Non-Employment Based Opportunities (NEBO’s)

Planning and building inclusive internship and fellowship opportunities on-campus
Presenters

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Agenda

Part 1: Setting the Stage

Part 2: Case Studies

Part 3: Implementation
Objectives

● Become familiar with the opportunities and challenges (i.e. legal considerations) in designing and implementing NEBOs
● Learn strategies and resources to build and fund inclusive opportunities for career development from the ground-up
● Been exposed to effective models for implementing NEBO programs within your school/organization
● Constructed plans to develop programming on-campus
● Network with others on the same journey
Ice Breaker: Community Resource Map

(10 Minutes) Map out resources and opportunities available in your community for undocumented students, such as volunteer organizations, educational programs, artistic collectives, fellowship, Non-Profits

(10 Minutes) Share out in a group of three
Part 1: Setting the stage
What is a Fellowship?

Fellowships are generally defined as **short-term** opportunities, lasting from a few months to several years, that focus on the **educational and/or professional development** of the fellow.

Fellowships can support a variety of things, including study in a specific field; research to advance work on a particular issue; development of a new community-based organization or initiative; training to support a fellow’s growth; opportunities to further explore a particular field of work; and more.

Do not require the recipient to perform a past, present, or future service and are not considered to be employment (or “work”), **recipients are not required to be work-authorized**.
# Employment vs. Fellowship

<table>
<thead>
<tr>
<th>JOB</th>
<th>FELLOWSHIP</th>
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<tbody>
<tr>
<td>Hired</td>
<td>Selected</td>
</tr>
<tr>
<td>Employee-employer relationship</td>
<td>Trainee/trainer or advisee/advisor</td>
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<tr>
<td>Requires set hours</td>
<td>“Project-based” and does not require set hours</td>
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<tr>
<td>Requires work to be done in a specific way</td>
<td>Grantors should provide fellows with training, hands-on/experiential learning, professional development, and/or networking</td>
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<td>Usually highly supervised</td>
<td>Fellows should be able to develop projects more independently</td>
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<tr>
<td>Requires employment authorization</td>
<td>Does not require employment authorization because does not meet the definition of a job</td>
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Creating Fellowship Programs (For Educational Institutions) (immigrantsrising.org)
Test for Unpaid Interns and Students “Primary Beneficiary Test”

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation.

2. The extent to which the internship provides training similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.

3. The extent to which the internship is tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.

4. The extent to which the internship accommodates the intern’s academic commitments by corresponding to the academic calendar.

5. The extent to which the internship’s duration is limited to the period in which the internship provides the intern with beneficial learning.

6. The extent to which the intern’s work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.

7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.
Hypo #1

Marinello Schools of Beauty is a for-profit school that offers discounted cosmetology services to the public through salons staffed by vocational students who do not receive compensation. Marinello is licensed to operate in California and Nevada, and provides both classroom instruction and clinical experience for students. Students must complete a minimum number of instruction hours before participating in the clinic and working on customers.

Students at Marinello attend lectures, review course materials, take tests, and practice cosmetology on customers in the clinic under some instructor supervision, thereby allowing them to earn academic credit toward qualifying them to take the state licensing exam.

Was this unpaid labor/employment?
If you receive a scholarship, a fellowship grant, or other grant, all or part of the amounts you receive may be tax-free. Scholarships, fellowship grants, and other grants are *tax-free* if you meet the following conditions:

- **Student at Qualified Institution**
  - You're a candidate for a degree at an educational institution that maintains a regular faculty and curriculum and normally has a regularly enrolled body of students in attendance at the place where it carries on its educational activities; and

- **Used for Qualified Educational Expenses**
  - The amounts you receive are used to pay for tuition and fees required for enrollment or attendance at the educational institution, or for fees, books, supplies, and equipment required for courses at the educational institution.
Laying the Framework

01 Students Need
- Number of students with DACA decreasing
- Students being accepted into programs that require work authorization and required internships for certain majors
- The right to an equitable education

02 Identify Stakeholders
- President’s commitment
- Identify staff and professors
- Research and collaborate with other fellowships that receive private funding

03 Rely on existing programs
- UCLA Dream Summer Fellowship
- Immigrants Rising
- Presidents’ Alliance

04 Secure Private Funding
- College’s commitment
- Utilizing memos in support of undocumented students
- Tracking gaps & securing funders

Created by Denise Vivar, John Jay College
Payment Challenges

- How to pay students without SSN
- Existing language is heavily focused on Federal Work-Study and student employment
- Accountability for project deliverables if student is provided funds upfront
- Are the funds taxable?
- Do NEBO funds count towards a student’s financial aid package?
- Does the student have identification/bank account in their name?
Part 2: Case Studies
CARECEN: College Legal Services Program

**Basics:** Started in 2019, CARECEN has a team of ~30 legal staff who serve 20 California state universities & community colleges with free immigration legal services on campus through partnerships with campus Dream Resource Centers.

**Work Model:** Consultations, legal representation, workshops, educational presentations, and family events.

**Common Cases:** DACA, Advance Parole, Citizenship, Family Petitions/Adjustment of Status, Special Immigrant Juvenile Status, U visa/T visa/VAWA, Deportation Defense, lots of other things as they come up!

**Funding:** California Department of Social Services
CARECEN’s Legal Advocacy Fellowship

Overview
• 1 Fellow per campus for each campus CARECEN serves
• Ten-month program
• $5,000 award per fellow (4 installments)

Fellow Goals
• Expose the fellow to the legal field
• Develop advocacy and community organizing skills

Project Goal
• Increase accessibility of on-campus legal services for immigrant students.
Fellowship Roles & Responsibilities

- Host Campus
- Mentor
- Fellow

CARECEN (organization)

CARECEN staff that serves each campus
Host Campus Commitments

(1) Select the Fellow

This can be done either through an application process or if you already have someone identified, no application process is needed.

(2) Host the Fellow

No physical space is required. Hosting requires that the campus assign a mentor to the fellow.
Mentor Commitments

(1) Meetings with the Fellow
The mentor will provide guidance in project development through regular meetings with the student.

Recommendation is 1-2 times per month for 30 minutes to 1 hour (translates to 5-20 hours over the course of the year)

(2) Meetings with CARECEN
Attend 2 meetings per year with CARECEN staff (Manager or Supervisor) to discuss fellowship progress, goals, and emerging best practices.
CARECEN Commitments

- Financial commitment
- Host trainings
- Solicit program feedback & develop best practices
Fellow Commitments

● Develop projects that will increase accessibility to and awareness of legal services for immigrant students. We estimate that projects will take 275-300 hours over the course of the fellowship.

● Submit weekly reports to CARECEN that document project progress.

● Attend all required meetings with campus mentor.

● Attend monthly trainings with CARECEN staff.

● Submit a final report documenting the projects created and their impact on your campus.
Sample Trainings

Working in the Legal Field: What you need to know!

Digital Organizing

"On The Ground" Organizing for transnational issues

Public Speaking/How to Talk about Services
Sample Projects

- Create marketing materials
- Social media initiatives
- Attend new student orientations
- Organize a legal event
- Classroom presentations about legal services/topics
- Tabling at key events
Sample Project Highlight: CSULB
Senate Resolution #2023-06

- Worked with student government leaders at CSULB to advocate for inclusive opportunities for all students
- Resolution supports inclusive paid opportunities for all students at CSULB and highlights the Opportunity for ALL campaign
- Worked with other student leaders to build a rally and march on campus to encourage the passing of the resolution
- Passed and approved on Wednesday, November 16, 2023
Part 3: Implementation
Key Language for Proposal

Award
Internships
Experiential Research Projects
Non-Employment
External Organization
Micro-internships
Educational Project
not exhaustive
Professional Fellows
Skills
Lessons Learned

- The administrative burden was higher than I expected. For a meaningful outreach program with 15-20 fellows, it will probably require .25 - .50 FTE.
- We needed more regular reporting from the fellows to keep track of the impact of their projects. For year 2, we are implementing a weekly “check-in” report.
- The high turnover of Dream Center staff had an impact on our program because the staff are the fellows’ mentors.
- Students are creative and better suited to reach their peers!
Resources

- Immigrants Rising: https://immigrantsrising.org/resource/creating-fellowship-programs-for-educational-institutions/
- IRS: Topic No. 421 Scholarships, Fellowship Grants, and Other Grants | Internal Revenue Service (irs.gov)
Mt. San Antonio College – An Overview

- 3 examples of NEBOs
  - CARECEN Immigration Legal Services Fellowship
  - Campus-based NEBO: Peer Mentor Fellowship (Mt. SAC Funding)
  - California-Dream Act Service Incentive Grant (DSIG)

- The Role of Student Engagement & Advocacy
- Organizing Data, Language, & Information
- Addressing Anticipated Concerns/Challenges & Gaps of Information

- Lessons Learned
Initial Implementation Challenges

- Concerns about onsite injuries (HR-related concerns)
- Reference point is Federal Work-Study
- LiveScan / background checks
- Uncertainty about scope and breadth of fellowship
- Payment process and timeline
- Accountability of outcomes
The primary purpose of the Dream Resource Liaison Support funds is to support the institutionalization of Dreamer Resource Liaisons (UndocuLiaisons) and student support services, including those related to career pathways and economic mobility, for immigrant students. AB 1645 explicitly requires each community college to “ensure that it has a staff person designated as a Dreamer Resource Liaison”. However, Colleges have the flexibility to utilize these funds in a way that meets the current and real-time needs of their undocumented students, including direct aid to students. Examples of direct aid include but are not limited to, gift cards, scholarships, USCIS Fees, internships, and tuition for Non-AB540 students.”
The Mt. SAC Peer Mentor Fellowship
Advocating for funding – An example

“Undocumented students are barred from accessing the great majority of professional development opportunities that require work authorization and/or a social security number, including jobs on campus. Fellowships or internships provide professional development opportunities that are often accompanied by a financial aid award. These opportunities do not require work authorization nor a Social Security Number as it is not a job and not an employer-employee relationship. The fellowship is project-based and has deliverable outcomes. In this manner, undocumented students can have the same type of opportunities on campus to develop professionally and have funds allocated to their student financial aid account to cover the cost of attendance. The California Student Aid Commission is already operating a similar program, the Dreamers Service Incentive Grant (DSIG).”
Proposing vs. Asserting

“Direct aid through internships/fellowships is one of the cited allowable use of AB 1645 Funding (please see attached FAQ from the CO for reference, #12 on pg. 4-5). The idea has always been to offer a professional development opportunity that also provides grant funding for students to cover some of the costs of attending college. As we know, the traditional way for many students to obtain additional funding for their costs is often through on and off campus jobs that require work authorization, which an increasing majority of our undocumented students at Mt. SAC do not possess. They will depart from this opportunity with a stellar highlight on their resume, letters of recommendation from our team, and the confidence in knowing that opportunities exist regardless of the barriers that they may encounter based on their immigration status.”
Lessons Learned & Plans for Future Funding

- Integrate into existing college and organizational structure AND budgets
- Create capacity within campus access points for students
- Collaborate and delegate: Career Center and Financial Aid
- DO NOT make NEBOs person-dependent
- Emphasize the language of NEBOs/Fellowships: It's NOT A JOB!
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Resources

Creating Fellowship Programs (For Educational Institutions) (immigrantsrising.org)