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Empty Promises: Why and How Community Colleges Exclude Undocumented Students from "Free College" Promise Programs

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ABSTRACT

Given their lower costs, community colleges are the most accessible postsecondary institutions for undocumented students. Emerging "free community college" (i.e. Promise) programs *could* therefore be uniquely beneficial for these students. Yet many programs exclude undocumented students, either explicitly or by requiring Pell eligibility or FAFSA completion. Drawing on a case study of a program at Milwaukee Area Technical College, including 146 stakeholder interviews, we shed light on why, how, and to what effect such exclusions occur. We show that this exclusion was not inevitable given administrators' *discretion* in program design, but that this outcome was likely given community colleges' subordinate position in the academic hierarchy as well as the hostile immigration state context. We also examine the college leaders' choice of an *ambiguous* exclusion process and provide suggestive evidence that this ambiguity harmed undocumented students. The study furthers the understanding of the role of higher education in shaping bureaucratic incorporation for undocumented youth in hostile immigration states and uncovers another mechanism through which colleges block access to affordability for undocumented students.

KEYWORDS

Immigrant incorporation; free college programs; undocumented immigrants; higher education; community colleges

Like many rich countries, the United States has a sizable population with undocumented[1] (unauthorized or irregular) immigration status, which legally excludes them from full economic participation and social citizenship. Estimates suggest there are currently over 11 million undocumented individuals in the United States (Baker and Warren 2024), many of whom have lived in the United States for most of their lives and are unlikely to leave. Barring significant changes, this immigration status will considerably constrict their lives, to the detriment of their children, families, communities, and of society (Gonzales 2016).

Education is crucial for socioeconomic opportunity, and the current U.S. educational system simultaneously includes and excludes undocumented youth from these opportunities (Abrego 2006; Abrego and Gonzales 2010; Gonzales, Heredia, and Negrón-Gonzales 2015). In public primary and secondary education, undocumented students are entitled to formal equality with their age-peers.[2] Although formal equality of *access* to postsecondary education generally exists for undocumented students, in practice this is significantly limited because the federal government

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legally bars these students from federal student aid, and many states also exclude them from state aid and in-state tuition rates (Abrego and Negrón-Gonzales 2020; Olivas 2020:32; Pérez 2012). Consequently, at the end of high school, undocumented students as a group enter a distinct trajectory of disadvantage relative to otherwise similar youth (Patler 2018).

Since federal remedial action is unlikely in the near- to mid-term, immigrant-rights advocates have refocused on states, localities, and even non- or quasi-state organizations as potential generators of policy to mitigate the impacts of undocumented status. Advocates see colleges as particularly promising terrain, given the K-12 system's inclusivity, universities' cosmopolitan missions, and the liberal political orientations of faculty and administrators (Green 2019; Langbert and Stevens 2022; Meyer and Frank 2020). Many colleges have indeed created inclusive programming and initiatives (Delgado 2022). However, such efforts do little to ease the financial burden of college attendance in the absence of aid (Terriquez 2015).

Therefore, the proliferation of "free college" (or "Promise") programs should be a windfall for undocumented students (Ballerini 2020; Presidents' Alliance on Higher Education and Immigration 2021a). It is true that most free college programs provide little new funding to low-income students, since most are restricted to community colleges and cover tuition on a last-dollar[3] basis (Jones, Ramirez-Mendoza, and Jackson 2020; Poutre and Voight 2018). But for undocumented youth, these programs could potentially be full-tuition scholarships.

Unfortunately, many statewide and local free community college programs exclude undocumented students. Some do so explicitly, but most do by requiring Pell eligibility (barring all applicants with undocumented status) or completion of the Free Application for Federal Student Aid (FAFSA). Participants in the Deferred Action for Childhood Arrivals (DACA) program can complete FAFSA, but other undocumented students cannot. The purpose of this paper is to shed light on why and how this exclusion occurs.

We do so through a case study of one "free community college" program: the Milwaukee Area Technical College (MATC) Promise.[4] Our approach allows us to generate a detailed description of the college leaders' goals in creating and designing a "free college" program and how this was influenced by the college's fiscal situation and political context. We also examine how and why administrators elected to communicate the exclusion of undocumented students *ambiguously*. Finally, we provide suggestive evidence regarding the harmful effects of ambiguous exclusion on undocumented students.

We make several contributions to research on immigrant bureaucratic incorporation, specifically in higher educational contexts and uncover another mechanism through which colleges block access to affordability for undocumented students. We emphasize the *discretion* that college administrators exercise, as "street level bureaucrats" (Lipsky 2010) in the practical implementation of immigration law, to further or hinder this incorporation. However, we also highlight constraints on administrators' agency resulting from a college's financial situation and political context. Additionally, while previous research has focused on well-funded colleges in immigrant-friendly states, we extend inquiry to a struggling big-city community college in a more hostile state.

Literature Review

Immigrant Incorporation in Higher Education

Much research discusses how immigrant incorporation is shaped by institutions (Shannon and Gonzales 2012; Portes and Rumbaut 2001). Immigration researchers use the concept of incorporation to describe immigrant integration pathways, often examining how well newcomers and their children are received into different levels (e.g. federal, state, local) and types of contexts (e.g. work, school, civic spaces) (Flippen and Farrell-Bryan 2021; Marrow 2020). Much of this analysis aims to identify where immigrant groups face limits or supports for opportunities to access education (Patler 2018). Especially for immigrants with an undocumented status, education institutions remain a key setting with great potential for furthering their incorporation (Abrego and Gonzales 2010; Gonzales, Heredia, and Negrón-Gonzales 2015).

Overall, the U.S. education system plays a profound but complex role in the incorporation of undocumented immigrant youth. The Supreme Court's 1982 decision in *Plyer v. Doe* granted undocumented students formal equality in K-12 public education, blunting the effect of undocumented status among minors (Shannon and Gonzales, 2012; Silver 2012). A profound shift, termed the "transition to illegality" (Gonzales 2011, 2015; Gonzales and Chavez 2012) occurs in late high school as undocumented youth confront major formal exclusions stemming from their immigration status (Abrego and Gonzales 2010).

The college setting is markedly less accessible than the K-12 context for undocumented students. Undocumented students may legally attend most U.S. colleges but are excluded from federal grants and loans (Olivas 2020). Consequently, they enroll in college at lower rates than otherwise similar students (Patler 2018:1101; Greenman and Hall 2013; Yoshikawa, Suarez-Orozco, and Gonzales 2017). Nationally, 22% of undocumented high school graduates attend postsecondary education (Ortega, Edwards, and Hsin 2018), compared with well over 60% of high school graduates overall. Many undocumented students withdraw because of financial hardship (Terriquez 2015). As DACA does not impact aid eligibility, it increased high school completion but not college attendance (Hamilton, Patler, and Savinar 2021; Hsin and Ortega 2018; Roth 2019; Kuka, Shenhav, and Shih 2020; but see suggestive evidence in Hamilton, Patler, and Savinar 2021).

Research often stresses the great *potential* higher education organizations have for mitigating the disadvantage of having an undocumented immigration status (Enriquez et al. 2019; Teranishi, Suárez-Orozco, and Suárez-Orozco 2011). Colleges are strong candidates for increasing incorporation for those with an undocumented immigration status, given their cosmopolitan mission (Suárez and Bromley 2012). They can be "undocufriendly" by fostering "safe spaces" like undocumented student organizations and resource centers (Delgado 2022; Suárez-Orozco et al. 2015), and training staff to support undocumented students (Nienhusser and Espino 2017).

However, the wider *context* also shapes undocumented youth access to higher education. States vary in their policies toward undocumented students in higher education (Cebulko and Silver 2016; Marrow 2020). Twenty-five states have granted in-state tuition (Kaushal 2008; Ngo and Astudillo 2019; Nguyen and Serna 2014; Potochnick 2014), while 16 grant eligibility for state aid (National Immigration Law Center 2022, Raza et al. 2019).

Conversely, six states explicitly exclude the undocumented students from in-state tuition and two ban them from attending public colleges (Gill 2018).

Federal, state, and local authorities all create policies altering the rights of undocumented immigrants (Drzewiecka, Gian-Louis Hernandez, and Pande 2019; Silver 2018; Varsanyi et al. 2012). The result is a patchwork of federal, state, and local policies, that Golash-Boza and Valdez (2018) call "nested contexts of reception," and which Silver (2018) likens to tectonic plates that may shift under the feet of undocumented immigrants. Undocumented individuals must actively negotiate "illegality" across these contexts (NakanoGlenn 2011). As such, even in localities with restrictive immigration laws, specific state agencies and quasi-state organizations can use their *bureaucratic* roles to foster greater incorporation (Marrow 2009).

Most research demonstrating colleges' potential for inclusivity focuses on the politically felicitous environment of California (Enriquez et al. 2019; Golash-Boza and Valdez 2018; Negrón-Gonzales 2017, 2023; Shannon and Gonzales 2012). Studies of relatively hostile regional contexts tend to focus on state actors (Cebulko and Silver 2016). We know little about how colleges, let alone community colleges, negotiate undocumented student inclusion in less "undocufriendly" localities. Research is unclear regarding where the more than 400,000 undocumented college students attend (Presidents' Alliance on Higher Education and Immigration 2021b). However, because community colleges are (relatively) affordable and geographically accessible, scholars suspect they enroll the largest share of undocumented students (Valenzuela et al. 2015). Community college are therefore a natural target for movements advocating undocumented inclusion. Colleges vary in the extent to which they can safely enact "undocufriendly" policies, including extending (limited) institutional monetary aid.

Integrating ideas from organization theory can capture both the "subordinated organization" status of community colleges (Brint and Karabel 1989) particularly in hostile immigration states, as well as college administrators discretionary power regarding undocumented inclusion. Resource dependency theory highlights organizations' dependence on other entities (the state, other organizations, the electorate) for crucial resources (Hillman, Withers, and Collins 2009; Pfeffer and Salancik 1978). Organizations are, like individuals, embedded in a stratified order, and relatively subordinate organizations have less agency than do those more highly placed (Emirbayer and Johnson 2008). In higher education, Harvard University exercises more autonomy than the University of Massachusetts, which exercises more than Bunker Hill Community College. A college's policies depend not only on their leaders' preferences but on the college's dependence on external powerholders and the preferences of these powerholders. Colleges with limited autonomy (e.g., community colleges) are unlikely to adopt policies which risk incurring the wrath of those to whom they are subordinated. This limited autonomy renders community colleges less likely to expand rights for undocumented students in a hostile immigration state.

But even subordinated organizations are made of up social actors with discretionary decision-making power. "Street-level bureaucrats" often exclude, or provide poor services, in order to help meet the larger efficiency goals of their organization (Lipsky 2010:xi). Existing literature demonstrates the ability of college staff to extend or retract organizational policies of inclusion or exclusion (Howard 2017). The community college is a particularly relevant context in which administrators can shape the implementation of

state or federal immigration law and therefore the broader social inclusion of undocumented immigrants.

Free Community College Programs

College tuition rose faster than the median household income during the last half-century (Goldrick-Rab 2016), and most Americans today believe that college is too expensive (Gallup 2024). This has given rise, particularly since 2010, to calls for "free college." There has also been there has been a sharp drop since 2010 in the share of Americans pursuing postsecondary education, especially at community colleges (Fields and Brint 2023).

"Free college" programs, often called "Promise programs," are widespread across many U.S. states and localities, and were initially unrelated to "free college" political projects (College Promise 2021). "Promise programs" emerged as strategies to revitalize distressed cities in the mid-2000s, using generous scholarships to entice families to relocate to the eligible area (Miller-Adams 2008). In 2014, Tennessee created the Tennessee Promise, guaranteeing free community college tuition to directly-enrolling high school graduates as part of its workforce development policy. Several other states and well over a hundred individual colleges created similar programs in the following years, and the Obama administration also modeled its free community college proposal after Tennessee's program. Subsequently, "Promise programs" became largely synonymous with "free community college," and both became linked to the political movement for free college.

Today, most state and local "free college programs" in the U.S. are community college programs. Such programs are cheaper (given community colleges' lower tuition) and enjoy broader political support (Imlay 2021; Ison 2022) than programs applicable at four-year colleges. Most are last-dollar full tuition guarantees available on an entitlement basis to eligible students, with eligibility limited in several ways.

Knowledgeable commentators argue that free community college programs can hugely benefit undocumented students (Ballerini 2020; Presidents' Alliance on Higher Education and Immigration 2021a). However, these programs often exclude undocumented individuals. Depending on who is assembling the program list, between 39% and 50% of statewide programs explicitly exclude undocumented students (Jones, Ramirez-Mendoza, and Jackson 2020; Salazar et al. 2023).

We examined websites for 314 local free community college programs and found that 47% exclude all or some undocumented students (data available upon request). However, over half (55%, or 93 of the total) of the inclusive programs are in California, and most were created through a state law (AB 19) mandating such inclusion. Just 74 (33%) of the 221 programs outside California include all undocumented students. The programs which exclude undocumented students mostly do so *implicitly* with 101 requiring FAFSA completion and 27 programs requiring Pell eligibility. The remaining 19 programs explicitly require citizenship or lawful permanent resident status.

Case Study: The MATC Promise

Milwaukee Area Technical College is the largest of the 16 public two-year colleges making up the Wisconsin Technical College System (WTCS). Its more than 12,000 students attend

at a downtown Milwaukee and three suburban campuses. Roughly 75% of entering first-year students are Pell-eligible, and 60% have an expected family contribution of $0.[5] MATC's students are majority-minoritized with a 34% white plurality. Three-quarters of students attend part-time, and half are aged 25 or older. Most of its students score low enough on academic placement tests to require developmental education. This indicates that much of its student body has struggled educationally prior to enrollment.

MATC's district[6] encompasses Milwaukee and its inner-ring suburbs. Milwaukee has experienced significant depopulation since 1960 and has among the highest poverty rates of major cities in the U.S. It is a majority-minoritized city with an African American plurality, pronounced racial and income segregation, and sizable immigrant populations from Latin America and Southeast Asia. Roughly 27% of Milwaukee County's 58,000 immigrants are undocumented, and most of these are from Mexico and Central America.[7]

In the fall of 2015 MATC announced that it was creating a free college program, the MATC Promise. The program's first eligible cohort would enroll the following fall. Like the Tennessee Promise, MATC's program is a last-dollar, tuition-only scholarship covering four semesters and restricted to direct-enrolling high school graduates. MATC also adopted several income- and merit-based eligibility criteria. MATC administrators expected no state support for the program and funded it through private donations.

Methods

Our data derive from a mixed-methods case study of the development, implementation, and results of the MATC Promise. Case studies involve extensive data collection focusing on a single "case" observed in its "natural environment" (Ebneyamini and Sadeghi Moghadam 2018). Case studies illuminate the social and historical contexts in which cases are embedded, frequently utilizing rich qualitative and quantitative data from several sources (Hartley 2004). In contrast to quantitative inference of causal *effects*, case studies permit detailed "interpretive description" of causal *processes* (i.e., "process tracing") (Bennett 2004; Thorne 2016). The open-ended, expansive nature of case study data collection frequently results in unexpected observations conducive to theory-generation (Orum, Feagin, and Sjoberg 2016). Limitations involve replicability and generalizability (e.g., Small 2009).

Though we gathered extensive[8] data for our larger study, this paper draws principally on 146 in-depth interviews with four samples: seven members of MATC's top administration,[9] 31 MATC faculty and staff (interviewed twice each), 15 Milwaukee public high school counselors, and 35 students (following up with 28). The administrator sample is the entire MATC Promise development team. We purposively sampled staff and faculty directly serving Promise students. We sampled high school counselors to maximize representation across Milwaukee high schools. The student sample is a consecutive sample recruited on a rolling basis from a college-provide list and interviewed on a first-come, first-serve basis. The first author conducted nearly all interviews.[10] Except for the school counselor interviews, which were completed in the spring of 2016, interviews took place during the 2016–17 academic year—the first year of the first entering MATC Promise cohort.

Findings discussed below emerged unexpectedly during research. We first learned about issues regarding undocumented students from student respondents and pursued these matters further during subsequent interviews with faculty, staff, and administrators. We engaged in "process tracing" by moving upstream from the central "fact" of ineligibility to

the historical context in which this decision was made, and downstream to grasp how the decision was communicated to and understood by students. To establish validity and trustworthiness, we triangulated empirical findings whenever possible and utilize thick description (Lincoln and Guba 1985).

Given our tight focus, we drew selectively on interview data, extracting relevant interviews in their entirety, reading through them closely and repeatedly, and identifying explanatory evidence. When discussing the selection and adoption of program features, we draw on interviews with administrators. Information about how the program was communicated to students comes from interviews with four staff in MATC's recruiting department (the interview with the Director of Recruiting also contributed here) and with high school counselors. Finally, three of our 35 student respondents were undocumented immigrants, interviews with whom constitute our data regarding student experiences. We supplement with (quantitative) administrative data (e.g., scholarship amounts by student).

Findings

We argue that MATC administrators excluded undocumented students from their new "free college" program, and did so in an ambiguous fashion, for two reasons: they wished to minimize financial exposure and to avoid hostility from both anti- or pro-immigrant constituencies. Program designers communicated this exclusion in halting and unclear fashion through frontline workers to students. This course of action had foreseeable, if unintended, negative consequences for undocumented students.

Creating a Policy: Economic and Political Considerations

Community colleges' subordinate position in the academic hierarchy has tangible economic implications. First, they are generally more financially constrained, with per-student revenues less than half (44%) those of four-year public colleges. Second, these revenues come more exclusively from either state and local appropriations[11] (44%, vs. 18% at public four-year colleges) or tuition and portable student grants (35% vs. 27%). This renders community colleges particularly vulnerable to downturns in either funding or enrollment. By the mid-2010s, MATC was experiencing both.

Wisconsin, like many states, failed to raise higher education appropriations to keep up with rising college costs over the latter 20th century. By 2007–8, state funding made up only 14.5% of the Wisconsin Technical College System's revenues, and this shrank to 10.2% in 2013–14 (Wisconsin Technical College System 2019). Indeed, in Wisconsin state funding fell in absolute terms by over $34 M in the years surrounding 2010, largely because of a 26% cut in FY2011 (Wisconsin Legislative Fiscal Bureau 2017). Prior to the Great Recession, MATC had enjoyed rising property tax revenue, but this too fell after 2009. In 2013, WI Act 145 reduced property tax revenue for the WTCS system by $406 million dollars, replacing this by an equal amount in state appropriations. Through this legislative accounting maneuver, state appropriations came to constitute a third of WTCS revenue, but without increasing total revenue for the system. MATC's total state and local revenue fell in real terms by over 25 million dollars between 2009 and 2016 (authors' estimate using IPEDS).[12]

Like many community colleges, MATC experienced prolonged and severe enrollment decline after 2010. MATC's full-time equivalent enrollment fell by 30%

between 2009–2015—double the decline of the WTCS system (authors' estimates using IPEDS). This, combined with appropriations cuts and property tax stagnation, created "a perfect storm from a budgetary standpoint," said the MATC Foundation director.

Program designers were candid, even publicly (Gousha 2016), that they launched the MATC Promise to reverse enrollment decline and stabilize revenue—as well as to improve educational opportunity for local youth. According to the Vice President of Student Services, "we were brainstorming ways to increase enrollment and . . . . the Promise did kind of come out of that as we were brainstorming." The director of the MATC Foundation explained that reversing declining enrollment "was certainly one of the objectives of the Promise, part of why it needed to be done sooner rather than later." Echoing this testimony, the *Milwaukee Journal Sentinel* reported in 2015 that "the college hopes an influx of new high school graduates will help reverse a trend of declining enrollment since the end of the recession" (Herzog 2015).

The college could expect its Promise program to increase revenue because most new enrollments would be funded through federal and state need-based grants. MATC's tuition, like that of many community colleges, is less than a full Pell grant, and its clientele is largely low-income. However, many low-income students are unaware that community college is, for them, already "free" (De La Rosa 2006; Reavis 2022). Therefore, simply announcing a "free college" program can spur new enrollment, a phenomenon that Promise researchers designate the "messaging effect" of a free college program (Miller-Adams 2015; Mishory 2018).[13] Research has shown that last-dollar community college Promise programs boost enrollment as much among lower-income students (who will not receive scholarship dollars) as among higher-income students (who will) (Anderson, Monaghan, and Richardson 2024; Carruthers and Fox 2016). MATC intended to boost enrollments, and thereby revenue, through the message of "free college."

MATC took additional steps to reduce the potential cost of its "free college" program. It restricted eligibility to students with an expected family contribution (EFC) of $3,000—well below the Pell eligibility threshold—ensuring that no student would have a large "gap" between tuition and aid. It set an early FAFSA filing deadline to maximize the amount of state need-based aid (which in Wisconsin is limited and dispensed to early applicants) students would receive. And it required an ACT score of 16 or higher, as students below this threshold typically require remediation and federal grants can't be applied to most developmental courses.

Most importantly for this study, MATC excluded undocumented students by restricting the program to students eligible for Pell grants. Some administrators said this was decided very early and for financial reasons. The VP of Student Services explained,

> we identified [it] really early on in the process . . . Because we were counting on federal dollars to make this financially feasible, we knew that undocumented (students) were not eligible . . . We knew that we couldn't give (undocumented students) full (funding) because with zero financial aid, financially, that would really be hard for the college to maintain.

The director of the MATC Foundation concurred. "The only way we can do the Promise as we've designed it is by highly leveraging financial aid," she explained. "And undocumented students are going to need full scholarships and we just don't know that we can raise the money for them."

College officials also accounted for their decision by alluding to potential political blowback for the college should they include undocumented students. Doing so would, they worried, antagonize the Republican-dominated state legislature, Milwaukee's conservative business leaders, and anti-immigrant factions among the suburban Milwaukee electorate—including potential donors to its new program. The VP of Student Services recounted a conversation with the director of a local philanthropy: "I sensed some hesitation because there are enough conservative people on their board that would have a problem with (funding undocumented students) . . . they recognize that it was controversial." Given the local balance of political forces, explained the Director of Recruiting, serving undocumented immigrants was "a touchy subject" for MATC.

To grasp why college officials were concerned with such controversy, it is necessary to place the college in the context of mid-2010s Wisconsin politics. MATC is the community college for the Milwaukee area, and Milwaukee is very distinct, demographically and politically, within Wisconsin. It is more than twice the size of the next largest city, and while it accounts for only 10% of Wisconsin's population it is home to 64% of its Black residents, 28% of its Latinx residents, 15% of its Asians, 20% of its foreign-born, and 25% of its residents in poverty. In the 2016 and 2020 presidential elections, Milwaukee's Democratic vote exceeded its Republican vote by more than 4 to 1 while Republicans scored a majority in the remainder of the state. Effectively, Wisconsin remains in play electorally only because of the Milwaukee and Madison metropolitan areas. By 2015, Wisconsin had been the scene of six years of fraught, high-profile political battles around partisan redistricting (Chen 2017), collective bargaining (WI Act 10 in 2011 and Act 1 in 2015), and higher education (eliminating tenure from the state constitution in 2015). These largely split along partisan, rural-urban lines.

MATC administrators were very aware that their college was associated, in the minds of many, with the low-income, minoritized, heavily Democratic population it serves. One administrator explained criticism of MATC in local media as follows: "reading between the lines . . . we have a higher percentage of minority students and that is just their way of making it more difficult for us." Additionally, its low completion rate—much lower than that of other Wisconsin community colleges—also rendered MATC vulnerable to criticism and intervention. In fact, in the words of one administrator, MATC was specifically "singled out" by the state legislature for board reorganization in 2012 (WI State Senate Bill 275) (Stein 2012). "It is certainly not a friendly political environment," concurred the faculty union president. Thus, the decision to exclude undocumented students was made from a politically threatened standpoint given recent scrutiny from the state's powerful conservative political machine, which is plausibly related to its service to a class-disadvantaged and minoritized student body and city.

To review, the college's administration blocked undocumented youth from its new "free college" program in order to minimize the college's financial and political exposure. This decision must be grasped in the context of the college's subordinated position vis-à-vis the state government, the reflexive hostility it incurred from powerful conservative forces given its association with a large racialized and Democratic city in a battleground state, and its mounting financial troubles occasioned by an enrollment collapse following upon decades of austerity. That is, excluding undocumented students was a "rational" decision made by a risk-averse college leadership facing what they perceived to be a revenue crisis and a hostile political landscape.

Ambiguous Exclusion

The college excluded undocumented students, but not explicitly. It did so by requiring Pell-eligibility as a condition of scholarship receipt. By contrast, other programs have made the exclusion explicit. For instance, the Brunswick Guarantee (at Brunswick Community College in North Carolina) requires a recipient to "be a United States citizen or documented lawful permanent resident of the United States." Additionally, MATC's administration communicated undocumented ineligibility in an inconsistent and unclear manner. We suggest that these choices occurred for two reasons: administrators were somewhat ambivalent about their decision, and they sought to avoid backlash from *pro*-immigrant local constituencies, especially within the campus community.

First, program designers indicated ambivalence about their choice to exclude students, perhaps indicating guilt or regret. For example, they accounted for exclusion by referencing constraints (as above) rather than by justifying (e.g., referencing the importance of upholding immigration law or restricting citizenship rights to the deserving). Some even alleged that the decision was initially unintentional. The president reported:

> I'll be really honest with you. The first year, (undocumented student eligibility) wasn't even on our radar until some of students brought it up.[14] And what was disturbing to me is the recruiters didn't bring it up to us . . . They went to the schools where the students were asking about it. Somehow that information never got to (the planning committee) . . . But when we finally did hear about it, through another place, it was like, "Oh my gosh, we haven't even thought about this."

These comments raise the second possible reason for ambiguous exclusion: avoiding objections from pro-immigrant students, faculty, staff, and community members. If the administration wished to avoid antagonizing both powerful anti-immigrant actors and much less powerful pro-immigrant forces, it would make sense to avoid referencing the matter directly.

Nonetheless, student-activists did become aware and expressed their disapproval to administrators. In another sign of ambivalence, administrators split the difference by creating a provisional partial scholarship (what they called the "Promise-DACA scholarship") for DACA participants who met all other qualifications. This solution, though a concession to immigrant advocates, was nonetheless designed to minimize animosity from anti-immigrant constituents in three ways. First, though MATC's Promise fundraising proved more successful than expected, raising over $1 million for the first cohort, administrators did not draw upon this stream for the undocumented student scholarship. "We told all these donors that (recipients) would have to be Pell eligible," the VP of Student Services said. "So, we were uncomfortable using money raised for Promise under those criteria going to the students who don't meet those criteria." The Director of the MATC Foundation explained where the money came from:

> (The money for undocumented students) was money that we had from a prior giving campaign . . . When it became clear we weren't going to need it to fund the first cohort of Promise students, we said, "well, let's use this for some DACA students then."

Second, they only made DACA students eligible. According to the college president, this was because DACA students were ineligible for federal aid but could still complete the FAFSA.[15] Other administrators said that it was because DACA students could work legally,

whereas other undocumented youth could not. The "Promise-DACA" scholarship was $1,000 per semester for the first year. This was more than MATC's median Promise award,[16] but considerably less than tuition. Like the MATC Promise, the "Promise-DACA" scholarship was contingent on full-time (12 credit) attendance; undocumented students could not reduce costs by attending part-time without forfeiting this stipend. Additionally, MATC did not issue the stipend until students had already paid at least their first tuition installment,[17] so it didn't defray immediate out-of-pocket expenses.

Third, MATC rolled out the Promise-DACA scholarship so quietly that some undocumented students were unaware of it until it was provided to them. To the best of our knowledge, it was never publicly announced. In contrast, the main program was announced by well-covered press conferences, billboards and posters all over Milwaukee, and a huge outreach campaign to high schools and community stakeholders. The scholarship disbursed a total of $29,000 to 17 students in AY 2016–17. MATC then quietly ended it, even for prior recipients. We were unable to learn of a reason for ending the program.

Communicating Ambiguity

MATC's policy was formulated by its administration, and administrators introduced it to the public directly through press conferences and advertisements. However, administrators understood that getting the attention of students would require repeated face-to-face engagement. This means that the program was principally communicated to students by two sets of frontline workers: 1) MATC's recruiters and 2) school counselors. To grasp what students heard, we need to understand what these workers were told and what they did with this information.

MATC administrators told recruiters to encourage undocumented students to sign up for the Promise while policy was being finalized. "(The MATC president) was very supportive of trying to find funding for our DACA students or undocumented students," the Director of Recruiting explained. "She definitely encouraged (Recruiting) to have undocumented students apply with this idea that we're trying to find funding." The director said that recruiters collected information about undocumented applicants: "We worked with students and we worked with high school counselors and . . . tracked who the undocumented students were."

Directives to recruiters regarding undocumented eligibility shifted over time. One recruiter recalled being initially told that undocumented students were ineligible. Later that information changed: "They told us, 'no; we should be collecting that information (i.e., helping undocumented students apply to the Promise).' It's like, 'what?'" Another recruiter described being baffled regarding how to treat undocumented students. "All I heard (from supervisors) was, 'well, bring in their information,'" they said. "So I brought it in. What do they do with it? I don't know." After MATC created the Promise-DACA scholarship, instructions to recruiters changed again. The MATC President: "We told the recruiters, 'Go back out there and tell all those DACA students who [you] said "no" [to], "yes, still apply."'" When it came time to help students complete the FAFSA, recruiters were told to have undocumented students complete a paper version of the form rather than the online version. One recruiter said this practice made him feel "uncomfortable," explaining: "You're also asking (undocumented students) to do a completely different process from the other students, 'No, you do the paper one. We don't want the online one from you.'"

School counselors reported that during initial recruitment they understood undocumented students to be ineligible for the Promise. Some—particularly those in schools with large Latinx populations—were frustrated by this. Nonetheless, they encouraged these students to apply because MATC recruiters told them MATC might still fund undocumented students. "I had most of my undocumented students (register for the MATC Promise) just as an option," one counselor explained. "Because at that time, (MATC recruiters) were like, 'well, if funding maybe comes in, we can see what we can do.'"

Thus, administrators' uneasiness regarding undocumented exclusion translated into changing and unclear directives to frontline staff. Staff encouraged undocumented students to apply despite knowing them to be ineligible, because of the *possibility* that they might *become* eligible—for something, if not full tuition.

Given this, it is worth asking what undocumented students understood regarding their eligibility. Here, our evidence is minimal, as we only were able to speak with three undocumented students, who we call Esperanza, Jessica, and Rafael. The latter two were DACA participants. Still, these students' testimonies are consistent on two points salient to this analysis.

First, all three respondents reported being told conflicting information about their eligibility by high school staff and MATC recruiters. Esperanza was told that "it (the Promise) was definitely for undocumented students so you have to do it." Jessica told us that "my school told me that they're (MATC) going to help you pay for your school, and that they might pay all of it." Rafael said that when he asked an MATC recruiter about whether he was eligible, he was told "'just fill the application out.' And that's pretty much the only answer I would get." In the absence of other information, he assumed he was eligible. "They're going to have the two years free," he explained. "That's how they announced it. If you applied for the Promise, you get two tuitions for free. So, I'm like, 'oh okay, this scholarship is a no-brainer.'" Esperanza and Jessica, but not Rafael, said they were later told that they wouldn't be eligible because they were undocumented. However, both Jessica and Rafael said they received communication from MATC welcoming them to the Promise program,[18] and as a result they expected to have their tuition covered when they enrolled in the fall.

Second, the respondents all eventually came to understand that they were ineligible. Esperanza had already learned, in interactions with another college, that she couldn't complete the FAFSA since she was not a DACA participant. So, when MATC recruiters insisted that completing FAFSA was mandatory, she knew she was excluded. But both Jessica and Rafael matriculated to MATC expecting their tuition to covered by the Promise program. They learned that they were ineligible when they received a bill for full tuition. Jessica recounted: "I received a letter saying, 'would you like a payment plan or would you like to pay all of it?' So I went (to the Bursar's office) and said, 'Well, how much would I be giving?' And they told me, 'The whole thing for the semester.'" After paying this using an award from a high school internship program, Jessica went to MATC's recruiting office[19] to withdraw from the Promise program. Only then was she informed that she would receive $1000 back through the newly created (and ultimately temporary) Promise-DACA program. We do not know if Rafael received this award.

We cannot assume that these respondents' experiences are representative of all undocumented students who applied to the MATC Promise. But the unclear information they reported receiving around their eligibility is consistent with testimony from MATC

recruiters, school counselors, and administrators. It is also consistent with generally fuzzy understandings of financial aid among prospective college students and their parents (Grodsky and Jones 2007) and of specific confusion regarding the financial aid eligibility of undocumented students.

Discussion and Conclusion

In the foregoing, we examined a "free community college program" which excludes undocumented immigrants from participation, asking why this exclusion was decided upon, how it was implemented, and what its consequences were. First, we found that the college decided to exclude undocumented students to minimize economic and political risks to itself. Second we found that the policy was communicated ambiguously, firstly through indirect exclusion (requiring Pell eligibility rather than citizenship or LPR status) and secondly through shifting communications to and through frontline staff. Third, we have suggestive evidence regarding consequences for undocumented students, but it seems that least some students enrolled believing they would receive full tuition coverage, only discovering otherwise when they received their tuition bill.

We make two distinct theoretical contributions. Our first contribution is to the literature on immigrant incorporation. Recently, much work has followed Glenn's (2011) reframing of (substantive) citizenship as social recognition and inclusion, and as therefore multidimensional, relative, "fluid" and situationally-dependent. Undocumented individuals are effectively suspended between two rights-regimes: a universal "human rights" regime and an exclusive, state-based citizenship rights regime (Soysal 1994). It is on the former basis that something like full citizenship is extended to undocumented youth in U.S. K-12 schools (Gonzales, Heredia, and Negrón-Gonzales 2015). Within U.S. higher education, undocumented youth generally enjoy formal equality of access and participation, and colleges often take positive steps toward *social* recognition and inclusion (Suárez-Orozco et al. 2015; Valenzuela et al. 2015). But matters are frankly different when money must be spent. Colleges, like MATC, will extend formal organizational equality through "undocufriendly" policies, but at the same time will consider equal inclusion in a grant program to be thoroughly at their discretion.

Our second theoretical contribution is to draw out the implications, in relation to immigrant inclusion, of community colleges' status as subordinated organizations (Brint and Karabel 1989). Community colleges are particularly dependent on state and local governments for funding and are therefore more directly answerable to them than are four-year public colleges. Their subordinate position in the academic hierarchy by definition denies them the protective organizational charisma enjoyed by more prestigious public colleges (e.g., state flagships). For these reasons, we suggest that community colleges will strive to minimize antagonism from whomever is politically ascendant. When dominant groups in local and state politics are anti-immigrant, community colleges may avoid openly embracing undocumented students. In pro-immigrant contexts, they may even be compelled to do so.

These findings have implications for several literatures. First, we contribute to the growing literature on free college/Promise programs. Much prior research on these programs focuses on estimating program effects, while another strain focuses on

how programs *should* be designed. We know little about the processes through which these programs are conceived, designed, and executed. Our study suggests that free college programs are designed to advance organizational goals at minimal risk to the founding organization. If correct, then program design will be strongly impacted by the founding organization's position within broader fields of resources and influence. In short, free college programs are, and should be analyzed, like other organizational initiatives.

Secondly, we contribute to the growing literature on bureaucratic incorporation of undocumented immigrants. Early work (e.g., Marrow 2009) discussed how public and quasi-public bureaucracies—particularly educational and service-oriented organizations—can extend resources to undocumented immigrants beyond that provided by state and federal policy. This framework was later extended to nonprofit organizations (de Graauw 2016) and colleges (Delgado 2022). Often this literature focuses on why and how organizations choose to adopt more inclusive policies toward undocumented immigrants. In contrast, our findings reveal why and how higher education organizations may elect *not* to extend meaningful equal treatment and inclusion when they have the opportunity to do so.

Bureaucratic inclusivity, like free college programs, is shaped by broader political and organizational ecosystems. Earlier bureaucratic incorporation scholarship found that greater inclusivity has occurred in both conservative- and liberal-leaning localities (de Graauw and Vermeulen 2022). Yet, the broader state and regional political context can influence a college leadership to decide against greater inclusion. Here we see how a hostile (anti-immigrant) state context led college administrators to conclude that the political establishment would not take kindly to funding undocumented students, even though (and in part *because*) the city where the college is situated would support inclusion. This finding is salient considering growing shift in immigration scholarship to understanding "new immigrant destinations." Such contexts are often less "undocufriendly" than well-studied places such as New York City or California. Our case study, situated in Wisconsin, can contribute to grasping how organizations respond to undocumented immigrants in such less receptive regional and state contexts. In this case, it was not the personal predilections of policymakers that prevailed—we suspect that most MATC administrators would have preferred to include undocumented students—but the interests of the policy-making organization.

Finally, we draw attention to the consequences of exclusion—particularly when enacted ambiguously—on undocumented students. As college administrators, acting as "street-level bureaucrats" vis-à-vis federal law, attempted to exclude undocumented students without drawing attention to this fact, they inevitably conveyed eligibility unclearly. This led at least some undocumented students to believe, as they thought they were told, that they would have college tuition fully covered. Instead, they found out that they owed full tuition, and only after enrolling at college. Thus they entered college in unexpected debt. The degree to which this harmed students isn't fully clear; some may, for instance, have attended MATC anyway had they been fully aware of the cost involved. We also don't know how widespread this miscommunication was. However, vulnerable students were misled in foreseeable fashion, and this undermined their trust in the college.

A major policy takeaway is that free community college programs are often *not* a "promising" path to making college affordable for undocumented students. First, colleges in states with consolidated anti-immigrant political power may be politically punished for

extending eligibility. Secondly, and perhaps more importantly, most community colleges lack the capital to bankroll a truly generous and inclusive "free tuition" program on their own. Even before the recent and unprecedented enrollment collapse, community colleges had endured decades of gradual defunding in many states. Given their requirement to keep tuition low and their lack of alternative revenue sources, community colleges are particularly dependent on state appropriations. Therefore, without considerable financial support from the state or from local donors, community colleges creating free college programs may face real difficulty in funding many undocumented students. Thus, while some colleges in states like California are better able, financially and politically, to expand access and supports for undocumented students, colleges in places like Wisconsin are more likely to exclude. By explaining MATC's choice to exclude, and to exclude ambiguously, we argue that the college administrators could have made a different choice, but it would have been fraught with risk to the organization in their charge.

Exclusion was not inevitable; administrators retained *full agency* in designing the program they decided to create. But this outcome was likely given the college's political context. Administrators decided to launch a free college program to, among other goals, stabilize enrollment and revenue. To support this program, they would have to fundraise broadly among affluent sections of the metropolitan population, including foundations and businesses,[20] and they knew unwelcoming sentiments toward undocumented immigrants to be common among such constituencies. Administrators also feared further criticism and scrutiny from local press and from conservative political leaders at the state level. Therefore, while inclusion was certainly within their power to extend, they felt they couldn't risk the blowback that could result, nor the additional financial exposure that fully funding undocumented tuition would entail. It therefore seems that they were willing to put vulnerable youth at risk of unwittingly incurring debt in order to advance the college's interests.

The most important limitation of this research is external validity given our case study approach. We do not know to what degree MATC's experience is representative of that of other colleges and programs, and we make no claim that it is. Our student and staff respondents were recruited through nonprobability sampling, so similar concerns apply regarding inference to non-sampled individuals within our site. However, it is important to distinguish between *statistical inference*—a concept usually used interchangeably with generalizability (e.g., Lucas 2014)—from *transfer of findings* in Lincoln and Guba's (1985) sense. The latter is far less precise in meaning, but is nonetheless a quite general scientific practice. When researchers using a representative cohort sample (like the Panel Study of Income Dynamics or Early Childhood Longitudinal Study) write as if their data is relevant beyond the exact sampled cohort (and they typically do), they are not making inferences from sample to population but transferring findings beyond this sampled population. Indeed, *every sample is a convenience sample in some dimensionality*, and so transfer of findings is a universal and unavoidable practice, everywhere speculative and imprecise.

Accordingly, we see our findings as suggesting hypotheses for future research. We suggest that organizations' decisions regarding (for instance) whether to include undocumented students in a free college program depend on those organizations' financial and political situations. Where organizations have more financial resources, are less dependent on external actors, and/or are dependent on those who favor inclusive policies, they will be more likely to include. Additionally, we suggest that organizations will opt for ambiguous exclusion where they are dependent on both pro-

and anti-immigrant forces, but where inclusivity advocates hold less power. Finally, we suspect that ambiguous exclusion will lead to erroneous understandings and potentially to costly mistakes by undocumented students. We suspect these to be general patterns, but cannot be certain at present. Future research will hopefully shed more light.

Notes

1. We subsequently use "undocumented" for all with irregular immigration status, including participants in the Deferred Action for Childhood Arrivals (DACA) program.
2. The Supreme Court's 1982 decision in Plyer v. Doe gives undocumented students formal equality in the K-12 public education system. Still, some districts adopt in informal tactics to exclude these students, such as creating additional barriers to enrollment or pressuring students to drop out (Olivas 2012; Michaels 2020).
3. Last-dollar or gap-funding grants cover tuition remaining after other grants are applied. Since community college tuition is often less than a full Pell grant, last-dollar community college programs provide little to low-income students.
4. Wisconsin's two-year public colleges are called technical colleges.
5. Authors' analysis of MATC administrative data.
6. Wisconsin, like many states, is divided into community (here, technical) college districts for purposes of taxation and tuition.
7. Authors' calculations from the US Census and Migration Policy Institute websites.
8. This included administrative data from MATC, Milwaukee Public Schools, and the Wisconsin Higher Educational Aids Board; publicly available data from IPEDS and online sources; and on-site observations of key events.
9. The president, Vice President of Student Services, Director of Recruiting, Director of Financial Aid, Director of Communications, and Director of the MATC Foundation. We also interviewed the faculty union president who, while not an administrator, participated in the Promise planning committee after it was initially unveiled.
10. Nine high school counselors were interviewed by others.
11. Community colleges tend to get roughly equal funding from direct state appropriations and from shares of property taxes within their catchment areas.
12. The Integrated Postsecondary Data System (IPEDS) collects and makes publicly available information reported by colleges to the U.S. Department of Education (National Center for Education Statistics n.d.).
13. The MATC Promise covers tuition remaining after need-based grants are applied. In 2015–16 MATC's in-district tuition was $3,852 and the maximum Pell grant was $5,775. Therefore, MATC could guarantee "free tuition" to most Pell-eligible students—that is, most of its students—at little to no cost. Indeed, much of MATC's student body attended without paying tuition even prior to the creation of the promise program.
14. The director of the MATC Foundation also said that "representatives from Latino organizations" first raised the issue of the undocumented students with Promise planners.
15. DACA youth are technically able to complete FAFSA, as they have social security numbers.
16. In 2016–17, MATC Promise funded 30 students. Award amounts were right-skewed, with the smallest award being $0.75, the median award $730, the mean $1,113, and the largest $4,309.
17. MATC students can pay semester tuition in four installments.
18. MATC classed all Promise applicants internally as "Promise students" regardless of eligibility. Those who met requirements were "Promise scholarship qualifiers" and those receiving funds were "Promise scholarship recipients." Many student respondents, including ineligible ones, reported receiving correspondence from MATC welcoming them to the Promise program (we cannot confirm this).

19. The recruiting office at MATC became something of an additional advising office for students who matriculated through the Promise program, since recruiters had already established relationships with these students.
20. Neither foundations nor businesses in the Milwaukee area ended up contributing substantially to the MATC Promise, but administrators had initially hoped for their support.

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