

NAVIGATING THE UNSEEN: AN AUTOETHNOGRAPHIC EXPLORATION OF
DISPARITIES IN POST-SECONDARY EDUCATIONAL ACCESS AMONG SANCTUARY
SCHOLARS

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A THESIS SUBMITTED TO THE FACULTY OF GRADUATE STUDIES IN PARTIAL
FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF
EDUCATION

GRADUATE PROGRAM IN EDUCATION

YORK UNIVERSITY

TORONTO, ONTARIO

December 2025

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Abstract

This thesis examines how Canadian immigration and postsecondary education policies shape the access, experiences, and wellbeing of Sanctuary Scholars – students with precarious immigration status in Ontario. Using critical autoethnography, memory work, and constructivist grounded theory, I analyze institutional gatekeeping, emotional and psychological impacts, and the structural contradictions between diversity rhetoric and practice. Findings highlight the barriers Sanctuary Scholars face, along with the resilience, strategies, and community support they mobilize to navigate postsecondary education. The study concludes with policy and institutional recommendations to improve equity, advising, and financial accessibility, emphasizing the need for systemic change to support precarious-status students in Canadian higher education.

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On Barriers to Access in Post Secondary Education- Canada has “Dreamers” Too

I walk out of the York University subway station, marveling at the progress that I have made in my educational journey. Today is the first day of graduate school, and I am starting classes for my MEd program. I paused briefly outside the station, taking in the scenery at the Keele campus. There are students everywhere. They are spilling out of the bookstore, milling around York Lanes, enjoying the unseasonably warm temperature with new friends around the commons. There seems to be this general sense of excitement, achievement, and, dare I say, even purpose in their activities. The campus is alive and buzzing.

With a sense of excitement, mingled with a healthy dose of apprehension over the expectations and demands of graduate studies and a rising tide of impostor syndrome, I head over to Winters College. On approaching Vanier, I have the fleeting thought that this is where I had my very first university classroom experience. As I stop to gaze at the exit doors, the memory of that day comes flooding back.

Unlike the students I had observed when I came out of the subway, I remember my first day on the York campus as one in which excitement was supplanted by apprehension with a hearty side of disbelief and disorientation. Achievement and purpose did not make an appearance. At all. It was not that I was not happy to be starting my post-secondary education; it was quite the opposite. This had been such an elusive dream for so long that I was scared that if I even breathed too hard, it would all disappear or turn out to be a prank.

Before diving into the particulars of my experience, I would like to give you some context through a story. This story is about a young adolescent named Zoe. It is a composite¹, and it is intended to illustrate broader issues of Sanctuary Scholars' experiences through a fictionalized narrative.

Zoe is in her last year of high school, and everywhere she goes, everyone around her seems to be talking about their life after high school. She listens to her friends and peers talk about their transition to college, university, or a gap year. But Zoe is different. Her reality is different. She knows that this transition to post-secondary education (PSE) is not a possibility for her due to her precarious immigration status. She does not have regularized status in Canada (permanent residence or citizenship or refugee/protected persons) despite having lived in Canada for over a decade. As such, Zoe cannot continue her education journey along with her peers.

One thing that I would like you to keep in mind, dear reader, is that Zoe's precarious immigration status is not a result of any wrongdoing or negligence on her or her family's part. As a matter of fact, they followed all the rules and criteria that should have led to permanent resident status. However, the structure of the current immigration system makes it very challenging for racialized folks like Zoe and her family to be granted that regularized status.

So, here sits young, intelligent, civic-minded Zoe, going through her options and realizing that there are no viable post-secondary options. The barriers that she faces to access

¹ ¹ In this autoethnography, I use *quotations including simulated vignette conversations* to capture the texture of these interactions without exposing individual identities. These conversational snippets are drawn from collective memory and are either paraphrased, blended from multiple speakers, or recreated as composites to protect anonymity. Rather than direct attribution, I present these voices as representative of the shared oral culture among precarious-status migrants. This approach honours the communal knowledge embedded in these exchanges while mitigating risks to privacy and emotional safety.

PSE seem insurmountable. Theoretically, Zoe can apply as an international student, but tuition set at five times the domestic rate puts that option firmly out of Zoe's reach. She has lived here for many years, has friends, and is involved in her community both in and outside of school. Zoe has laid roots in Toronto. This is the only life that she knows. This is her home. For all intents and purposes, Zoe is a citizen - she is the embodiment of the characteristics of social and cultural citizenship.

However, that does not help Zoe. She cannot pursue post-secondary education without a SIN number or a study permit. All these barriers mean that her future is thrown off course. She is living here in the Sanctuary City of Toronto with a derailed future, feeling isolated and alone and seemingly out of options for accessing higher education – except for one.

In an attempt to bridge the access divide, York University began the Access for Students with Precarious Immigration Status program, or the Sanctuary Scholars program, in 2017. This program allows folks like Zoe to enroll in undergraduate programs at domestic rates. Toronto Metropolitan University also recently agreed to start such a program and started enrolling Sanctuary Scholars last year. Through this initiative and with help from the community organization S4 Collective, folks like Zoe can access university at domestic rates. Still, they must personally fund their education since they do not qualify for financial aid. Despite this challenge, Zoe is happy that she can at least get a degree.

Zoe's situation is not unique. There are many other youths out there like her. Youth who cannot pursue higher education, not because they lack ability, but because they lack access due to their precarious immigration status. As a matter of fact, Zoe and I have a lot in common. I am also a Sanctuary Scholar, and like Zoe, my transition to post-secondary was not linear. I started

my PSE journey in 2017 – the first cohort of Sanctuary Scholar students - by taking the bridging course here at York University and enrolling in undergraduate studies. Since then, I have completed a BEd and am now completing my MEd.

My sharing these details is not a means of boasting but as an illustration of the progress and change that can be achieved when barriers are lifted. I am part of a mostly invisible section of the population. We exist and live like almost everybody else in the city, but we are left out of most academic, civil, or political discourses.

Introduction

Education has historically been imagined as the great equalizer. Many still view it as an essential component of upward mobility in Canada. As such, it is important to consider whether educational attainment opportunities are similar across different subgroups within the Canadian population. This thesis focuses specifically on the education opportunities for immigrants with precarious immigration status. Specifically, it is an autoethnographic exploration of a Sanctuary Scholar's personal, academic, and financial challenges in one of Ontario's post-secondary institutions. By analyzing my story, I work to make visible the ways in which immigration and educational policies come together to influence students' lived experiences. I first map out relevant policies at both the government and institutional levels, before considering how these structural factors intersect with personal and institutional dynamics to shape access, opportunities, and support for Sanctuary Scholars.

Immigration has long been a cornerstone of Canadian identity and policy and has shaped this country's cultural and demographic landscape. Canada's current immigration system is designed to attract and retain skilled workers to sustain the economy and grow its communities (Government of Canada, 2024). This structured framework aims to harness the benefits of diverse human capital while addressing its economic and humanitarian needs. However, a significant and often overlooked aspect of immigration is the presence of immigrants with precarious legal status.

Most precarious or non-status migrants entered Canada through authorized channels, including as refugee claimants, sponsored immigrants, people with valid work permits, international students, and visitors with visas. Various reasons contribute to immigrants'

precarious immigration status, such as refused claims, expired visas, or changing employers without government authorization.

Although there is research into how immigrants end up with precarious immigration status, Canada's efforts to collect large-scale, systematic data about people with confusing or precarious immigration status are minimal (Goldring et al., 2009). There are no accurate figures on the number or composition of precarious-status migrants in Canada. Hussan (2020) estimates that 1.6 million people in Canada are non-permanent residents, while other estimates range from 200,000 to 500,000 people (Arce, 2021). The absence of systematic research and data on precarious status migrants highlights the fact that this population is mostly “hidden” and obscured from the dominant discourse. Thus, it is essential to highlight their unique educational needs as a scholarly imperative and to promote social justice and equity.

In Ontario, the Provincial Education Act states that children under 18 years are entitled to be admitted to school regardless of their parents’ or legal guardians' immigration status (Education Act, 1993). This policy amendment expands access to allow students at the elementary and secondary levels to attain their educational goals. However, no policy in any province has directly addressed access to post-secondary education for precarious-status students. This significant policy gap invisibilizes precarious status students and the barriers they face to accessing post-secondary education (Villegas & Aberman, 2019).

After graduating from high school, students with permanent resident or citizenship status can transition to post-secondary institutions. Still, their peers who do not have such authorized statuses face numerous barriers and challenges in their attempts to transition to life after high school. These students with precarious immigration status, referred to as Sanctuary Scholars,

immigrated to Canada and have lived in Canada, attended Canadian schools, and aspire to contribute to their communities. However, after high school, their precarious immigration status places them in a precarious educational position, effectively denying them access to many post-secondary institutions (Sanctuary Students Solidarity and Support (S4) Collective, n.d.).

Sanctuary Scholars, a term arising from global sanctuary movements, refers to students who have or have had precarious immigration status (Sanctuary Students Solidarity and Support (S4) Collective, n.d.). This category includes people who have made immigration applications, including refugee claims, refused refugee claims, humanitarian and compassionate ground (H&C) applications, pre-removal risk assessment (PRRA) applications, people on temporary resident permits (TRPs), as well as those who have no immigration status (Bir, 2023).

As a result of their precarious immigration status, Sanctuary Scholars do not have equitable access to post-secondary education (PSE) (S4, n.d.). Of the multiple institutions in Ontario, two post-secondary institutions in Toronto - York University and Toronto Metropolitan University- have formally set up *Sanctuary Scholars Programs* to allow Sanctuary Scholars access to university at domestic tuition rates (York University, n.d., Toronto Metropolitan University, n.d.). However, this access has limitations and additional barriers, such as financial constraints, lack of institutional support, and restrictive participation in the student university experience.

Research Statement and Research Questions

In this thesis, I reflect on my journey as a Sanctuary Scholar navigating the path to PSE at York University. I will identify and explore critical experiences that highlight systemic barriers to demonstrate the need for greater institutional support. I will begin my research by

comprehensively examining the various barriers that Sanctuary Scholars face when accessing PSE, including the impact of immigration policies, existing provincial and federal education policies that facilitate inclusion and exclusion, and financial barriers, using both the available literature and my experiences. I will also explore how immigration status intersects with factors such as socioeconomic class, race, and ethnicity to deepen educational inequities. Finally, through reflections on my lived experiences, I will consider educational intervention programs and support structures that can empower Sanctuary Scholars to overcome obstacles and advocate for inclusive and equitable educational policies. Together, I use my story to amplify the diverse voices of Sanctuary Scholars.

This thesis will address the following research questions:

- How do Canadian immigration and educational policies affect Sanctuary Scholars' access to and academic, social, and psychological experiences in post-secondary education?
- How do the personal experiences and intersectional identities of Sanctuary Scholars in Ontario shape their access to and experiences in post-secondary education?
- How do Sanctuary Scholars navigate these barriers, and what strategies do they employ to access post-secondary education? In other words, what coping strategies, resilience factors, and forms of agency do Sanctuary Scholars employ to navigate the Canadian post-secondary education system?

- What are the implications of these findings for immigration policy reform and institutional practices that better support Sanctuary Scholars in post-secondary education?

Significance of the Research

Sanctuary Scholars' experiences navigating post-secondary education are important because they reveal the complex and often invisible challenges this population faces in accessing and succeeding in academic spaces. These experiences not only highlight their challenges but also expose broader systemic issues that affect equity, diversity, inclusion, and justice in post-secondary education. It also advances our understanding of educational equity, policy reform, and social justice.

Studying the experiences of Sanctuary Scholars navigating an education system not designed for them brings to the fore the complexities of how education and immigration policies intersect. Sanctuary Scholars exist in a unique and precarious situation. They are often invisible to the policymakers and institutions that shape the post-secondary landscape. The challenges that they face illuminate systemic gaps, inequities, and exclusions inherent in our current educational structures.

At the same time, attention to Sanctuary Scholars' experiences lends valuable evidence to advocate for more inclusive education and immigration policies. Understanding how this population navigates financial, legal, and social challenges can help policymakers create better reforms to broaden access. Findings can also challenge post-secondary institutions to rethink their equity frameworks and inform institutions on how to develop support systems geared towards creating a more welcoming and equitable school experience.

Despite the significant barriers that Sanctuary Scholars face, they often demonstrate remarkable resilience. Research into their experiences gives prominence to the strategies used to survive and thrive. A focus on the agency and resilience of Sanctuary Scholars challenges deficit-based narratives in dominant discourse. Instead, it emphasizes resourcefulness and the capacity to navigate complex legal, social, and educational systems. This can shift societal perspectives and foster empathy. Moreover, exploration of the experiences of this equity-seeking group aligns with broader social justice efforts to make education more accessible. It underscores the right to education for all, regardless of legal status and pushes against the gatekeeping mechanisms that reinforce social inequity.

Sanctuary Scholars remain an under-researched population in Canada and many other countries, especially in postsecondary education. This research helps fill in important gaps in scholarship and contributes to a more comprehensive understanding of marginalized students.

Chapter 2: Theoretical Framework

This chapter lays the conceptual foundation for this study by weaving together several interrelated theories and frameworks. These include the human right to education, intersectionality, diversity, equity, and inclusion, as well as autoethnography. Together, they help bring to light the complex interplay between individual experiences and structural barriers to accessing post-secondary education. The chapter is organized into two main sections. The first section explores the notion of education as a public and common good. It grounds the discussion in a human rights perspective and links to questions of equity and social responsibility. The second section examines how DEI discourse operates within postsecondary institutions, particularly in relation to marginalized students and Sanctuary Scholars. Additionally, throughout the chapter, themes of resilience, agency, and counter-narratives frame how Sanctuary Scholars negotiate their educational pathways in the face of adversity. These concepts serve as critical lenses for understanding the institutional tensions and personal strategies that shape their experiences.

Education as a Public and Common Good

The theory of education as a public and common good with benefits for the individual and community is deeply ingrained in society and in human rights discourses (Locatelli, 2018). Here, access to quality education is seen as a fundamental right which should be available to everyone. This concept is enshrined in various international human rights instruments, including the Universal Declaration of Human Rights (UDHR) Article 26, which asserts that “everyone has the right to education” and that higher education should be “equally accessible to all on the basis of merit” (UDHR, 1948). Other international instruments include the International Covenant on Economic, Social and Cultural Rights (1966, CESR), the Convention on the Rights of the Child

(1989, CRC) and the UNESCO Convention against Discrimination in Education (1960, CADE). According to the Right to Education Initiative (2023), the right to education has also been affirmed in other treaties which cover specific populations such as women and girls, refugees, Indigenous Peoples, persons with disabilities, and migrants, among others. Moreover, the framework emphasizes that education is vital to the development of individuals and societies and should be available to all without discrimination (UNESCO, 2018).

Due to the interrelatedness of human rights, the conceptual framework underpinning the right to education involves overlapping components structured in a 4-A scheme of governmental obligations. The 4-A human rights obligations include making education (1) *Available*; (2) *Accessible* - the education system is inclusive and non-discriminatory, with proactive steps taken to reach most marginalized groups; (3) *Acceptable*- content: education is high-quality, relevant and culturally sensitive and (4) *Adaptable*- education evolves to meet changing needs of society (Tomaševski, 2001).

Education as a public good can be interpreted as a humanistic vision - to affirm an integrated vision as opposed to more utilitarian and economic approaches; a policy focus- to preserve the development of the collective society; or as a principle of governance- to reaffirm the role of the state as a custodian (Locatelli, 2018). The core idea behind these visions is that education as a public good prioritizes preserving the collective interests of societies. The humanistic vision embraces the belief of education as the great equalizer and emphasizes the responsibility of public institutions and governments to promote equitable educational opportunities for all (Kirby, 2021).

This humanistic perspective is not unique to Western educational discourses; it is also deeply rooted in other knowledge systems such as the South African philosophy of Ubuntu. Ubuntu is a process of humanizing, of being and doing in relation to each other and society (Fongwa, 2021). Ubuntu embodies principles such as sensitivity to others, charity, sympathy, care, respect, and kindness. When applied to PSE, Ubuntu invites us to humanize the learning process and to educate and to view education as an inclusive, compassionate, and socially responsible practice of interconnectedness (Grootboom, 2016).

Access to education is necessary not only because it is a human right, but also as an “empowerment right” because it enables one to access and secure other fundamental rights (Kalantry, Getgen, & Koh, 2010). This understanding reinforces the principles already embedded in international legal frameworks such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights, which highlight the role of education in advancing social, economic, and political inclusion, especially for marginalized groups. This social human right ensures that all individuals, regardless of immigration status, can access education at all levels.

These international commitments have shaped Canadian legal reforms aimed at ensuring educational access regardless of immigration status. In Ontario, for example, pressure from grassroots coalitions like the Education Rights Task Force and support from institutions such as the Ontario Human Rights Commission led to legislative changes that enshrined educational access for students with precarious immigration status. This resulted in amendments to the Ontario Education Act (Ontario Education Act, R.S.O. 1990, c. E.2-section 49.1), which explicitly guarantees access to primary and secondary education for all children, regardless of immigration status. Similar protections exist in Quebec (Education Act, R.S.Q., c. I-13.3),

British Columbia (School Act, R.S.B.C. 1996- section 82, c. 412) and Alberta (Education Act, S.A. 2012, c. E-0.3- section 3). However, access to K-12 education is legislatively safeguarded; individuals with precarious immigration status often face barriers to continuing their education beyond that point.

While education can be understood in many ways, the frameworks discussed above position it as a public good – a shared societal responsibility – rather than a private commodity. The question of access to postsecondary education (PSE) for Sanctuary Scholars lies at the intersection of these interpretations in the sense that it exposes the tensions between market-based models of higher education and rights-based frameworks rooted in equity and inclusion. Their experiences highlight how access to PSE is not simply about individual effort but about how society collectively structures opportunity and allocates resources.

Viewing education as a public good affirms our collective responsibility to ensure that all members of society—regardless of immigration status, race, gender, or socioeconomic background—can access and benefit from it. At the post-secondary level, the concept of education as a public good, informed by international human rights conventions, presupposes equitable opportunity and access (Locatelli, 2018). In order for access to be deemed equitable, it must extend to all populations, both marginalized and dominant groups and recognize the specific barriers faced by those with precarious immigration status. Accordingly, Sanctuary Scholars should be allowed equal opportunity in terms of access and outcomes.

Conceptualizing PSE as a public good in reference to Sanctuary Scholars aligns with wider societal benefits as well as the principles of diversity, equity, inclusion, and justice. First, PSE is a key driver of social mobility. In an increasingly globalized world, a well-educated and

diverse workforce enhances a nation's competitiveness (Tilak, 2018). PSE can transform lives and contributes to social cohesion, social stability, and a democratic society; a more egalitarian society where individuals can transcend socioeconomic limitations (Hensley, Galilee-Belfer & Lee, 2013). Education is also linked to better health outcomes as educated individuals tend to make more informed health decisions which leads to improved public health outcomes (Bushnik, Tjepkema & Martel, 2020).

Using education as a human right as a theoretical framework to explore equitable access to PSE for Sanctuary Scholars provides an ethical and legal basis to argue for inclusion. By considering PSE for Sanctuary Scholars as a public good, we can highlight the responsibilities of governments, institutions, and society in ensuring equal access to quality education, as well as the benefits such access affords individuals and society. The principles of universality, non-discrimination, equity, empowerment and accountability can be applied to challenge exclusionary policies, address structural barriers, push for reforms and provide a strong ethical rationale to advocate for Sanctuary Scholars.

In addition to framing education as a legal and collective responsibility, a capabilities-based approach emphasizes the personal harm and injustice that result from being denied access, a violation of fundamental rights if access is denied or restricted (UDHR, 1948; Sen, 1999). According to Amartya Sen's (1999) Capabilities Approach, education is not just about knowledge acquisition; it is a foundational capability which is essential for expanding individuals' real freedoms to live meaningful and autonomous lives. When Sanctuary Scholars are denied PSE, they are stripped not only of credentials but also of the freedom to pursue their aspirations and fully participate in society. In his critique of ideal theory, Sen emphasizes the importance of identifying and addressing actual injustices in the world as they exist, rather than

constructing abstract or hypothetical models of justice. His non-ideal approach calls for a focus on what he terms realization-focused comparisons to guide practical reforms and reduce injustice (Sen, 2014). From this perspective, exclusionary education policies which target Sanctuary Scholars are not only policy failures but capability deprivations; violations of fundamental freedoms that perpetuate inequality and social marginalization.

Moreover, Sanctuary Scholars face compounded and overlapping barriers stemming from their precarious immigration status, socio-economic background, and racial or ethnic identity. This form of exclusion from postsecondary education (PSE) constitutes an intersectional injustice. Intersectionality, as defined by Crenshaw (1997), refers to the way multiple forms of discrimination – such as race, class, and immigration status – intersect to create unique and intensified experiences of marginalization. In this context, applying a capabilities and rights-based framework alongside the theory of education as a human right offers a robust foundation for advocating equitable access to PSE for Sanctuary Scholars. These frameworks highlight both the structural inequalities Sanctuary Scholars face and the imperative to recognize education as a universal entitlement, not a privilege.

Diversity, Equity, and Inclusion (DEI) in Education

In recent years, Diversity, Equity and Inclusion (DEI) policies have gained prominence as essential components in various sectors such as education, business, and community development. As societal awareness of systemic inequalities grows, DEI serves not only as a framework for promoting justice within educational settings but also as a vital lens for researching equitable access to education.

Education policy does not operate in isolation; it requires engagement and interaction between systems and their surrounding environments. It is influenced by various economic, political, social, and technological trends (OECD, 2016; OECD, 2019). Significant global developments – demographic shifts, migration and refugee movements, increasing inequalities, and climate change – have contributed to the growing diversity in our countries, communities, and learning environments. These changes call for examining how diversity affects education systems and how education can potentially shape these trends. By promoting inclusive and cohesive societies, education systems can address the challenges of these global developments, preparing future generations for a more interconnected world (OECD, 2023).

There are many DEI-related phrases and policy frameworks (Wolbring & Nguyen, 2023), and, as such, defining the key concepts of DEI in education is challenging as definitions vary across the literature and the meaning ascribed by different education systems. The Strength through Diversity Project (OECD, 2023) defines equitable education systems as guaranteeing that personal and social circumstances do not influence educational potential. This includes gender, ethnic background, Indigenous heritage, immigration status, sexual orientation, gender identity, special educational needs, and giftedness (Cerna et al., 2021; OECD, 2017). According to UNESCO, equity “considers the social justice ramifications of education in relation to the fairness, justness and impartiality of its distribution at all levels of educational sub-sectors” (UNESCO-UIS, 2018, p. 17).

Inclusion can also be viewed as a historical progression through various education models. The OECD (2023, pp. 29) describes inclusion as a process that helps to overcome barriers limiting the presence, participation and achievement of all learners. Researchers typically classify educational systems into four categories: exclusion, segregation, integration,

and inclusion. Exclusion in education involves denying students access to schooling, which can take various forms, such as restrictions on registration or attendance (International Bureau of Education, 2016; UNESCO, 2012). While equity and inclusion are interconnected and share some commonalities, they encompass complementary elements that enhance the effectiveness of education systems.

Diversity encompasses a broad set of identity characteristics. Although there is no consensus, it can be defined as “institutional communities that reflect human differences on a variety of identity characteristics” (Anderson, 2008; Chang & Ledesma, 2011). These identity features include race, ethnicity, age, gender, sexual orientation, religion, disability, national and geographic origin, language use, socioeconomic status, first-generation student status, immigration status, veteran and military status, and political ideology (Tamtik & Guenter, 2020; Stulberg & Weinberg, 2011). Tamtik & Guenter (2020) further posit that the understanding of diversity should be broadened to include the principles of inclusion, recognizing and valuing difference, and equitable participation in society. This (re)imagining of the principles allows for more transformative practices and advances the DEI discourse beyond rhetoric and superficiality.

Historical patterns of access in Canada reveal that first-generation students/students whose parents did not attend university, Indigenous students, students with disabilities, and those with precarious immigration statuses or with minority race/ethnic status are underrepresented in PSE (Michalski et al., 2017). These patterns of inequitable access can be traced to different institutions' philosophies regarding what is deemed fair and equitable admission practices. According to Kuh et al. (2005), institutions' mission statements and philosophical stances provide insight into institutions' values and beliefs toward students and their education process. These values are often reflected in institutional admission policies that may unintentionally

disadvantage students with precarious immigration status, for example, through requirements for government-issued identification, proof of legal residency, or access to financial aid programs that assume citizenship or permanent residency. This speaks to the way that various admission policies work to exclude Sanctuary Scholars from PSE institutions.

Stewart (2017) posits that diversity and inclusion initiatives cannot be truly effective unless paired with the principles of equity and justice. His Justice, Equity, Diversity, and Inclusion (JEDI) framework asserts that diversity and inclusion ask fundamentally different questions than equity and justice. According to the JEDI framework, diversity asks, “Who is in the room?”; Equity responds, “Who is trying to get into the room but cannot? Whose presence in the room is under the constant threat of erasure?”; Inclusion asks, “Has everyone’s ideas been heard?” and Justice responds, “Whose ideas will not be taken seriously because they are not in the majority?” (Stewart, 2017, para 10).

The JEDI framework urges to move beyond surface-level questions of diversity and inclusion toward deeper interrogations of systemic power, marginalization, and justice. Rather than simply asking who is in the room or whether all voices are heard, it challenges us to ask who is still excluded, whose presence is precarious, and whose ideas are systematically disregarded. In doing so, the JEDI framework invites a more critical reflection on the structural forces that shape access to higher education. It compels us to ask: How do existing systems reproduce inequity, and whose interests are served by maintaining the status quo? It also shifts the conversation from individual responsibility to collective accountability: How are institutions, governments, and communities complicit in exclusion? And how might they co-create inclusive, justice-driven models of access that respond meaningfully to historical and ongoing marginalization?

With the principles of diversity, equity, and inclusion (DEI) currently at the forefront of national consciousness, many postsecondary education (PSE) institutions have introduced DEI proposals into their policy documents or have expressed commitments to strengthening existing efforts (Tamtik & Guenter, 2020). However, these frameworks have increasingly come under public scrutiny, particularly in the United States, where federal authorities have pressured universities, including federal funding threats and investigations, resulting in the dismantling of DEI offices and programs at major institutions (Blinkley, 2025; Spitalniak, 2025). Even where such efforts remain intact, scholars have critiqued DEI for often being performative, institutionally co-opted, or implemented without meaningful structural change (Museus & Jayakumar, 2012).

For Sanctuary Scholars and other marginalized groups with invisible or stigmatized identity dimensions, these initiatives frequently fall short. While DEI frameworks purport to promote inclusivity and belonging, they typically reflect institutional definitions of inclusion that prioritize visible and legally acknowledged identities, such as race, gender, or disability. This leaves unacknowledged the exclusion faced by individuals with precarious immigration status or other forms of marginalization that remain socially and legally invisible. Of course, many Sanctuary Scholars also occupy multiple marginalized positions where immigration status intersects with race, class, and/or gender, further reinforcing the need for an intersectional and justice-based approach to institutional inclusion.

One of the key limitations of institutional DEI approaches lies not in autonomy itself, but in how that autonomy is exercised through the design and implementation of equity-related policies. Postsecondary institutions retain significant discretion in determining which aspects of equity and inclusion to prioritize, particularly within admissions and financial aid policies. This

discretion often results in frameworks that center legally recognized or visible identities, while overlooking those that fall outside institutional definitions of inclusion. Consequently, Sanctuary Scholars remain structurally invisible, not because they are absent, but because the policies are not designed to recognize or accommodate them. Despite broader institutional commitments to diversity, the lack of explicit inclusion in admissions and financial aid mechanisms continues to obstruct their access to PSE.

Policies that fail to explicitly acknowledge invisibilized identities, such as those with precarious immigration status, reinforce systemic exclusion by limiting the scope of institutional responsibility to only those identities that are already recognized and accommodated within existing policy frameworks. Consequently, the language that institutions use in their policy documents becomes a powerful determinant of whose experiences and struggles are legitimized or erased. If DEI frameworks do not critically engage with the experiences of students who exist in legal and institutional liminality, such as Sanctuary Scholars, their exclusion remains unchallenged and renders these individuals perpetually invisible in higher education policy.

To move to a truly inclusive education system, PSE institutions must critically examine how their DEI policies construct visibility and legitimacy and how admissions and financial aid criteria implicitly or explicitly perpetuate exclusionary practices. By introducing policy language that explicitly recognizes the barriers faced by students with precarious status, institutions can shift from performative diversity statements to substantive institutional change. A human rights-based approach to education, grounded in Amartya Sen's Capabilities Approach, would emphasize that educational policies should expand freedoms rather than constrain them, ensuring that inclusion is not just an abstract principle but an institutional obligation (Sen, 1999; Bajaj, 2011).

Access to postsecondary education in Canada remains unevenly distributed, shaped by exclusionary assumptions about who deserves to be included in higher learning spaces. While K–12 education is broadly protected as a human right, postsecondary access is often reserved for those with secure legal status, leaving Sanctuary Scholars in a policy vacuum. This chapter argued that such exclusion reflects not only institutional discretion, but also deeper structural inequities embedded in immigration and education systems. By drawing on a human rights approach, Sen’s Capabilities Approach, and the JEDI framework, we see how access to education is not merely a matter of policy design but a question of justice, freedom, and institutional accountability. These frameworks urge us to move beyond symbolic diversity efforts and toward structurally inclusive models that recognize and respond to the realities of students with precarious status. In doing so, they offer a compelling ethical and political basis for reframing PSE as a space that affirms, not denies, the full humanity and potential of all learners.

Chapter 3: Literature Review

This literature review critically examines the existing research at the intersection of immigration, education policy and access to education, with particular attention to the experiences of students with precarious immigration status navigating access to PSE in Canada. While there has been considerable attention paid to sanctuary city policies and the legal precarity of non-status individuals, far less scholarship has examined how these dynamics unfold within educational institutions, particularly at the postsecondary level. This chapter begins by defining key terms, including “precarious status immigrants,” and explores the evolution of sanctuary as both a policy framework and a form of resistance, including emerging work on Sanctuary Campuses and Sanctuary Scholars. It then turns to immigration policy and demographic trends in Canada and identifies how shifts in federal and provincial frameworks have shaped access to education. The review then moves into an examination of education policy, contrasting the relative accessibility of elementary and secondary education with the systemic exclusions embedded in PSE. Drawing on existing research, the chapter then identifies major barriers faced by students with precarious immigration status – legal, procedural, and financial – and highlights the often overlooked impact of institutional and policy silences. Finally, the chapter reviews the two Ontario-based Sanctuary Scholars programs – York University and Toronto Metropolitan University – aimed at addressing educational exclusion, assessing their potential and limitations within the current policy landscape. In doing so, this review identifies both what is known and what remains undertheorized or unaddressed in policy and academic discourse.

Definitions and Scope

Operationalizing the term “precarious status immigrants”

Immigrant and refugee movements are crucial to Canada’s nation-building prospects. However, over the past few years, Canada has increasingly shifted toward managing migration through temporary status policies rather than providing pathways to permanent residency (Hari & Liew, 2018, p. 170). As a result, a growing number of (im)migrants, particularly low-income, racialized individuals, live in a state of legal precarity, excluded from essential services and long-term stability. These exclusions are best understood through the lens of precarious immigration status, a concept that captures the instability and marginalization experienced by those without secure, regularized residency.

Following Goldring et al (2009), I will use the term “precarious immigration status” or “non-status” rather than terms like “illegal” or “undocumented” to illustrate that state of “temporariness” and to capture the various forms of irregular status. Most Sanctuary Scholars, for instance, are documented - they are known to the state, but no longer have legal status. Using “precarious status migrants” questions dominant beliefs and assumptions regarding citizenship and illegality. It points out that the uncertainty these (im)migrants face with their immigration status is often the result of specific legal decisions made by the government and not necessarily a characteristic of the migrants themselves (Goldring et al., 2009).

In this thesis, my definition of precarious immigration status will be based on the framework Goldring and colleagues (2009) identified for understanding precarious immigration status. According to this framework, precarious migrants' status is marked by inconsistent access to the following four elements associated with permanent residency (1) work authorization (2)

the right to remain permanently in Canada (3) independence from a third party for one's right to be in the country (sponsoring spouse or employer) and (4) social citizenship rights.

This framework groups many legally distinct immigration statuses together and thus functions as an umbrella term which allows for the inclusion of state-defined immigration categories like:

- Refugee claimants
- Failed refugee claimants (with or without the right to appeal)
- Humanitarian and compassionate (H&C) grounds applicants (before pre-approval)
- Pre-removal risk assessment (PRRA) applicants
- Entirely undocumented people
- Non-status migrants (expired visas, changing employers without government authorization, or under a removal order)

These individuals often entered the country through regularized channels – on student, visitor, or work visas – but due to changes in their status or delays in decision making, they now find themselves without legal protection to remain in Canada. Hence, refused claims, expired visas, or changing employers without government authorization create a disproportionately precarious status for migrants.

The goal of using precarious immigration status instead of a specific category disrupts the dichotomous categorization of status/no status or legality/illegality that often dominates the dominant discourse. Instead, it shifts the focus to those often overlooked, such as people in Canada whose status is marked by uncertainty and instability and whose daily lives are shaped by their unclear legal situation. This “permanent temporariness” (Bailey et al., 2002) or “liminal legality” (Menjívar, 2006), inherent in the lives of folks with precarious immigration status,

captures the “uncertain status - not fully documented or undocumented but straddling both – has gone on for years” (Menjívar, 2006, p. 1001) and limits this population’s range of access to the different spheres of society underscoring their complex legal statuses.

Moreover, this framework also focuses on temporality and the “differential entitlements to benefits” of precarious-status immigrants (Marsden, 2014, pp. 5), rather than whether they have legal authorization. The relevant benefits related to Sanctuary Scholars are the ability to obtain a study permit, financial aid, and the ability to be categorized as a ‘domestic student’ when it comes to tuition fees.

DeGenova (2006) describes this as the “production of illegality,” a process where laws and immigration systems actively create exclusion by deciding who is allowed to stay and who is not. Similarly, Goldring and Landolt (2013) argue that states create multiple and changing non-citizen status categories, restrict access to citizenship, and institutionalize precarious legal status trajectories that force individuals to navigate complex pathways between authorized and unauthorized statuses. Menjívar (2006) calls this soft borders – the rules and requirements that quietly keep people out of important parts of society, such as healthcare, housing, and education, without making it obvious. While Canadian immigration documents often avoid the word “illegal”, terms like “inadmissible” or “foreign national without legal status” (IRCC, 2025) still serve to label and exclude. This is why many scholars like DeGenova (2002, 2005) put these terms in quotation marks to highlight how they support the ongoing criminalization of (im)migrants and uphold the authority of immigration systems. These labels make it seem like status is a fixed identity when in reality, it is shaped by missed deadlines, delayed applications, legal appeals, and decisions made by people in power.

Sanctuary Cities

The concept of sanctuary has deep historical roots in religious, legal, and social traditions that granted protection to individuals seeking refuge from persecution (Lippert, 2005). It has historical roots in various religions such as Christianity, Judaism, and Islam, which upheld the idea of sacred spaces offering protection and care from harm or violence of the secular world (Moffette & Ridgely, 2018). In medieval Europe, beginning around the 11th century, many cities offered refuge to people fleeing serfdom, providing freedom to those who resided in a city for "a year and a day" without being reclaimed by their lords (Darling & Bauder, 2019).

Although the concept of sanctuary has not always been associated with migration, it gradually expanded over centuries to encompass broader forms of social and legal protection. This marked an early shift from sanctuary as a faith-based movement to a tool of social emancipation. Over time, particularly in the 20th century, the sanctuary concept evolved in response to restrictive national immigration regimes and the growing criminalization of border crossings and the presence of individuals with precarious immigration status (Moffette & Ridgely, 2018). By the 1980s, especially in the United States, churches and faith communities began formally offering protection to Central American refugees fleeing regimes supported by the US government (Lippert, 2005; Moffette & Ridgely, 2018).

As Western countries implemented exclusionary immigration policies, especially from the 1990s onwards with the expansion of detention, deportation, and narrowed asylum criteria (Caminero-Santangelo, 2012), the sanctuary concept gained prominence. In response to this increasing illegalization of migrants, churches and civil society actors in countries like Denmark, France, Finland, Germany, Norway, Sweden, the United States and elsewhere began providing

sanctuary to rejected refugee claimants, asylum seekers, and illegalized immigrants ((Loga et al., 2012; Millner, 2012).

As the Sanctuary Movement evolved, it expanded beyond religious institutions and into municipal and state-level policies, leading to the emergence of sanctuary cities. These initiatives emerged as a response to increasingly hostile immigration politics, particularly in the US (Moffette & Ridgely, 2018). Berkeley, California, is recognized as the first contemporary sanctuary city: in 1971, it offered protection on the USS Coral Sea to Vietnam War resisters (Caminero-Santangelo, 2012). Since then, the movement has grown significantly. It is estimated that there are currently over three hundred jurisdictions (cities and counties mainly) that have declared themselves sanctuary cities (Moffette & Ridgely, 2018).

Today, sanctuary cities primarily offer protection to illegalized (im)migrants and provide various forms of protection that vary by jurisdiction. Despite sharing the same label as a sanctuary city, sanctuary cities differ in terms of policies and implementation.

United States. In the United States, numerous cities have passed sanctuary legislation to safeguard precarious-status migrants who are effectively residents of these cities and/communities. A significant milestone was the symbolic “City of Refuge” ordinance passed in San Francisco in 1985, which prohibited city employees from assisting federal immigration enforcement (Mancina, 2012). Another important development was the faith-based New Sanctuary Movement (NSM) in 2007, which initially started in churches in cities like New York, Chicago, Los Angeles, and Philadelphia. While the movement first focused on newly arrived refugees, it then shifted focus to all precarious status migrants living in the US (Caminero-Santangelo, 2012, p. 96).

One key policy tool within many sanctuary cities is the Don't Ask, Don't Tell (DADT) policy, which prevents local police and city agencies from requesting, recording, or sharing an individual's immigration status and restricts cooperation with federal immigration authorities unless mandated by federal or state law. These policies emerged alongside sanctuary city ordinances in the 1980s and 1990s and were implemented by local governments to limit cooperation with Immigration and Customs Enforcement (ICE), unless specifically required by state or federal law (Ridgley, 2008). In addition, some municipalities have expanded local identification practices: San Francisco issues municipal identification cards to precarious-status migrants, while others accept *matriculas consulares* issued by the Mexican government as a valid form of local identification (Varsanyi, 2007).

In the broader American context, another key development has been the Deferred Action for Childhood Arrivals (DACA) in 2012. DACA offers temporary relief from deportation and renewable two-year work permits for undocumented youth who meet specific criteria, such as arriving in the US as minors and completing high school or military service. Additionally, DACA provides undocumented students the opportunity to obtain a Social Security number and a driver's license (Enyioa, 2019). While DACA is not a pathway to permanent residency, it represents an important, though highly contested, form of protection for undocumented students and youth navigating life in the United States with regularized status.

United Kingdom. The United Kingdom's City of Sanctuary movement began in Sheffield in 2005, when the city was officially recognized as the first UK "City of Sanctuary" in 2007. This sanctuary movement promotes a culture of hospitality and awareness-raising initiatives, such as placing signs on community buildings to make refugees and asylum seekers feel included. Since then, the network has grown to include hundreds of local councils, schools,

universities, libraries, theatres, and more, all of which have been awarded sanctuary status (City of Sanctuary, 2024).

The sanctuary city initiatives in the UK operate as a dynamic network which aims to change the negative perceptions of refugees and asylum seekers by emphasizing social interactions (Darling & Squire, 2012) rather than focusing on municipal policing or protection from national immigration policies. The main accomplishment of sanctuary cities in the UK lies in shaping the discourse around refugees and not in “creating legal shelter from national immigration law enforcement to illegalized migrants” (Darling & Bauder, 2019).

Canada. Urban sanctuary initiatives in Canada date back to the 1980s when Toronto-based Chilean refugees advocated for sanctuary city bylaws (Solidarity City Network, 2013a). A significant development occurred in 2004 when activists launched a Don’t Ask, Don’t Tell campaign, which prompted Toronto’s city administration and the Toronto District School Board (TDSB) to adopt related policies (Berinstein et al., 2006; McDonald, 2012). However, these policies faced poor implementation, which prompted advocacy groups like the Solidarity City Network to push for formal city approval (Darling & Bauder, 2019).

The sanctuary city movement in Toronto is a grassroots, human rights-based response to increased numbers of non-status or precarious-status immigrants living and working in global cities (Faraday, 2012; Sawchuk & Kempf, 2008; Bhuyan, 2012; OCASI, 2012). Don’t Ask, Don’t Tell policies are intended to provide a degree of protection to individuals living in the city without legal authorization, aiming to foster a safer and more inclusive environment for all residents, regardless of their immigration status. Precarious-status immigrants often live in precarious situations: they are subject to detention and deportation if identified by federal

authorities; often work in substandard conditions; are socially isolated; face poverty, abuse, and exploitation; and are unable to safely access essential social services, including those related to public health, education, labour, shelters, food banks, and police services (Gibney, 2000; De Giorgim, 2010; Noll, 2010).

The “Access T.O.” legislation was passed by the City Council in February 2013, making Toronto the first sanctuary city in Canada (City of Toronto, 2013). Since then, city councils in Vancouver, Ajax, Kingston, Montréal, London, Edmonton, and New Westminster have also adopted access-without-fear policies (Gardner, 2023). This declaration of Toronto as the first Canadian city with a formal policy which allows precarious status (im)migrants to access services regardless of immigration status (Keung, 2013) was made possible in large part by the grassroots, human rights-based community groups and organizers and challenges the notion that social provisions should only be entitlements to certain communities, i.e. those with formal citizenship status while also placing a microscope on the discourses of migration and nationhood and work toward the larger borders that exclude people (Laman, 2015).

Activists progressively shifted their focus from Don't Ask, Don't Tell campaigns to advocating for “access without fear,” which broadens access and emphasizes the challenges that immigrants with precarious immigration status face when seeking services. Activists have successfully pushed for access without fear in various local institutions, including local school boards (F. Villegas, 2019), post-secondary institutions (P. Villegas & Aberman, 2019), anti-violence against women shelters (Abji, 2016; Bhuyan, 2012), community health centres (Landolt, 2022) and other service providing institutions.

Sanctuary as resistance and defiance

The Sanctuary Movement has played a crucial role in reshaping immigration policies and challenging exclusionary legal frameworks. It challenges the notion that immigration status should dictate access to vital services and serves as an act of defiance by challenging systemic injustices and promoting inclusivity. As immigration policies continue to become more restrictive, sanctuary movements remain a critical mechanism for resistance, offering protection, advocacy, and legal assistance to those seeking safety.

Sanctuary cities and sanctuary policies function as acts of resistance and defiance by disrupting the alignment between local governments and federal immigration enforcement. Rather than passively implementing immigration laws, these municipalities deliberately carve out spaces of protection for residents deemed “illegal” by federal definitions. They do so by declining to share immigration status information, limiting cooperation with deportation efforts, and offering access to essential local services regardless of status. In this way, sanctuary practices not only contest the reach of immigration regimes but also shift the narrative, reframing immigrants with precarious immigration status not as security threats but as members of the local community. (Hoye, 2020; Kuge, 2020).

While sanctuary city initiatives vary in implementation across the United States, United Kingdom, and Canada, they are commonly grounded in principles of humanitarianism and social justice. Although the term “sanctuary city” is most often associated with jurisdictions in the Global North, several cities in the Global South have adopted comparable inclusive urban policies that support the rights and well-being of migrants and refugees. For example, Mexico City has implemented progressive measures such as the Law on Interculturality, Attention to Migrants and Human Mobility, which promotes access to healthcare, education, and municipal

services for migrants regardless of legal status (Alonso, 2021). In Latin America and parts of Asia, municipalities have embraced what Godoy and Bauder (2022) refer to as “solidarity cities,” where migrant inclusion is embedded in local governance strategies. Unlike many Global North contexts where sanctuary policies primarily emerge from grassroots resistance to federal enforcement, Global South models often follow a more top-down approach, with municipal governments proactively embedding migrant protections into urban planning and local services (Godoy & Bauder, 2022). This illustrates the internationalization of sanctuary discourse, highlighting a growing global commitment to protecting marginalized and displaced populations.

Sanctuary Campus

Sanctuary campuses have emerged as a growing response within higher education to protect students with precarious immigration status in the face of intensified immigration enforcement and legal uncertainty (Ricketts, 2019). Inspired by the broader sanctuary city movement, these initiatives reflect a commitment to fostering inclusive and supportive academic environments (Funke, 2016). Although there is no universal definition or legal framework, many sanctuary campuses adopt “Don’t ask, Don’t Tell” style policies – limiting the sharing of immigration statuses and resisting the voluntary cooperation with immigration authorities (Otokunrin, 2017). These measures extend the principles established in K-12 into the legally ambiguous space of postsecondary institutions. However, as Otokunrin (2017) points out, the sanctuary label is ambiguous, varying in definition and implementation, and may offer more symbolic reassurance than substantive protection. This section explores the development of sanctuary campus models, the protections they aim to offer, and the legal and institutional obstacles they face.

The U.S. Context: In the United States, the sanctuary campus movement gained momentum in response to increasingly restrictive federal immigration policies, particularly during the Trump administration's efforts to rescind the Deferred Action for Childhood Arrivals (DACA) program. Introduced in 2012, DACA provided temporary relief and work authorization for undocumented youth, but its legal instability spurred many colleges and universities to adopt sanctuary policies in an effort to protect their most vulnerable students (Ricketts, 2019). These institutional efforts often include commitments to nondisclosure of immigration status, prohibiting immigration enforcement agents from entering campus without a warrant, and refusing to allow campus staff to act on behalf of federal authorities (Safstrom, 2018). The movement has been supported by growing student and faculty advocacy calling for ICE-free campuses and formal protections (Green, 2019).

However, sanctuary campuses continue to face serious legal and political challenges. The sanctuary designation holds no uniform legal authority, and enforcement varies widely across states and institutions (Safstrom, 2018). Recent developments have further complicated the landscape. For example, a 2025 Fifth Circuit Court decision ruled parts of DACA unlawful, leaving the program partially intact but excluding new applicants and suspending renewals in Texas (U.S. Citizenship and Immigration Services [USCIS], 2025). Simultaneously, the Trump administration has intensified legal actions against sanctuary jurisdictions, filing lawsuits against cities such as Los Angeles for noncompliance with federal enforcement efforts (Associated Press, 2025). Federal raids and deployments of law enforcement and military personnel in sanctuary jurisdictions have further escalated tensions (The Guardian, 2025). These developments reflect the ongoing tension between institutional commitments to protection and

federal attempts to reassert control. As such, sanctuary campuses remain politically and legally vulnerable, despite their symbolic and practical significance.

The Canadian Context: In Canada, the concept of sanctuary campuses is less developed than in the U.S. and has emerged largely in response to increased attention to immigration issues and advocacy efforts by student groups and non-profit organizations. Unlike the U.S., Canada does not have national policies like DACA, which means students with precarious immigration status often face more uncertainty regarding their status and access to education (P. Villegas & Aberman, 2019).

While U.S. sanctuary campuses often emerge from resistance to federal immigration enforcement, Canadian institutions tend to frame their efforts within equity, diversity, and inclusion (EDI) mandates. In this context, Canadian campuses that have adopted sanctuary-aligned policies typically focus on offering supportive services rather than direct legal protection. For example, only York University and Toronto Metropolitan University have formally established Sanctuary Scholar programs, making them the only two postsecondary institutions in Canada to implement such targeted initiatives. However, these efforts are often less formalized than in the U.S., as they are institution-specific and not connected to any legal policy or initiative (York University, n.d.; Toronto Metropolitan University, n.d.).

Sanctuary Scholars

The Sanctuary campus initiative allowed for the conception of Sanctuary Scholars. According to the Sanctuary Students Solidarity and Support (S4) Collective (2018), Sanctuary Students/Scholars are people for whom immigration status and/or settlement stressors act, or have acted, as a barrier to accessing their secondary and post-secondary goals.

The S4 Collective, the only non-profit of its kind, is a member-led organization formed to address the "challenges identified by precarious migrant and newcomer students (Sanctuary Students/Scholars) at the threshold of post-secondary education in Ontario with the main objective of supporting Sanctuary Scholars with "navigating various levels of education as well as supporting programs and institutions to increase equitable access for these populations" (S4 Collective, n.d.) As such, the Collective works to identify and respond to ongoing and emerging barriers that prevent Sanctuary Scholars' full and equitable participation in existing educational institutions.

Borders are not merely physical boundaries but are also socially constructed, experienced differently depending on a person's legal status, country of origin, race, ethnicity, gender, or age. Anzaldúa (2017) conceptualizes the borderlands as both a literal and metaphorical space of conflict, hybridity, and resistance, where individuals navigate multiple often clashing identities. For the precarious status individual – Sanctuary Scholar included – the border is not confined to physical entry points at seaports, airports, and land crossings but is encountered in interactions with institutions such as schools, hospitals, and workplaces. Walia (2014) extends this by framing borders as mechanisms of border imperialism, used to control and exclude people, especially based on race and economic status. Precarious-status (im)migrants live with extreme insecurity produced through their unauthorized status, which renders them stateless and thereby deportable because they have been designated as 'illegal' (DeGenova, 2020). This deportability is not only the actual practice of deportation, but also the ever-present potential of deportation (Villegas, 2014), which can have dire consequences on the health and quality of life of (im)migrants due to restricted access to health care, work and/ education opportunities and ability to move around freely (Khosravi, 2010). For Sanctuary Scholars, these visible and

invisible borders reinforce their marginalization and insecurity, eroding their ability to participate in academic and civic life fully.

The implementation of the Solidarity City Network in 2013 marked a significant shift in the city's approach to inclusion by promoting access to municipal services for all residents, regardless of immigration status (Hudson et al., 2017). This initiative, part of Toronto's broader Sanctuary City designation, aimed to ensure that undocumented and precarious status residents could access city-funded programs such as public health services, libraries, housing supports, and community centres, without fear of being reported to federal immigration authorities. However, the designation has sparked ongoing debate about both the promises and limitations of sanctuary policies in the Canadian context.

For instance, Laman (2015) problematized the sanctuary city as what he calls an *object space*, a place that is simultaneously familiar and alien, where inclusion is conditional and uneven. In his analysis, sanctuary spaces are not fully liberatory; rather, they serve as a form of local governance that both protects and regulates. Sub-national authorities may offer certain rights and services, but without granting full legal status, they maintain the conditions of precarity. For Sanctuary Scholars and other (im)migrants, this means that while they may gain access to specific city services, their broader legal and social vulnerabilities remain unaddressed. In this way, sanctuary policies can paradoxically reinforce marginalization even as they seek to resist exclusion.

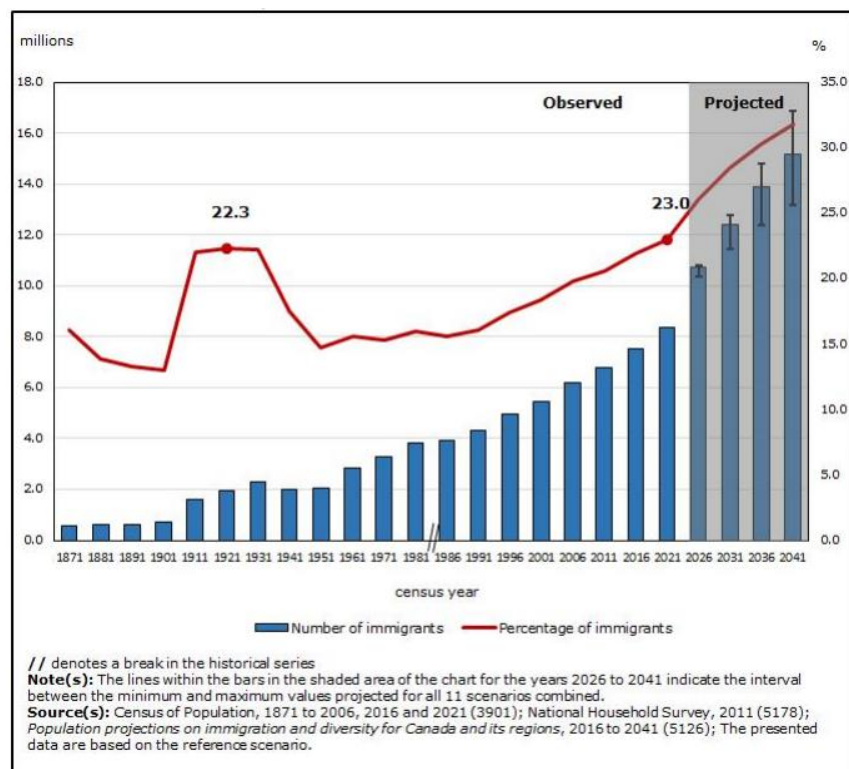
Immigration Policy and Access

Immigration Trends: Changing Demographics of Canada

Canada has been considered a land of immigrants since as early as the 16th century when the first European colonizers settled here. This trend has continued until the present day. In 2021, more than 8.3 million people, or almost one-quarter (23.9%) of the population, were or had ever been landed immigrants or permanent residents. In recent years, Canada has admitted between 400,000 and 485,000 new permanent residents annually, among the highest per-capita immigration rates in the world, although recent government plans propose reducing future targets to below 400,000 (Statistics Canada, 2025). Immigration is expected to continue driving Canadian population growth. According to Statistics Canada's reference scenario, immigrants comprised 23.0% of the population in 2021 and could represent between 29.1% and 34.0% of Canada's population by 2041 (Statistics Canada, 2022).

Figure 1

Graph of Canadian immigration trends from 1871 and predictions until 2041



Note: From Statistics Canada. Daily.

Of the rising immigrant population, approximately 2,793,594 are non-permanent residents, according to data from Statistics Canada in collaboration with Immigration, Refugees and Citizenship Canada (IRCC). Non-permanent resident, according to Statistics Canada (2023), refers to “a person from another country with a usual place of residence in Canada and who has a work or study permit or who has claimed refugee status (asylum claimant).” The non-permanent resident designation does not include immigrants with precarious status.

According to a Question Period note on Undocumented migrants by Immigration Minister Marc Miller, when talking about immigrants with precarious immigration status, “an

undocumented migrant is an individual who has no authorization to reside and/or work in Canada.” He went on to add that:

“the majority become undocumented by falling out of status when they cannot meet eligibility criteria for existing immigration programs after lawfully entering Canada and have overstayed their authorized period of stay. Only a small portion of undocumented migrants are thought to have unlawfully entered or were trafficked or smuggled into Canada” (Question Period note as cited by Statistics Canada).

Research on the number or composition of people living in Canada with precarious immigration status is sparse. This is in stark contrast to the situation in the United States. According to Goldring et al., (2009), there is a longstanding tradition of analysis and measurements of the political implications of the “undocumented” migrants in various levels, scales, institutions, and social processes, as well as sophisticated measurement methods at counting and estimating the size of the “hidden” population of “undocumented” migrants in the US (Warren & Passel, 1987). The vast body of work in the US reflects that the issue is widely and openly discussed in both the public and political spheres.

Within the Canadian context, however, the situation is a bit different. Canada's efforts to collect large-scale, systematic data about people with confusing or precarious immigration statuses are minimal, and the body of scholarship is much smaller and has a narrower thematic range (Goldring et al., 2009). There are no accurate figures representing the number or composition of precarious status immigrants residing in Canada. Estimates suggest the population could be as high as 500,000 (Statistics Canada, 2024). These are the exact numbers that Goldring and colleagues reported 15 years ago (Goldring et al., 2009).

This range emphasizes the absence of systematic empirical investigations and data collection systems and highlights the fact that this population in Canada is mostly 'hidden' and invisible. Goldring et al. (2009) state that part of the explanation for a limited range of research on unauthorized migration in Canada is that the population is relatively small, and the topic is not as visible, widely understood, or recognized as a relevant research area as in the US. However, this lack of data collection or even measurement methods of counting and/or estimating the precarious status population in Canada contributes to the further invisibilization of this population and generates a vicious circle that is difficult to overcome and traverse.

Immigration Law and Policies

The *Constitution Act of 1867* outlines how legislative powers are divided between the federal and provincial governments. Under Section 95, both federal and provincial governments have the authority to legislate immigration, but provincial laws only apply if they do not conflict with federal laws, which take precedence. Additionally, Section 91(25) of the *Constitution Act 1867* grants the federal government exclusive jurisdiction over “Naturalization and Aliens” (Justice Laws Website, 2024). This means that when an issue falls under the category of “naturalization or aliens,” provincial laws on the same subject can be invalidated. Together, these provisions give the federal government dominant control over immigration.

Canada passed the Immigration and Refugee Protection Act (IRPA) in 2001 (IRPA, 2001). The IRPA outlines an individual's rights to enter, stay, work and study in the country and establishes what documentation is required of foreign nationals. Specifically, Section 30(1) of IRPA (2001) states that foreign nationals are not permitted to work or study in Canada unless authorized by the Act. This is reinforced by Subsection 212 of the Immigration and Refugee

Protection Regulations (IRPR), which mandates that foreign nationals must have a study permit to engage in post-secondary education, including university, college, or vocational training (Immigration and Refugee Protection Regulations, SOR/2002-227). To obtain a study permit, applicants must provide an acceptance letter from an educational institution, proof of sufficient financial resources (typically at least \$22, 000 – minus tuition fees- per year for living expenses), evidence of intent to leave Canada after their studies, and medical clearance (IRCC, 2025).

These immigration policies, while administrative in nature, have significant implications for educational access at all levels. They establish legal and bureaucratic frameworks that either enable or restrict access to education based on immigration status. This intersection of immigration and education policy becomes especially visible when examining how students with precarious status navigate entry into public education systems, from elementary school to postsecondary institutions.

Education Policy and Access

Access to elementary and secondary education

The right to access primary and secondary education for students with precarious immigration status has been a subject of ongoing debate and advocacy, with varying responses at both the federal and provincial levels. While it is the law in Canada that children get an education (Government of Canada, 2022), practical barriers still exist in ensuring equal access to students with precarious immigration status.

Section 30(2) of the Immigration and Refugee Protection Act (IRPA) states that “[e]very minor child in Canada, other than a child of a temporary resident, not authorized to work or study, is authorized to study at the pre-school, primary or secondary level (IRPA, S.C. 2001, c.

27). However, Canada's education system is decentralized and primarily managed at the provincial and territorial levels. Thus, access to education is shaped by provincial and territorial policies, resulting in variations across the country, even at the K-12 level.

Quebec and British Columbia: Legislation regarding access to education for minors with precarious immigration status in some provinces is based on “ordinary residence” (Mercier & Rico-Martinez, 2023). According to the Government of Canada (2021), “the ordinary place of residence is not necessarily where the person dwells permanently or exclusively, but where the person, during the material time, has his usual or settled abode.”

After years of advocacy, Bill 144 allows any child whose legal guardian “ordinarily resides” in Quebec to have the right to free schooling until the age of 18, regardless of their immigration status (Bill 144, 2017). Under the new law, effective July 2018, proof of address is sufficient to establish “ordinary residence,” while a birth certificate typically indicates legal guardianship (Collectif Education Sans Frontiers, 2018). However, the Collectif and other activists expressed concerns regarding the implementation of this law. They worried that some families may lack the necessary documentation and urged school boards to exercise flexibility in these cases (Collectif Education Sans Frontiers, 2018; Mercier & Rico-Martinez, 2023).

Similarly to Quebec, the British Columbia School Act provides education to all minor residents free of charge if the student and their guardians are “ordinarily resident” in British Columbia with the Ministry of Education and Child Care stating that “[i]mmigration status is relevant but does not determine ordinary residence” (British Columbia Legislation and Policy, 2011). In 2017, the New Westminster School District became the first school to adopt a Sanctuary Schools Policy whose intent is to ensure that families who meet the provincial

definition of being an “ordinarily resident” can access school “without fear that their information will be shared with federal immigration authorities unless there is a specific case where it may be required to do so by law” (New Westminster School District, 2024).

Ontario: In Ontario, the negative public perception often associated with precarious immigration status tends to soften when the focus shifts to children, particularly regarding their right to education (Villegas F, 2013). This issue gained attention when increasing numbers of youth with precarious immigration status in Toronto were being denied access to public schools. In response, a coalition of community workers, lawyers, students, and parents formed the Education Rights Taskforce (ERT) to advocate for these children’s right to attend school, regardless of immigration status (Wilson, 2009; Villegas F, 2013).

In 1993, such advocacy efforts successfully led to a change in the *Ontario Education Act*, which allowed the legal access of some precarious-status migrant youth into the school system. The new section, section 49(1) of the *Education Act* states, “A person who is otherwise entitled to be admitted to a school and who is less than eighteen years of age shall not be refused admission because the person or the person’s parent or guardian is unlawfully in Canada.” (Education Act, R.S.O. 1990, c. E.2). Other sections of the Act (33(1), 44, and 46) also confirm that immigration status is not a criterion for determining school eligibility. Together, these provisions, in theory, protect the right of precarious-status minors to access education up to the age of eighteen in Ontario.

Before section 49(1) was included, access under the Education Act was more ambiguous, with admissions done on a case-by-case basis (F. Villegas, 2013). This addition reaffirmed the right to compulsory education for youth under 18, regardless of immigration status. However,

despite these legal protections, parents and guardians of children with precarious immigration status still face barriers when enrolling their children in school (Villegas F, 2013).

Many of these barriers stem from the inconsistent implementation of the policy at the board and administrative levels. For instance, some schools continue to request documentation such as proof of immigration status, health insurance, or a permanent address that precarious-status families often cannot provide. Fear and misinformation also play a role: some parents hesitate to approach schools due to concerns that their information might be shared with immigration authorities, despite official policies stating otherwise (Villegas F., 2013). These concerns are compounded by evidence showing that precarious-status families continue to face inconsistent enrollment procedures, limited access to language supports, and a lack of awareness, both among parents and educators, about legal rights, all of which undermine the full implementation of educational protections (FCJ Refugee Centre, 2025).

These systemic issues have prompted continued advocacy from civil society organizations. For instance, the Education Rights Taskforce (ERT) also led to a change to Section 49(7) of the Ontario Education Act. Before the Minister of Education Eleanor Kaplan clarified Section 49(7) of the policy, some school officials interpreted the policy in a way that required precarious status students to apply for study permits in order to be enrolled, an action that renders them vulnerable to immigration authorities (Villegas F., 2013).

Further advocacy by the ERT was also successful in persuading the then Minister of Education, Gerard Kennedy, to issue Policy Memorandum No.136 in December 2004, which set out the responsibilities of school boards in applying section 49(1) of the Education Act under the Education Act and IRPA. The Ministry established a province-wide policy stating that the

criteria for school admissions should be the same for all children, regardless of whether they or their parents are in the country unlawfully (Ministry of Education, 2023). This marked an unprecedented step by the Ministry in securing the right to education for students with precarious immigration status in Ontario (Wilson, 2009).

In 2006, following the detention and deportation of the Lizano-Sossa family,² the issue of access to education for precarious-status migrants caught the attention of the media and the public, and after the mobilization campaign by the Don't Ask Don't Tell coalition, the TDSB introduced the “Students Without Legal Immigration Status Policy” or the Don't Ask, Don't Tell (DADT) policy in 2007 (Villegas F., 2013, 2018). This policy prevents school officials from inquiring about or sharing students' or their families' immigration status, ensuring students' right to education (TDSB, 2007). The policy designated schools as safe zones and was seen as a groundbreaking step toward institutional inclusion. However, research by Villegas (2018) and others has shown that its implementation has been slow and uneven, with some school administrators and staff unaware of the policy or uncertain about its application. Furthermore, this policy is limited in scope as it applies only to the TDSB and has not been adopted at the provincial or national level. This lack of broader alignment contributes to continued confusion, inconsistent protections, and the exclusion of some precarious-status students across Ontario and beyond.

² In April 2006 in Toronto, Canada Border Services agents abruptly removed 15-year-old Kimberly and 14-year-old Gerald Jr. from their classroom, pulling them into a van alongside their mother, grandmother, and Canadian-born baby sister. The Lizano-Sossa family, who had sought refuge in Canada in 2001 after fleeing threats from a dangerous drug lord in Costa Rica, quickly became the center of a public outcry when their detention was revealed. Community members and local activists, including the group No One Is Illegal – Toronto, rallied in protest, their voices uniting in support of a family. Despite this widespread empathy and vigorous political backing, the family's lengthy legal battle ended on Canada Day, July 1, 2006, when a federal court judge, citing the family's failure to report for removal, ruled against them (CityNews, 2006; CBC News, 2006).

The DADT legislation, government policy, and community advocacy initiatives convey the message that immigration status should not interfere with the right to education. In fact, in June 2008, Premier Dalton McGuinty was quoted by the Canadian Press affirming this stance:

If a child shows up at the door looking for an education, our responsibility is to provide that education. If the federal government feels that child, that family, should not be in our province, then that is something they should do something about. But we are not going to start picking and choosing which kids are going to be allowed into the classroom.

[Babage, 2008 para 3,4]

Initiatives like the TDSB's DADT policy allow students with precarious immigration status to attend public schools without fear of deportation. This policy means that students can complete their primary and secondary education in Toronto without facing immigration-related barriers. This approach, while not directly addressing post-secondary education, acknowledges the presence of precarious status students and attempts to protect them in the education system. However, when these students graduate from high school, they lose this protection and face difficulties in entering universities.

Access to Post-Secondary Education

The issue of access to higher education for students with precarious immigration status in Canada remains under-researched compared to countries like the United States. Thus, Canadian policy responses to these students' access to higher education have been limited. Unlike the United States, where DACA created a legal mechanism for temporary protection, Canada lacks similar federal policies. US-based DACA recipients are individuals within the undocumented

population who meet specific eligibility requirements. Under the 2012 DACA program, they are granted renewable two-year work authorization and protection from deportation. Additionally, DACA provides undocumented students the opportunity to obtain a Social Security number and a driver's license (Enyioa, 2019). Even with DACA, admission to post-secondary education depends on state-specific access, tuition, and financial aid policies (Ballerini & Feldblum, 2021), which illustrates that DACA does not comprehensively address equitable access to PSE.

In Ontario, access policies at the primary and secondary school levels do not adequately address the increased barriers that Sanctuary Scholars encounter regarding postsecondary school access (Villegas P & Aberman, 2019). When accessing PSE in Ontario, Sanctuary Scholars face legal, procedural, and financial obstacles (Armanyous & Hudson, 2019). Some scholars in Canada have examined how the immigration and education systems in Canada create barriers for Sanctuary Scholars, particularly in accessing PSE as well as the challenges they face (Meloni, 2019; Villegas, P., & Aberman, 2019; Villegas, P., 2021). Sanctuary Scholars navigate many challenges, including navigating the ambiguous nature of their social belonging, the impact of immigration policies on their lives, institutional invisibility, and their efforts to establish a sense of community and belonging despite their precarious immigration status (Meloni, 2019). Additionally, they experience temporal displacements such as limbo, deficit, and delay due to their immigration status and financial constraints (Villegas, 2019). Sanctuary Scholars must also deal with the complexities of immigration policies, educational systems, and day-to-day challenges (Villegas, P., 2019).

The response of post-secondary institutions in Canada varies. Some universities, particularly in relatively more diverse provinces like Ontario, may implement policies to admit precarious-status students on a case-by-case basis. However, without national guidance or

institutional policies in place, precarious or non-status students often face uncertain or hostile reception when they attempt to enroll.

Despite the scarcity of research data on Sanctuary Scholars experiences in PSE, Villegas and Aberman (2019) used data from interviews with migrant youth and their experience organizing an access program at York University (Access for Students with Precarious Immigration Status (ASPIS) to argue that Sanctuary Scholars experience a "double punishment" due to racialized exclusion in both the education and immigration systems. The Access for Students with Precarious Immigration Status (ASPIS) program at York University aims to bridge the gap in access to education by providing a pathway for Sanctuary Scholars to enroll in undergraduate programs at domestic tuition rates (Armanyous & Hudson, 2019; Villegas, P., & Aberman, 2019). While there are no official legislative changes at the federal level, initiatives like the ASPIS program demonstrate efforts at alleviating some of the barriers Sanctuary Scholars face.

Precarious status students' experiences

As noted, students with precarious immigration status in schools face a unique set of challenges that shape their educational journey (Villegas, 2018). Despite their aspirations and potential, students with precarious immigration status often navigate a world of uncertainty, fearing deportation, struggling with financial barriers, and dealing with the stigma associated with their status (Bhuyan, 2013; Goldring & Landolt, 2013; Villegas, 2013). In addition to academic demands, they contend with limited access to scholarships, support services, and PSE opportunities – factors that many of their peers with regularized status may take for granted.

Schooling, particularly at the K-12 level, is often seen to shape future members of society, with children symbolizing hope, innocence, and vision for the nation's future (Koehl, 2007). However, as noted by Orlenna and Johnson (2012), the narrative around students with precarious immigration status, particularly those who are racialized, does not align with this view. Instead, according to notable research by Villegas (2018) exploring the intersections of race, class, and immigration status, these children are increasingly depicted as societal threats, leading to a shift from investing in their futures to focusing on surveillance and punishment.

In Canada, Meloni et al. (2014) highlight a legal paradox: while minors are seen as vulnerable and deserving of protection, migrant children are simultaneously viewed as outsiders who do not belong. The legal paradox directly connects to the concept of institutional invisibility. Institutional invisibility occurs when marginalized groups, such as students with precarious immigration status, are overlooked or rendered invisible within educational or legal systems (Meloni et al., 2017). In this context, the dual perception of migrant children – as both vulnerable and threatening – reinforces their invisibility, as they are not fully recognized or supported by the institutions meant to protect them. Their vulnerability is acknowledged, but they are still treated as outsiders, which makes it difficult for them to access the full benefits and protections that should be available (Meloni et al., 2017; Villegas, 2018).

This paradoxical treatment highlights how institutional structures can maintain and perpetuate the marginalization of students with precarious immigration status, making it harder for them to receive the support and recognition they need. Villegas (2018) affirms this by stating that access to schooling is shaped by border-like practices that categorize students based on immigration status. In Toronto, precarious status students at the K-12 level face various forms of “illegalization.” These include requirements to provide immigration documents for enrollment,

concerns about deportation when voicing needs, a perception that some school spaces are unsafe from immigration enforcement, and administrators' reluctance to acknowledge the students' vulnerabilities, leading to more complicated and risky enrollment procedures (Villegas, 2018). While a Don't Ask, Don't Tell policy was intended to protect these students, administrators continue to request information on precarious status students' arrival dates and status. As a result, these policies, despite seeming equitable, still reinforce perceptions of illegality and criminalization (Villegas, 2018).

While the legal and education landscape in Canada and the US differ, the landmark Supreme Court case, *Plyler v. Doe*³ (1982) offers critical insight for understanding how immigration status intersects with the right to education. In this case, the Court ruled that denying “undocumented” (the term used to refer to persons with precarious immigration status in the US) children access to free public K–12 education violated the Equal Protection Clause of the Fourteenth Amendment. Writing for the majority, Justice Brennan emphasized that undocumented children are “persons” under the U.S. Constitution and should not be penalized for circumstances beyond their control (Olivas, 2012). This ruling set a powerful legal and moral precedent: that the right to education must not be withheld based on immigration status. Although *Plyler* applies only to primary and secondary education, its foundational logic, centering non-discrimination, social inclusion, and the public good of education, resonates with

³ *Plyler v. Doe* (1982) is a landmark United States Supreme Court decision that held that undocumented immigrant children have the constitutional right to a free public education under the Equal Protection Clause of the Fourteenth Amendment. The case arose after Texas enacted a statute that permitted local school districts to deny funding for the education of children who were not legally admitted into the country. The Court ruled in a 5–4 decision that this statute was unconstitutional because it discriminated against a discrete and insular class—undocumented children—without sufficient justification, thereby imperiling their right to an education. The decision emphasized that denying education to these children not only harms them individually but also undermines the potential contributions they could make to society. It established a precedent that continues to influence debates on immigrant rights and education policy.

broader justice-based frameworks. It reinforces the argument that higher education should also be considered a right, especially for those who grew up within the public education system. This decision highlights the stark legal gap between K–12 and postsecondary education and mirrors the Canadian context, where access to elementary and secondary schooling is protected under provincial legislation, but precarious status youth face systemic barriers to continuing their education. As such, Plyler serves as a valuable comparative touchstone and strengthens the ethical and human rights-based rationale for expanding postsecondary access for Sanctuary Scholars.

In 2011, California passed the California Development, Relief, and Education for Alien Minors Act (CA-DREAM) (AB 130 and AB 131) as a response to the limited access to PSE for undocumented students. The CA-DREAM aimed to address the under-enrollment and inaccessibility issues faced by undocumented youth, particularly in California, by providing those who qualify under AB 540 access to state-supported financial aid such as enrollment fee waivers (Ngo & Astudillo, 2019). At the federal level, as previously noted, in 2012, President Obama introduced the Deferred Action for Childhood Arrivals (DACA) program, offering work permits and deferred deportation to some undocumented individuals. In California, the Dream Act was further expanded with the California Dream Loan Program (SB 1210) in 2014, providing loans to eligible undocumented students, and AB 2000, which expanded the eligibility for in-state tuition under AB 540 (Chavarria, 2014).

While Plyler v. Doe laid the legal foundation for K–12 education access, subsequent policy developments such as the California Dream Act and the Deferred Action for Childhood Arrivals (DACA) program extended that logic into the realm of postsecondary education. These policies created one of the most progressive environments for undocumented students in the

U.S., improving access to higher education and increasing opportunities for social mobility. Research indicates that the combination of the California Dream Act and DACA has led to higher enrollment, retention, and graduation rates for undocumented students, largely by alleviating financial barriers (Enriquez et al., 2019; Gonzales et al., 2018; Ngo & Astudillo, 2019). However, challenges remain, as some high school students remain unaware of the available opportunities, further complicating their transition to post-secondary education (Chavarria, 2024). Moreover, many educational institutions struggle with inconsistent implementation and a lack of staff expertise in supporting undocumented students (Enriquez, 2011; Nienhusser, 2013).

Undocumented students, even those protected by DACA, often feel excluded when transitioning to higher education (Abrego, 2006; Cebulko & Silver, 2016). A significant fear for many is disclosing their immigration status. The way students navigate their immigration status in everyday school settings is complex. Their decision to disclose or withhold this information depends on various factors, including their legal status, the structure of classroom activities, and the specific context of the learning environment (Figueroa, 2017). These feelings of exclusion are not solely due to immigration status but also stem from intersecting identities like race and socioeconomic status. Many undocumented students are first-generation college students from low-income families, facing similar challenges to their peers, such as a lack of academic preparation, which is intensified by their immigration status and societal discrimination (Teranishi et al., 2015; Pérez Huber, 2011).

These persistent challenges point to the need for sustained institutional commitment and structural change, issues that are relevant in the Canadian context. While the legal frameworks and policy instruments differ, the barriers faced by precarious status youth in Canada mirror

those seen in the US, particularly in terms of limited awareness, inconsistent institutional practices, and the absence of coordinated supports at the postsecondary level. In both contexts, institutional discretion plays a significant role in shaping educational access, which underscores the importance of formal policy commitments, targeted training, and resource allocation to support precarious status students.

Barriers to Post-Secondary Education

Immigration and legal barriers.

One of the barriers that Sanctuary Scholars face in their attempts to access PSE is obtaining a study permit. Some people with precarious immigration status can apply for a study permit from within Canada, such as Humanitarian & Compassionate (H&C) applicants with pre-approval, refugee claimants, and Temporary Foreign Workers with valid work permits. Sanctuary Scholars do not meet these criteria. Although Sanctuary Scholars can apply for a work and/study permits from outside of Canada, this is extremely challenging and risky as they may not be able to obtain visas necessary for re-entry into Canada or may face persecution or other dangers in their home country (Mercier & Rico-Martinez, 2023).

Procedural Barriers.

In Ontario, students use the Ontario Universities Application Centre (OUAC) and Ontario College Application Service (OCAS) to submit applications for PSE. These are centralized application systems which allow students to apply to multiple institutions with a single online application. Although meant to simplify the application process, this system still has shortcomings when evaluating access. One of the requirements of applying through these

systems is the disclosure of immigration status. The applications offer the option to select “Other: No Status,” implying that a person with precarious immigration status would be able to apply to PSE through these online systems.

Meghan Wilson (2009), in conversation with the processing manager - Undergraduate Programs at OUAC, states that there are no documentation requirements in choosing this option. OUAC has confirmed that it will not share an applicant’s immigration status with anyone other than the universities to which they apply. According to its Privacy and Confidentiality Statement, OUAC will only release personal information if legally required, such as through a search warrant, a valid legal inquiry, or in cases of a breach of law or agreement. OUAC collects immigration information primarily to compile aggregate statistics, help universities determine applicable fees, and connect international students with relevant services at the institution (OUAC Privacy Statement, 2024). Furthermore, the Manager of Processing affirms that applicants can apply through OUAC without fear that their immigration will be shared with any government agency unless presented with a warrant (Wilson, 2009).

OUAC will process applications regardless of a lack of status; however, this does not mean that PSE institutions will not request immigration documents once the application is approved, as this is largely dependent on individual institution policy. A student who self-identifies as a citizen or permanent resident, falsely or otherwise, will likely be asked to provide a Social Insurance Number (SIN) to receive domestic students' tuition rates. Individuals who self-identify as “No Status” will likely be informed that a study permit is required to study in Canada (Wilson, 2009). Either way, these barriers deter Sanctuary Scholars, thereby limiting access to PSE. While the OUAC application is lenient enough that immigration status will not

affect application processing, it does not mitigate the other barriers that arise between applying and enrolling.

Financial Barriers

Access to domestic students' tuition fees: Sanctuary Scholars face another significant barrier: high tuition fees. According to Statistics Canada (2024), in the 2023-2024 academic year, international students in Canada paid an average of \$40,115 annually for an undergraduate degree, nearly six times more than domestic students. Despite living in Canada for years, many precarious-status students, such as Sanctuary Scholars, are classified as "International Students" under provincial laws (Mercier & Rico-Martinez, 2023). This substantial financial cost associated with international students' differential fees for PSE places it beyond the reach of most Sanctuary Scholars.

In Ontario, the Ministry of Colleges and Universities defines who qualifies as a domestic or international student based on federal immigration laws rather than actual residency, impacting groups like protected persons and approved humanitarian and compassionate applicants (Mercier & Rico-Martinez, 2023). This classification is particularly problematic because the historical decline in government funding for international students since the 1960s has led to rising tuition fees, which have now become a major revenue source for Canadian colleges and universities (El Masri, 2020). As a result, individuals who may have strong ties to Canada but lack formal immigration status are subjected to exorbitant international tuition rates, further restricting their access to post-secondary education.

Financial Aid: Sanctuary Scholars are ineligible for both provincial and federal student loans. The Ontario Student Assistance Program (OSAP), a government aid application program

that provides funds to pay for college or university, only covers Ontario resident students who are Canadian citizens, PRs or have protected person status (Government of Ontario, 2017). Additionally, Sanctuary Scholars also do not meet the residency requirements for most scholarships and bursaries offered at the institutional level, save for a select few tailored specifically for people with ambiguous immigration status such as the CRS Bursary for Refugee Students (undergraduate students who do not have an immigration status in Canada), The Sanctuary Scholars Bursary (created to provide support to students in the Sanctuary Scholars Program). As a result, Sanctuary Scholars are ineligible for such financial aid programs.

The ineligibility for financial aid significantly impacts Sanctuary Scholars, who are already facing challenges in the labour market. Without legal authorization, they experience differential access to services and are vulnerable to unstable work conditions, job insecurity, and deskilling (Marsden, 2014). This situation fosters a sense of hopelessness among precarious status youth, as they perceive a lack of upward mobility due to their status, which negatively affects their mental health (Mercier & Rico-Martinez, 2023).

The Ontario Initiatives

York University Sanctuary Scholars Program

In January 2017, a pilot program was inaugurated at York University in partnership with FCJ (Faithful Companions of Jesus) Refugee Centre to support students' transition to PSE. York University's Access Program is the culmination of advocacy efforts of precarious-status youth to increase access to PSE. In early 2010, migrant activist organizations like FCJ experimented with community-level initiatives such as an "Uprooted University" to help youth with precarious immigration status who could not access PSE. The Uprooted University initiative emerged from

the FCJ Centre's broader mission to assist uprooted individuals in overcoming challenges related to immigration status, poverty, and discrimination.

At this Uprooted University, members of the FCJ Youth Network learned about various topics taught by university educators in a community centre classroom. Uprooted U has offered 2 semesters of classes, offering a unique and specially created Migration/Social Studies/Humanities course developed and facilitated by Dr. Tyler Correia (FCJ Refugee Centre, n.d.).

The access program referred to as the Access for Students with Precarious Immigration Status (ASPIS) program is the first of its kind to be initiated in a PSE institution (Villegas, P., & Aberman, 2019). The ASPIS program was based on other programs designed to increase access, such as “Uprooted University,” and makes it possible for Sanctuary Scholars to enroll in undergraduate programs at domestic tuition rates. The program at York University began with ten Sanctuary Scholars being granted admission into undergraduate studies and was proclaimed the “First University to Give ‘Dreamers’ a Chance at a Degree” (Weins, 2018).

The ASPIS program or Sanctuary Scholars Program as it more commonly called, offers two distinct pathways for entry into university based on the differing needs of prospective students: 1) a direct-entry path for students who were academically and mentally prepared to begin an undergraduate degree immediately, and 2) a bridging course focused on critical migration studies, designed for students who require additional preparation or support. This course integrates assignments, readings, and students’ personal experiences to provide a more tailored and accessible transition into university (Villegas, P., & Aberman, 2019).

The York University website describes it as an academic course for students who “want to explore the possibility of university study while upgrading their critical thinking, reading, writing and speaking skills” (York University Sanctuary Scholars Bridging Program, n.d.). The bridging course pathway not only provides students with a smooth transition into a program of their choice, but it is also a safe space for this marginalized population to connect with others facing similar obstacles and challenges (Villegas P. & Aberman, 2019).

The ASPIS/Sanctuary Scholars program was made possible by funding from the City of Toronto, which covered the first year through a 2015 Pan Am/Parapan Games grant that aims to improve equity, access and human rights for members of Toronto’s Latin American, South American and Caribbean communities (Weins, 2018). However, the program is open to all students with precarious immigration status, regardless of their background. After the City of Toronto funding ran out, it was up to York University to acquire the necessary funds to continue the program. Now in its eighth academic year, the ASPIS program has expanded through ongoing philanthropic support, though specific donor names are not publicly disclosed. As of 2024, there are approximately 200 Sanctuary Scholars from all over the Global South.

The Access program addresses some of the major barriers that Sanctuary Scholars face, such as immigration, procedural and financial barriers. Regarding the barrier of the study permits, the ASPIS program admits students, whether they possess one or not, effectively bypassing the immigration status barrier. Similarly, York University has the option to bypass the OUAC application for students who did not graduate from an Ontario High school by allowing them to directly apply to the university using a mechanism that was originally used for mature students, returning students or students with disabilities (Mercier & Rico-Martinez, 2023).

Although this process does require students to indicate their country of citizenship, it was determined to be more conducive to accepting students based on residency rather than immigration status. This was preferable to applying through OUAC as it allows students to use the precarious immigration status umbrella, which meant that only one university official would know students' immigration status. Throughout this albeit stressful process, Sanctuary Scholars are supported by the Access program coordination and instructor of the Bridging Course, who is actively engaged in supporting students before, during, and after they have submitted their applications.

The Access Program also addresses the issue of international student tuition fees. Sanctuary Scholars enroll in the Bridging Course free of charge and enroll in undergraduate programs at domestic student tuition fees. However, since Sanctuary Scholars are not eligible for OSAP and are responsible for paying their tuition fees, the Centre for Refugee Studies worked with the York University Faculty Association to establish the Refugee Student Bursary, which specifically supports Sanctuary Scholars (Armanyous & Hudson, 2019; Mercier & Rico-Martinez, 2023).

Toronto Metropolitan University Sanctuary Scholars Program

The Sanctuary Scholars program is a relatively new access program offered at Toronto Metropolitan University (TMU) via the Office for Social Innovation. The program was launched in September 2023 to address the significant barriers that students with precarious immigration status face in accessing post-secondary education. This initiative was developed by the Office of Social Innovation (OSI) in alignment with TMU's commitment to equity, diversity, inclusion, and access, as outlined in the university's 2020-2025 Academic Plan (Toronto Metropolitan

University, n.d.). The program was inspired by similar initiatives, notably the Sanctuary Scholars program at York University. Recognizing the success and impact of York's program, TMU collaborated with stakeholders across the university to design a tailored access pathway that would meet the unique needs of these students (Arce, 2024).

In its second year, the Sanctuary Scholars program at TMU was instrumental in providing eligible students with access to undergraduate degrees at domestic tuition rates, along with support services to navigate the challenges associated with precarious immigration status. The program's success has been attributed to the collaborative efforts of administration, faculty, and staff dedicated to fostering an inclusive and supportive educational environment (Toronto Metropolitan University, n.d).

Like the York University ASPIS programs, Sanctuary Scholars can study in nearly all departments and programs at TMU at domestic tuition fee rates instead of international rates. Prospective students can apply to TMU through the regular Ontario University Application Centre (OUAC) application or directly to TMU using the mature student application form (Toronto Metropolitan University, n.d.). However, unlike at York University, TMU does not have a bursary or scholarship geared specifically for Sanctuary Scholars; therefore, Scholars themselves are solely responsible for the financial cost of their education.

Sanctuary Scholars programs in Ontario represent a critical step toward educational equity for students with precarious immigration status, acknowledging the systemic barriers that prevent them from accessing post-secondary education. Initiatives at institutions like Toronto Metropolitan University (TMU) and York University highlight the growing recognition of the intersection between immigration status and educational access. These programs challenge the

exclusionary structures that deny students with precarious immigration status access to financial aid, affordable tuition, and institutional support.

However, despite these advancements, Sanctuary Scholars programs remain limited in scope, often dependent on institutional discretion and funding availability rather than comprehensive provincial or federal policies. The absence of standardized frameworks across Ontario's post-secondary sector means that many Sanctuary Scholars still face uncertainty and exclusion. Moreover, shifting political climates and increasingly restrictive immigration policies further undermine the stability of these programs, which makes them vulnerable to cuts, rollbacks or inaction. Without systemic protections and legislative backing, the future of sanctuary initiatives remains fragile. This highlights the need for long-term policy commitments to ensure equitable access to post-secondary education for all students regardless of immigration status.

Chapter 4: Methodology

In this chapter, I describe the methodological choices that shaped my research into the lived experiences of Sanctuary Scholars. Drawing on autoethnography and grounded theory, I position myself as both the researcher and participant, using my own experiences as a source of inquiry. I begin outlining the foundations of autoethnography and discussing the complexities of occupying a dual role – telling my story while critically analyzing it. I then address the ethical considerations that arise when working with personal and potentially vulnerable narratives. The chapter moves on to detail the types of data I engaged with: personal stories, reflexive journal entries, and memory work that allowed me to reconstruct key moments from my past. I also discuss how reflexive memos supported deeper theoretical engagement throughout the research process. Finally, I explain my approach to data analysis, including thematic coding and the refinement of open codes into focused categories through a grounded theory lens.

Autoethnography as a Research Approach

Autoethnography is a qualitative research methodology that combines autobiographical storytelling with ethnographic analysis. It allows the researcher to examine their own lived experiences, often in deeply reflexive ways, while connecting these experiences to larger systemic structures (Ellis et al., 2011; Lapadat, 2017; Adams & Holman, 2008). In this research focused on the experiences of Sanctuary Scholars in post-secondary education in Ontario, autoethnography is well-suited because it centers the researcher's personal narrative to explore and provide insights into how individuals' experiences reflect and challenge broader cultural norms, social structures, and power relations (Holman et al., 2013). Here, I critically reflect on

my own experiences before situating my personal narratives within exclusionary practices in post-secondary institutions and restrictive immigration policies.

I have chosen autoethnography for two reasons. First, it offers a platform to bring these personal stories into the academic conversation (Bochner & Ellis, 2016), illuminating my lived realities of navigating post-secondary education with unregularized immigration status. It provides a firsthand account that not only documents challenges but also highlights resilience, agency, and how students negotiate systemic barriers. Second, autoethnography allows me to bridge the personal and the structural. In the context of Sanctuary Scholars in PSE, I, as the researcher, can critically analyze how personal challenges – such as financial insecurity or fear of deportation – are shaped by broader education policies, immigration laws, and socio-political attitudes.

Furthermore, autoethnography contributes to humanizing policy perspectives on immigration, moving beyond abstract legal and economic debates to center the lived realities of those directly affected. It offers a more nuanced, empathetic, and justice-oriented understanding of immigration policies and creates a space to advocate for reforms that recognize Sanctuary Scholars as members of academic and social communities with aspirations, struggles, and contributions.

Exploration of the Dual Role as Participant and Researcher - Positionality

A key feature of autoethnography is the researcher's dual role as participant and researcher. In this study, the researcher is not a detached observer but an active participant who shares personal experiences to inform the research. This dual role offers unique insights but also requires careful reflection on the complexities it entails (Bocher & Ellis, 2016; Lapadat, 2017).

My insider perspective is shaped by my social location. I write as a Black Caribbean woman who has navigated Ontario's postsecondary system with precarious immigration status, and these intersecting identities inevitably influence how I experience, remember, and interpret the phenomena explored in this thesis. Analysis of race and racialization, specifically, is beyond the scope of this thesis, although merits full consideration elsewhere. While such identity markers help situate the standpoint from which I speak, they are not the central focus of the analysis. Instead, they provide context for why certain patterns resonate and how I access particular insights, while the primary analytic emphasis remains on the institutional, structural, and policy conditions that shape Sanctuary Scholars' experiences more broadly. Being transparent about my positioning enables me to balance personal understanding with a sustained focus on the wider systems under examination. This approach aligns with the aims of autoethnography, which uses lived experience to illuminate cultural and structural dynamics without allowing the self to overshadow the analysis.

As a participant, my lived experiences as a Sanctuary Scholar or as someone closely connected to that identity, allow me to offer rich, nuanced, and emotionally grounded accounts of navigating the barriers embedded in the postsecondary landscape. These narratives help humanize the research by making visible the often-unseen emotional and social dimensions of institutional exclusion. The depth of personal engagement makes it possible to capture emotions, struggles, and successes that might remain muted or inaccessible in more traditional research approaches (Denzin & Lincoln, 2011; Bochner & Ellis, 2016).

Simultaneously, as a researcher, I carry the responsibility of critically situating these personal experiences within broader social and policy contexts. This requires identifying the themes, patterns, and meanings that extend beyond my individual story and speak to collective experiences shared among Sanctuary Scholars. Maintaining reflexivity and analytic rigour ensures that personal narratives function not merely as autobiographical accounts, but as pathways to understanding the deeper institutional and structural dynamics at play (Bochner & Ellis, 2016; Lapadat, 2017).

Ethics of autoethnography

As noted, using autoethnography as a former Sanctuary Scholar allows me to bridge personal experience with structural analysis, producing a narrative that is both deeply personal and critically engaged. This methodology provides insight into social experiences that outsiders cannot directly observe, offering a nuanced account of the systemic barriers faced by Sanctuary Scholars (Ellis, 2009). However, self-disclosure in autoethnographic research comes with ethical risks, particularly when engaging with sensitive legal and immigration-related issues.

To mitigate potential risks, I am adopting a risk-conscious approach to data presentation, ensuring that personal experiences are anonymized and situated within broader cultural and structural analyses. While I cannot fully anonymize myself as the researcher-participant, I have taken deliberate steps to protect others implicated in these narratives. This includes the removal of identifying details such as names, locations, institutional affiliations, and timelines, as well as refraining from including specific lived experiences shared by peers or community members.

Where stories include composite quotations or simulated dialogues, they are drawn from recurring themes and shared knowledge within Sanctuary Scholar communities rather than from

any one individual. These composites emerged organically through memory work, reflective journaling, and iterative memo writing, where patterns and repeated experiences became analytically visible. By grounding composites in these analytic processes, I ensure that they reflect collective realities rather than singular accounts.

This strategy, which I introduce in the opening vignette, allows me to maintain narrative authenticity while safeguarding the privacy and safety of others. By balancing vulnerability with ethical responsibility, this research contributes to humanizing policy discourse, making visible the often-invisible struggles shaped by immigration systems and educational institutions, without exposing those who continue to live in legal and social precarity.

Capturing the lived experience of a Sanctuary Scholar through autoethnography and grounded theory

As a researcher conducting autoethnography, my data collection process was deeply personal and introspective, involving a deliberate exploration of my experiences, emotions, and reflections. Autoethnography embraces a hybrid, multi-layered approach to data collection, integrating various qualitative methods to capture the depth and complexity of lived experiences. These methods include journaling, memory work, reflexive notes, archival research, narrative analysis, and thematic coding – each serving as a critical tool for understanding how Sanctuary Scholars like me navigate PSE within the constraints of immigration policies and institutional structures (Bochner & Ellis, 2016; Chang, 2008). Unlike traditional research methods that prioritize objectivity and distance, autoethnography positions the researcher's own lived experience as a legitimate site of knowledge production while acknowledging the interconnectedness of personal narratives and systemic forces (Ellis, Adams, & Bochner, 2011).

Informed by grounded theory (Charmaz, 2006), I approached the data with openness, allowing themes and insights to emerge inductively from my lived experiences. While I draw on pre-existing theoretical frameworks such as DEI and education as a human right to guide my analytical lens, I resisted imposing rigid codes in advance. Instead, I allowed these frameworks to inform my interpretation after the coding process. This iterative process enabled me to connect my personal narrative with broader social structures, ensuring that my research was both deeply subjective and analytically rigorous. I turn now to explore my primary data sources.

Personal Narratives and Reflexive Journaling as Primary Data Sources

A significant portion of the data for this study was derived from my personal journals, spanning multiple years of living with precarious immigration status. I selected entries from a three-year period, as these years captured the most critical period of my educational journey – from the time leading up to my initial university application process to my struggles during my first year in a bridging program. This period also coincided with the natural conclusion of my journal writing, as my entries tapered off after securing more stable footing in PSE.

Throughout these years, journaling became my way of making sense of the world. My entries included content such as the emotional toll of navigating PSE with precarious immigration status, including anxiety, fear of discovery, and the weight of financial insecurity; institutional interactions such as experiences with PSE admissions and strategies for survival including the role of peer networks, grassroots organizations, and personal resilience in mitigating systemic exclusion. My journal entries recorded various stages of my academic

journey – from the time leading up to the initial university application process to the day-to-day struggle of the first year in university – providing a longitudinal perspective on the Sanctuary Scholar student experience.

As Lai (2012) argues, self-reflective writing enables individuals to identify patterns and construct meaning within their lived realities. My journal functioned not just as a personal archive, but also as a critical research tool – a site where I recorded my shifting perspectives on institutional policies, my evolving sense of identity, and my methods of coping with structural barriers.

Memory Work: Reconstructing the Past Through Critical Reflection

Beyond journaling, I employed memory work, a qualitative research method rooted in feminist and critical traditions. Memory work (Haug, 1987, as cited in Bryant & Bryant, 2019) views memory not as a static record of the past but as an active process of meaning-making, shaped by current emotions, social positioning, and reflective interpretation.

In conducting memory work, I did not treat my past experiences as fixed or objective realities, but as subjective narratives shaped by my present understanding of power, marginalization, and resilience. I revisited moments of exclusion, such as financial challenges or being questioned about my status; instances of resilience, where I developed strategies for navigating institutional barriers, such as securing alternative funding sources, and shifts in identity and emotional responses, tracing how feelings of fear and alienation evolved into moments of resistance and self-advocacy. This process aligns with the narrative form of autoethnography described by Ellis and Bochner (2006), which “shows struggle, passion,

embodied life, and the collaborative creation of sense-making in situations in which people have to cope with dire circumstances and loss of meaning” (p. 433).

As Cooper & Lilyea (2022) argue, emotions are not just personal reactions but analytical tools, offering insight into how individuals internalize and resist systemic constraints. Through memory work, I analyzed how fear, uncertainty, and exclusion shaped my academic identity while also identifying moments of strength and agency that allowed me to persist.

Reflexive Notes and Memo Writing: Bridging Narrative and Theoretical Analysis

Because autoethnography is both a personal and scholarly endeavour, I maintained a separate set of reflexive notes to analyze my dual role as a researcher and subject. Reflexivity is crucial in autoethnographic research because it ensures that the researcher remains critically aware of their positionality and influence on the data (Ellis & Bochner, 2006; Lai, 2012).

Furthermore, my reflexive notes functioned similarly to memos, as conceptualized by Charmaz (2006), who states that when researchers get an idea, they should pause and write a memo, as this practice prompts early analysis of data and codes. Memo-writing is not merely a recording of thoughts but an analytical tool that fosters deeper engagement with the data and helps clarify emerging insights (Birks et al., 2009).

Like memos in grounded theory, my reflexive notes capture my evolving thoughts, emotional reactions, and theoretical connections throughout the research process. They track evolving thoughts and emotional responses to my own experiences, identify emerging codes and refine thematic categories while ensuring that my self-reflections contribute to broader conceptual frameworks and critically engage with the tension between emotional authenticity and scholarly rigour, ensuring that my writing remains both intellectually robust and deeply

personal. They also allow me to move beyond surface-level descriptions to a more nuanced understanding of how my experiences as a Sanctuary Scholar fit within broader sociopolitical structures.

This practice mirrors Charmaz's (2006) iterative approach, where the researcher constantly compares data, codes, and memos to sharpen theoretical insights. In these reflexive notes, I considered questions such as:

- How does my status as a Sanctuary Scholar shape the data I collect and the conclusions I draw?
- In what ways do my emotional reactions to past experiences colour my analysis?
- How can I balance the need for emotional authenticity with the need for scholarly rigour in this autoethnography?

These reflexive notes (or memos) allowed me to maintain a critical perspective on my positionality, ensuring that I remained aware of how my personal experiences influenced my analysis. Just as Charmaz (2006, as cited in Birks et al., 2009) highlights how memo-writing serves as a bridge between raw data and theoretical development, my own memoing process helped me integrate personal narratives with broader theoretical constructs related to Sanctuary Scholars, educational barriers, and resilience strategies.

This constant process of self-reflection and theoretical engagement deepened the overall quality of the analysis and contributed to the validity of my findings. By engaging with reflexivity and memoing in this way, I was able to bridge personal narrative with critical inquiry, consistent with the principles outlined by both Lai (2012) and Birks et al. (2008). Furthermore,

this approach aligned with the grounded theory method of building theory from lived experience, reinforcing my research process's iterative, data-driven nature.

While personal journaling, memory work, and reflexive memoing formed the core of my data collection, I also drew upon archival research, institutional documents, and media reports to contextualize my experiences within wider socio-political frameworks. This included reviewing university policy statements and DEI strategy documents from institutions such as Toronto Metropolitan University and York University, as well as documents related to the Sanctuary Scholars program. These sources helped me analyze the discrepancies between university diversity policies and actual institutional practices toward Sanctuary Scholars, how government policies shape educational access, particularly in relation to financial aid and legal work eligibility, as well as public discourse on immigration and PSE, examining how Sanctuary Scholars are represented (or erased) in policy debates.

This research is not just an academic exercise; it is a form of bearing witness to the hidden struggles of Sanctuary Scholars navigating an exclusionary system. Through journaling, memory work, reflexive engagement, and institutional analysis, I have constructed a multi-layered dataset that centers on personal experience while critically examining broader educational and immigration policies. By intertwining autoethnographic storytelling with grounded theory analysis, I aim to contribute to both scholarship and advocacy, pushing for greater visibility and policy change for precarious status students in higher education.

Data Analysis: Thematic Coding and Reflexive Interpretation in Autoethnography and Grounded Theory

As I embarked on this research, I was guided by five key questions that shaped both the overall methodological framework and data analysis process:

1. How do Canadian immigration and educational policies affect Sanctuary Scholars' access to and academic, social, and psychological experiences in post-secondary education?
2. How do the personal experiences and intersectional identities of Sanctuary Scholars in Ontario shape their access to and experiences in post-secondary education?
3. How do Sanctuary Scholars navigate these barriers, and what strategies do they employ to access post-secondary education? In other words, what coping strategies, resilience factors, and forms of agency do Sanctuary Scholars employ to navigate the Canadian post-secondary education system?
4. What are the implications of these findings for immigration policy reform and institutional practices that better support Sanctuary Scholars in post-secondary education?

I used a thematic coding approach informed by grounded theory (Charmaz, 2006, as cited in Birks et al., 2009) and autoethnographic reflexivity (Bochner & Ellis, 2006) to address these questions. Analyzing my data was both an intellectual and deeply personal process. Instead of forcing my experiences into pre-existing theoretical categories, I allowed themes to emerge organically, shaped by the realities that I had lived. Grounded theory (Birks et al., 2009) and autoethnographic reflexivity (Bocher & Ellis, 2016) guided me

throughout this process, ensuring that my analysis stayed true to the lived complexities of the Sanctuary Scholar experience in Ontario.

As I revisited my personal narratives, institutional interactions, and systemic patterns, I realized that my story was not just a singular narrative – it was a thread woven into a much larger tapestry of Sanctuary Scholars trying to access PSE. By analyzing these, I was able to trace how immigration and educational policies shape academic, social, and psychological experiences (research question RQ-1), identify the barriers Sanctuary Scholars face (RQ2), and examine how they navigate these challenges (RQ3). Furthermore, this analysis sheds light on the resilience strategies that Sanctuary Scholars use (RQ4) and offers critical insights for policy reform and institutional change (RQ5).

Thematic coding: Finding patterns in my lived experience

I began my analysis by immersing myself in my own journal entries, institutional interactions, and reflexive memos, coding the moments that stood out as the ones that felt urgent, painful, or revealing (Birks et al., 2009; Bocher & Ellis, 2016). As I read through my notes, I looked for patterns in my experiences, asking myself:

- What do these repeated struggles tell me about post-secondary institutions in Ontario?
- How do my interactions with university administrators reflect broader immigration policies?
- Where do I see my identity being shaped by systemic barriers?
- What survival strategies have I used, and what do they reveal about resilience and institutional neglect?

Through this process, I identified themes that directly aligned with my research questions:

- Institutional gatekeeping and policy barriers (RQ1, RQ2)
- Psychological and social toll of precarious immigration status (RQ1, RQ2)
- Survival strategies and resistance (RQ3, RQ4)
- Contradictions in institutional diversity rhetoric (RQ1, RQ2)

- The role of advocacy and collective action (RQ3, RQ4)

Refining Open Codes into Focused codes: A grounded Theory approach

The process of moving from open to focused codes was not straightforward. It involved revisiting and reworking my data multiple times, pausing when something resonated deeply, and writing memos when an idea struck me, just as suggested by Birks et al. (2009). Whenever I noticed a strong emotional reaction while coding, I took a moment to write about it, exploring why a particular theme mattered so much (Bocher & Ellis, 2016). Following Charmaz's (2006) grounded theory methodology, I moved from open coding to focused coding, which allowed me to refine my themes into more analytically rich categories. This process was essential to move from the descriptive *what* of the Sanctuary Scholars' experience to the interrogative *why* these barriers exist and *how* we push back against them.

Step 1- Identifying open codes: My coding process was messy at first. I started with a line-by-line analysis of my journal entries and reflective notes to identify patterns in my experiences. I wrote down thoughts that stood out, even if they felt small. These open codes captured key moments of exclusion, struggle, and resilience, including:

Institutional barriers:

- "I do not qualify for OSAP"
- "Categorized as an international student even though I have lived here for almost a decade"
- "Being charged international student tuition fees due to being categorized as an international student in the system"
- "Needing government-issued ID in order to get my student ID"

Emotional and psychological challenges:

- "Feeling like I am always on the outside, even when I am inside the classroom."
- "Fear of exposure and forced disclosure of immigration status"

- “Exhausted from keeping up pretenses: that everything is fine, that I am like everyone else”
- “Dealing with a mental health diagnosis on top of everything else”

Strategies of resistance and agency:

- “Found The York University Continuing Student Scholarships (undergraduate degree students who have achieved outstanding academic results, 8.0 GPA or greater), The CRS Bursary for Refugee Students (undergraduate students who do not have an immigration status in Canada), The Sanctuary Scholars Bursary (created to provide support to students in the Sanctuary Scholars Program)”
- “Relying on the Sanctuary Scholars Program Coordinator to navigate university policies”
- “Working under the table to afford PSE”
- “Finding community”

Institutional contradictions in policy vs practice:

- “Lack of awareness among staff about the Sanctuary Scholars program”
- “DEI policies promoting inclusion but not addressing Sanctuary Scholars”
- “Universities implementing ad hoc solutions rather than structural reform e.g. ASPIS program”

At this stage, I was not looking for patterns; I was simply capturing moments that reflected the reality of being a Sanctuary Scholar and someone with precarious immigration status.

Step 2- Memo writing and theoretical reflection: Following grounded theory (Birks et al., 2009), which suggests that when a researcher gets an idea, they should pause and write a memo, I frequently pause to write memos, using them as an analytical tool to refine codes. Using my open codes, I wrote analytical memos whenever I encountered a code that felt significant. These memos became critical thinking spaces, where I asked questions such as:

- What does this pattern say about the post-secondary system?
- How does this experience relate to broader immigration policies?
- What are the contradictions between institutional rhetoric and actual practice?

Step 3: Refining open codes into focused codes: As patterns became clearer, I refined open codes into focused codes by grouping them into broader conceptual categories that directly addressed my research questions.

Table 1

This table illustrates how open codes were grouped into conceptual categories aligned with my research questions.

Focused code	Open codes (examples)	Research Questions addressed
Institutional Gatekeeping	Not eligible for OSAP and most scholarships and bursaries, unclear tuition policies, confusion and inconsistency in how universities handle Sanctuary Scholars	RQ1, RQ2
Financial precarity and psychological toll	Fear of exposure, chronic stress, mental health challenges, the impact of financial insecurity on academic performance and well-being	RQ1, RQ2
Navigating PSE through resilience and resistance	Navigating immigration and educational barriers, informal work, building alternative networks of support	RQ3, RQ4
The contradiction of institutional DEI rhetoric	University celebrating diversity while excluding Sanctuary Scholars, the symbolic vs. actual commitment to inclusion, lack of awareness among staff, gaps in DEI initiatives	RQ1, RQ2
Advocacy and policy reform	Student activism, legal battles, Sanctuary Students initiatives, policy changes at select universities	RQ3, RQ4

In sum, this research does not simply document the challenges of a Sanctuary Scholar – it analyses my lived realities through thematic coding and grounded theory. This allows for a nuanced, intersectional understanding of the barriers facing Sanctuary Scholars and the strategies they employ. By integrating autoethnographic storytelling with qualitative coding, I bridge

personal experience and institutional critique while ensuring that my research remains both deeply human and academically rigorous. Ultimately, the process of refining codes, writing memos, and engaging in reflexive interpretation was not just a technical exercise – it was a method of survival, a way of making sense of my own experiences while advocating for broader structural change. This ensures that the voices of Sanctuary Scholars do not remain invisible but instead become a powerful force for policy reform and educational equity.

Beyond its methodological approach, this research contributes to broader theoretical conversations around access to postsecondary education, human rights, and educational equity. It challenges dominant policy frameworks that treat education as a conditional entitlement, contingent on immigration status, and calls for a human rights-based understanding of education that includes precarious status youth. It also interrogates how institutional DEI efforts often overlook immigration status and exposes the limits of DEI efforts. By centering the lived realities of Sanctuary Scholars, this study highlights the intersection of education and immigration policy in ways that are unexplored in Canadian scholarship. More broadly, it asks us to reconsider the role of postsecondary institutions not only as gatekeepers to opportunity but as potential sites of resistance, care, and social transformation.

CHAPTER 4: Findings and Discussion

This chapter shares the key findings of my research through an evocative anthropological lens, drawing directly from my lived experiences as a Sanctuary Scholar navigating PSE. The discussion is organized around five central themes that emerged from my data. The first section looks at institutional gatekeeping: it unpacks how confusing and often inaccessible immigration processes, especially the distinction between temporary and permanent residency, can shape and limit educational opportunities. The second section explores financial precarity and its psychological toll, showing how constant worry about tuition, basic needs, and immigration status affects student life. The third section shifts the focus to resilience and resistance. It highlights the everyday strategies students use to adapt, persist, and push back against exclusion. Next, I examine the contradictions in institutional DEI rhetoric, where public commitments to diversity often do not match the realities experienced by precarious-status students. I contrast these gaps with more meaningful practices inside the TMU Sanctuary Scholars program. The final section turns to advocacy and policy reform: building networks of solidarity, demanding change, and making space for themselves and others. Together, these themes offer insight into both the barriers and the strengths that shape Sanctuary Scholars' educational journeys, and they raise important questions about what inclusion really means in PSE.

Evocative Autoethnography

Harlem
 What happens to a dream deferred?
 Does it dry up like a raisin in the sun?
 Or fester like a sore— And then run?
 Does it stink like rotten meat?
 Or crust and sugar over— like a syrupy sweet?
 Maybe it just sags like a heavy load.
Or does it explode?

By Langston Hughes

A decade passed in Canada, and in that time, I found myself navigating an immigration and educational system that often felt unwelcoming, with no clear path forward and few people to confide in about my fears, frustrations, or aspirations. There were moments of deep uncertainty, but also small victories – proof that I was still moving forward despite the barriers placed before me. I want this evocative study to feel like a conversation between two people, sharing our experiences as if we were old friends reconnecting after years apart. My hope is that, through this exchange, both the reader and I will come away with a deeper sense of understanding – of ourselves, of each other, and of the challenges that Sanctuary Scholars face in PSE. As we reflect together, we can find meaning in the moments that shaped my transition from being a student eager to pursue postsecondary education to one labelled as “ineligible,” “out of status,” and ultimately excluded before I even had the chance to begin.

I aim to “open up emotional conversations with readers” (Bochner & Ellis, 2016, p. 40), to invite them into an evocative, deeply personal narrative where they can “feel their lives deeply touched by my stories” (Jones, Adams, & Ellis, 2013, p. 111). Autoethnography allows me to position my lived experiences at the center of this research, not as a case study to be analyzed from a distance, but as a legitimate way of knowing and meaning-making. As McCormack (2022) explains, storytelling is a “fundamental way of experiencing the world” (p. 74), and it is

through this narrative that I make sense of the barriers, exclusions, and moments of resilience that define my journey as a Sanctuary Scholar. But storytelling, especially when it is autoethnographic, is not a neat or linear process. I must draw on my personal experiences artistically and reflexively because I am grappling with the “messy and ambiguous but real dimensions of human experience” (Bochner & Ellis, 2016, p. 38).

Writing this thesis has not been a detached academic exercise; it has been a deeply personal act of grappling with exclusion, uncertainty, and self-discovery. As Grummell and Finnegan (2022) describe, research is not just a theoretical pursuit but a practical, ethical, and deeply situated endeavour (p. 1). I wrote this work while still confused, trying to make sense of what it means to exist within a system that prides itself on inclusion but actively denies access to students like me. Grummell & Finnegan, (2022) urge us “to sit with the mess of experience, trusting that something will emerge” (p. 78). And indeed, something did emerge – the realization that through writing, reflecting, and sharing my experiences, I have reclaimed the power that precarious status tried to take from me.

I have constructed a place for myself in this thesis, one where my experiences, despite the mistakes, the gaps, the uncertainties, matter. In doing so, I also seek to illuminate the struggles of other Sanctuary Scholars navigating postsecondary education, many of whom are on their own transformative learning journey, often without institutional recognition or support. Autoethnography allows me to capture the deeply personal yet structurally shaped growth and transformation processes while acknowledging the resilience with which marginalized students pursue education despite systemic exclusion.

Finally, as Illeris (2014) argues, biographical identity and biographical learning are deeply interconnected – both rooted in “the individual’s relationship to her or his story” (p. 6). This work is my attempt to make sense of that relationship; to document how immigration status, educational aspirations, and systemic barriers have shaped who I am, who I am becoming, and how I engage with knowledge. In doing so, I also hope to contribute to the broader effort to “humanize the human sciences” (Bochner & Riggs, 2014, p. 179) to push scholars and institutions to confront the realities of exclusion in higher education. Postsecondary institutions cannot claim to value equity while continuing to deny access, funding, and recognition to Sanctuary Scholars. Through this study, I bring attention to the struggles of those of us who exist at the margins of PSE, not by choice but by the barriers and policies that continue to render us invisible (McCormack, 2022).

As a Sanctuary Scholar in Canada, my life has been shaped by barriers that extend beyond the academic institution. Thus, my identity is inseparable from my lived experiences of navigating a system that often fails to acknowledge people like me. Through this autoethnographic narrative, I reflect on my journey, analyzing how Sanctuary Scholars navigate institutional barriers, financial exclusion, psychological distress, personal resilience, and advocacy efforts. Using grounded theory, I explore recurring themes that emerge from my own experiences, offering insight into the broader sociopolitical and cultural landscape that shapes the realities of Sanctuary Scholars in Canada (Chang, 2018; Enriquez, 2020).

I have organized narratives in this chapter into five key themes: 1) Institutional gatekeeping, 2) Financial precarity and psychological toll, 3) Navigating PSE through resilience and resistance, 4) The contradiction of institutional DEI rhetoric, and 5) Advocacy and policy reform.

These findings aren't just data points; they're pieces of my life stitched together through moments of fear, resilience, struggle, and hope. They tell the story of what it means to navigate higher education as a Sanctuary Scholar – unfiltered and unapologetic.

1. Institutional Gatekeeping

*In the space between policy and pavement,
 I tread a path of whispered fears and silent defiance.
 Each step is a verse in the epic of invisibility –
 Where the frost of exclusion meets the warmth of clandestine hope.
 I am both the observer and the observed,
 Living my truth in the margins of a system that invisibilizes. *

I am using the phrase “Tim tim, bwa sec” to start and refer to my personal narratives, such as vignettes and journal entries, in this research project. It immerses me in my storytelling role and anchors my narratives in a deeply personal and culturally significant tradition of my region of birth – the French Antilles. This phrase is more than just an introduction; it is a portal to memory, history, and self-understanding. It is a way to situate my experiences within a lineage of storytelling that has shaped how I make sense of the world.

It also reminds me of my childhood and the stories I heard from my elders, who always began stories with this introduction. In the same way that their stories carried meaning beyond the stories themselves, my narratives hold more than just events – they have emotions, fears, resilience, and transformation. Using “tim tim, bwa sec” in my research is not just a stylistic choice but a deliberate act of honouring my past while constructing my present. It bridges the gap between lived experience and scholarly reflection, allowing me to tell my story in a way that feels true to both my cultural identity and my academic inquiry.

January 2017

Tim tim, bwa sec ...

I remember the winter morning when I first stepped onto the campus of York University. The air was crisp and biting as I got off the bus, trying to orient myself toward the classroom where the bridging course was taking place. My heart pounded with both excitement and dread. Beneath my carefully practiced smile and a rehearsed greeting, I carried a secret: I had precarious immigration status. Every sensory detail of that day – the cold air clinging to my skin, the crunch of my boots against the snow-dusted pavement, the nervous energy buzzing in my chest – remains etched in my memory.

Outside, the sky was a dull, overcast grey. I walked along a snow-dusted York Lanes; the sharp bite of winter air filled my lungs. As I made my way toward Vari Hall, each exhaled breath formed small clouds that drifted away, much like my hopes of simply blending into the crowd. I was lost, and I was convinced that everyone knew it. The vast Keele campus felt overwhelming, as if it could swallow me whole at any moment. I scanned my surroundings, searching for a sign – figuratively and literally – "This way to Vanier." I had already asked two people for directions, but their responses only led to more confusion. Just as I was about to give up and wander aimlessly, I spotted a familiar face. We had both been at Uprooted U and now, here we were, beginning our first Canadian university experience together. Side by side, we found our way to the designated room for the bridging course, an unspoken relief passing between us.

Inside the small classroom, surrounded by about a dozen other Sanctuary Scholars, the air was thick with ambition and quiet tension. I deliberately chose a seat with a clear view of the door –

not only to observe but also out of hypervigilance, a habit deeply ingrained in those of us with precarious immigration status. Hypervigilance wasn't paranoia – it was survival. My eyes instinctively tracked every movement, every unfamiliar face, every shift in the environment. At first, I felt like I didn't belong on the university's campus. During the first few classes of the bridging program, I was convinced that at any moment, someone would "find me out." There was this constant fear that I would be exposed as a fraud, as not a real student, as someone who did not belong in these halls of academia. I was also constantly afraid that my precarious immigration situation would be revealed, and I would be outed. It was an all-consuming anxiety, one that I had to fight against, reminding myself, sometimes out loud, that it was going to be all right.

But something unexpected happened in that room: I found community. Among the other students in the program, I realized that I was not alone. There were others just like me, navigating the same uncharted terrain, learning not only how to be university students but how to exist in this system that was never designed with us in mind. It was ironic – while I was in class, deep in conversation with my peers, I felt like I was exactly where I was supposed to be. We gathered and shared knowledge not just from textbooks but from our lived experiences, from the survival strategies we had crafted over years of uncertainty. And in those moments, I felt at home.

As the professor, a former undocumented student from the US, discussed theories of social justice, nation-building and multiculturalism, I experienced a contradiction of emotions. On one hand, I felt a deep connection to the material; the discussions about power, oppression, and resilience mirrored my own lived reality. On the other hand, every mention of "diversity,"

"everyone is welcome," and "belonging" stung with irony. These were the very values that Canada as a country and recently institutions like universities claimed to uphold. Yet, my precarious immigration status meant that I remained both visible and invisible, seen in some discussions about inclusion, but erased in policies that determined access to education, financial aid, and stability.

Over time, I learned to sit with that contradiction. The discomfort didn't go away, but neither did my resolve to carve out space for myself and others like me. This was our education, too. We had every right to be here, even if the system did not recognize us.

I first began to understand gatekeeping not as a single locked door, but as a layered system of barriers, each one disguised as policy, process, or eligibility requirement. What began as a frustrating moment of trying to locate a classroom on a large, new campus led me to recognize a much deeper pattern – the institutional mechanisms that determine who belongs and who does not. In this section, I explore how institutional gatekeeping functions at multiple levels, from postsecondary to immigration policy.

Lost in translation: navigating the Canadian immigration system without a map

The gatekeeping I encountered at the university gate was only one part of a larger system, one that begins much earlier, within the layered bureaucracy of immigration and public policy. For students like me with precarious status, immigration policy is not a neutral set of procedures; it is a labyrinth of unclear pathways, conflicting advice, and hidden eligibility criteria that determine who can access safety, stability, and opportunity. This system is not just hard to navigate; it is designed in ways that obscure routes to status while holding individuals

accountable for not finding them. In this way, immigration bureaucracy acts as another layer of institutional gatekeeping, guarding access to legal residency, education, healthcare, and work, while offering little guidance to those most in need of clarity. In the absence of accurate information or institutional support, many of us rely on community networks and word-of-mouth survival strategies – some helpful, others harmful. This section explores what it means to move through the immigration system “without a map,” and how this uncertainty mirrors our exclusion in educational institutions. Both systems, immigration and education, operate through silences, deferrals, and discretionary judgments, placing the burden of access on the shoulders of those least equipped to carry it.

When I first arrived in Canada, I did not understand the intricacies of immigration status. I was part of a world where immigration was talked about in hushed tones; information passed between community members like secret codes, each interpretation slightly different from the last. There was no official handbook, no definitive set of rules, only fragments of knowledge carried from one struggling (im)migrant to another like some sort of quilted underground network patched together with half-truths and hopeful guesses.

The first time I tried to understand my status in Canada, I turned to the people around me, most of them immigrants like me, living with precarious immigration status. The government’s website might as well have been written in a foreign language. Work permits, study permits, landed immigration status, permanent resident (PR) pathways – none of it made sense to me. So, I relied on what I heard in living rooms, church lunchrooms, and basement apartments. I was convinced that if anyone understood the system, it was those who had been surviving it.

“Just stay quiet, keep your head down, get a job. After a few years, they will give you status”; *“Apply under humanitarian and compassionate (H&C) grounds- it’s easy”*; *“If you have a Canadian-born child, you’ll get papers automatically”*; *“While waiting to get your papers, you can go back to school”*; *“This immigration consultant has gotten papers for many people, he will help you get your papers.”* I believed them because I had no reason not to. And why wouldn’t I? They had been here longer than me, had lived through the same fears, and had successfully avoided detention. These informal scripts, passed from person to person, formed the unofficial survival curriculum many of us relied on.

It was not until much later, through a series of crushing realizations, that I understood how wrong we all were. I remember that first time I truly grasped that I was not just “waiting for my turn” but that I was stuck in a system that didn’t recognize my existence at all.

I had spent years believing that if I stayed in Canada long enough, avoided trouble, and worked hard, things would naturally fall into place. As long as I possessed the necessary documentation, my responsibility was simply to submit my application for permanent residence and patiently wait for the process to unfold; my application for PR would be accepted, and I would get regularized status. However, over the years, I met people who had been living here for decades with precarious immigration status- some had had multiple H&C application rejections, some were subjects of deportation orders, and others were victims of failed sponsorship applications. These encounters deeply unsettled my earlier belief in the fairness and efficacy of the Canadian immigration system. What I once perceived as a straightforward process – submit the right documents and wait – was gradually replaced by a more complex and unsettling reality marked by systemic barriers, unpredictability, and prolonged uncertainty.

Understanding the Canadian immigration system as an individual with precarious immigration status is like trying to solve a puzzle when half the pieces are missing. The information exists but is buried in legal jargon, inaccessible websites, and policies that assume that you are already part of the system. For people like me, our understanding of immigration policy is not shaped by legal experts or formal education, but by personal experience and community knowledge. Without access to accurate and relevant information, we are left to navigate PSE through trial and error, relying on community networks where available.

I vividly remember the moment it all clicked. The moment that I became cognizant of the weight of my situation, the depth of my misunderstanding, the reality of my exclusion. I do not remember the content of the phone call, but I remember the sheer terror that inhabited my body that evening when my then-partner called to tell me that the police had stopped him and that he was in immigration detention. This event set the scene and tone for my future interactions with the Canadian immigration system.

With this detention by the Canada Border Services Agency (CBSA), the quiet fear that had always lurked beneath the surface of our lives exploded into urgency. I had heard of detentions and removals before, but it had always felt distant- something that happened to others. But now, the whispered reassurances that I had clung to - *they don't report people who have lived here for a long time unless you break the law, Canada is safe-* crumpled under the weight of my current reality. Even though he was detained for less than a week before being released on bond, from this point onwards, we lived in fear – fear of deportation, of authorities, and of an uncertain future.

It became clear that waiting for things to “fix themselves” was no longer an option. It was the time for action. There was no pathway, automatic regularization, or policy to protect me from the same fate. With no other choices left, I made my first H&C consideration application in an effort to secure a future here. Despite the current evidence at my disposal, I still believed in the system's fairness. I believed that this legal mechanism, the only one available to me in my current situation – this unpredictable, discretionary, and possibly lengthy process was a gamble that would pay off.

Temporary vs. Permanent Residency

Temporary status felt like living in a waiting room with no guarantee of being called. Every application and documentation request came with the same question: *"What if it doesn't go through this time?"* The contrast with permanent residency was not just legal – it was emotional. Precarious status meant constantly holding your breath, anticipating the next threat, policy change, or request for documentation that could unravel your life. On the other hand, PR offers a rare and precious chance to exhale, to plan for the future without fear and feel a sense of stability and belonging.

With my application for PR in the queue, I considered PSE for the first time. Encouraged by the earlier advice that I had been given by my migrant community, *"While waiting to get your papers, you can go back to school." If you are in school, that can help you get papers faster.* I decided to call a local college about enrolling in classes. I had graduated from the top of my class back home- my abilities were clear, and my grades were reflected.

December 2011

Tim Tim, bwa sec...

"Hello, I'm interested in enrolling in classes, and I was hoping to get some information on how to proceed," I said carefully.

The voice on the end replied. "Of course! How can I help?"

With careful optimism, I proceeded, "I would like to know what documents I need to complete the enrollment process."

She replied, "Are you an international or domestic student?" My silence communicated my confusion, so she continued, "What's your immigration status? Are you a landed immigrant?"

I hesitated. "I... I am not sure, but I've applied for PR."

"Do you have a study permit?" she asked, not unkindly.

More hesitation, "not yet," I breathed, realization dawning.

Her voice changed. "I'm sorry, but you need to be a citizen, permanent resident, or landed immigrant in order to enroll. You can call back when you've heard back from immigration"

I nodded, swallowing the now familiar lump in my throat. I had been excluded before I had even begun.

The first time I tried to enroll in PSE, I felt an overwhelming mix of excitement and fear. I had always understood education to be a fundamental human right (Tomaševski, 2001) – something owed to all, not granted based on status or circumstance – and that if you worked hard enough, you could create opportunities for yourself. But after that phone call with the college admissions desk, I realized that my academic achievements didn't matter – only my immigration status did. Without proof of citizenship, permanent residency, or a study permit, I wasn't just

ineligible for financial aid; I wasn't even allowed to enroll. I had always heard from others in the migrant community that going to school could help me attain PR. "*If you're in school, that can help speed up your papers,*" people would say. I had clung to that hope, but the reality was much harsher. No one outright told me I didn't belong, but the system made it clear in other ways.

Many Sanctuary Scholars like me apply for Humanitarian and Compassionate (H&C) consideration, but the process is slow, unpredictable, and filled with rejections (Mercier & Rico-Martinez, 2023). I remember sitting with my immigration forms, my hands shaking as I tried to make sense of the legal jargon. Every question felt like a test, and every answer was a possible reason to deny me. The system wasn't just bureaucratic; it was exhausting. It made me feel like I was asking for something I didn't deserve.

This experience is not unique or accidental. It is embedded within the broader racialized and exclusionary logic of Canadian immigration policy. Despite constantly being shaped by immigration, Canada has historically, materially and discursively been constituted as a white, dual settler-colonial society (Abu-laban, 2020). The barriers that I encountered in trying to access education were not isolated administrative oversights but reflections of a system that has long privileged certain bodies and identities while excluding others. Canadian immigration policies are far from neutral; they are, as Tungohan (2020) argues, "by-products of a neoliberal mindset which prioritizes economic productivity over other criteria and creates and reinforces race, class, and gender hierarchies." Within this settler-colonial framework, racialized migrants, particularly those with precarious immigration status like Sanctuary Scholars, are rendered simultaneously hyper visible in public discourse and invisible in policy and practice. My exclusion from PSE was not just about documents; it was about the way that the system has been structured to determine who is deemed worthy of belonging, participation, and opportunity.

This contradiction lies at the heart of institutional gatekeeping, where universities, often seen as inclusive and progressive spaces, reproduce the exclusions embedded in immigration policy. While Canada's immigration system filters access to rights and resources based on legal status, postsecondary institutions reinforce this logic by denying Sanctuary Scholars access to financial aid, work opportunities, and even basic enrollment (Menjivar & Abrego, 2012). These exclusions are the result of policies and practices that tie access to PSE to immigration status, which renders Sanctuary Scholars ineligible for the resources that support student success. The irony of sitting in PSE classrooms that discuss equity and belonging while navigating a system not built to include us underscores how institutions maintain inclusion discursively but enforce exclusion bureaucratically. This is what institutional gatekeeping looks like: welcoming rhetoric paired with restrictive infrastructure. And yet, despite being denied access to formal support to our peers, Sanctuary Scholars continue to show up, create community, and persist in spaces that were never meant for us.

2. Financial precarity and psychological toll

August 2017

Tim tim, bwa sec.

One of the first barriers I had to deal with was the crippling fear that if I tried to apply to university, I would have to divulge my immigration status and that this would expose me to negative repercussions. I also struggled with admissions policies that classified me as an international student, even though I had lived in Canada for years. This meant paying international tuition fees, which were unaffordable without government financial aid.

The next and bigger challenge was financial barriers. Even as a Sanctuary Scholar, I did not qualify for OSAP (Ontario Student Assistance Program). I was ineligible for most scholarships and bursaries because I did not have PR or citizenship. Many job opportunities required a SIN, which I did not have, which limited my ability to earn money while studying.

One of the most defining moments in my early years at uni was when I got my first student account statement. The tuition amount on the statement was \$ 14,752.44 - the fee for an international student. Those series of digits on the balance owing line were very sobering- it was a “wait, what?” moment. And scary. I thought I was enrolled as a domestic student and that the tuition fees would reflect that status. This tuition fee was proof positive and a glaring reminder of my situation. The title of Sanctuary Scholar was made up-not real, tenuous, and subject to human error and whims because I was not a domestic student. Also, I was not an international student. I was in this weird liminal space, not belonging to any category of students.

It took a phone call to the Program Coordinator and waiting for several days for someone to eventually “fix it on their end” before the fee was corrected. But the emotional damage lingered longer than the clerical error. I began to understand that this kind of institutional failure wasn’t a glitch – it was a feature of a system built on ad hoc accommodations rather than universal design. The Sanctuary Scholars program, while well-intentioned, is not fully integrated into the university’s administrative systems. It exists in the margins and relies on individual staff members to advocate, correct, explain, and sometimes override the default settings of an institution that was never built for students like me.

Money was never just about tuition – it dictated everything. The cost of attending university as a Sanctuary Scholar was not just financial, but deeply psychological. Tuition fees

were not numbers on a page; they were reminders of exclusion and uncertainty, reminders that, despite all the paperwork, advocacy, and assurances I had received, my presence in this institution was conditional, precarious, and subject to misclassification at any moment. Every semester, I calculated my expenses, knowing that one miscalculation, one unexpected cost, could mean the end of my education, my dream deferred. What happens to a dream deferred?

While Sanctuary Scholars are not subject to the international students' differential fee system, we do not enjoy the same financial benefits as domestic students, such as access to government-funded financial aid (Mercier & Rico-Martinez, 2023). Survival becomes a constant struggle without loans, grants, or scholarships, impacting mental health and academic performance. Research shows that financial exclusion serves as a structural barrier that reinforces socioeconomic disparities (Esses, Hamilton, & Gaucher, 2013). Still, for Sanctuary Scholars, the burden is compounded by chronic stress, fear of exposure, and limited legal protections.

The psychological toll of financial insecurity was relentless. I was constantly anxious, worried not just about grades, but about how I would afford another semester, another month, or even another meal. My work permit expired while my application for PR was still being processed. This meant that I was no longer legally allowed to work in Canada. However, one of the requirements for my Humanitarian and Compassionate (H&C) application was to demonstrate that I was employed. It was an open secret in the community that many people applying for PR through H&C were working without valid permits. Without legal authorization to work, I had no choice but to take under-the-table jobs that paid below minimum wage and offered no protections. These jobs often came with long hours, exploitation, and constant

anxiety. Every shift carried the risk of being discovered, a fear that stayed with me long after I left the job site.

February 2018

Tim tim, bwa sec...

I have been sick for the past week, and my body aches from another 9-hour shift. I wish that I could take tomorrow off, but I can't. I need the money. I have rent and bills to pay. Oh, to be able to take a sick day without the fear of what that loss of income could mean. I need to save a little bit more for the month. Maybe I'll call in sick next month. I can't believe I left home for this. I remember when I thought working in a factory was a waste of my abilities, but here I am grateful for this crappy job that I hate. God, I hope I get my status soon. I don't know how much longer I can hold on.

I wrote in my journal about the physical toll of long hours and the mental weight of knowing that one mistake, one wrong interaction, could jeopardize everything. Precarious immigration status migrants live with extreme insecurity produced through their unauthorized status, which deeply affects every aspect of life, from access to health care and education to the ability to work or move freely (Khosravi, 2010). This insecurity does not just exist on paper, in law or policy – it seeps into the body and mind, shaping daily experience in ways that are hard to explain and even harder to escape. The exhaustion from unstable, exploitative work made it nearly impossible to concentrate in class. Studying while facing financial instability was like trying to read through static – each word blurred by the constant noise of financial fear, legal uncertainty, and exhaustion. My mental bandwidth was consumed by worrying about rent, food, and the risk of deportation, leaving little space for recreation, joy or rest.

One of the most difficult obstacles was financing my education. Without access to OSAP or most scholarships, I had to explore every possible alternative. I discovered the York University Continuing Student Scholarships, awarded to students with an 8.0 GPA or higher, and the CRS Bursary for Refugee Students, which provided limited support to students without immigration status. The Sanctuary Scholars Bursary, designed specifically for students in my situation, became one of the few institutional supports available to me. But even with these resources, it was never enough.

To afford tuition, I had to work under the table, taking on low-wage, unstable jobs that paid below minimum wage and offered no protections. The mental and physical toll of balancing precarious work with academics was exhausting, yet I had no choice but to endure it. I was constantly tired, always bracing for the next crisis, yet I had no option but to keep going. I relied on the solidarity of peers who shared my struggles, finding strength in our shared experiences. Community was not just a source of comfort – it was an essential strategy for survival. We exchanged information, supported each other emotionally, and built a sense of belonging that the institution refused to provide.

Navigating Financial Precarity Through Resistance and Adaptation

Where there were barriers, there was also defiance. Despite systemic exclusion, Sanctuary Scholars find ways to persist through informal networks of support, community

solidarity, and acts of everyday resistance. Abrego and Negrón-Gonzales (2020) describe these strategies as everyday resistance, where marginalized individuals challenge systemic barriers through creativity and resourcefulness. For me, this meant relying on professors who offered support, allies who shared resources, and community organizations that provided emergency funding. Some universities offer private bursaries for students without status, but these are limited, difficult to access, and often come with eligibility criteria that still exclude the most vulnerable students. I turned to the few scholarships and bursaries available for people like me while working as many hours as I could to secure funding.

Yet, despite these efforts, financial precarity remained a persistent reality. The impact extended beyond finances – it affected mental health, well-being, and academic performance. The emotional labour of navigating an education system that was never built for me was exhausting. The fear of exposure and chronic stress created cycles of burnout, self-doubt, and hypervigilance. Valdivia (2020) argues that financial instability among students with precarious immigration status creates additional mental health burdens that are rarely addressed within educational institutions. This was my reality – balancing the weight of exclusion, economic survival, and the constant uncertainty of my future, all while trying to stay afloat in the classroom.

Financial insecurity is more than an economic issue; it is a psychological battle. Universities may not explicitly ban Sanctuary Scholars, but through tuition structures and financial aid policies, they create an environment where exclusion is enforced through financial impossibility. Until institutions acknowledge the human cost of financial exclusion, Sanctuary Scholars will continue to exist in a system where education is dangled before us – not as a right, but as an impossible condition of belonging.

The Fear of Deportation

June 2018

Tim tim, bwa sec:

I had a breakdown today. I've been doing so well at keeping it together convincing myself that I can handle the uncertainty, that if I just work hard enough, things will fall into place. But today, it felt like everything came crashing down. As I was leaving work to make my way to campus my supervisor said something that made my heart drop. Apparently, he had been noticing a black SUV near the workplace for a few days at different times. In that instant, I thought, "Oh my god, CBSA." "What if they stop me? Are they here for me?" My body froze, my breath caught in my throat, and my mind raced through every possible worst-case scenario. Fear gripped me—not just fear of deportation, but fear of being seen, of being exposed.

This fear isn't just about being physically removed; it's about being unmasked as someone who doesn't belong. It's the fear that someone will notice me, ask the wrong question, and suddenly, I will no longer be able to blend in and no longer be safe. Other students walk across campus freely, laughing and planning their futures, their biggest worries being deadlines or exams. I envy them. For me, every step on campus feels like I'm walking on a tightrope, one misstep away from losing everything.

I tried to push the fear down, told myself I was being paranoid. But even after I got home—after locking the doors twice, then again, just to be sure—the anxiety wouldn't leave. My thoughts spiraled. What if I got detained? What if I disappeared into the system, another number,

another case, another life interrupted? What would happen to my family? Who would take care of them?

The psychological toll of living with precarious status is real. It's the constant, low-level stress that hums beneath everything, a weight that never lifts. There's no safety, no real security. Even when things feel normal, even when I manage to laugh or focus on school, there's always the lingering fear that everything could change in an instant. And it's not just fear—it's exhaustion. The mental load of always being on alert, of never being able to relax, drains me in ways I cannot explain. The stress builds up, seeps into everything—my ability to focus, my energy levels, even my academic performance. How can I sit through lectures and write essays when my mind is occupied with survival? How can I plan for a future that the system has already decided I don't deserve?

But I know I can't let it control me. I have no choice but to keep going. I have to move forward, even if it feels like I am walking a tightrope every single day, even if I am constantly holding my breath, hoping today is not the day I am discovered.

The Impact of Precarious Status on Student Life

There were days that I would sit in class, take notes, and almost forget. Almost. But never fully. The truth is that navigating post-secondary education with precarious immigration status is not just an academic challenge - it is a psychological and emotional burden that shapes every aspect of student life. It is waking up every morning already tired, anxious, and already calculating what could go wrong. The constant fear of exposure, the uncertainty of financial stability, and the mental exhaustion of existing in a system that does not recognize your existence create an environment of chronic stress and anxiety.

As illustrated in the vignette, the fear of encountering CBSA or even campus security is a response to systemic exclusion. That fear was not irrational. It was not dramatized. It was learned. It was practiced. It was real. I had lived too long in this waiting room, in the in-between, to think otherwise. There is no real blueprint for how to survive post-secondary life with precarious immigration status. There is no guide on how to manage the constant fear that your status—or lack thereof—might get in the way of everything: of your dreams, of planning your life, of even planning your day-to-day. So, I learned to compartmentalize. I smiled when I needed to and kept my head down when I had to. I monitored what I said and to whom I said it. I became good at blending in, at seeming like any other student, all the while hiding the truth of who I was. My motto during this time was “fake it till you make it.”

The stress was not just emotional. It affected everything- my ability to concentrate, my ability to function, to feel safe, even in the most ordinary settings. I developed insomnia; the anxiety kept me up for days at a time until my body crashed from exhaustion. I began skipping meals without realizing it, losing weight. I started to feel like my body was always bracing for impact, even when nothing was happening. The brain was in hyperdrive, hyper-alert and hyper-aware. The panic attacks became more frequent.

Eventually, after years of mounting tension, two ER visits and a psychological evaluation, I was diagnosed with an anxiety disorder. The words came as a sort of relief: a name for the constant unease, the tight chest, the rumination, the racing thoughts that never slowed down. Intellectually, I understood the diagnosis, but its words felt inadequate because this was not just a chemical imbalance or clinical condition. It was the logical response to being criminalized for existing. Menjívar and Abrego’s (2012) concept of “legal violence” explains

how bureaucratic exclusion, rather than direct enforcement, creates long-term psychological distress; the impact is long-term and deeply internalized.

October 2019

Tim tim bwa sec...

I remember the moment the email landed in my inbox. The subject line contained the words “SIN number, missing, and required.” I felt the air being slowly sucked out of the room as my mind raced through worst-case scenarios- was my enrollment in danger? Would I have to stop my studies? Was this how it ended? The email had no context, no reassurance. Just a firm order for compliance. As I stared frozen at the screen, my survival instincts kicked in, and I compartmentalized- severely. I just chose to ignore it because if you pretended that something didn't exist, then maybe it would go away.

So, I did not respond. I did not act. I did not check my student account. I did nothing. I just went through my days like I wasn't carrying the weight of my worst fears being confirmed. It was not until a few days later, at our S4 meeting, that somebody who clearly had not gotten the “ignore it and it will go away memo” brought up the email, and I had no choice but to confront the issue head-on. The few seconds it took for the Program Coordinator to respond felt like forever. She informed us that the email had gone out automatically to all students without a SIN number on file. It had not been meant for me, specifically. And more importantly, because we were enrolled in the Sanctuary Scholar's program, we were not required to submit one.

But the damage had already been done. That single email triggered a spiral of anxiety, self-doubt, and fear. And that's exactly what Menjívar and Abrego (2012) describe as legal

violence- not overt deportation raids or arrests, but quiet, bureaucratic mechanisms that destabilize your sense of safety and belonging. The system doesn't need to detain you to harm you; it only needs to make you afraid of being seen, to make you feel like your status was always lingering in the background, threatening to surface. Even in the moments when I was technically protected, the emotional residue of 'illegality' clung to everything, reinforcing cycles of precarity that make students with precarious immigration status more vulnerable to burnout and academic disengagement.

Abrego & Negrón-Gonzales (2020) offer a critical framework for understanding these experiences. They posit that Sanctuary Scholars carry a dual burden: the pressure to pursue academic success in institutions that symbolically embrace diversity while materially excluding us and the constant mental strain of navigating a system that was never meant for us to be there in the first place. That pressure shared every part of my student experience. Every time I passed on an academic opportunity, or applied for a bursary or scholarship that I knew I would not get; I was constantly reminded that I did not fit anywhere. I was in the building but not part of it.

What made it even harder was knowing that the university still measured my performance against the same standards as everyone else, as if we were all starting from the same place or were in similar circumstances. The assumed meritocracy of academia pretends that grades reflect effort or ability alone and ignores the reality that some of us are writing papers in the middle of the night between cleaning shifts or studying for exams while navigating deportation orders and legal precarity. I was not just learning course material; I was learning how to survive. Still, my assignments and exams were marked against the same rubric as those who did not carry this weight. The institution never paused to ask how these conditions affected my ability to succeed; it only measured what I did. In that way, my presence in PSE became an act

of resistance- not because I wanted to be exceptional, but because I needed to be. I had to work twice as hard to be seen just as equal.

3) Navigating PSE Through Resilience and Resistance: Student Experience and Coping Mechanisms

Strategies of Resistance and Agency

“I often picture the day when I will stop feeling like an outsider, like an impostor and finally feel like I belong. When will I be able to walk with my head held high and proud, and not be constantly on high alert? I try not to let myself doubt that my dream of financial independence, settled in my chosen career with my PhD, won’t come to fruition. Even when I watch time passing on with me not being able to do a single thing towards achieving that goal. I refuse to believe that all my childhood years spent getting straight A’s, with my nose permanently shoved between the pages of textbooks, because my mom would accept nothing but the best from me, was in vain. I didn’t sacrifice all those carefree high school moments just to have it amount to nothing.” (April May, *Seeds of Hope*, 2016)

Surviving postsecondary education as a Sanctuary Scholar required more than just academic effort – it demanded constant adaptation, persistence, and resilience in the face of systemic exclusion. The institutional barriers were clear: financial ineligibility, lack of access to student loans, and the ever-present risk of exposure. But despite these challenges, I found ways to move forward. I coped by seeking out every possible resource, building informal networks of support, and learning how to navigate the institution’s bureaucratic landscape with the help of those who understood my situation.

The Sanctuary Scholars Program Coordinator became a crucial guide. Their insight helped me understand university policies and identify pathways that could make education more accessible- slivers of possibility within rigid institutional structures. Instead of waiting for the system to recognize me, I learned how to maneuver within it, finding creative ways to carve out a space for myself. I filled out paperwork strategically, applied for niche bursaries and strategically joined school organizations such as UPSA (Undergraduate Psychology Students Association). I learned to maneuver the institution as someone who did not technically exist. By doing this, I was learning how to survive in the margins, and in doing so, I was also learning how to resist.

Beyond survival, I learned to fight back- not loudly at first, but persistently. I refused to let my exclusion define me and sought ways to challenge the system that sought to erase me. By excelling academically, I secured small pockets of financial support that kept me going. Maintaining higher than an 8.0 GPA was not just about achievement, it was about access, a way to prove my worth in a system that constantly tried to tell me I didn't belong. However, there were days when the weight of being "other" felt unbearable. I coped by finding pockets of safety – trusted friends, student groups, and late-night journal entries where I could be honest about the fear and frustration.

Just before I enrolled in the Bridging program at York U, I found myself at Uprooted U, a grassroots alternative school for youth with precarious immigration status. Uprooted U became more than a learning space – it was a site of belonging where we could shed the silence imposed by our legal status and speak freely. In that environment, storytelling emerged not just as reflection but as resistance. We met at the FCJ Refugee Center in the evenings, exchanging pieces of our lives through short stories and shared silence. Uprooted U was not just a counter

space; it was a sanctuary in every sense of the word. The storytelling became survival. In that space, we told our stories and gave voice to our stories. The book we created together - *Seeds of Hope* - grew out of that space; each story is a testament to our refusal to disappear. Writing my own story, even under an alias, was an act of political agency. As Thobani (2007) suggests, marginalized identities often navigate exclusion through self-definition, and *Uprooted U* gave me the platform to do just that. In telling my truth, I echoed what Abu-Laban (2014) calls the reshaping of belonging, not through citizenship papers but through narrative power.

By putting my experience into words, I took back control – I became the narrator rather than the character in someone else’s report, reclaiming the power that policies and bureaucracy tried to strip away. Writing is more than survival; it is resistance. Even if I had to fictionalize my name to protect myself, my story is still visible and undeniable, and it forces people to see what institutions ignore. I write not just for myself but for others like me, those who need to know they are not alone, that their struggles are shared, and that we are more than just missing names in government databases. If I cannot exist in policy, I will exist in story. Abu-Laban (2014) highlights the political agency of marginalized groups in reshaping narratives of belonging and citizenship. I saw this play out in real time as students like me boldly and bravely told our stories.

Despite the structural barriers, I found ways to assert my place within the university. The Sanctuary Scholars Program gave me a framework to navigate university policies, but it was up to me to make those policies work in my favour. Community organizing and peer support became powerful tools of resistance, reminding me that I was not alone in this struggle. I worked a warehouse shift during the day, did cleaning jobs on the weekend and attended classes in the evenings. Abrego and Negrón-Gonzales (2020) describe these efforts as acts of everyday

resistance- the quiet yet powerful defiance of exclusion through persistence, community and care. I was part of that resistance. Every class I attended, every assignment I handed in, every course I completed, and every bureaucratic hurdle I overcame was an act of defiance against a system designed to keep me out. And while institutions often uphold policies that tie education, employment and support to immigration status, students like me continue to resist- simply by staying, by surviving, by striving.

For us, education is never just about knowledge. It is about survival. It is about refusing erasure. The fear of exposure, the exhaustion of informal labour, and the silence from institutions that should be protecting us were all designed to push us out. But I stayed. I made space for myself where none existed. I studied. I organized. I wrote. And in doing so, I proved that even at the margins, we do not disappear - we endure, we create, and we resist.

4) The contradiction of institutional DEI rhetoric

Universities across Ontario, as well as Canada, publicly champion Diversity, Equity, and Inclusion (DEI) as core institutional values. York University's website proclaims that its "vision for an equity strategy is based on a commitment to decolonizing, equity, diversity, and inclusion (DEDI) and the fundamental belief that everyone should be treated fairly and equitably, with respect and dignity" (York University, n.d.). I wanted to believe it. Yet, in the quiet moments, I felt a growing sense of unease. Institutional contradiction became my constant companion, the clash between the university's rhetoric and my own sense of belonging. Tamtik and Guenter (2020) describe how Canadian universities often engage in equity practices that reinforce exclusion rather than challenge it. I could feel this contradiction every time I passed a poster or

blurb celebrating diversity; while knowing that as someone with precarious immigration status, I did not qualify for most of the support they advertised.

Small details carried sharp messages. Such as a bursary or scholarship that said it was open to all domestic and international students. Not all students. There was no category for students like me. This exclusion, though seemingly minor, had real weight. It said without saying it that I was not part of the student body in a way that counted. While others submitted forms, I spent hours trying to navigate systems not designed for me. There was no checkbox for Sanctuary Scholars, no category that fit. The bureaucratic invisibility left me constantly wondering whether I belonged.

Dissonance in DEI Rhetoric vs Lived Reality

September 2017

Tim tim, bwa sec:

It was a sunny and bright September day. I got off the bus at York Lanes and made my way across York University's campus to the William Small Center. I was officially a student! I had enrolled in classes, paid the initial course fee, applied for my student ID online, and was headed to the YU-card office to pick it up— my first day as an official university student. I got to the office and joined the queue waiting for my turn.

"I am here to pick up my student ID. I got an email saying that it was ready for pick-up."

At the counter, the admin staff barely looked up "Student number and piece of government ID." I paused. She then looked at me. "If you're an international student, your passport is fine as long as it is valid."

“I am not an international student,” I replied, handing her my ID while swallowing around the now very familiar pit in my stomach. There it was again- The dichotomous classification- domestic or international student.

The university prides itself on its commitment to fostering an inclusive, welcoming environment for all students, regardless of their background. It was partly due to that institutional value that I was enrolled here as a student. I wanted to believe it. I wanted to feel like those words included me. But deep down, I knew better. That exchange at the YU-card office said something different. This was one of the first points of contact for Sanctuary Scholars on Campus, and the staff had no idea that students like me existed. They did not know that many Sanctuary Scholars did not have valid government IDs. They did not know the fear and anxiety that this request triggers.

The university spoke the language of inclusion, but when I searched for real, tangible support, I found nothing but uncertainty. The recent Access program allowing Sanctuary Scholars to enroll at domestic tuition rates had been a groundbreaking step toward equity. However, although the program existed on paper, there had been no training, no clear policies to guide students or staff through this process, and no student associations offering support. To be fair, the program was new, and I was among the first cohort. Change takes time. I expected there would be a few kinks to work out. However, some were glaring - such as the international tuition fee that showed up on my student statement, which almost triggered a heart attack and now this government ID requirement.

This makes one think, why launch an access initiative without preparing the institution to support the students it was meant to serve? A policy alone does not create inclusion. Real access

requires staff training, student outreach, and a shift in institutional culture. Otherwise, it is just another DEI statement- progressive in theory but empty in practice.

The introduction of the Access program initiative, which allowed Sanctuary Scholars to enroll at domestic tuition rates, was a promising step towards equitable access to PSE. However, the lack of institutional preparation and staff training exposed deeper systemic issues. At the start of my first year, when I attempted to obtain my student ID – a routine task for most students- the administrative staff asked for a valid government-issued ID, unaware that students with precarious immigration status might not have one. I hesitated, unsure of what to say. I did not feel safe disclosing my status, a situation familiar to Sanctuary Scholars navigating institutional spaces. Instead, I handed over the ID I did have- a privilege that allowed me to avoid further scrutiny. But I left the office wondering: What about students without any government-issued identification? Are they forced to disclose their immigration status just to access something as basic as a student ID?

Disclosure in administrative settings is rarely neutral for students with precarious immigration status- it can carry consequences for privacy, safety, and dignity. For many Sanctuary Scholars, navigating school settings means carefully deciding when, how and to whom they reveal their status- a choice that is not always theirs to make. A significant fear is being forced to disclose one's immigration status, an issue that extends beyond campus administrative offices into everyday interactions. That encounter in the ID card office brought to life what Figueroa (2017) explains: the decision of students with precarious immigration status to disclose or withhold their status depends on multiple factors, including their legal situation, the structure of school activities, and the specific institutional context. This lack of clarity and safeguards places students in a precarious position where they must choose between gaining access to

essential resources or protecting themselves from potential exposure. The hesitancy is not just about fear; it is a survival instinct. These moments of forced visibility illustrate how inclusive policies that lack procedural clarity can backfire. Without clear guidelines or training, staff are unprepared, and students like me are left to navigate these situations independently, risking exclusion or unwanted disclosure.

This raises the question: how can universities claim to be inclusive if their policies inadvertently force Sanctuary Scholars into unsafe disclosures? Through such experiences, I became aware of my university's lack of "undocu-competence". This term, coined by Valenzuela et al. (2015), refers to how well an institution is equipped to work with students with precarious immigration status on a practical, everyday level.

Valenzuela and colleagues (2015) introduced the concept institutional undocu-competence to outline key institutional actions that go beyond symbolic inclusion. They described a framework that post-secondary institutions can use to assess and improve how they serve students with precarious immigration status. They argue that institutions should evaluate their policies, train faculty and staff on Sanctuary Scholars' barriers, expand financial aid opportunities, and foster support for Sanctuary Scholar organizations or resource centers through the lens of whether they empower, or hinder students like me.

I find the concept of undocu-competence both validating and disheartening. Validating, because it named the very deficiency that I was experiencing, and disheartening because it underscored how behind my own institution was. Here are scholars explicitly advocating that institutions become competent in addressing students like me, yet my university operated as if students like me did not exist.

It is one thing to declare support for diversity, and it is another to operationalize that support so that no student falls through the cracks. In my case, the cracks felt more like chasms. While the staff I dealt with were often sympathetic on a personal level, they simply did not have the training, knowledge, or institutional mandate to address my needs. Nienhusser & Espino (2016), Tapia-Fuselier (2022), and Valenzuela et al. (2015) observed that there is an urgent need for colleges and universities to develop undocu-competence in order to serve, support, and advocate for undocumented students effectively. This includes creating dedicated resource centers, training staff, and reforming exclusionary policies.

These gaps in support are not just bureaucratic; they silently dictate who can fully participate in campus life. Tapia-Fuselier (2022) notes that one emerging response has been the establishment of Undocumented Student Resource Centers on some campuses in the US as administrators and activists recognize the need for more institutional support structures. Such initiatives give me hope as it means that change is possible, that some people in academia get it.

Contrasting Practices: Inside the Sanctuary Scholars Program at TMU

November 2023

Tim tim, bwa sec,

When the Sanctuary Scholars Program Coordinator asked me to co-facilitate the Sanctuary Scholars Allyship Training session at TMU, I was both honoured and excited at the prospect of sharing information that would help improve the experience of Sanctuary Scholars starting at TMU. I joined that Zoom meeting a bundle of nerves- a dry throat and a heart pounding in my chest. I am usually nervous before a presentation, a symptom of my introversion, but this time was different. It was not nerves about whether I could remember the content. I knew the content

of this presentation inside and out. I had lived it. This was me talking about my experience just now as a former Sanctuary Scholar and Med student. The nerves were not out of fear but from the weight of what I was about to share.

The room was filled with faculty and staff – academic advisors, financial aid officers, student life coordinators – all of them staring back at me with polite curiosity. Most had never heard of the term precarious immigration status before. As we moved through the session, I watched understanding begin to form. We discussed who Sanctuary Scholars are, what barriers they face, and how allyship requires more than empathy; it demands institutional awareness, discretion, and advocacy. I showed them how routine questions like “What’s your status?” or “Do you have OSAP?” could feel like landmines. And how to offer better support and create safe spaces, such as the huge impact of a small gesture like a poster or statement in the syllabus or even a Zoom background that explicitly acknowledges Sanctuary Scholars.

At the end of the training, we had Q&A to open up the Space for sharing and reflection.

However, what I remember most is what someone said right before the meeting ended: “I thought I was being inclusive just by treating all students the same. I did not realize the harm.”

That day reminded me that allyship is not just about what we say, it is about what we do when no one is watching. Inclusion means meeting people where they are, and some students have had to walk much further to get here. And in that training room, for the first time, I felt we were truly beginning to see each other.

In those training sessions with faculty, administrators, and frontline staff, all professionals whose work shapes the daily lives of Sanctuary Scholars, the slides were simple, but the message was clear. Sanctuary Scholars – students with precarious immigration status –

are already there on campus. What they need is not more rhetoric about inclusion but real, structured support. It was a surreal moment. As someone who had once walked through PSE spaces in fear of disclosure, now I was part of the team helping to implement structures specifically designed to support others in that situation.

Toronto Metropolitan University (TMU) has demonstrated a proactive approach through its Sanctuary Scholars program, launched in September 2023 via the Office of Social Innovation (OSI). This initiative provides an access pathway specifically for students holding precarious immigration status, allowing them to pursue undergraduate degrees at domestic tuition rates. From the beginning, the program was intentional: confidentiality had to be protected, the program had to be navigable, and staff needed to understand who Sanctuary Scholars were, not just as cases or anomalies but as part of the community.

Working behind the scenes, I saw just how important it was to build “undocu-competence” into every level of the institution. That meant more than simply explaining what precarious immigration status meant; it meant training staff not to ask for documentation unnecessarily, teaching advisors how to recognize institutional barriers in financial aid systems and making sure that everyone – from ID card office staff to academic support staff to professors – knew what to do when a Sanctuary Scholar asks for help. We run multiple training sessions each semester, which are open to all staff. In those sessions, I watched attendees’ eyes open as they heard about the day-to-day realities of students with precarious immigration status, the fear, the silence, the constant negotiation between visibility and protection, and the resilience.

Compared to other institutions, where Sanctuary Scholars are invisible, unsupported, or seen as exceptions, TMU’s model represents a proactive shift. It moved beyond performative

DEI statements and built a structure around real inclusion. We trained the staff. We created access. We centred dignity. The program is not perfect; there is still much work ahead, but it serves as a blueprint. As someone involved in the implementation, this work is about more than access; it is about rewriting the story of who belongs in PSE and giving Sanctuary Scholars the tools, the protections, and the affirmations they have long been denied.

5) Advocacy and policy reform: Activism, Sanctuary Students' Solidarity and Support

I start this section with a “serious comic strip” — a creative piece I produced during the first year of my MEd program that narrates the Sanctuary Scholar experience. At the time, I was a former Sanctuary Scholar (no longer part of the Sanctuary Scholars program), navigating the academic world from a different positionality, but still carrying the emotional weight of my experiences with precarious immigration status. The comic was born out of both personal reflection and collective struggle; it captures the contradictions, exclusions, and quiet resilience that define life as a student with precarious immigration status in a format that could speak to those who may never have lived it.

Figure 2

Page 1 and 3 of a serious comic I created in first year of Med on Sanctuary Scholars in Toronto.

SANCTUARY STUDENT

IN TORONTO

By:

Vernetta Avri!

WOW



JE SUIS UN ÉTUDIANT DU SANCTUAIRE, JE VIS ICI COMME VOUS.

I AM A SANCTUARY SCHOLAR, I LIVE HERE JUST LIKE YOU.

SANCTUARY SCHOLARS, ARE PEOPLE FOR WHOM IMMIGRATION STATUS AND/OR SETTLEMENT STRESSORS ACT, OR HAVE ACTED, AS A BARRIER TO ACCESSING THEIR SECONDARY AND POST-SECONDARY GOALS

ÉTUDIANTS.ES DU SANCTUAIRE, SONT DES ÉTUDIANTS POUR QUI LE STATUT D'IMMIGRANT ET / STRESSEURS D'ÉTABLISSEMENT AGISSENT OU ONT AGI COMME UN OBSTACLE À L'ACCÈS À LEURS OBJECTIFS SECONDAIRES ET POSTSECONDAIRES.



I'M A SANCTUARY SCHOLAR, OF COURSE MY PRECARIOUS IMMIGRATION STATUS IS NOT A RESULT OF ANY WRONGDOING OR NEGLIGENCE ON MY OR MY FAMILY'S PART

AS A MATTER OF FACT, WE FOLLOWED ALL THE RULES AND CRITERIA THAT SHOULD HAVE LED TO PERMANENT RESIDENT

EN FAIT, NOUS AVONS SUIVI TOUTES LES RÈGLES ET TOUS LES CRITÈRES QUI AURAIENT DU MENER AU STATUT DE RESIDENT PERMANENT.



I'M A SANCTUARY SCHOLAR, OF COURSE SECTION 49.1 OF THE ONTARIO EDUCATION ACT STATES THAT I CAN ATTEND SCHOOL IF I AM UNDER 18 REGARDLESS OF MY IMMIGRATION STATUS.



Working towards a world in which immigration status is not a barrier to accessing meaningful and equitable education

I AM A SANCTUARY SCHOLAR, OF COURSE I AM A MEMBER OF THE S4 COLLECTIVE



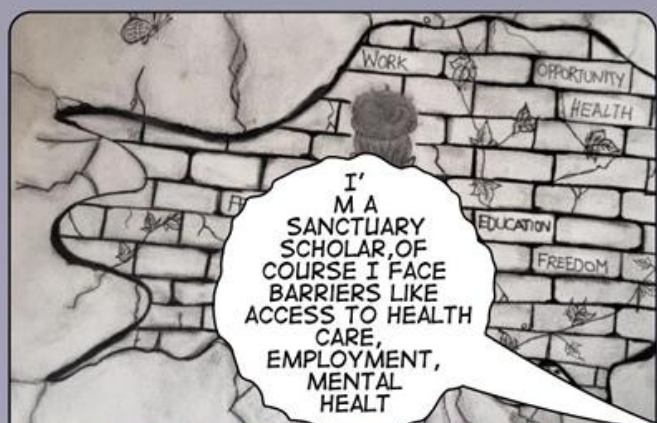
JE SUIS UN.E ÉTUDIANT.E DE SANCTUAIRE, BIEN SÛR JE SUIS UN MEMBRE DU S4 COLLECTIVE.

JE SUIS UN.E ÉTUDIANT.E DU SANCTUAIRE, BIEN SÛR, L'ARTICLE 49.1 DE LA LOI SUR L'ÉDUCATION DE L'ONTARIO STIPULE QUE JE PEUX ALLER À L'ÉCOLE SI J'AI MOINS DE 18 ANS, QUEL QUE SOIT MON STATUT



I'M A SANCTUARY SCHOLAR, OF COURSE A TRAUMA-INFORMED APPROACH IS ESSENTIAL. HOLDING PRECARIOUS STATUS PRODUCES TRAUMA WHICH EXPOSES VULNERABILITIES AND MEANS I REQUIRE A SENSE OF SAFETY.

JE SUIS UN.E ÉTUDIANT.ET DU SANCTUAIRE, BIEN SÛR, UNE APPROCHE ADAPTÉE AUX TRAUMATISMES EST ESSENTIELLE. AVOIR UN STATUT PRÉCAIRE PRODUIT UN TRAUMATISME QUI EXPOSE LES VULNÉRABILITÉS ET



I'M A SANCTUARY SCHOLAR, OF COURSE I FACE BARRIERS LIKE ACCESS TO HEALTH CARE, EMPLOYMENT, MENTAL HEALTH

JE SUIS UN.E ETUDIANT.E DU SANCTUAIRE, BIEN SÛR, JE SUIS CONFRONTÉ A DES OBSTACLES COMME L'ACCÈS AUX SOINS DE SANTÉ, L'EMPLOI, LES PROBLÈMES DE SANTÉ MENTALE ET LES STÉRÉOTYPES.



I'M A SANCTUARY SCHOLAR OF COURSE I AM AWARE THAT THERE IS A LACK OF AWARENESS OF THE NUMBER OF FOLKS IN CANADA WITHOUT REGULARIZED IMMIGRATION STATUS AND THE EXPERIENCES OF IMMIGRANTS.

JE SUIS UN.E ÉTUDIANT.E SANCTUAIRE, BIEN SÛR, JE SUIS CONSCIENT QU'IL Y A UN MANQUE DE CONNAISSANCE DU NOMBRE DE PERSONNES AU CANADA SANS STATUT D'IMMIGRATION RÉGULARISÉ ET DE L'EXPERIENCE DES IMMIGRANTS.



I'M A SANCTUARY SCHOLAR, OF COURSE I AM INVISIBLE.

JE SUIS UN.E ÉTUDIANT.E DU SANCTUAIRE, BIEN SÛR QUE JE SUIS INVISIBLE.



BUT I DON'T HAVE TO BE

MAIS JE NE DOIS PAS ÊTRE

February 2024

Tim tim, bwa sec...

I'm a sanctuary Student; of course I have precarious immigration status. This means no regularized immigration status despite having lived in Canada from childhood or having been here for many years.

I'm a Sanctuary Student, of course my precarious immigration status is not a result of any wrongdoing or negligence on my or my family's part. As a matter of fact, we followed all the rules and criteria that should have led to permanent resident status.

I'm a Sanctuary Student, of course Section 49.1 of the Ontario Education Act states that I can attend school if I am under 18 regardless of my immigration status.

I'm a Sanctuary Student, of course I can't transition from high school to post-secondary education like my peers.

I'm a Sanctuary Student, of course the only post-secondary options available to me are York University and Toronto Metropolitan University if I want to avoid international student fees.

I'm a Sanctuary Student, of course I can apply to these institutions using OUAC, or I can take a Bridging course at York University.

I'm a Sanctuary Student, of course I have to fund my own education since I don't qualify for financial aid such as OSAP or many scholarships and bursaries.

I'm a Sanctuary Student, of course I face barriers like access to health care, employment, mental health issues, and stereotyping.

I'm a Sanctuary Student, of course a trauma-informed approach is essential. Holding precarious status produces trauma which exposes vulnerabilities and means I require a sense of safety.

I'm a Sanctuary Student of course I am aware that there is a lack of awareness of the number of folks in Canada without regularized immigration status and the experiences of immigrants.

I'm a sanctuary Student, of course I am invisible.

The comic was serious not just in tone, but in purpose. It was an act of testimony – rooted in memory, shaped by the policies that governed my life, and informed by the communities that helped me survive. It allowed me to render visible the layered contradictions of our daily lives. The format made these experiences legible to those who might otherwise overlook them. In a university environment that prizes official documentation, academic language, and sanitized narratives of “student success,” the comic was my way of saying: we are here, and this is what it really looks like.

The “serious comic” became a form of counter-narrative, challenging the tidy categories and bureaucratic language that dominate both educational and immigration systems. Through characters, images, and dialogue bubbles, I was able to say what I often could not in academic prose: that exclusion doesn't always come in the form of a rejection letter – sometimes it's a policy that forgets you exist. Creating the comic was my way of reclaiming voice and space. It was an act of advocacy through art, a creative interruption of the silence that surrounds

Sanctuary Scholars, and a refusal to remain invisible within institutions that benefit from our erasure.

From Drawing Resistance to Living It: Advocacy as Solidarity and Support

Creating that serious comic allowed me to use creative expression in academia to give shape to the fragmented experiences of being a student with precarious immigration status. Through panels and dialogue bubbles, I began sketching not just a story, but a system that claimed to be inclusive while actively excluding. But the comic did not end with the final frame. It bled into my real life and mirrored something I was already deeply engaged in organizing.

In many ways, the comic was a continuation of something that had already been stirring in me for years. It wasn't the first time I had tried to make my lived experience legible, to transform silence into visibility. Back in the fourth year of my undergraduate degree, I wrote an essay for the final assignment in my *Sociology of International Migration* course. That piece not only captured the attention of my professor, but it went on to win a university essay writing award. Whether in academic prose or illustrated panels, I was learning to narrate my experience in ways that demanded recognition. The comic was part of a growing archive of resistance, a personal and political commitment to telling the truth about what it means to have precarious immigration status in spaces that claim to welcome everyone.

When I first heard the phrase “students with precarious immigration status” when I started the Bridging program at York University, it sounded like a term from a policy brief. Even though it described my reality, it felt oddly detached – too sanitized to effectively capture what it means to live it. For me, status was not a concept, it was the reason that my route to university was through the bridging course, the reason I could not access OSAP, the reason I had to work

under-the-table jobs before and after school, the reason I walked through the university corridors feeling like I might be asked to leave at any moment. It was not until I became part of the Sanctuary Students Solidarity and Support (S4) Collective that I began to see the phrase for what it was. Not a label, but a call to action.

The S4 Collective was not like anything I had known. We began as a collection of Sanctuary Scholars who met in a classroom at Seneca College where we worked shopped everything from the name of our group to our mission, values, membership and governance. In such rooms, first physical and then virtual, I met other students like me – students tired of surviving silently. We met after work shifts, classes, and childcare, exchanging stories, sharing tips and resources, and supporting each other through the journey. We built a shared vocabulary, but mostly we built trust; a safe space to share, learn, and be seen. With the collective, I did not feel like a solitary exception. I was part of something bigger than myself.

Of course, we have precarious immigration status despite having lived in Canada for years. Of course, that status is not a result of wrongdoing but of an immigration system that failed us despite our compliance with every rule. Of course, we could attend school under Section 49.1 of the Ontario Education Act, but once we turned 18, those rights became uncertain. Of course, the transition to post-secondary education was different from that of our peers, limited to institutions like York University and Toronto Metropolitan University that offered limited access for students like us. Of course, we had to fund our own education, navigating barriers to employment while being excluded from OSAP and most financial aid.

Inside the S4 Collective, our advocacy emerged from the gaps we had all fallen through. We created zines and newsletters, not just to inform but also to remind ourselves that we were

not alone. We ran rights-based workshops, helped peers navigate the transition to PSE with “*What’s Next*” information sessions, and co-developed interactive toolkits that addressed how immigration status intersects with race, gender, and sexuality. We designed these sessions for ourselves and our communities because no one else was doing it. We knew from experience that one system of oppression often reinforced another. We do work born from necessity and driven by urgency.

In these moments, I thought of Gonzales (2016), who writes that peer solidarity plays a central role in undocumented students’ success. For me, it was everything. Without a roadmap, it was my peers – other Sanctuary Scholars – who helped me navigate PSE, find mental health support, and understand my rights. We did not just survive – we resisted. Each strategy we employed, whether sharing information about trauma-informed counsellors or organizing know-your-rights workshops, was an act of defiance against a system built to exclude us.

It was in this spirit that we co-developed toolkits and facilitated workshops. Much of our advocacy at the S4 Collective comes down to translation – taking our lived experiences and turning them into language that institutions could not ignore. We trained ourselves to speak both bureaucratic and grassroots. I helped design and facilitated workshops, co-presented to organizations, policymakers, and post-secondary institutions, presented at education conferences and moderated panels on access to education. These were not theoretical exercises. I have lived the consequences of a system unprepared to receive someone like me.

The first time I facilitated an allyship training session through TMU’s Sanctuary Scholars program, I felt the weight of years of advocacy settle into something more grounded. I was not just telling my story anymore; I was shaping the environment that future Sanctuary Scholars

would enter. TMU has committed not only to providing domestic tuition for students with precarious statuses but also to building a culture of understanding around it. I had a hand in developing and delivering workshops to frontline staff, academic advisors, and faculty members. In developing the content and message of these sessions, my co-presenter and I ensured that Sanctuary Scholars had input in shaping the sessions, so that they were not just recipients of support but also active agents in transforming the institutional culture that affects their lives. The difference at TMU was not just in the access pathway but in the institutional tone. Instead of asking, “Do you have OSAP?” staff were learning to ask, “What support do you need right now?” Instead of expecting students to disclose status at every administrative hurdle, they created mechanisms that respected privacy and centred student safety. I saw how policies could move from abstraction to practice – and how an institution could match its values with infrastructure.

Still, the Sanctuary Scholar is not without complexity. The broader Canadian immigration system remains rigid. Unlike the U.S., which has implemented DACA as a temporary safeguard for undocumented youth, Canada offers no comparable protection. No pathways to permanent residency for students raised and educated here. The immigration system continues to favour high-skilled labour (Goldring & Landolt, 2013), ignoring the long-term residents who have contributed to their communities in quieter, less “economically productive” ways. It was a contradiction I lived every day – my education celebrated, my presence tolerated, my future always uncertain.

But of course, we still fight. We tell our stories, hold space for each other, and train institutions to see us. We are not just pushing for inclusion – we are building a new definition of it, grounded in lived experience, not theoretical frameworks. We do it in workshops, in

organizing sessions, and in comic strips that make people pause and feel something deeper than sympathy, something closer to responsibility.

I look back now not only as a former Sanctuary Scholar but as someone who helped shape a small but meaningful piece of change. I think about the students who come after me, who will attend their first university session and see the words “Sanctuary Scholars” on the agenda or a poster and know: someone thought of me before I arrived.

That is what this work has always been about. Not just access, but acknowledgment. Not just visibility, but care. And that, to me, is the true meaning of advocacy.

Inheriting Dreams, Resisting Erasure

December 2024

Tim tim, bwa sec:

I sit on the couch reading the short story I wrote in 2016 under the alias April May about my precarious immigration status and the struggles of navigating the system and barriers that seemed insurmountable at the time.

The story transports me back to almost a decade ago, and the dread, anxiety, hopelessness and that sense of anguish, of utter powerlessness, came crashing back as if ever present, ever near.

A decade ago, I had a precarious immigration status. I struggled to navigate many barriers at the time – financial, psychological, immigration, and educational. Here I am, a

decade after that exploration into my psyche, sitting on my couch, reflecting on my story, trying to figure out how to represent it best.

I am reminded of the question Langston Hughes asks in his (1951) poem Harlem.

What happens to a dream deferred?" What happens when people are faced with recurring obstacles in the pursuit of their dreams? When their hope or vision, whether for a better life, for opportunity, or equity, is continually put off or delayed? Hughes's poem talks about the sense of hopelessness, how deferred dreams may feel ever more unreachable as they fade away, and the burden & weight that people carry with them as a result of these postponed dreams.

As a Sanctuary Scholar, I was living in a perpetual state of deferred dreams and permanent temporariness. This is more than a legal status; it is a psychological state that comprises uncertainty, instability, and marginalization (Bailey et al., 2002). It is a contradiction of terms that captures the very basic human need for safety and security, which is crushed against this temporal reality that renders them immobile. Unable to move forward, unable to go back.

As I sit on my couch, I reflect on my life from a decade ago, before I had this safety and security. Both legally and psychologically.

Things are different now.

I am now in Graduate school working on my thesis. I look around me and take in my surroundings with renewed interest - now through the lens of a researcher. I look at our achievement wall. A decade ago, it consisted of three Con-ed Certificates that I had gotten from

a local college, surrounded by a collection of certificates and awards that my children had amassed throughout their years of schooling here in Canada. Now added to that collection is a high school diploma, sitting beside another frame, which proudly announces Ontario Scholar. Below, very prominently, are two university degrees with my name on them.

My gaze shifts over the wall, displaying my family's academic achievements, including the degrees that I had aspired to attain my whole life. I look up at the wall, and my eyes catch on our framed graduation photos. Then, I look over to some family photos, a collection, a timeline of our lives. I see a photo of my children as toddlers.

I remember when the first one was taken, a few months before my daughter and I made our plane voyage from St. Lucia to Toronto. I remember being so excited about this trip. Travelling and exploring the world had always been a dream of mine, and this trip to Canada would enable me to check off one more place on my world travel bucket list.

Although I was excited, my mom was even more excited about the pending voyage. Aside from the status burst of being able to say that her child was in Canada, she was able to picture all the opportunities that would be afforded to me in multicultural Canada, where everyone is welcome.

I arrived at Pearson on a chilly spring night, and the heat of the Caribbean sun was still trapped in my core. Keeping me warm. I don't remember feeling the cold - at all, even refusing a jacket. I was vibrating with potential possibilities; the succour this new land of milk and honey would bring me.

However, the decade that followed was full of promises made and broken, opportunities seized and lost, dreams deferred. I had my second child during that time, endured financial strain and watched my strength, determination and faith in humanity tested over and over again. I went through four failed immigration applications for PR. Although the last one shook me to the core because I was certain that that time would be my chance, I rose from the disappointment & depression, resolving to try one last time. One more chance at this elusive dream. One more application for permanent residence status, one more investment to give me and my children the opportunities Canada promises – our lucky number five.

This autoethnography began with my personal journey through the labyrinth of Canadian immigration and Ontario postsecondary education systems, but it is deeply entwined with the legacy of my mother's dreams. Her belief in the power of education was more than aspirational – it was foundational. She saw education as the key to a dignified life, and she impressed upon me its value through quiet support, persistent encouragement, and the sacrifices she made so I could seize every opportunity.

Yet, what neither of us anticipated were the invisible borders; those constructed not by geography, but by policy, silence, and institutional omission. As I transitioned to university, I encountered institutional gatekeeping at every turn: being ineligible for OSAP, excluded from most scholarships, and navigating inconsistent and unclear admissions processes. These structural barriers were not abstract; they had real psychological consequences. I lived with a chronic fear of exposure, a constant sense of not fully belonging, and the emotional exhaustion of striving to prove I deserved a place in a system that never intended to include me.

And yet, like so many Sanctuary Scholars, I resisted. I found ways to survive through informal work, peer networks, and the quiet insistence that I belonged in those lecture halls. My resistance was not loud at first – it was in the act of staying enrolled, in excelling academically, and in supporting others behind the scenes. It was through this persistence that I came to recognize the deep contradiction between the inclusive ideals my university claimed and the structural exclusions it maintained.

But from this contradiction, something powerful emerged. I began to organize, to write, to speak. I joined and helped build communities like the S4 Collective and contributed to initiatives like the Sanctuary Scholars Program at TMU. These were not just acts of advocacy, they were acts of rewriting the narrative, of asserting our presence as part of the academic and social fabric of this country. Through these efforts, we moved the conversation from symbolic diversity to structural accountability.

Now, as I support younger Sanctuary Scholars finding their own paths, I do so with a dual inheritance: my mother's unwavering belief in the power of education, and my own lived understanding of what it means to fight for access to that education. I dream of a future where Sanctuary Scholars are not rendered invisible by policy, where no student is forced to choose between safety and schooling, and where dignity is not conditional on status. This, to me, is the legacy I carry forward – not one of despair, but of intergenerational strength, of collective resistance, and of radical hope.

CHAPTER 6: Conclusion

This final chapter concludes the study by reflecting on what the findings reveal about equity, access, and recognition for Sanctuary Scholars in postsecondary education. It begins by summarizing the major barriers and challenges uncovered throughout the research, from legal and financial obstacles to the emotional toll of exclusion and invisibility. It then turns to strategies of resistance and adaptation that Sanctuary Scholars use to navigate these systems, underscoring their agency and determination. Building from these lived realities, the chapter outlines key implications for institutional and policy reform and offers concrete recommendations to support more inclusive and justice-oriented practices across the PSE sector. These recommendations aim to shift the conversation to solutions for long-term structural change. The chapter concludes with personal reflections on the process of conducting this research and the broader role that PSE can play in advancing human rights and social justice when it chooses to recognize and value the full diversity of those who seek to belong within it.

Toward equity and recognition for Sanctuary Scholars in PSE

This autoethnographic study has revealed the deep and pervasive barriers that Sanctuary Scholars face within Ontario postsecondary education. An experience that is shaped by restrictive immigration policies, exclusionary educational structures, and systemic inaccessibility to financial and mental health support. Federal immigration and provincial education policies intersect to create a reality in which long-term residents of Canada, many of whom have spent most of their lives in the country, remain excluded from full participation in post-secondary education. Through personal narratives and grounded theory analysis, I have demonstrated in this study that the academic, social, and psychological experiences of Sanctuary Scholars are

fundamentally shaped by their precarious immigration status, which reinforces cycles of marginalization, invisibility, and systemic exclusion.

Barriers and Challenges Sanctuary Scholars Face in Higher Education

The findings of this research confirm that immigration and education policies function as interlocking structural barriers that significantly hinder access to postsecondary education for Sanctuary Scholars. While Ontario's Education Act (Section 49.1) allows youth with precarious immigration status to attend primary and secondary school, this protection abruptly ends at 18 years old, leaving many in limbo. Once students attempt to transition into postsecondary institutions, they find themselves excluded from tuition ineligibility, government financial aid, most scholarships, and a lack of institutional awareness about the existence of Sanctuary Scholars. This shift reflects a fundamental policy distinction: unlike K-12 education, which is considered a public good and a compulsory right, postsecondary education in Canada is viewed more as an optional, merit-based pursuit – one that often requires individual financial investment and proof of eligibility. Consequently, the “Don't Ask, Don't Tell” (DADT) protections that operate at the schoolboard level do not extend into the jurisdictional space of colleges and universities, where documentation, immigration status, and financial proof are routinely required.

This policy is further exacerbated by the lack of federal or provincial investment in inclusive access models. The recent introduction of access programs at York University and Toronto Metropolitan University that offer domestic tuition rates for Sanctuary Scholars is an important step forward. However, these initiatives remain isolated cases rather than a broad sector-wide reform, institutionally led and made possible largely through grassroots advocacy and donor support, rather than systemic policy shifts from the Ministries of Education or

Immigration. Their limited scope reinforces the fragmented nature of support for Sanctuary Scholars across the sector.

In addition to financial and legal barriers, Sanctuary Scholars experience significant psychological and social challenges. The constant fear of exposure, the emotional weight of financial insecurity, and the experience of navigating institutions that do not recognize their existence all contribute to chronic stress and anxiety. These pressures negatively impact students' mental health, academic performance, and overall well-being. Postsecondary institutions fail to recognize the existence of Sanctuary Scholars, resulting in faculty and staff who lack the knowledge, resources, and training needed to support them. As a result, students may be forced to disclose their precarious status to gain access to resources, an act that places them at risk of further marginalization and vulnerability. The absence of clear policies and protections leaves students navigating an educational system that was not designed for them, creating long-term uncertainties about their future prospects.

Strategies of Resistance and Coping Mechanisms

Despite these challenges, Sanctuary Scholars demonstrate remarkable resilience in finding ways to access and persist in postsecondary education. Many rely on peer networks, student activism, and faculty allies to navigate institutional barriers and advocate for broader policy changes. The emergence of sanctuary campus movements and tuition equity campaigns in Ontario reflects the power of collective advocacy in challenging exclusionary institutional policies. The findings of this study confirm Gonzales' (2016) argument that peer solidarity is a crucial factor in fostering resilience and academic success among students with precarious immigration status.

At an individual level, Sanctuary Scholars engage in everyday acts of resilience by strategically managing disclosure of their status, securing under-the-table employment to finance their education, and seeking support from grassroots organizations. Students actively participate in legal battles and policy reform efforts, advocating for immigration pathways that would allow them to transition from precarious to permanent status. Unlike the United States, which has DACA (Deferred Action for Childhood Arrivals) to provide temporary protection for undocumented youth, Canada lacks a specific policy to regularize students who have been educated and raised in the country. As immigration policies continue to prioritize economic-class migrants and high-skilled labour, many long-term residents with precarious immigration status remain trapped in legal limbo, facing an uncertain future despite their deep ties to Canadian society.

Implications for Policy Reform and Institutional Change

The findings of this research emphasize the urgent need for both immigration policy reform and structural changes within postsecondary education institutions to better support Sanctuary Scholars. Canadian immigration policy fails to provide a pathway for long-term residents with precarious immigration status to regularize their status, forcing many to exist in legal and financial precarity. Unlike the United States, Canada does not have a federal program that grants temporary protection or work or school authorization to youth with precarious immigration status, leaving thousands of students without options for stability. Advocacy efforts have called for a permanent residency stream for precarious-status youth who have been educated in Canada, recognizing their deep ties to Canadian society.

Beyond immigration reform, postsecondary institutions must take proactive steps to address the systemic barriers that Sanctuary Scholars face. While access programs at York University and Toronto Metropolitan University have opened important doors, they remain isolated interventions in the absence of sector-wide policies. There is an urgent need for consistent, province-wide frameworks that ensure inclusive admissions, formalize financial aid options, and ensure access to mental health support. These efforts should be grounded in a trauma-informed approach that acknowledges the emotional toll of having precarious immigration status. Moreover, faculty and staff must be trained in undocumented-competence (Nienhuser & Espino, 2016; Tapia-Fuselier, 2022) to equip them with the knowledge and resources needed to support students without requiring disclosure of immigration status.

This work is critically important in the current climate, where postsecondary institutions, particularly Designated Learning Institutions (DLIs), are subject to strict compliance reporting obligations. These include regularly submitting student enrollment status, academic progress, and attendance records to Immigration, Refugees, and Citizenship Canada (IRCC), thereby increasing surveillance and institutional monitoring of international and precarious-status students (IRCC, 2024a; IRCC, 2024b). In this context, developing protective institutional policies and confidential support systems is not just a matter of equity; it is essential to safeguarding the dignity, safety, and educational futures of Sanctuary Scholars.

Policy Recommendations

The challenges faced by Sanctuary Scholars in Ontario are deeply rooted in restrictive immigration policies and institutional inaccessibility within postsecondary education. Addressing these barriers requires a comprehensive approach that includes both immigration policy reform

and structural changes within higher education. While recent debates surrounding international students and immigration regulations have focused on economic factors, the exclusion of students with precarious immigration status from education and long-term residency remains a glaring oversight. The following policy recommendations prioritize inclusion, access, and equity, ensuring that Sanctuary Scholars can fully participate in Canadian society.

Similar to the 'dreamers' in the United States, Sanctuary Students have lived here for years, attended school, made friends, and weaved social ties with friends and community. However, unlike the 'dreamers', in the US whom DACA allows in addition to a deferral of deportation, some type of regularized social participation – social security number which translates into legal authorization to work and greater access to US institutions e.g., post-secondary (DACA toolkit, 2016), thus overcoming some of the elements that exclusion that they had previously experienced (Gonzales, Terriquez, & Rusczyk, 2014), Sanctuary Students in Canada have no such recourse beyond high school.

In Canada, the only pathway available to Sanctuary Students is the Humanitarian & Compassionate (H&C) application, which is lengthy – up to 4 years and cost-prohibitive – \$1 220 (separate from lawyer fees). Applications to become a permanent resident based on H&C grounds are assessed on factors such as establishment in Canada, an inability to leave Canada that has led to establishment, ties to Canada, best interests of any children affected by your application, health considerations, or other hardship factors such as family violence considerations, consequences of your separation from relatives, factors in your country of origin (not related to seeking protection) (CIC, 2021).

Similarly to DACA, the H&C application does not confer lawful status and excludes a wide cross section of the population but unlike DACA, it does not confer lawful presence as one is still liable to deportation while the application is in process. Although it does allow a pathway to citizenship, it is a long and arduous process whose outcome is left to the discretion of one immigration member. Therefore, we need a made-in-Canada immigration policy reform solution that would address these deficiencies while embracing Sanctuary Scholars as equal and welcome members of society.

Merging the Humanitarian and Compassionate (H&C) Consideration process with a federal program similar to the U.S. Deferred Action for Childhood Arrivals (DACA) could create a more comprehensive and effective pathway to legal status for Sanctuary Scholars in Canada. While H&C applications currently offer a case-by-case avenue for status regularization, the process is highly discretionary, slow, and often inaccessible for students who lack legal representation or financial resources. Integrating a structured federal program into the H&C framework – one that mirrors DACA by providing temporary legal protection, work authorization, and a clear route to permanent residency – would create a more stable and accessible solution. This application should embody the aspect of establishment of the H&C application since Sanctuary Students already have the social and cultural components, as well as the tailoring specificity of DACA, and the emphasis on long-term residency – A Humanitarian and Compassionate application for Sanctuary Scholars.

This reform would address the legal limbo that Sanctuary Scholars currently face, allowing those who have been raised and educated in Canada to fully participate in society without fear of deportation or financial exclusion. Such a policy shift would also align with

Canada's broader commitments to diversity, inclusion, and equal opportunity, ensuring that education and social mobility are not arbitrarily restricted by immigration status.

Expanding access to postsecondary education for Sanctuary Scholars requires structural reforms that go beyond isolated initiatives at select institutions. Currently, York University and Toronto Metropolitan University (TMU) are the only institutions offering domestic tuition rates to students with precarious immigration status, but limiting access to just two universities reinforces systemic exclusion. Whilst a national-level policy mandating domestic tuition for Sanctuary Scholars is unlikely under Canada's federal structure, there is clear potential for advancement at the provincial level as education falls under provincial jurisdiction. Despite this, there has been little coordinated effort by institutional bodies like Universities Canada or the Canadian Bureau for International Education (CBIE) to lobby provincial governments for broader education reform. This lack of collective advocacy means that Sanctuary Scholars remain marginalized within PSE equity agendas despite ongoing commitments to equity and inclusion from these same institutions.

However, tuition affordability alone is not enough; Sanctuary Scholars also face financial exclusion, as they do not qualify for federal and provincial aid programs such as OSAP, student loans, and most scholarships. Postsecondary institutions must develop dedicated financial aid programs, including scholarships, emergency bursaries, and tuition waivers that do not require proof of immigration status, to ensure that students are not forced into exploitative work conditions to finance their education. Additionally, there is a widespread lack of awareness among faculty and staff regarding the presence and needs of Sanctuary Scholars, leading to inconsistent and, at times, harmful guidance when students seek support.

Beyond financial and institutional barriers, mental health challenges are a significant issue for Sanctuary Scholars, who experience chronic stress, anxiety, social isolation, and burnout due to legal uncertainty. Yet, campus mental health services are often inaccessible or ill-equipped to support students with precarious immigration status. Postsecondary institutions must implement confidential counselling services, peer support programs, and affinity groups specifically designed for students' precarious status to address their unique psychological needs.

Furthermore, while some universities have declared themselves inclusive to Sanctuary Scholars, many of these policies remain symbolic rather than enforceable. For a campus to have meaningful sanctuary campus policies, it must include explicit non-cooperation policies with immigration enforcement, protections against data-sharing with federal agencies, and clear guidelines ensuring students are never required to disclose their immigration status to access resources. Without these structural reforms, Sanctuary Scholars will continue to be excluded from higher education, facing systemic barriers that undermine their academic and personal well-being.

In light of recent shifts in immigration policy developments, Sanctuary Scholars face growing uncertainty and heightened risk within the postsecondary landscape. DLIs which are authorized to enroll international students are increasingly required to report detailed information on student enrollment and compliance with IRCC. While these reporting measures are framed as accountability mechanisms for international education, they may inadvertently reinforce a climate of surveillance that disproportionately affects precarious-status students, many of whom do not fall neatly into the official immigration categories these systems are designed to monitor.

In this evolving policy landscape, postsecondary institutions must reaffirm their role as not simply implementers of government policy but as autonomous actors with ethical responsibilities to equity-seeking students. Unlike federal immigration bodies, postsecondary institutions are grounded in values of access, inclusion, and social responsibility. This distinction should compel institutions to proactively implement safeguards for students on their campuses that go beyond compliance. Now more than ever, it is essential for institutions to exercise their autonomy to resist exclusionary logics and reaffirm education as a right, not a privilege based on immigration status.

Future Research Directions. While this study provides an autoethnographic exploration of the barriers and strategies of Sanctuary Scholars in Ontario, significant gaps remain in research on their experiences across Canada. Future studies should examine the long-term academic and career outcomes of Sanctuary Scholars through longitudinal research, mapping their journeys beyond graduation to understand how precarious immigration status continues to shape life chances after completing PSE. These studies could highlight the transformative potential of PSE not only as a site of knowledge and skill development but also as a crucial pathway to fuller social, economic, and civic participation in Canadian society.

There is also a need to assess how institutions beyond York University and TMU are addressing their needs and whether sector-wide changes are emerging in higher education, and conduct comparative policy analyses between Canada and other countries, particularly evaluating the impact of regularization policies like DACA and the potential for similar initiatives in Canada. Additionally, there is a need for further research on how Sanctuary Scholars navigate intersecting challenges in employment, health care, and housing, as these areas remain underexplored in the Canadian context. Finally, municipal-level sanctuary or solidarity

city initiatives may also hold untapped potential in shaping local policies and services. Future studies could investigate how these initiatives might lead or support efforts to create more inclusive access across education and public services for precarious status students.

Final reflections

The exclusion of Sanctuary Scholars from full participation in postsecondary education is not an accident; it is the result of systemic policy failures at both the immigration and institutional levels. These exclusions underscore how immigration and education systems continue to reproduce hierarchies of worth and belonging, privileging immigration status over human potential. The introduction of limited access programs at select universities signals progress, but they are limited in scope and do not address the systemic barriers that remain entrenched. Without broader immigration reform and institutional restructuring, Sanctuary Scholars will remain in precarious positions, unable to fully benefit from the education system they fought so hard to access.

Recent changes to Canadian immigration policies, such as reductions in study permits, tighter eligibility for Post-Graduation Work Permits (PGWPs), and permanent residency allocations, signal a shift towards managing education through labour market priorities rather than the principles of educational equity and social inclusion (Government of Canada, 2025; Lone, 2025). By linking immigration status and pathways to residency to labour market alignment, these shifts prioritize economically desirable migrants while neglecting broader human rights commitments. Sanctuary Scholars, whose precarious immigration status excludes them from both the international and domestic student categories, remain politically and institutionally invisible (Goldring & Landolt, 2013).

This exclusion is not a policy oversight. Rather, it reflects a broader systemic issue: Canadian immigration and education systems continue to define access through documentation, status, and economic utility. As Goldring and Landolt (2013) argue, precarious legal status is not an accident; it is actively produced through intersecting immigration and education policies, which construct belonging through documentation and restrict access through legal uncertainty.

From a capabilities perspective, this represents a denial of individuals' freedom to pursue meaningful lives (Sen, 1999). And from a human rights standpoint, it contravenes the commitment to education as a universal right (Bajaj, 2011; UNESCO, 2023). Without deliberate structural reform, Sanctuary Scholars will continue to be excluded, not only from education but from national conversations about equity, inclusion, and justice.

As Canada continues to debate immigration reform, international student policies, and domestic equity initiatives, it is essential that Sanctuary Scholars are not left out of these discussions. Their ongoing exclusion from postsecondary education not only harms individual futures but also reveals a policy gap in Canada's broader commitments to diversity and inclusion. While access to K–12 education is protected under provincial law, the right to education is not meaningfully extended to the postsecondary level, particularly for those with precarious immigration status. This limitation reflects a narrow and conditional interpretation of education as a right, one that ends when legal adulthood begins.

Research has demonstrated that access to PSE is a key factor in breaking cycles of poverty and legal precarity for undocumented youth (Gonzales, 2016). Yet, Sanctuary Scholars in Canada continue to be denied these opportunities, not solely due to a lack of merit or aspiration, but due to an absence of institutional recognition and systemic support. While

immigration and education are distinct policy areas, their overlap is undeniable. Exclusion from one system – residence pathways – can have profound implications in the other.

These dynamics are amplified by the growing entanglement between postsecondary institutions and federal immigration agendas. Recent research by Brunner et al. (2025) illustrates how institutions have emerged as migration governance actors, functioning as magnets, gatekeepers, surveillants, and refiners in the global competition for talent. In the Canadian context, this means that postsecondary institutions are not passive actors responding to policy; they are embedded in its implementation and design. As such, their silence on the needs of Sanctuary Scholars is not neutral; it risks complicity in broader systems of exclusion.

However, advocacy, resistance, and student organizing offer a path forward. The Sanctuary Scholars program at York University, for example, was not a product of policy goodwill but of persistent community activism. These efforts suggest that institutional change is possible, particularly when institutions embrace their roles as sites of equity leaders rather than immigration enforcement. Yet, the urgency for action is heightened by shifting political rhetoric, growing nationalism, and increased government surveillance of migrants, including students (Brunner et al., 2025). In this climate, postsecondary institutions must ask themselves: Will they remain complicit in structures of exclusion or will they act as engines of equity, protection, and transformative justice?

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