska policy of denying driver's licenses to DACA recipients), <i>remanded to district court</i> , 2014 U.S. Dist. LEXIS 175788 (D. Neb. Dec. 19, 2014) [No. 4:14-CV-3178].
<b>Occupational Licensing/Bar Admissions, DACA or Undocumented:</b>	
In re Sergio Garcia on Admission	315 P.3d 117 (Cal. 2014) (recognizing CA statute to admit undocumented applicant to CA bar)
In re Florida Bd. of Bar Examiners	134 So. 3d 432 (Fla. 2014) (not admitting DACA applicant to FL bar)
In re Vargas	10 N.Y.S. 3d. 579 (N.Y. App. Div. 2015)
Juarez v. Nw. Mut. Life Ins. Co.	No. 14-CV-5107 KBF, 69 F. Supp. 3d 364 (S.D.N.Y. 2014), <i>appeal filed</i> , No. 15-790 (2d Cir. Mar. 17, 2015) (allegations of refusal to recognize EAD for hiring sufficient to state § 1981 claim)