

The background features a stylized map of California in shades of orange and red, overlaid on a dark silhouette of a person's head and shoulders. The overall aesthetic is dramatic and focused on the immigrant community.

In this unstable climate for immigrants, school counselors owe it to their immigrant-impacted students to stay on top of policy and provide resources.

BY KATIE ARAGÓN

# IMMIGRANT AID

According to a 2017 report by the Children's Partnership and the California Immigrant Policy Center (CIPC), the months leading up to and following the 2016 presidential election saw a rise in pediatrician reports of anxiety, depression and associated symptoms among immigration-impacted children and youth. This is a predictable but troubling trend indicative of the toll hostile rhetoric and policy aimed at immigrants can have on even the youngest members of the community. As educators and leaders with direct channels to students and their families, it is critically important that school counselors equip themselves with information on the current policy landscape, inform students of their rights and voice their support for these communities. Doing so can make the difference for students and for their family's well-being.

Our immigration system is complicated, with dozens of different visa categories and legal statuses with varying criteria for eligibility. Students who may be immigration-impacted span a number of particularly vulnerable categories, including undocumented students, unaccompanied minors, children of undocumented parents, and refugees and asylees.

Even if students aren't immigrants, it is increasingly likely they are part of a mixed-status home. As noted in the CIPC report, "An estimated one in four children in the United States (18 million) live in immigrant families, and an estimated 5.1 million children live in families where one or more of their parents are undocumented immigrants."

And, despite the differences in students' immigration statuses, it is important to remember that much of the widely circulated negative political rhetoric from candidates and elected officials discussing immigrants and immigration is not nuanced but instead lumps together entire continents and ethnicities of people as "criminal" or "dangerous." Thus, students who fit a certain profile, even U.S. citizens, may still be targeted for bullying. Making active efforts to educate all students about different cultures, immigration statuses and constitutional rights regardless of citizenship status not only avoids unintentionally singling out immigration-impacted students but also helps nonimpacted students become more culturally aware and empathetic.

### Impact on Children

On Jan. 25, 2017, President Donald Trump signed two executive orders that drastically changed the way our immigration laws are enforced. The first, Border Security and Immigration Enforcement, paved the way for expedited removals at the southern border, threatening the safety and due process of unaccompanied minors and asylum seekers fleeing violence and massively expanding our detention system. The second, Enhancing Public Safety in the Interior of the United States, eliminated previous enforcement priorities put in place under the Obama administration in 2014, which directed Immigration and Customs Enforcement (ICE) agents to prioritize immigration

enforcement actions against those with certain types of convictions and those who had recently entered the United States without permission. With the elimination of these narrower enforcement priorities, this new executive order vastly increases the likelihood that undocumented mothers, fathers and youth could be detained and deported. The order also could eliminate or reduce "critical federal funding from jurisdictions that have sought to build trust with their immigrant residents."

Contributing to unease is the uncertainty surrounding the Deferred Action for Childhood Arrivals (DACA) program, announced in 2012, which enables undocumented youth who have provided proof of continuous residency, gone through a background check and had a biometrics exam, to work legally and be provided temporary relief from deportation. Trump promised several times during his campaign to end the DACA program on day one of his presidency. Since taking office he has expressed sympathy for the plight of the Dreamers, and the program, thus far, remains in place. However, as the administration hasn't indicated that it will protect the program from lawsuits or rule changes, DACA's future (and more importantly, the future of the 750,000 youth currently enrolled and the 50,000 additional students who age into eligibility annually) remains tenuous. There have been several high-profile cases of ICE detaining youth protected by DACA.

Additionally, in January and February 2017, lawful permanent residents were briefly detained at U.S. airports following a third executive order relating to travel from certain Muslim-majority countries, and there have been several reports of ICE threatening to deport lawfully present immigrants. These actions taken together have put immigrant families on high alert and have forced many immigrants back into the shadows, according to the CIPC report.

Given these policy developments, it isn't difficult to see why immigrant students, or children of immigrants, are feeling frightened and anxious, compounding earlier findings from the CIPC study demonstrating that children of undocumented parents showed significantly higher risks

of internalizing and externalizing behavioral problems.

"My younger students don't understand the ins and outs of politics, but there is a fear and unrest among the immigrant and first-generation populations," said Monica Garcia, school counselor at Dacula Middle School, Dacula, Ga. "I work with students who say goodbye to their mom and dad every morning not knowing whether they're going to see them again. The older students have a more explicit understanding of their family's vulnerable position, and they've had conversations with their parents about what they would do if their parents were deported. Many students have seen it happen to friends and family members. It's sad that these children even have to think about surviving without their parents. It takes away from a true learning experience in the school."

When parents are forcibly removed from their children, there is an increased risk of the children entering the child welfare system. Parents may lose financial assets if unprepared for removal, and this in addition to the loss of that parent's regular income results in housing and food insecurity, which are predictors of poor social and educational outcomes for children later in life.

It's difficult to overemphasize how pervasive the fear of increased enforcement is among immigration-impacted families. News coverage of people deported under Trump, as well as coverage of nationwide protests, has been frequent – the president's February announcement of two new interior enforcement memos made front-page headlines in 322 local newspapers across the country in addition to national news outlets. U.S. citizen youth with undocumented parents are being asked to establish custody of their minor siblings to avoid legal limbo if their parents are deported. Some lawyers are advising undocumented parents with U.S. citizen children to have their children answer the door if ICE comes knocking, because they are not at risk for deportation and can ask the officer to leave. It is hard to imagine a seven year old opening the door to armed ICE agents and escaping such an exchange emotionally unscathed.

## 15 ACTIONS TO SUPPORT UNDOCUMENTED STUDENTS

The American Federation of Teachers, in conjunction with United We Dream and the National Immigration Law Center, suggests the following 15 actions educators and communities can take to help support undocumented students and their families.

1. Inform students and their families of their rights.
2. Stress the importance of taking proactive steps to ensure the safety and well-being of children and entire communities.
3. Distribute Know Your Rights materials to students and communities about what to do if a raid occurs or an individual is detained.
4. Find out if there is a local immigration raid rapid response team. These teams usually consist of attorneys, media personnel and community leaders who may be able to provide support.
5. Partner with a pro bono attorney, legal aid organization or immigrant rights organization to schedule a know-your-rights workshop to inform students and families about their rights.
6. Provide a safe place for students to wait if a parent or sibling has been detained.
7. Provide counseling for students who have had a family member detained by ICE.
8. Maintain a list of resources, such as the names of social workers, pro bono attorneys and local immigration advocates and organizations you can share with your students and their families.
9. Identify someone at your school who can serve as the immigration resource advocate in your building.
10. Work with parents to develop a family immigration raid emergency plan.
11. Make your school an ICE-free zone/sanctuary school.
12. Work with your school board to pass a resolution affirming schools as welcoming places of learning for all students, distancing the schools from enforcement actions that separate families.
13. Issue statements condemning raids and calling for the immediate release of students.
14. Participate in National Educators Coming Out Day, held annually on Nov. 12, and “come out” in support of undocumented students ([www.unitedwedream.org/educatorsout](http://www.unitedwedream.org/educatorsout)).
15. Participate in National Institutions Coming Out Day, held annually on April 7 ([www.unitedwedream.org/nicod](http://www.unitedwedream.org/nicod)).

These actions make the greater community less safe, too., because immigrants may be reluctant to report crimes out of fear their immigration status may be discovered. In April 2017, the Houston police chief disclosed that the number of Hispanics reporting rape was down 42.8 percent from last year, and those reporting violent crimes had registered a 13 percent drop. In Los Angeles, the LAPD reported a dramatic 25 percent drop in rape reports and a nearly 10 percent drop in domestic violence reports by the city’s Latino population, a drop statistics show no other ethnic group experienced.

In addition to potential harm or trauma stemming from increased immigration enforcement, these students and their parents are often unable to access broader child welfare and public benefit programs such as the Supplemental Nutrition Assistance Program (SNAP), Medicaid and Temporary Assistance for Needy Families. Although nearly two-thirds of families with an undocumented immigrant are low-income, undocumented immigrants

are ineligible for these programs due to their immigration status and strict eligibility requirements that limit access to noncitizens as a result of welfare reform in 1996. Even lawful permanent residents and immigrants admitted as refugees and asylees must wait five years after securing qualified immigrant status to access these benefits, despite the fact that they – as well as many immigrants without status – pay taxes each year.

Even when children are U.S. citizens and qualify for programs such as SNAP, undocumented parents are often too frightened of exposing their lack of legal status to apply on behalf of their child. Welfare reform in 1996 cut access to various federal benefits for immigrant residents. State-funded programs that filled in the resulting assistance gaps have been reduced or eliminated in subsequent state budget battles.

### Ways to Help

If you’re concerned about your students, you’re not the only one. These are difficult

times to navigate, but this makes having an informed school counselor helping students parse through policy and information directly affecting their lives even more critically important. The following tips on engagement are suggestions, not rules. Each educator’s situation is unique and comes with different challenges and benefits. Tailor the suggestions to fit your community’s needs and requirements.

Schools have been designated as “sensitive locations” by ICE and Customs and Border Protection, meaning school grounds are generally off limits to immigration enforcement agents unless they seek prior approval or there are “exigent circumstances necessitating immediate action.” If immigration agents request personal identifying information about students from you or your colleagues or request access to a classroom to speak to a student, you are well within your rights if you refuse to provide that information. The Family Educational Rights and Privacy Act (FERPA) prohibits schools from sharing private information with

anyone without first informing parents and students of the request. To avoid uncertainty around appropriate procedure for engaging with immigration agents, initiate a conversation ahead of time with the school administration to determine a rapid response plan should an incident occur during school hours.

Students, even those in elementary school, are not oblivious to the world and stresses surrounding them, and this stress is heightened when it is anchored in rumors rather than accurate information. As one campus director recounts, “Our students were, and are, asking a lot of questions, and approximately half of them stayed home from school on the Day Without Immigrants. The Tuesday after the January executive orders, I led our staff in a small training that included basic information and time for educators to brainstorm together about how they would respond to different scenarios related to this issue. Real information is key. Time to work together has really helped our staff respond to student concerns.”

One tangible way for school counselors to assist immigrant students and their families is to guide them through creating and completing a family preparedness plan, which is critically important if a parent or child is picked up by immigration enforcement or detained by local police. The Immigrant Legal Resource Center has a template for this, which is available in English, Spanish and Chinese at [www.ilrc.org/family-preparedness-plan](http://www.ilrc.org/family-preparedness-plan).

Communicate to all of your students that you are available for private conversations with the student and family members. Try to set aside time each week for more flexible office hours, enabling parents who may work odd hours to attend. Send home Know Your Rights information specific to preparing for and navigating an ICE raid at home or in public. Many school districts have ordered Know Your Rights “red cards,” available at [www.ilrc.org/red-cards](http://www.ilrc.org/red-cards), for parents to hand to agents. Whenever possible, ensure communications are in a language understandable to parents. If you send home a helpful guide but it is in English and the parent only speaks Tagalog, the guide will go unused. Immigrant-serving organizations have also produced guides for migrant

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parents looking to protect child custody and financial assets in the case of their deportation. Appleseed has an in-depth, attorney-reviewed manual on these topics, available at [www.appleseednetwork.org/deportationmanual](http://www.appleseednetwork.org/deportationmanual).

“Getting resources and interventions in place when something traumatic happens is important to allow the student to be successful moving forward,” Garcia said. “It’s sad to think about, but it’s important to be prepared and have a support system in place.”

Keep in mind that immigration status is a sensitive and personal issue, especially in certain cultures, so if students do reveal that they or a family member are undocumented, confidentiality is critical. Clearly communicate to students that you won’t disclose this information to anybody else.

If possible, partner with a trusted community organization or an immigration law firm willing to conduct pro bono work to conduct free legal consultations, policy 101s and know-your-rights trainings at school.

Keep abreast of shifts in immigration policy and enforcement both nationally and locally, and communicate this information sensitively to students and parents.

### **Prepare for the Future**

Amidst other uncertainties, it is important to let undocumented students know they can go to college, although some

options and services may not be available to them. Many undocumented students are civically engaged and leaders in their community, making them ideal university candidates.

Unfortunately, because they lack permanent legal status, even high-achieving undocumented students are ineligible for federal financial aid, work-study and loans. For this reason, you should familiarize yourself with private scholarships that accept students regardless of their legal status, and share these resources with students.

Also be aware of differing state laws pertaining to undocumented students’ access to higher education. For instance, in California, all undocumented students are eligible for in-state tuition as well as state-funded financial aid if they graduate from a California high school or acquire a GED in the state. In contrast, in Arizona students must have DACA status to be eligible for in-state tuition, and in Alabama undocumented students are specifically prohibited from enrolling in any public, postsecondary education institution, even when students have spent the majority of their lives as state residents. In states with more stringent laws like Alabama, undocumented students may still be able to apply to private colleges. In considering future options for undocumented students, knowledge is power, and resources are key.

For a partial accounting of scholarships available to undocumented students, see lists by Educators for Fair Consideration ([www.e4fc.org/scholarshiplist.html](http://www.e4fc.org/scholarshiplist.html)), United We Dream (<https://unitedwedream.org/blog/scholarships-open-undocumented-students/>), TheDream.us ([www.thedream.us/scholarships/](http://www.thedream.us/scholarships/)), Hispanic Scholarship Fund ([www.hsf.net/](http://www.hsf.net/)) and the Open Society Foundation ([www.opensocietyfoundations.org/about/programs/scholarship-programs](http://www.opensocietyfoundations.org/about/programs/scholarship-programs)).

School counselors can and should take an active role in ensuring their school has a welcoming culture toward all students, regardless of immigration background. You can help immigrant students by providing support groups consisting of peers and school staff, promoting this resource to all students and families and individually addressing deportation fears in a sensitive manner. Make sure community members



are aware if your school is an ICE-free or sanctuary school or has policies supporting immigrant and undocumented students.

Finally, ensure your efforts extend beyond your immediate circle of students by working with the school administration to provide schoolwide training so all staff members are equipped to support immigration-impacted youth.

School counselors and other school staff are local validators – trusted figures in touch with both youth and the larger community. As such, lending your voice to a policy conversation at the local or state level can be a powerful way to create a safer holistic environment for your students.

Many school districts, cities and county law enforcement departments have adopted resolutions affirming they are welcoming spaces and declining to cooperate with ICE raids. If your county or campus does not yet have such a policy, encourage decision makers to make it happen. This sends a clear message of support to frightened immigrant families, while also extending protections to those most vulnerable to enforcement measures.

If any of your students or their parents are detained, start a letter-writing campaign to the U.S. Citizenship and Immigration Service (USCIS) and your local member of Congress on their behalf, asking USCIS to halt deportation proceedings. Establish a GoFundMe or hold a fundraiser to cover logistical costs that arise, such as legal fees, supplemental income if the parents lose their job, and plane flight costs if the family is separated so the children may visit their mother or father. Before taking actions outside your scope as a school counselor, however, make sure those actions don't violate school or district policy.

As highly trained educators committed to upholding ethical and professional standards to promote and enhance student success, school counselors are well-positioned to have an outsized positive impact on immigration-impacted students in a time of great uncertainty and fear. It is important to recognize that the challenges faced by undocumented students or children of undocumented parents are unique and require

## FOR MORE INFORMATION

### **U.S. Department of Education's Resource Guide: Supporting Undocumented Youth**

<https://www2.ed.gov/about/overview/focus/supporting-undocumented-youth.pdf>

### **American Federation of Teachers' Immigrant and Refugee Children: A Guide for Educators and School Support staff**

[www.aft.org/sites/default/files/im\\_uac-educators-guide\\_2017.pdf](http://www.aft.org/sites/default/files/im_uac-educators-guide_2017.pdf)

### **United We Dream's #HereToStay Educator's Toolkit**

<https://docs.google.com/document/d/1o-zD9Yy-oJboGOtWkBD3E8bz3DhEPPikOBBzYOOXSdU/edit>

### **Teach For America's Resource Guide: Making Schools Safer Places for Undocumented Students**

<https://drive.google.com/file/d/0BxXQIDAAFH8TRi9jSy1xMU9leUU/view>

### **College Board's Repository of Resources for Undocumented Students**

[www.e4fc.org/images/Repository-Resources-Undocumented-Students\\_2012.pdf](http://www.e4fc.org/images/Repository-Resources-Undocumented-Students_2012.pdf)

### **California Immigrant Policy Center's The Effect of Hostile Immigration Policies on Children's Mental Health**

<https://org2.salsalabs.com/o/5009/images/CIPC%20and%20TCP%20Brief%20on%20MH%20of%20Children%20of%20Imm.%20March%202017.pdf>

### **Southern Poverty Law Center's Responding to Hate and Bias at School**

[www.tolerance.org/publication/responding-hate-and-bias-school](http://www.tolerance.org/publication/responding-hate-and-bias-school)

### **U.S. Department of Education's Information on the Rights of All Children to Enroll in School**

<https://www2.ed.gov/about/offices/list/ocr/docs/qa-201405.pdf>

### **Law at the Margin's Resource Guide: Lessons for Organizing Sanctuary Schools and Campuses**


[lawatthemargins.com/sanctuary-schools-resource-guide/](http://lawatthemargins.com/sanctuary-schools-resource-guide/)

### **Colorín Colorado's "After the Election: Ideas for Teachers of ELLs"**

[www.colorincolorado.org/after-election-ideas-and-guidance-teachers-ells](http://www.colorincolorado.org/after-election-ideas-and-guidance-teachers-ells)

an understanding of the current political and policy landscape to address.

Although it's a challenging topic and environment to work within, structuring programs to address immigrant students' needs is an opportunity to provide all young students with a fundamental understanding of American civic society, of their rights as U.S. residents and of the importance of

standing up for one another with compassion and love. These are powerful lessons and may make all the difference for a family or student experiencing difficulty. 

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