

## Considerations & Recommendations for the Establishment of Educational Pathways for Refugees to Resettle in the United States

CWS

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The U.S. has reached a critical point in the trajectory of the refugee resettlement program. After four years of severe cuts to the U.S. Refugee Admissions Program (USRAP),<sup>1</sup> the Biden Administration recently fulfilled its promise to strive for 125,000 refugee admissions to the U.S. in FY22 and to rebuild the program for the future. This will not be easy: the assault on refugee resettlement eroded key infrastructure and challenged the U.S.'s historically bipartisan commitment to providing refuge to people fleeing persecution and conflict. However, despite the threats of the last four years, communities across the U.S. have repeatedly reaffirmed their commitment to welcome their new refugee neighbors. As one of nine refugee Resettlement Agencies (RAs) currently resettling refugees in the U.S., CWS has witnessed this depth of local support nationwide and is confident in our collective capacity – as government, civil society, and faith-based communities – to rebuild the USRAP and once again lead the world in refugee admissions.

Rebuilding the USRAP will require us to significantly increase the size of the resettlement pipeline and, as the Biden Administration has also noted, consider new categories of referrals and partnerships, including community sponsorship and co-sponsorship models. President Biden's February 2021 Executive Order 14013 stipulated that "within 120 days of the date of this order [June 4, 2021], the Secretary of State and the Secretary of Health and Human Services shall, as appropriate and consistent with applicable law, deliver a plan to the President [...] to enhance the capacity of USRAP to welcome refugees by expanding the use of community sponsorship and co-sponsorship models by refugee resettlement agencies, and by entering into new public-private partnerships."<sup>2</sup> This commitment is also aligned with UNHCR's strategy on resettlement and complementary pathways, which places focus on exploring ways to open educational, employment, family reunification, and other humanitarian pathways to refugees. Though the U.S. has not participated in a meaningful way in such complementary pathways, it has a long history of incorporating family reunification into the USRAP and is well-positioned to explore new and innovative pathways.<sup>3</sup>

As the plan mandated by Executive Order 14013 is completed and is expected to be made public soon, a broad coalition has emerged to explore the feasibility of establishing new educational pathways through which refugees could be resettled to the United States. This coalition has focused on the idea of involving the Higher Education Institutions (HEIs) in the resettlement of refugees on a more regular and established basis. Several working groups have been established in recent months to further develop recommendations for a possible future "enhanced" resettlement program that offers a private co-sponsorship/educational pathway, through which HEIs would be a formal partner in the provision of services to refugee students upon their arrival.

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<sup>1</sup> As the International Refugee Assistance Project (IRAP) has noted, "after four consecutive years of sharp cuts, refugee resettlement in the United States has fallen to its lowest level since Congress created the modern system for admitting refugees in 1980. In his first weeks in office, former President Trump cut the refugee ceiling number to 50,000, and continued to lower it in subsequent years: from 50,000 in FY2017 to 45,000 in FY2018, then to 30,000 in FY2019, then to 18,000 in FY2020, and finally to just 15,000 in FY2021. Each of these figures was, at the time of its issuance, the lowest presidential determination in American history". See [IRAP \(2021\) Refugee Reset: Mid-Year Increases to the U.S. Refugee Admissions Target](#), page 4. The actual number of arrived refugees in 2020 was devastatingly just 11,814.

<sup>2</sup> See <https://www.federalregister.gov/documents/2021/02/09/2021-02804/rebuilding-and-enhancing-programs-to-resettle-refugees-and-planning-for-the-impact-of-climate-change>.

<sup>3</sup> For a history of complementary pathways and analysis of their relationship with traditional resettlement programs, see [CWS \(2020\) The Future of Refugee Resettlement & Complementary Pathways: Strengthening Sustainable and Strategic Solutions for Refugees](#).

A global faith-based humanitarian agency with extensive experience in resettlement, protection, education, and community sponsorship, CWS has been a leader and active participant in these conversations. CWS has recently re-examined its extensive consultations with the World University Student Service of Canada (WUSC)<sup>4</sup> to understand how their long-running and successful Student Refugee Program might be adapted to the U.S. circumstances. CWS is also a leader and active participant in the ongoing series of conversations convened by the President's Alliance on Higher Education and Immigration<sup>5</sup> to explore educational pathways for refugees to the U.S. Rooted in this experience, CWS believes it is critically important to understand the mechanics of the resettlement process and to explore the role that USRAP partners could play in supporting this effort. The following considerations and recommendations are offered as a contribution to these ongoing efforts to provide new opportunities for refugees to find protection and opportunities in the U.S.

### **Key Considerations**

**The type of legal status:** Of primary importance is the question of legal status for refugees admitted to the U.S. to pursue higher education. Student (F-1) visas<sup>6</sup> are one option, which have already been obtained by some refugees seeking higher educational opportunities in the U.S. However, student visas are temporary and do not, as currently designed, provide durable protection to refugees. F-1 visa holders are also limited in their ability to reunite with family members. Refugee status, on the other hand, offers long-term protection, the opportunity to sponsor qualifying family members, and a pathway toward adjustment of status (after one year) and citizenship (after five years). Refugee status also comes with an established set of support and services, which would help to clarify the roles and responsibilities that HEIs would play in the resettlement and integration of refugee students upon their arrival. The modest one-time “per capita” payment that each resettled refugee receives (presently \$1,225) intended to help offset costs associated with refugees’ housing, food, and other immediate needs would be made available to each refugee going to study in any HEI in the U.S. Additionally, though public assistance for refugees varies state-to-state, it would help offset the costs associated with refugee students’ initial resettlement. Importantly, one such benefit is eligibility for Medicaid, which offers basic health insurance coverage. CWS therefore encourages the U.S. to grant refugee status to refugee students participating in an expanded educational pathway initiative, rather than a fixed-term student visa.

This approach is also consistent with the U.S. government’s expressed intention to consider creating a separate refugee processing category for potential future private and community co-sponsorship programs. This has been proposed as a “Priority 4” (P-4) category, which would be implemented alongside three other referral submission categories, including: refugees referred by UNHCR or a referring agency on an individual basis (P-1), refugees referred as part of a group of particular interest to the United States government (P-2), and refugees who gain access to resettlement through a family reunification petition (P-3). Admitting refugee students through a P-4 category of the USRAP would help to ensure that refugee students can access lasting and permanent protection.

**The importance of “additionality” to humanitarian resettlement:** Refugee students granted refugee status through an educational pathway would be selected on the basis of their educational qualifications, in addition to their need for protection and a durable solution. Therefore, if students are admitted through a P-4 category operating alongside the other “traditional” resettlement categories, the U.S. must ensure

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<sup>4</sup> [WUSC \(World University Service of Canada\) - Education Changes the World](#)

<sup>5</sup> [The Presidents' Alliance on Higher Education and Immigration \(presidentsalliance.org\)](#)

<sup>6</sup> See <https://travel.state.gov/content/travel/en/us-visas/study/student-visa.html>.

that this activity does not reduce the number of refugees able to be resettled on humanitarian grounds. As has been stated elsewhere, community sponsorship initiatives should serve to increase the overall number of refugees receiving protection in the U.S., rather than detracting from the number of refugees admitted on humanitarian grounds.<sup>7</sup> This emphasis on ensuring “additionality” has also been reiterated by UNHCR and others when discussing complementary pathways generally.

CWS feels strongly that refugee resettlement must maintain – and strengthen – its humanitarian character, meaning that refugees should be selected for resettlement according to need rather than any other factor. Educational pathways must not compete with humanitarian-based resettlement, and any educational or other complementary pathway should be designed to ensure that this separation is maintained. Ideally, the U.S. government should establish a separate target number of refugees to admit in addition to the 125,000 goal anticipated to be set for the upcoming fiscal year. At the same time, given the U.S. Government’s stated intention to establish a P-4 submissions category and the time it will take for the USRAP to rebuild after years of threat, CWS believes it would be possible to *pilot* an educational pathway for refugees within the broader USRAP without threatening its humanitarian nature. This would also enable the U.S. to test and learn how to best operate the new educational pathway and involve new partners, including HEIs, in the initiative. In the long term, there is great potential to establish a separate pathway to offer additional numbers and focus on refugees with different levels of skills.

**The role of Resettlement Agencies:** Resettling refugee students to pursue higher education in the U.S. will require building new partnerships. This will need to happen at the same time that the existing resettlement program is being rebuilt. Though there is huge enthusiasm across the country to begin to welcome new refugee neighbors, there are also significant challenges to overcome as partnerships are built and rebuilt in local communities. Community sponsorship and the involvement of new partners, such as HEIs, provides an exciting framework for empowering local communities and actors to welcome larger numbers of refugees, including students. Continuing under the assumption that refugee students admitted through a new educational pathway would be admitted through a P-4 category of the USRAP, resettlement agencies would be well-placed to play an active role in the implementation of this pilot program.

Currently, nine national RAs contract directly with the State Department to provide reception and placement services. Each one runs a network of local offices and affiliates, collectively covering 49 states in the union (currently all except Wyoming). As the USRAP rebuilds and is reimagined to include new components, including the P-4 submission category, it is likely RAs will continue to hold the primary responsibility for the delivery of refugees’ core services. This is important to ensure that refugees are well-equipped to thrive in the U.S.

However, as has been done for many years and in many contexts, responsibility for direct provision of refugees’ core services may be delegated to a student group, school, or group of volunteers under a co-sponsorship agreement. These types of agreements could be utilized and expanded in the context of an educational pathway, with RAs responsible for training program volunteers, conducting periodic monitoring, and ensuring that all necessary services were provided as agreed, while HEIs provide direct services. RAs skilled in refugee integration and cross-cultural skills could also support HEIs with technical assistance and maintain a case file and required reports according to State Department guidelines. In the unlikely event of sponsorship breakdown during the contract period (currently 90 days, but could be revisited in the context of an educational pathway), the RA would be responsible for providing care and support to the refugee student.

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<sup>7</sup> See for example, [IRAP \(2021\), Recommendations for Private Sponsorship Design in an Expanded Community Sponsorship System](#).

A final consideration that will require additional conversation is the “early self-sufficiency” requirement of the USRAP, which mandates that each work-age adult becomes economically self-sufficient as soon as possible, usually within 90-180 days of arrival. If the expectation remains the same for refugees admitted under this program, the question of balancing study will be important to address. Other government agencies, such as the Administration for Children and Families (ACF) or the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS), would have to play a role in these conversations.

**Public-Private Partnership (PPP):** Finally, the USRAP is designed to be a Public-Private Partnership (PPP), which means that government funds are meant to supplement the private resources invested in resettling refugees. Consistent with this design, it is likely that a new educational initiative would also need to be a PPP, underlying the importance for engaging broader society in co-sponsoring refugees. To start this pilot, HEIs and others interested in building educational pathways for refugees will need to contend with the issue of cost. Involving private sector funding (inclusive of philanthropy) will be key in envisioning a workable and scalable system for the future.

### **Additional Recommendations**

Currently, many universities in the U.S. publicly support refugee resettlement and access to safety through the USRAP, however, institutions have yet to join forces and attempt to change the landscape of admissibility to the country. This could change with the opportunity to consider the creation of an educational pathway for refugees as one type of community sponsorship program. As we await the results of the report being prepared by the Departments of State and Health and Human Services, CWS makes the following recommendations to the community interested in driving forward educational pathways for refugees:

**U.S. Government:** The U.S. government should expedite its review and approval of the private and community co-sponsorship P-4 program. Those agencies responsible for implementing it, along with the rest of the USRAP, should be appropriated adequate funding to ensure its success. This includes capacitating and clarifying the roles of the Office of Refugee Resettlement, State Refugee Coordinators, and other key federal, state, and local offices and officials in communities across the country.

**Resettlement Agencies & Civil Society:** Resettlement Agencies interested in supporting educational pathways for refugees, as well as other civil society actors, should begin preparing for this program now by reaching out to their constituencies and soliciting the support and engagement of local educational institutions and members of their communities. Organizations and individuals who express interest could already begin to partner with RAs to support arriving refugees, even those not enrolled in higher educational institutions, to begin to build the foundation of expertise required to support refugee integration and well-being. Laying this groundwork will also reduce delays in beginning the program once it is established.

**Higher Education Institutions:** Higher Education Institutions should join ongoing conversations, such as those convened by the President’s Alliance on Higher Education and Immigration, and express their interest in receiving refugee students. HEIs with questions about refugees, resettlement, and the possibility of admitting refugee students, should reach out to CWS or other resettlement agencies to ask questions and discuss.

CWS has a strong commitment to resettle refugees regardless of their economic or educational status. At the same time, the goal of resettling 125,000 refugees in FY22 and beyond affords the U.S. an opportunity

to pilot and test various approaches within the USRAP and consider mechanisms to connect refugees with particular skills and educational backgrounds with the U.S. colleges and universities ready to admit and support them.

**For more information on educational pathways for refugees or to explore partnerships and ways to be involved, please contact** Erol Kekic ([ekekic@cwsglobal.org](mailto:ekekic@cwsglobal.org)), Senior Vice President, Immigration & Refugee Program or Katherine Rehberg ([krehberg@cwsglobal.org](mailto:krehberg@cwsglobal.org)), Deputy Vice President, Immigration & Refugee Program.