EDUCATION IS A RIGHT:
SERVING AND SUPPORTING UNDOCUMENTED STUDENTS

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LOS ANGELES COUNTY OFFICE OF EDUCATION

Los Angeles County
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Numbers at a Glance

- **1 in 13** Californians is undocumented
- **1 in 8** children in California schools has an undocumented parent
- **250,000** undocumented students ages 3 – 17 are enrolled in California schools

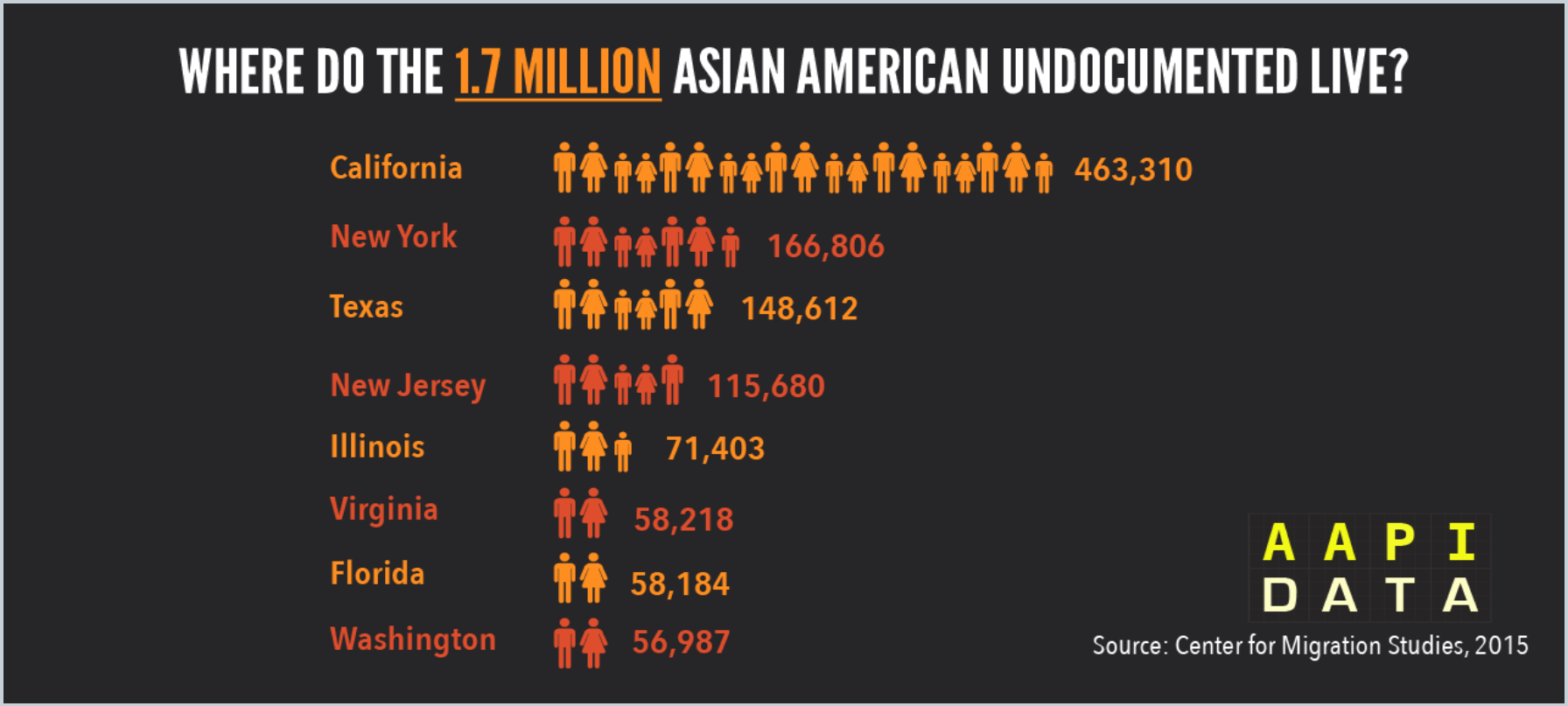
SOURCES: EDUCATION TRUST WEST & LOS ANGELES ALMANAC

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Asian Immigrants

1 in 7 Asian immigrants is undocumented



Presidential Election Impact on Safety

- Half way through 2016 there was already an **11.2% spike** in hate crimes over 2015 in CA
- **November 2016** had the most hate crime reports last year in California



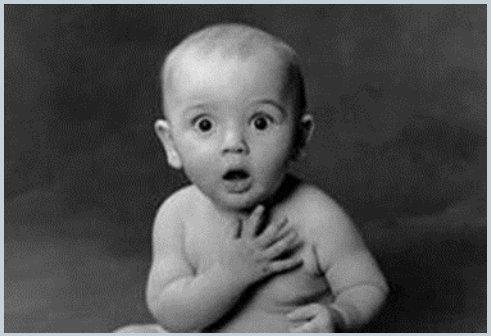
- **Schools** were a particularly common location for hate incidents

California Department of Justice

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Impact on Schools

- ✓ Drop in attendance
- ✓ Increase in student discipline
- ✓ Need for more awareness, information and resources
- ✓ New legislation requiring school districts to develop additional policies and practices



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In the News

“Lawsuit: former Pasadena Unified principal threatened to call immigration on parents who challenged him”

PASADENA STAR NEWS

“South L.A. Teacher Caught On Audio Telling Students Their Parents Would Be Deported”

CBS LOS ANGELES



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Student Right to Education

- Undocumented students must be provided with a free public education

Plyler v. Doe, 457 U.S. 202 (1982)

- Right to an education is a fundamental right under California Constitution

Butt v. State of California, 4 Cal.4th 668 (1992)

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Immigration and Customs Enforcement (ICE)

- Since 2011 Immigration and Customs Enforcement (ICE) has maintained a policy of avoiding enforcement activities at schools
- ICE still maintains this policy, though could change
- **No *campus* incidents reported in L.A.**



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California to Become "Sanctuary State"

- CA Governor Brown signed SB 54 placing limits on how state & local law enforcement agencies can share information and cooperate with federal immigration authorities

- Bars state and local law enforcement agencies from inquiring into an individual's immigration status

Senate Bill 54 takes effect in January 2018

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Safe School Policies

- "Sanctuary School" policies **represent symbolic actions** to show families that schools are on their side and educate them about their rights

- LACOE's safe locations policy includes:
  - Its schools
  - Official school activities, including those occurring in public places and adjacent areas
  - All LACOE property, including but not limited to, facilities owned, controlled, or leased by LACOE

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AB 699: Pupil Protection Based on Immigration Status

Governor Brown signed AB 699 prohibiting discrimination and providing protections based on student's immigration status or religious beliefs

Requires all LEA's in California to develop policies:

- limiting access and assistance to ICE
- anti-bullying policies & procedures based on immigration status

AB 699 takes effect July 1, 2018

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AB 699 Provisions

Prohibits schools from:

- Collecting info about student and family immigration status
- Allowing ICE to enter schools without approval of principal or superintendent

Requires schools to:

- Comply with parent/guardian's instructions for pupil care if they are not available
- Provide counseling to parents about right to education
- Educate pupils about impact and consequences of bias related bullying of other pupils

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Deferred Action for Childhood Arrivals (DACA)

- Federal program under Obama to allow people brought to US illegally as children the *temporary right* to live, study and work legally
- An estimated 20,000 teachers nationwide are DACA eligible — many possessing key Spanish-language skills
- Los Angeles County is home to **123,000 DACA registrants** - almost 1/3 of California's total

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DACA Timeline

Sept. 5, 2017

- Department of Homeland Security announced it would “phase out" the program, ending it on March 5th, 2018
- President calls on Congress to act to legalize DACA

Oct. 5, 2017

- Was the last day to submit renewal applications
- Roughly 23% of eligible applicants did not make the renewal deadline
- 5 bills have been introduced into Congress t0 address relief for DACA registrants

Nov. 9, 2017

- Immigrant youth and their allies lead school walkouts and rallies across country to demand Congress pass a clean Dream Act

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Supporting Students

- Let students know they **belong** at school
- **Understand** students may be experiencing significant trauma
- Be willing to **listen** and acknowledge feelings
- Offer **resources**



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Key Protective Factors

The Administration of Children, Youth and Families identified

10 protective factors with the strongest level of evidence

http://www.dsgonline.com/ACYF



- Self-Regulation
- Relational Skills
- Problem-Solving Skills
- Involvement in Positive Activities
- Parenting Competencies
- **Caring Adults**
- Positive Peers
- Positive Community
- **Positive School Environment**

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Best Practices



- ✓ Build capacity around immigration related issues and resources
- ✓ Establish district policies and procedures
- ✓ Foster a safe, welcoming, inclusive environment
- ✓ Increase protective factors, reduce risk factors

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Don’ts

- Forget that we must keep all students safe regardless of legal status



- Disclose personal or confidential student information

- “Overpromise” the protections provided to undocumented students and families

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Parent/Guardian Resources

Know your rights (red card)
https://www.ilrc.org (English, Spanish, Chinese)

Make a Family Preparedness Plan
https://www.ilrc.org/family-preparedness-plan

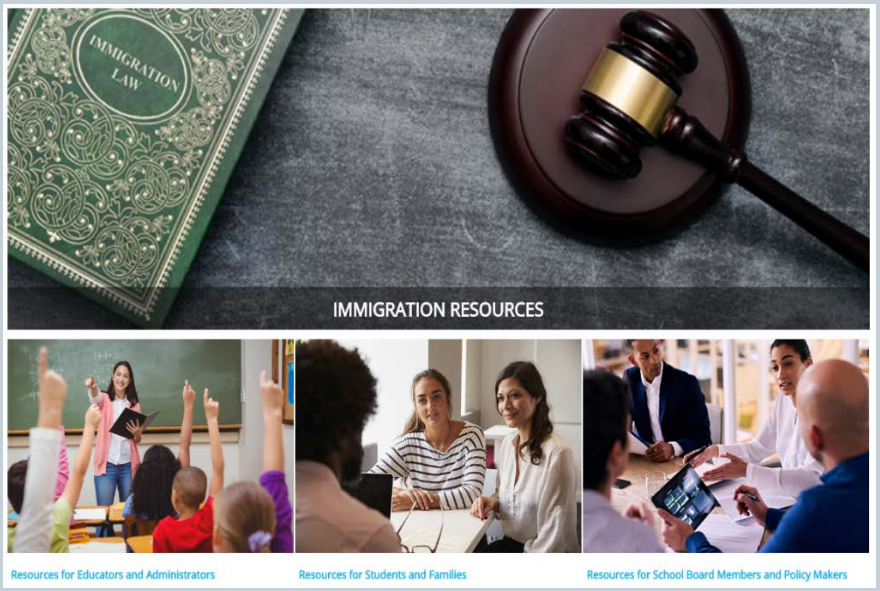
Resources for reputable free/reduced legal services
https://www.immigrationlawhelp.org

Finding family members in ICE custody
https://locator.ice.gov/odls/homePage.do

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LACOE Immigration Resources

www.lacoe.edu



@immigrationLACOE

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Thank you!

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