

ISSUE BRIEF

Removing Barriers to Higher Education for Students with Precarious Immigration Status in Canada

As a leading academic institution committed to equity, diversity, and inclusion, the University of Toronto has a responsibility to establish an innovative access program for students living in Ontario with precarious immigration status

The Issue

Many people living in Canada are denied access to higher education, because they do not qualify as either a domestic or international student.

The Right to Education in Ontario?

“When students advocate for equitable access to higher education, they are simultaneously fighting for interconnected issues related to their overall wellbeing and status in society.” [1]

Children under the age of 18 have the right to education in Ontario regardless of their immigration status. In practice, many immigrant children continue to face barriers to access and inclusion. Once students with precarious status turn 18 or graduate from high school, they are often stuck in limbo due to a) admission barriers as they are neither “domestic” nor “international” students and b) lack of financial support [2].

Ontario currently has two Sanctuary Scholars Programs at York University and Toronto Metropolitan University. These programs allow students with precarious immigration status to study in undergraduate programs at domestic fee rates while working to ensure their safety and inclusion across campus.

What is Precarious Immigration Status?

- Canada is a leading destination for immigrants from around the world, with 1 in 4 people living in Canada today who are immigrants from over 200 countries [3]
- A growing number of immigrants today, however, are granted a temporary permit to work, study or seek asylum. As a result, their status in Canada is “precarious”
- Precarious immigration status is marked by the absence of rights associated with citizenship, including the right to remain in Canada, access to social and health services, the right to family reunification, and access to education [4].
- Children with precarious status are often “institutionally invisible” in primary and secondary education due to a lack of inclusive policies and practices. [5]

KEY TERMS

MIGRANT: A person who changes their country of residence, irrespective of the reason or status.

IMMIGRANT: A person who settles permanently in a foreign country.

PERMANENT RESIDENT: A person who has been issued a permanent resident card but is not yet eligible to become or has not yet become a citizen.

REFUGEE CLAIMANT: A person who has submitted a claim for protection/asylum.

TEMPORARY RESIDENT: A foreign national who has been granted temporary status to live in Canada, including visitors, students, workers, and family members.

NON-STATUS/UNDOCUMENTED: Does not have a legal status with the state. Includes people who are in limbo or whose process is ongoing.

Recommendations

Remove Admission Barriers

- Create an admission process for students with precarious status.
- Remove international fees for students with precarious status who live in Ontario.
- Offer financial assistance and scholarships.

Develop Inclusive Practices

- Develop Access without Fear policies.
- Provide training to faculty and staff to ensure privacy and safety.
- Ensure access to institutional IDs and support with systems navigation.
- Extend access to health, mental health and accessibility services.

References

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- [2] Armanyous, M. & Husson, G. (2019). Barriers vs. bridges: Undocumented immigrants' access to post-secondary education in Ontario. Series Editor Usha George. RCIS Working Paper No. 2019/5. Toronto Metropolitan University.
- [3] Statistics Canada. (2023). Canada's demographic estimates for July 1, 2023: record-high population growth since 1957 of Work. Government of Canada, Ottawa, ON. <https://www150.statcan.gc.ca/n1/daily-quotidien/230927/dq230927a-eng.htm>
- [4] Goldring, Luin, Carolina Berinstein, and Judith Bernhard. 2009. "Institutionalizing Precarious Migratory Status in Canada." *Citizenship Studies* 13(3):239-65.
- [5] Meloni, F., Rousseau, C., Ricard-Guay, A., & Hanley, J. (2017). Invisible students: institutional invisibility and access to education for undocumented children. *International Journal of Migration, Health and Social Care*, 13(1), 15-25.

AYO'S STORY

Ayo is a 21-year-old Nigerian immigrant who identifies as non-binary. They fled their home country due to persecution based on their sexual orientation and gender identity. Seeking safety and acceptance, Ayo came to Canada and submitted a refugee claim. After three years of waiting, Ayo's claim was denied due to lack of "evidence." Without enough money or legal support to appeal the Refugee Board's decision, Ayo decided to remain in Canada without status due to the fear of being criminalized or even killed if they returned to Nigeria.

Despite these challenges, Ayo is determined to pursue their education and contribute to Canadian society. With support from LGBTQ+ organizations, refugee networks, and community groups, Ayo has received some resources to meet their basic needs and enroll in studies in one of Ontario's Sanctuary Scholars Programs. They have found hope and community, working with others to advocate for "Status for All" and access to education for LGBTQ+ refugees and non-status individuals.

Systemic Barriers to Inclusion

- **Lack of Legal Status:** Ayo's temporary SIN number has expired which limits their ability to secure decent work, affordable housing, and health care. Without their passport (which they submitted to the Canadian government when submitting their refugee claim), they are unable to leave Canada to go to another country to seek safety. Ayo fears being detained and deported back to Nigeria.
- **Financial Insecurity:** As a non-status individual, Ayo is ineligible for student loans, scholarships, or financial aid. As a result, Ayo struggles to pay for tuition, textbooks, and other expenses. The financial strain negatively impacts their academic progress.
- **Discrimination and Exclusion:** Ayo has experienced discrimination and exclusion from their Nigerian immigrant and Muslim faith community due to their gender identity; and systemic racism as a Nigerian refugee in Canada. Rejection from some family members back home also contributes to emotional distress and social isolation.

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