

A FRAMEWORK FOR IMMIGRANT LIAISONS

A Pilot Program by the
New York State Youth Leadership Council



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For more information about CUNY-IIE, visit www.cuny-iie.org.

For more information about NYSYLC, visit www.nysylc.org.



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About The New York State Youth Leadership Council

The New York State Youth Leadership Council was the first undocumented youth-led organization in New York. We work to empower immigrant youth through leadership development, grassroots organizing, educational advancement, and self-expression. Our goal is to give undocumented youth the tools and space to organize and create change in our communities.

Teach Dream is the educator team at the NYSYLC. Our goal is to create safer schools for undocumented students. We advocate for equal rights and opportunities for all our students. We support student led activism and leadership.

History

In the United States, approximately 98,800 undocumented immigrant students graduate from high school every year¹ and in New York, an estimated 47,000 undocumented students qualify for in-state financial aid through the José Peralta New York Dream Act. Due to financial obstacles such as being barred from accessing federal financial aid, only 5-10% of these students are able to pursue a college degree.² Besides education inequality, undocumented youth face barriers to work legally, experience isolation and xenophobia from their peers, and many live in constant fear of deportation.

In the mid-2000s, immigrant rights organizations in New York convened to discuss organizing strategies to support the federal DREAM Act, a bill that would have created a pathway to citizenship for qualifying undocumented youth. Out of these meetings, a core group of undocumented youth realized the need to create their own organization in order to articulate and advocate for the unique demands of NY undocumented youth, and to build undocumented-led spaces for empowerment and expression outside of policy advocacy alone.

1 The Migration Policy Institute

2 https://www.uindy.edu/documents/The_Case_for_Undocumented_Students_in_Higher_Education.pdf (Document states that 65,000-85,000 undocumented youth, out of 1.2 million, attend college, which amounts to 5-10%.)

The NYSYLC was founded in 2007. Since then, we have worked to support and mobilize undocumented youth in New York through innovative leadership development opportunities and grassroots organizing. We pioneered “Coming Out of the Shadows” rallies as spaces for undocumented youth to share their stories; formed and supported DREAM Teams that are hubs for undocu-organizing and college-specific advocacy at colleges across NYC; and led national and state advocacy initiatives to raise awareness among public officials and the general population of the needs of undocumented youth while agitating for structural changes, as seen through our drafting of the New York State DREAM Act in 2011.

In 2013, the NYSYLC began collaborating with Teach Dream, a group of educators dedicated to supporting non-citizen students that was then a working group of the New York Collective of Radical Educators. Over the past 7 years, that collaboration has blossomed into a network of educators working to support their immigrant students and families by centering the leadership of those in the directly-impacted community. Working together, Teach Dream and the NYSYLC have provided workshops for educators, hosted conferences for youth and family, and raised funds for scholarships for undocumented students. Teach Dream officially joined the NYSYLC in the spring of 2020 as their educator team.

Table of Contents

Summary of this Guide	6
Meet the 2021 Immigrant Liaison Team.....	7
Immigrant Liaison: Description and Context	10
<u>What is an Immigrant Liaison</u>	10
<u>Why This Position is Needed.....</u>	12
<u>Testimonials</u>	25
Pilot Program	36
<u>Description.....</u>	36
<u>Examples of the Work</u>	38
<u>The NYSYLC Teach Dream Campaign</u>	41
<u>NYSYLC Ask to NYC Department of Education.....</u>	45
Creating a Similar Position In Your School.....	46
<u>Hiring Process.....</u>	46
<u>Funding.....</u>	47
<u>Comparable Programs</u>	48
Appendix	55
<u>Glossary</u>	55
<u>Job Application Questions.....</u>	60
<u>Needs Assessment for Students</u>	63
<u>Needs Assessment for Educators</u>	65
<u>Educational Context in New York City.....</u>	68

Executive Summary

This guide was created to document the work of the New York State Youth Leadership Council (NYSYLC) and their educator team, Teach Dream, in starting the first immigrant liaison program in New York. Our hope is that schools can also use this guide to create similar positions to support the needs of immigrant students, families, and caregivers across the state, especially those who are undocumented.

An immigrant liaison is a part-time (or possibly full-time, if needed) position in a school created to offer support for immigrant, and especially undocumented, students and their families and caregivers.³ What that support can look like will be detailed throughout this guide. We argue that immigrant liaisons are needed in districts with immigrant populations, like New York City, because schools are still not sufficiently welcoming spaces for immigrant students, families, and caregivers. There are many reasons for this, including that teachers in the NYCDOE do not reflect the student body; school environments and curricula are not culturally responsive; communication with immigrant families and caregivers is a persistent challenge for schools; schools are not transparent about their policies for engaging with law enforcement; and, for high schools in particular, schools are not prepared to support undocumented students in post-secondary planning. The NYSYLC is asking the New York City Department of Education to create an immigrant liaison position in every New York City public school.

We spent the 2020-2021 school year developing the immigrant liaison position and, in the spring of 2021, implementing a pilot program with immigrant liaisons in three New York City public high schools. This guide includes a description of the pilot program, examples of the work done, and how that work was supported by the NYSYLC through monthly meetings and a youth fellowship. This guide also includes recommendations for schools that want to create their own immigrant liaison position, particularly regarding hiring and funding, with a priority placed on hiring immigrants and especially non-citizens.

A variety of support materials are included in the appendix, including a glossary that we encourage the reader to check out if unknown terms related to the intersections of immigration and education come up while reading this guide.

³ We use family and caregiver interchangeably throughout this guide to acknowledge that many youth live with adults who may not be their direct blood family.

Meet the 2021 Immigrant Liaison Team



EXPANDING OUR WORK IN SCHOOLS!



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Ariadna Silva

Ariadna (she/her) was born in Mexico but has spent most of her life in New York City. She strongly advocates for the rights and liberation of the immigrant community. She hopes to continue her career path in the medical field as she continues advocating and fighting for the rights of her community.

Dennise Palacios

Dennise (they/them) is originally from Ecuador and currently a senior in high school. They are an advocate from the undocumented community and other marginalized communities across the world. They are a passionate community organizer who aspires to become a social worker one day.

Juan Carlos Perez

Juan Carlos (he/him) is originally from Mexico. He immigrated to the U.S. at the age of 11. After graduating from IHS at LaGuardia, he earned his B.S. and M.A. in Secondary Math and TESOL Education from Adelphi University. Currently, Juan Carlos has DACA and works as a math teacher at the International High School at Union Square. He enjoys his job because he can use his personal experiences of growing up as an undocumented immigrant in NYC to connect with and help his students and their families.

Emilia Fiallo

Emilia (she/her) is an ELA and Bilingual Education high school teacher at Multicultural High School. She has been teaching since 2015 and is a graduate from Hunter College and Teachers College, Columbia University. As a formerly undocumented student in the NYC public education system, her teaching is dedicated to prioritizing and uplifting voices of migrant children in and out of the classroom. She's a proud founder of the Latinos in Action Brooklyn chapter at MHS where students lead efforts to share resources and educate others around immigration issues and more. Her favorite quality in her multicultural students is their bravery to build home wherever they go, especially in her classroom.

Katharina Kempf

Katharina (she/ella) is a first-generation American who teaches Spanish and Latin American history at Bard High School Early College (BHSEC) Queens. She is the coordinator of [Undocufriendly BHSECQ](#) and supervisor of the Dream Team, two organizations that support (un)documented immigrant students and their families at BHSEC Queens. She manages the HOPE Scholarship, which provides financial assistance for undocumented BHSEC Queens graduates towards finishing their Bachelor's degree at their next college. She is the faculty editor of [Immigrant Voices](#),

a print magazine and blog featuring writing, art, and music about the immigrant experience from the Bard College network.

Laura Pamplona

Laura (she/her) is a High School ENL teacher who was born in Colombia and was raised in Queens. She is currently part of Teach Dream as the coordinator of the immigrant liaison program. Laura finds joy in sharing spaces and ideas with immigrant youth in NYC. In her free time you can always find her reading and listening to Metallica's Black album.

Jenna Queenan

Jenna (she/her) is an educator and organizer with Teach Dream, the educator team at the NYSYLC, as well as with the New York Collective of Radical Educators. She began working at Sunset Park High School in Brooklyn as an ENL teacher in 2013, where she co-taught in all subject areas and facilitated the school's Dream Team, a club for undocumented students and their allies. She is currently a PhD candidate in Urban Education at the Graduate Center at CUNY.

Immigrant Liaison: Description and Context

What is an Immigrant Liaison?

An immigrant liaison is someone who works in a school in order to support immigrant and undocumented students and mixed-status families. While services provided to immigrant students often come in the form of language support (i.e., instructional supports for multilingual learners), the immigrant liaison position is unique because it is intended to specifically support students who are dealing with experiences of immigration, particularly undocumented students and mixed-status families, including undocumented students who may have lived in the U.S. since a young age and may no longer be classified as multilingual learners. At their school, an immigrant liaison engages in various activities to support immigrant youth and families, especially those who are undocumented. This position is intended to be a part-time position filled by someone already working within the school community in some capacity.



The Duties and Responsibilities of an Immigrant Liaison Can Include:

- Survey students, families, and staff periodically to gauge needs of immigrants, particularly undocumented immigrants, in the school community.
 - Provide resources and support that are identified as needed based on survey and discussions with students, families and staff.
- Facilitate opportunities for students to take leadership, give feedback, and inform school leaders on the climate and needs.
- Partner with local community organizations to set up Know Your Rights trainings, legal clinics, and other pertinent trainings in the school for students and families.
- Provide ongoing trainings for school staff on how to support immigrant students and families as needed.
- Disseminate information from local immigrant rights groups to staff, students and families, including creating a central space such as an office area or bulletin board in the school for distribution of resource materials and forwarding digital resources.
 - Gather and provide information regarding earning opportunities, internships and trainings that do not require a social security number;

- Provide contacts for resources for legal, medical, housing or other assistance that do not require a social security number;
- Make information available to all students regarding resources and supports for immigrants and opportunities for alliances with immigrant groups, including but not limited to posters, pamphlets, contact information for community resources, and a toolkit with resources, including medical, legal and housing.
- Coordinate with other school staff to support immigrant students and families.
 - Work with parent coordinators to ensure that resources, including digital communications, are disseminated to families during PTA meetings, open school and family night events, and by other means.
 - Work with college counselors to effectively advise students on applying to college without a social security number and applying for available financial aid through the New York Dream Act as well as scholarships, etc.
 - Work with enrollment to ensure a process that protects students' right to school and privacy.
 - Work with school counselors to address any immigration needs that arise (legal, social-emotional, health-care, etc).



Suggested Eligibility to Consider When Hiring an Immigrant Liaison:

- School staff member OR someone who is in the school-community/building often (this includes roles such as the parent coordinator and other community members) and has relationships with the community.
 - Main objective: a person who is involved in and familiar with school procedures and community members (staff/students/families)
- 2-3 years experience working with immigrant youth and communities through directly impacted experience and/or through community organizing
- Experience advocating for and with marginalized populations and groups.
- Speak more than one language that is spoken by students/families (preferred)
- Knowledge of and commitment to learn about federal, state, and city immigration policies and legal resources for immigrants
- Experience taking initiative, working independently, and collaborating with different institutions
- Existing relationships with community organizations that provide resources to immigrant communities (preferred)
- Readiness to provide trainings on policy and law, mental health, and the complexities of diverse immigrant communities in New York (with support as needed)

- Demonstrated commitment to ensuring the well-being and full inclusion of immigrant students and families
- Demonstrated history of empathy and empowerment in difficult situations.



Why an Immigrant Liaison Position is Needed

While U.S. schools from K-12 must enroll students regardless of their immigration status, see *Plyler v. Doe*, 457 U.S. 202 (1981), undocumented students face many barriers both inside and outside of schools, ranging from challenges to enrollment;

obtaining a quality and equitable education; accessing school programs like free school lunch and disability services and exploring, pursuing, and financing post-secondary career and education opportunities.

Moreover, immigrants face hostile rhetoric, laws and policies which engender fear in and undermine the integrity of families and communities. Schools are not impervious to these social, economic and political phenomena. For example, the prevalence of 287(g) agreements through which state and local law enforcement personnel are deputized to enforce federal immigration laws—agreements that more than doubled under the Trump Administration—have served as a force multiplier in the U.S. detention and deportation apparatus, with real consequences for educational equity, as immigrant families leave communities, children drop out of school, and families decide not to move into a community because of fear of arrest, detention and deportation.⁴ Therefore, school communities, educators, staff, and allies are tasked not only with educating students, but

⁴ See Lissette Partelow and Philip E. Wolgin, “The Trump Administration’s Harsh Immigration Policies Are Harming Schoolchildren,” Center for American Progress (Nov. 30, 2018), <https://www.americanprogress.org/issues/education-k-12/news/2018/11/30/461555/trump-administrations-harsh-immigration-policies-harming-schoolchildren>

with creating “sanctuary” spaces for learning, growth, leadership and self-expression.⁵

Unfortunately, the New York City public school system is not designed to and indeed does not sufficiently welcome, support, and empower immigrant students, especially those who are undocumented, nor create the necessary “sanctuary”⁶ spaces for learning and growth. Empirical and anecdotal findings discussed below substantiate the negative impacts of schools’ failures to support and communicate with immigrant students and their families and caregivers, and to foster cultures that celebrate students’ diverse backgrounds, despite available knowledge of effective practices and city resources to support immigrant youth and families.

While schools in the New York City Department of Education (NYCDOE) cannot collect information pertaining to or disaggregate data based on students’ immigration statuses, data referring to students based on race and language use can approximate experiences of immigrant students. Enrollment in English Language Learner (ELL) classes and programs are indicia that a student is an immigrant or comes from an immigrant family, though this metric is over-inclusive, capturing non-immigrant ELLs, and also under-inclusive, failing to capture immigrant students who are not language-learners. Sixty-two percent of ELLs in NYCDOE schools (92,193 students) identify as Hispanic or Latinx, 22% (32,714 students) identify as Asian or Native Hawaiian/Other Pacific Islander, 10% (14,870 students) identify as White, 6% (8,922 students) identify as Black, 1% (1,487 students) identify as American Indian, and <1% (316 students) identify as multiracial.⁷ ELLs disproportionately navigate certain educational challenges, underscoring areas where schools can offer greater support—29% of ELLs have disabilities documented in Individualized Education Programs (IEPs) and 90% are economically disadvantaged.⁸

Enrollment, attendance, and dropout rates are likely more severe among immigrant students—while 77.3% of all NYCDOE students graduated from high school in four years in 2019, only 72%

5 There is no one definition of “sanctuary,” but United We Dream defines it as, “a place where our vulnerable neighbors can feel safe to live as their full selves.” #HereToStay Toolkit K-12 & Higher Education Educators & Schools, United We Dream at 6, <https://docs.google.com/document/d/1o-zD9Yy-oJboG0tWkBD3E8bz3DhEPPikOBBzYOOXSdU/edit>

6 See appendix for definition of “sanctuary state.” See <https://immigrantsrising.org/wp-content/uploads/Immigrants-Rising-Understanding-the-Sanctuary-School-and-Safe-Zone-Movement.pdf> for more information on the sanctuary school movement.

7 The New York State Department of Education, *NYC Public Schools: NYC Public Schools English Language Learners Enrollment* (2018-19), <https://data.nysed.gov/ell.php?year=2019&instid=7889678368> (last visited Apr. 14, 2021).

8 *Id.* Thirty-two percent of IEPs are issued for speech or language impairments; Latinx and Asian students are disproportionately diagnosed with IEPs for speech or language reasons by their schools. The overrepresentation of Latinx and Asian students in those with speech and language impairment IEPs is partly driven by the fact that ELL students, 84% of whom are Latinx and Asian, are overrepresented in students classified as having such impairments. See The Research Alliance for New York City Schools, *Spotlight on NYC Schools: What are the contours of NYC’s Special Education landscape*, NYU Steinhardt, https://research.steinhardt.nyu.edu/site/research_alliance/2018/11/19/what-are-the-contours-of-nycs-special-education-landscape/ (last visited Apr. 15, 2021).

of Hispanic students⁹ and 73.7% of Black students graduated in four years while 88.2% of Asian students and 85% of White students graduated in four years.¹⁰ Graduation rates for ELLs were significantly lower that year, with only 61.7% of current and former ELL students graduating from NYCDOE high schools in four years.¹¹ Disaggregated, only 40.9% of then-current ELLs graduated from high school in 2019 while 91.4% of former ELLs graduated.¹²

While immigrant student identity and the challenges immigrant students face in terms of enrollment, educational access, achievement, and post-secondary opportunities can only be approximated via indicia, school staff are uniquely positioned and indeed must work to better support and communicate with students from immigrant backgrounds and their communities. Through ongoing professional development with school staff and by sharing a network of support and resources, immigrant liaisons can model effective support, collaboration, and communication with immigrant student communities by creating more welcoming, inclusive, and accessible school environments—improving school culture and thereby impacting immigrant students’ educational engagement, empowerment, and success.



School Environments are Largely Not Welcoming to Immigrant Students

1. Teachers in the NYCDOE do not reflect the student body.

One way to make schools more welcoming for immigrant students is to increase the number of teachers who have direct and personal connections to immigration. Part of the challenge for making schools more welcoming environments for immigrant students is that schools are staffed by teachers who do not reflect the student body. The New York State Department of Education published an Educator Diversity Report in 2019 that revealed that while the racial makeup of teachers is more representative of the student body in New York City than in other parts of the

9 In 2014, The Latino CREAR (College Readiness, Access and Retention) Coalition published findings indicating that while about 60% of Latinx students finish high school, [a percentage that has since increased], only 15% were deemed college ready. See CREAR Futuros, *A Stronger New York City: Increasing Latino College Access, Retention and Graduation* (2014), [https://www.nysenate.gov/sites/default/files/articles/attachments/Hispanic%20Federation%20\(Report\)-2_0.pdf](https://www.nysenate.gov/sites/default/files/articles/attachments/Hispanic%20Federation%20(Report)-2_0.pdf) (last visited Apr. 14, 2021).

10 NYC Department of Education, *New York City Graduation Rates Class of 2019 (2015 Cohort)*, <https://infohub.nyced.org/docs/default-source/default-document-library/2019-graduation-rates---website---1-16-20.pdf> (last visited Apr. 14, 2021).

11 Id

12 Id

state, there are still significant differences.¹³ Teachers of color represent 42% of the NYCDOE teaching force, or about 28,963 teachers,¹⁴ but NYCDOE has more than 85% students of color. In 2019, there was 1 teacher of color for every 30 students of color in NYC schools.¹⁵ The New York State Department of Education report breaks the racial divide by gender: 58% of female teachers identified as White, and 42% identified as people of Color; of male teachers, 63% identified as White and 37% identified as people of color.¹⁶ Twenty-nine percent of female teachers identified as Black, about 26% identified as Hispanic or Latino, about 8% identified as Asian or Native Hawai’ian/Pacific Islander, and less than 1% identified as American Indian or Alaska Native.¹⁷ For male teachers, about 26% identified as Black, 23% identified as Hispanic or Latino, 8% identified as Asian or Native Hawai’ian/Pacific Islander, and less than 1% identified as American Indian or Alaska Native.¹⁸ In comparison, during 2018-19 school year, 40.6% of students identify as Hispanic; 25.5% identify as Black; 16.2% identify as Asian or Native Hawai’ian/Other Pacific Islander; 15.1% identify as White; 1% identify as multiracial; and <1% identify as American Indian.¹⁹ While immigrants are not all people of Color, one can assume that the majority of immigrants in New York City are immigrants of color.²⁰

“Teachers who do not understand their students and their lives will struggle to meet their needs.”

While data on the racial makeup of teachers is an imperfect indication of the number of immigrant and DACAmented teachers in NYCDOE schools, the barriers non-citizen teacher candidates face in becoming fully certified have been documented by groups like Undocu-Edu. As a result, it is hard to believe that the majority of teachers have direct, personal connections

13 *Educator Diversity Report*, N.Y. State Educ. Dept. (Dec. 2019), available at: <http://www.nysed.gov/common/nysed/files/programs/educator-quality/educator-diversity-report-december-2019.pdf> (last accessed Apr. 23, 2021).

14 *Id.* at 20.

15 *Id.*

16 *Id.* at 29.

17 *Id.* at 30.

18 *Id.*

19 New York City Council, *School Diversity in NYC*, <https://council.nyc.gov/data/school-diversity-in-nyc/> (last visited Apr. 27, 2021).

20 While race and ethnicity are not the same, over 50% of immigrants in New York City come from the following countries, which are majority people of Color: Dominican Republic, China, Jamaica, Mexico, Guyana, Ecuador, Bangladesh, Haiti, India, and Trinidad & Tobago, according to the Mayor’s Office of Immigrant Affairs Annual 2020 Report. <https://www1.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-for-2020.pdf>

to immigration. While this does not necessarily lead directly to the creation of an unwelcoming environment in schools for immigrant students, teachers who do not understand their students and their lives will struggle to meet their needs. Even when attempting to implement culturally responsive pedagogies, White teachers often “unwittingly devalued students of colors’ cultural and linguistic practices. Intentionally or not, whiteness was frequently and uncritically positioned as the unmarked norm by which all others are measured.”²¹

2. School environments and curricula are not culturally responsive.

In the classroom, certain styles of pedagogy can also make it harder for students from immigrant backgrounds to succeed in their education. During the 1990s and 2000s, educational reform focused on standardization, which had the side effect of enforcing assimilation as a highly-valued educational norm.²²

“The failure of education to connect to the differentiated learning styles and needs of the full student population while attempting to indoctrinate and absorb them into a standardized, singular culture disconnected from many students’ lives left underlying inequalities unaddressed and unexamined. The result, from an instructional standpoint, appeared to construct low-income minority students as ‘others’ who...were seen as damaged, dangerous, vulnerable, and impressionable. The mission of the teacher became clearly not to connect to these diverse groups of disengaged, disconnected students on a cultural or empathetic level, but to instruct them in standardized ways and judge their value by normatively biased standards.”²³

These practices show up not just in how educators teach, but also in what they teach. For example, the NYC Coalition for Educational Justice (CEJ) and the NYU Metropolitan Center for Equity and the Transformation of Schools analyzed 1,200 books across 16 commonly used curricula and book lists from Pre-K through eighth grade for the racial and ethnic demographics of authors and

21 H. Samy Alim & Adam Haupt, *Reviving Soul(s) with Afrikaaps: Hip Hop as Culturally Sustaining Pedagogy in South Africa in Culturally Sustaining Pedagogies: Teaching and Learning for Justice in a Changing World* (Django Paris & H. Samy Alim ed., 2017), 157-174.

22 Evan M. Johnston, Pamela D’Andrea Montalbano & David E. Kirkland, *Culturally Responsive Education: A Primer for Policy and Practice*, New York University Metropolitan Center for Research on Equity and the Transformation of Schools (2017), available at: https://static1.squarespace.com/static/5bc5da7c3560c36b7dab1922/t/5e31d9bb1700284364d51f42/1580325318013/CRE_+A+Primer+for+Policy+and+Practice.pdf (last visited Apr. 27, 2021).

23 *Id.* at 16.



cover characters.²⁴ The study found that authors of books commonly used in elementary school curriculum are 84% White, on average. The NYC Reads 365, which was a NYCDOE program in 2018-2019 meant to encourage children to read for enjoyment, provided a list of 140 books. Of these, 8 books were by Black authors, 6 were by Latinx authors, and 7 were by Asian authors, with the

remaining 119 by White authors. The study also found that more books in NYCDOE curricula featured animals as main characters than Latinx or Black people.²⁵

In response to pressure from community organizations, teachers, students, and community members, in July 2019, New York City's Panel for Educational Policy voted to formally adopt Culturally Responsive-Sustaining Education (CRSE) as a policy.²⁶ Culturally sustaining pedagogy (CSP) "seeks to perpetuate and foster - to sustain - linguistic, literate, and cultural pluralism as part of schooling for positive social transformation."²⁷ According to the Culturally Responsive Education Hub from the Education Justice Research and Organizing Collaborative (EJ-ROC) at the NYU Metropolitan Center, CRSE "advances equity and social justice by:

1. Centering and valuing students' cultures and identities

24 Gwen Aviles, *Elementary school books rarely profile subjects and authors of color, NYC study found*, NBC News (Mar. 6, 2019), available at: <https://www.nbcnews.com/news/latino/elementary-school-books-rarely-profile-subjects-authors-color-nyc-study-n979991>. The NYC Coalition for Educational Justice website is no longer functioning, so it was not possible to cite directly to the report.

25 *Id.*

26 Jillian Jorgensen, *Schools Chancellor Carranza Introduces 'Culturally Responsive' Curriculum*, N.Y. 1 News (Sept. 23, 2019), available at: <https://www.ny1.com/nyc/all-boroughs/news/2019/09/23/schools-chancellor-carranza-introduces--culturally-responsive--curriculum-> (last visited Apr. 27, 2021).

27 H. Samy Alim & Django Paris, *What Is Culturally Sustaining Pedagogy and Why Does It Matter?*, in *Culturally Sustaining Pedagogies: Teaching and Learning for Justice in a Changing World* (Django Paris & H. Samy Alim ed., 2017), 1-21.

2. Using rigorous and relevant curriculum, and anti-oppressive teaching practices
3. Building strong, positive relationships between students, families, and school staff
4. Supporting students to develop the knowledge, skills, and vision to transform the world toward liberation.”²⁸

Assisting their fellow teachers in making the school culture and curricula culturally responsive to the experiences of students from immigrant backgrounds is a key function of the Immigrant Liaisons’ role in helping to create schools with environments that are welcoming of immigrant students.

3. Communication with immigrant families and caregivers is a persistent challenge for schools.

Language access is a persistent challenge faced by students and caregivers from immigrant backgrounds. Especially during the COVID-19 pandemic, language access has been an ongoing issue. A recent study found that students labeled as ELLs had lower attendance in January 2021 than their English-proficient peers.²⁹ High school ELLs missed between 20.3-25.8% of school days during January 2021.³⁰ However, these issues existed even before the pandemic. In a 2015 study,

“Immigrant Liaisons can assist teachers to reach their students and students’ caregivers through creative use of technology and advocacy for language access services.”

immigrant parents reported having trouble communicating their questions or giving input about their children’s schooling to educators. Additionally, parents who are undocumented and worried about contact with government officials are less likely to reach out to educators.³¹ Teachers have reported struggling to stay connected to telephonic interpreters during parent-teacher conferences and needing to dial in multiple times or ask a bilingual colleague for assistance. Some parents were unable to have more in-depth conversations about

28 *Culturally Responsive Education Hub*, Education Justice Research and Organizing Collaborative at the New York University Metropolitan Center for Research on Equity and the Transformation of Schools, <https://www.nydailynews.com/opinion/ny-oped-why-culturally-responsive-education-matters-20190821-accqy7ev5jb6pd46npkqori3ce-story.html> (last visited Apr. 27, 2021).

29 *Disparities in Attendance During COVID-19*, Advocates for Children of New York (Apr. 14, 2021), available at: https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1.

30 *Id.*

31 Dara Lind, *The barriers keeping immigrant parents from getting involved in their kids’ education*, Vox (Mar. 10, 2015), available at: <https://www.vox.com/2014/6/3/5776722/the-barriers-keeping-immigrant-parents-from-getting-involved-in-their>.

their children's education because they spent most of their limited allotted conference time waiting for an interpreter to answer.³²

While technology like Zoom and Google Classrooms became mainstays in classrooms over the last year, other resources that immigrant families may be more familiar with are underutilized. Teachers could connect with families through messaging apps such as WhatsApp or WeChat, which many immigrant communities already use to stay in contact.³³ Prior to the pandemic, one kindergarten teacher in Flushing, Queens, spoke to ChalkBeat about using WeChat to message parents using the translation feature, and to schedule conferences around their schedules.³⁴ Immigrant Liaisons can assist teachers to reach their students and students' caregivers through creative use of technology and advocacy for the language access services to which these families are entitled.

4. Schools are not transparent about their policies for engaging with law enforcement.

School communities are not transparent about their policies with respect to agencies such as Immigration and Customs Enforcement (ICE), nor are staff trained to be attuned to questions of immigration enforcement that may arise among students, their caregivers and/or families. ICE has a sensitive locations policy that discourages agency officers from making arrests at locations such as schools and churches, which the agency generally follows, but is subject to change.³⁵ Additionally, NYCDOE has a policy that it will not allow ICE officers onto school property, but this policy has two exceptions: ICE may enter schools with a judicial warrant or during an emergency. However, the NYCDOE does not provide clarification about what these emergencies entail,³⁶ adding a level of confusion and fear regarding whether NYCDOE would actually enforce

32 Michael Elsen-Rooney, *Education Department's phone translation system clogged with long waits, dropped calls: teachers*, N.Y. Daily News (Nov. 19, 2019), available at: <https://www.nydailynews.com/new-york/education/ny-20191119-xloo24k2ybf5vdupwfqoxpwhjq-story.html> (last visited Apr. 19, 2021).

33 *Engaging Immigrant & English Learner Families in a Virtual World: 10 Lessons Learned*, Immigrant Connections (Dec. 17, 2020), available at: <https://www.immigrantsrefugeesandschools.org/post/engaging-immigrant-english-learner-families-in-a-virtual-world-10-lessons-learned>.

34 Christina Veiga, *This Flushing pre-K teacher uses WeChat and dumpling-making to connect with his students and their families*, ChalkBeat N.Y. (Aug. 13, 2019), available at: <https://ny.chalkbeat.org/2019/8/13/21108778/this-flushing-pre-k-teacher-uses-wechat-and-dumpling-making-to-connect-with-his-students-and-their-f>.

35 *Sensitive Locations FAQ*, Justice for Immigrants, <https://justiceforimmigrants.org/what-we-are-working-on/immigrant-detention/sensitive-locations-faq/> (last visited Apr. 29, 2021).

36 *Protocols for Non-Local Law Enforcement*, NYCDOE, <https://www.schools.nyc.gov/school-life/school-environment/immigrant-families/protocols-for-non-local-law-enforcement>.

its policy.³⁷ NYCDOE also could go further in ensuring that students are knowledgeable about the NYCDOE policy and their rights should ICE attempt to detain them.

5. High schools are not prepared to support undocumented students in post-secondary planning

Institutional support at the secondary level is often lacking for undocumented students and other students from immigrant backgrounds. Fear of disclosing their status impacts how undocumented students engage with teachers, staff, and administrators at their schools.³⁸ Some

“Students whose parents or family members are undocumented may be hesitant to file for financial aid because of fears of disclosing sensitive family information.”

students reported that they felt insecure, a lack of belonging, and pressure to keep their status a secret.³⁹ In one study, undocumented students frequently reported feeling as if they did not have someone on campus “they can trust and talk to openly.”⁴⁰ Many campuses do not train their counselors and mental health workers to address the issues around stigma, discrimination, and fear of deportation that undocumented students face.⁴¹ Whether teachers and administrators are knowledgeable about postsecondary options and whether they work to build trust with immigrant students, especially those who are undocumented, is a major factor in

whether students decide to pursue higher education.⁴² In many secondary schools, college and career counselors are tasked with helping students plan for their next phase of life; however, many of these professionals, “are unaware of or lack the training to navigate the specific barriers

37 Leonie Haimson, *Why parents and privacy experts are not reassured by the Chancellor’s letter on undocumented students*, NYC Public School Parents (Feb. 7. 2017), <https://nycpublicschoolparents.blogspot.com/2017/02/why-parents-and-privacy-experts-are-not.html> (last visited Apr. 29, 2021).

38 *Id.* at 646.

39 *Id.*

40 *Id.* at 647.

41 *Id.*

42 *Id.* at 646.

faced by undocumented students.”⁴³ Moreover, the patchwork of state and local policies with respect to enrollment, tuition, scholarships and other aid make it difficult for staff and students to ensure that they have complete information before making education or career decisions. This lack of information is often replicated within postsecondary institutions.⁴⁴

Despite favorable policies in New York and New Jersey regarding financial aid for undocumented students, the application process can prove to be another barrier to accessing assistance. Students whose parents or family members are undocumented may be hesitant to file for financial aid because of fears of disclosing sensitive family information.⁴⁵ For students eligible for federal aid, the FAFSA requests parents’ social security numbers, which some worry will alert authorities that their parents are undocumented.⁴⁶ While parents’ or caregivers’ immigration status does not affect students’ financial aid eligibility, it is a factor if a parent wants to take out a Direct PLUS loan to help an undergraduate student pay for college or career school.⁴⁷ Additionally, some scholarships are only available to students who can show proof of U.S. citizenship.⁴⁸ However, there are growing numbers of scholarship funds targeted specifically for undocumented and immigrant students, especially through the SUNY system.⁴⁹



Immigrant Liaisons can create more welcoming environments for immigrant students

In order to tackle these issues and create a more welcoming environment for immigrant students, families and caregivers experts recommend addressing school climate in two ways: (1) changing

43 Zenen Jaimes Pérez, *Removing Barriers to Higher Education for Undocumented Students*, Center for American Progress at 17–18 (Dec. 2014), <https://www.luminafoundation.org/files/resources/removing-barriers-for-undocumented-students.pdf>.

44 *Id.*

45 Peter Bjorklund Jr., *Undocumented Students in Higher Education: A Review of the Literature, 2001 to 2016*, Review of Educ. Rsch., Oct. 2018, at 639.

46 *Financial Aid Toolkit for Counselors: Non-U.S. Citizens*, Federal Student Aid, <https://financialaidtoolkit.ed.gov/tk/outreach/target/noncitizens.jsp#parent-immigration-status> (last visited Apr. 5, 2021) (providing that if parents do not have social security numbers, the student must enter all zeros without dashes).

47 *Financial Aid Toolkit for Counselors: Non-U.S. Citizens*, Federal Student Aid, <https://financialaidtoolkit.ed.gov/tk/outreach/target/noncitizens.jsp#parent-immigration-status> (last visited Apr. 5, 2021) (Noting parents’ U.S. citizenship status matters when the parent of a dependent undergraduate wants to take out a Direct PLUS Loan); see also PLUS Loans, Federal Student Aid, https://studentaid.gov/understand-aid/types/loans/plus?_ga=2.54370145.877591858.1617650377-339215000.1617650377 (last visited May 5, 2021).

48 See e.g., *Undocumented Students – Frequently Asked Questions*, The State University of New York, <https://www.suny.edu/attend/get-started/undocumented/faq/> (last visited May 5, 2021).

49 It is worth mentioning that the SUNY system has expanded their scholarships available for undocumented and immigrant students: <https://www.suny.edu/smarttrack/types-of-financial-aid/scholarships/>.

one's classroom to be undocu-friendly and being undocu-friendly outside of classroom time; and (2) changing one's school or campus to be a sanctuary of safety.⁵⁰ These suggestions are particularly important for students and families who identify as undocumented. Immigrant liaisons are uniquely well-positioned to share knowledge and training for school communities that supports each of these strategies.

As immigrant liaisons, one of their first tasks is to evaluate the climate at their school through the creation of student and educator surveys (see appendix for survey questions used in pilot program). The surveys are designed to gauge student comfort in the school community, as well as whether the school is presently meeting their needs, both educational and otherwise. The educator survey is designed to assess to what extent educators in the school community have knowledge of ways to support immigrant students and their caregivers, especially those who are undocumented.

In addition to surveying students and educators to gauge the current climate for immigrant and undocumented students, immigrant liaisons can employ tested strategies for creating welcoming environments, and share resources with their colleagues. Educators can make their classrooms undocu-friendly spaces by posting graphics in the classroom, office, or spaces frequently visited by students.⁵¹ Creating a space that demonstrates the educator and school's support for immigrant and undocumented students and families is critical; while an educator has no control over what happens politically or even what happens outside the classroom, an educator has an immense power over what happens inside the classroom.⁵² "The simple act of having a graphic or physical paper that states your support towards their education can go a long way. This act can create an understanding between teacher and student. It allows the students to know that [s]he is welcome, safe and acknowledged."⁵³ This also means using inclusive and undocumented friendly language and reminding others to do so as well.⁵⁴ However, signs and language are just a beginning and immigrant liaisons can work with

50 #HereToStay Toolkit K-12 & Higher Education Educators & Schools, United We Dream at 10, <https://docs.google.com/document/d/1o-zD9Yy-oJboG0tWkBD3E8bz3DhEPPikOBBzYOOXSdU/edit>

51 See Jamie Richards Bsc. and Laura M. Bohorquez, M.Ed., "National Immigrant Resilience Day Toolkit: Institutional Policies and Programs with and for Undocumented Students (Educator's Edition)," United We Dream, 10–11 (2019), <https://unitedwedream.org/wp-content/uploads/2019/03/NIRD-Toolkit-Educators-03182019-v5.pdf>

52 See Jamie Richards Bsc. and Laura M. Bohorquez, M.Ed., "National Immigrant Resilience Day Toolkit: Institutional Policies and Programs with and for Undocumented Students (Educator's Edition)," United We Dream, 11 (2019), <https://unitedwedream.org/wp-content/uploads/2019/03/NIRD-Toolkit-Educators-03182019-v5.pdf>.

53 *Id.*

54 "Inclusive language acknowledges diversity, conveys respect to all people, is sensitive to differences, and promotes equal opportunities." See Guidelines for Inclusive Language, Linguistic Society of America (Nov. 2016), https://www.linguisticsociety.org/sites/default/files/Inclusive_Lg_Guidelines.pdf.

students and faculty to create more welcoming spaces for immigrant students and families in their schools. Immigrant liaisons can also share information collected through professional development and networking to support the creation of undocu-friendly classrooms and lead professional learning communities focused on cultural competency for educators at their school.

“Immigrant liaisons can also share other resources to support immigrant students and families, especially those who are undocumented, such as work opportunities and health-care options open to non-citizens who do not have social security numbers.”

Beyond creating a welcoming environment for immigrant, and especially undocumented, youth, immigrant liaisons can share helpful resources with their school community. This includes information about the rights immigrant and undocumented students and families have when they engage with ICE agents and with the police. While since October 2011, schools nationwide are among the “sensitive locations” where ICE has had a policy of prohibiting enforcement activities (including arrests, interviews, searches, or surveillance of non-citizens),⁵⁵ these policies, like many immigration policies, are subject to change. Moreover, stops,

surveillance, and arrests by ICE and the police within the community chill daily activities, threaten family integrity, and inevitably affect student learning. It is thus imperative that students and their community members—as well as school staff—know and understand their rights if/when (1) ICE comes knocking on their door; (2) they encounter ICE agents on the street; (3) or if there’s a raid by ICE agents.⁵⁶ Similarly, it’s imperative that students, families, and caregivers know and understand

55 <https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf>.

56 While Immigration and Customs Enforcement (ICE), which is the enforcement agency within the Department of Homeland Security, does not explicitly describe certain enforcement tactics as ‘raids,’ the term is generally used by immigrant communities and advocates to describe the preplanned arrests of immigrants working, studying or living in the United States without lawful immigration status. These arrests can target a wide range of immigrants, from long-term lawful permanent residents who may have committed a minor offense, to undocumented immigrants who have final deportation orders (even if they were issued without a person’s knowledge). Immigration raids can happen at any given time, but they rely heavily on an element of surprise and most frequently take place at the individual’s workplace or in or near his or her home, often during predawn or early morning hours. ICE officers often appear in large numbers, may be visibly armed and may not be easily identifiable as ICE agents.” Immigrant and Refugee Children: A Guide for Educators and School Support Staff, American Federation of Teachers, et al., at 6 (2016), https://www.aft.org/sites/default/files/im_uac-educators-guide_2016.pdf.

their rights as they relate to police interactions, as police stops and arrests are often a direct pipeline to the deportation and detention systems. In order to be responsive to issues related to law enforcement, Immigrant Liaisons can share (1) information about local pro bono legal service providers, (2) Know Your Rights cards, and (3) structured emergency planning templates, in the event a student, caregiver or community member is arrested, detained and/or deported, among other materials. Resources can also include a list of both internal and external support networks that provide physical, financial and emotional support for students and caregivers in the event of detention or deportation. Because immigration policies are often changing, and staff in New York City public schools often have limited capacity, it is helpful to have a point person like an immigrant liaison who knows of these policies and can answer questions (or connect those with questions to immigration lawyers) when issues arise. Immigrant liaisons can also share other resources to support immigrant students and families, especially those who are undocumented, such as work opportunities and health-care options open to non-citizens who do not have social security numbers. This is particularly important in places like New York City, where resources exist but are often challenging to locate and navigate for many immigrant families given issues of language access and complex bureaucracies.

In high schools, Immigrant Liaisons can work with undocumented and immigrant students to start a Dream Team. Dream Teams are student-led clubs, open to immigrant and undocumented students and their allies, that focus on immigrant justice. They are also spaces created by students to discuss their immigrant experiences with like-minded individuals as well as share resources and advocate for themselves and their peers. In New York, Dream Teams were first created and popularized by the New York State Youth Leadership Council. Because the Immigrant Liaison position was generated through the organizing and activism of undocumented youth members of the New York State Youth Leadership Council (NYSYLC), Immigrant Liaisons can serve as a connector between undocumented students seeking to create an undocumented student group/ Dream Team and the NYSYLC membership, who have the know-how and experience to help build and support a group in its nascent stages. For more information, check out the [NYSYLC Dream Team Network](#) and professional development created by CUNY-IIE in the secondary schools module on how to start a Dream Team.

Immigrant liaisons can also assist counselors in helping undocumented students apply to college and/or create post-secondary plans. While barriers to immigrant and undocumented student access to postsecondary opportunities remain, more and more states, localities and institutions are developing laws and policies to minimize roadblocks to access, largely in response to ongoing advocacy efforts by directly-impacted individuals. Passage of the New York DREAM Act, which makes it possible for undocumented graduates of New York State high schools to receive greater financial assistance at local colleges and universities, is a prime example of one state legislature's response to advocacy efforts. There are additional opportunities at individual schools and

through outside organizations for students to receive scholarships and access postsecondary education. Further, more campuses are adopting sanctuary policies to ensure a welcoming and safe environment for immigrant and undocumented students. While more needs to be done, many undocumented students do not know about the resources that do exist. Immigrant liaisons can help make this information transparent and accessible not only for students and families but also their colleagues.

Testimonials

The following testimonials are from the immigrant liaisons, principals, and students at the three New York City public high schools where the NYSYLC piloted the immigrant liaison program. These testimonials speak to the importance of having an immigrant liaison in the school as well as student groups like Dream Teams. As stated above, a Dream Team is a student led club, usually at high school or college level, that focuses on undocumented and immigrant justice. It is also a space created by students to discuss their immigrant experiences with like-minded individuals, share resources and advocate for themselves and their peers. Dream Teams were created and popularized in New York by the New York State Youth Leadership Council.⁵⁷



Testimonials from International High School at Union Square

International High School at Union Square (IHS-US), founded in 2010, enrolls only newcomer immigrant students who have resided in the United States for four years or less and who are Multilingual Learners. The school is a member of the Internationals Network for Public Schools (INPS) which has member schools in New York, California, Connecticut, Virginia, and Utah. IHS-US's mission is to prepare its multicultural student population to embark on individualized pathways towards skill development, graduation, college, and careers. Drawing upon diversity as a driving force, IHS-US empowers students to collaborate, advocate for themselves and others, and identify as global citizens.

⁵⁷ To learn more about Dream Teams, check out the Dream Team Network at the NYSYLC: <https://www.nysylc.org/dtn> and/or some of the activities in the CUNY-IIE Immigration in Secondary Schools Module at <https://www.cuny-iie.org/comprehensive-educator-modules>.

Immigrant Liaison Testimonial

As an undocumented immigrant in New York City, it felt like my dreams and hope were unattainable because every time I followed a path I hit a wall. There were many times in which I felt like giving up and just “working” seemed like the only thing to do. With the support of my high school counselor, I was able to enroll and finance my college education. Becoming a teacher felt like the best way to use my own experience to support new immigrant youth. During these years, I have been able to use my experiences to build relationships with students in the classroom, but being an Immigrant Liaison has pushed me to go beyond the classroom. I’ve been able to work closely with my school’s student support team to identify ways in which we can improve on how we share information about services with students and families. In Dream Team and Alianza, we had conversations about how to make sure our school environment is more welcoming to everyone regardless of immigration status and bonded over-sharing our personal stories. As I did my job as an Immigrant Liaison, I was reminded of my mission as an undergrad and how important it is to have someone on staff to be able to serve this role.

—Juan Carlos Perez, Immigrant Liaison

Principal Testimonial

The Pilot Immigration Liaison Program provides an opportunity for us to improve our focus on the unique needs of our students. It also gives us the space to learn together, with other schools, and to gather resources to better address the needs of our MLL students and their families. For the 2020-2021 school year, the Immigrant Liaison at our school has provided students with a safe space to discuss immigrant-related issues, lead informational workshops on accessing legal resources, and worked alongside our guidance team to support students’ access to college programs. The Immigrant Liaison helps bring together resources and people, including staff, families, and partners, as we work as one, to ensure students are successful in achieving their academic and personal goals.

—Vadewatie Ramsuchit, Principal

Student Testimonials

Why is it important to have an immigrant liaison and groups like the Dream Team and Alianza?

It is important to have an immigrant liaison in schools because immigrant students know who to ask for help if they or their families face circumstances because of their immigration status. Also, immigrant students could get more resources that support them from an immigrant liaison in schools. It is important for Dream Team and/or Alianza to exist because it provides a

safe space for immigrant students to share their thoughts or problems with people they trust. It also provides an opportunity for immigrant students to stay together and support each other.

—Anonymous

Having a Dream Team is important to me because it helps us to communicate, to get more information about our problems, and think about how to solve our problems with other people who have some similar experiences.

—Anllelo

I have been part of Alianza and Dream Team. Alianza has been one of the best clubs, supporting groups that I have been in. One of the things that categorize Alianza is community, appreciation, respect, and trust. Having a group of people that become family, and adults that you can trust in school makes the academic life easier, and the emotional part as well. Since I entered the club I felt a piece of home, Mexico, was with me. Being around students and teachers who share similar stories to yours makes you feel like you belong here. It's amazing to share stories, experiences, and cultures. Even through zoom, we were able to share how we felt and find support. I believe these clubs are safe places where you can express who you are and how you feel. It's like a second family, a support group that you can trust. Here I have met great friends and supportive teachers. My biggest wish is for this to continue for the students that are to come. As a new student to whom the country, the language, and culture are a new, it is amazing to have groups like this to lean on.

—Jenny

I think it is important to have an immigrant liaison in schools because the immigrant populations in many schools are quite big, and it is important and very helpful to have guides that can help us with our study path without having restrictions due to our immigration status. Dream Team/ Alianza are important because they offer comfort to students since in these groups one can get along and interact with other students who have similar if not the same background, and with students who may be passing through similar situations at the moment. Students can also find the strength in these groups to keep working hard to achieve their goals, and, through that path, we can have peers and friends who are working on the same goals as us. This year was a very odd year due to the pandemic, everything was online. I stayed online for the

whole school year, which means that I didn't have so much social interactions as when I went to school, but having Alianza and Dream Team allowed me not only to stay in contact with friends, but also allowed me to meet new people and get to know new tools that can help me as an immigrant student to help me reach my study plans.

—Salma



Testimonials from Bard High School Early College Queens

[Bard High School Early College \(BHSEC\) Queens](#) is a selective New York City public school in Long Island City, Queens. Our highly motivated students earn a New York State high school Regents diploma and a Bard College Associate's Degree in four years. Students complete required Regents exams in 9th and 10th grade and then follow a rigorous two-year program of college courses in the liberal arts and sciences. Our students come from all five boroughs. In the 2020-2021 school year, 56% of our students are low-income (based on qualification for free or reduced-price lunch in the previous Department of Education program). Thirty-two percent of our students are Asian American and Pacific Islander, 29% are white, 22% are Hispanic, 14% are Black, and 1% are American Indian or Alaskan Native. Many of our students are immigrants or from immigrant families with close ties to countries and cultures from around the world. Forty-one percent of our students speak a language other than English at home. In the graduating class of 2021, 35% of students are the first in their families to earn college degrees. Ninety-six percent of BHSEC Queens graduates go on to four-year colleges.

Immigrant Liaison Testimonial

As immigrant liaison, my job is to facilitate community and fill in resource gaps for un/ documented students and families. This includes providing information about the rights of immigrant students and families in the school system, having affinity groups at school, helping with college access and career planning, and fostering connections to city programs and nonprofit organizations that offer free or low-cost services for New Yorkers regardless of citizenship status in the different languages spoken by families at my school. Immigrant liaisons provide support, care, and resources at moments of crisis, for example, when a high school student discovers they're undocumented while applying to college, or when the undocumented parent of a student is placed in deportation proceeding. This work is essential in New York City public school communities. I want undocumented students and families to know we care about their needs, their wellbeing and their success, and are knowledgeable and connected to a network of resources to support them. The New York State Youth Leadership

Council is a standout grassroots organization led by undocumented youth who created a network of Dream Teams (affinity groups for undocumented youth) in New York City schools and who support and facilitate the work of immigrant liaisons with their Teach Dream program for educators. The expertise, resources, and support they provide undocumented youth and their educators was crucial in building programs for un/documented students and families at my school.

—Katharina Kempf, Immigrant Liaison

Principal Testimonial

What role do Undocufriendly BHSECQ and the Dream Team play in our school community?

Undocufriendly BHSECQ and the Dream Team place statements on our website to let students know, even before they step foot on campus, that work in the classroom, not citizenship status, allows one to earn a Bard Associate's Degree at no cost in our NYC public high school. We raise awareness throughout the year around issues that affect our immigrant community and provide resources for undocumented families. There are additional resources for allies to let them know more about what their friends encounter and how to be an effective ally and demonstrate solidarity with their fellow students.

—Dr. Valeri Thomson, Principal

As principal, why do you think it is important for schools to have programs to support undocumented students and families (like ours)?

Knowing that all students and their families are welcome, supported, and appreciated by their local public school allows students to be their best selves. In a world where borders and boundaries are held up by some to prevent freedom of movement and the ability to access the services provided to neighbors, it is important to have an organization within schools saying you will not run into discrimination here. Connections among our students to a diverse set of countries is celebrated and deepens the experience for all.

—Dr. Valeri Thomson, Principal

Student Testimonials

What should the role of an immigrant liaison be?

I think the primary role of an Immigrant Liaison should be to provide support for immigrant and undocumented students and their families. This support could be expressed through

the sharing of resources to undocumented/DACAmented friendly opportunities (internship/volunteering) as well as creating a safe place for students to talk about their situations. Immigrant Liaisons should also be up to date on all immigration-related news such as new laws/regulations as well as potential threats the students and their families might face. Liaisons should try to unpack and explain recent news to students so students can get a full understanding of current events pertaining to them. Immigrant Liaisons should help students navigate the college process and/or provide resources for college or technical school. Since many students do not know about their immigration status until high school, it is important that there is someone available to help them understand what they are able to do and guide them through any obstacles they may face.

—Sandra, Student Founder of Undocufriendly BHSECQ in 2016

An immigrant liaison should be supportive of immigrant/undocumented youth and understand the history/risks of being an immigrant in the US. Within institutions, immigrant liaisons should be able to advocate for these populations and explain the specific rights that they have. If immigrant/undocumented students have questions, they should be able to approach the immigrant liaison without fear of being judged, shamed, or harassed. Immigrant liaisons should overall cultivate a safe and supportive space for students, regardless of immigration status.

—Brandon

I think appointing an individual to be an immigrant liaison is a huge responsibility and they should be the sole communications service to those who are undocumented or are struggling because of their status. They should be extremely trusted among the community and should create a safe space for everyone to talk and gather. Personally, I believe that the role should solely be to connect around the school. The goal is to create a safer place for immigrants and without actually connecting, socializing and ensuring them about it, there will rarely be any conversation and fear will still linger amongst them.

—Anonymous

The role of an immigrant liaison should be to support the immigrant community at school by potentially raising the profile of clubs such as Dream Team and all the affinity groups, as well as providing specific resources for immigrant students (documented or not). As well as raising money for the future as Dream Team already does for the HOPE Scholarship, I think the immigrant liaison should probably provide more help to the students now (as I already said) so that they more easily can approach the next step where they will need the money raised

by the Dream Team. Generally though, I think they should help foster a supportive and helpful environment for students in regard to this issue.

—Clio

Why is it important for schools to have an immigrant liaison?

During my time at BHSECQ, I was fortunate enough to have Professor Katharina Kempf to go to for support, resources and news about immigration-related issues. Before there was even an official title, Prof. Kempf acted as an Immigrant Liaison for students and helped guide students through the tumultuous time of the post 2016 election period. Many students and I are extremely grateful to have had such a person on campus to help connect us with useful resources. If every student could have an Immigrant Liaison like Prof. Kempf at their school, we would see many more immigrant students become active members of their school and attend higher education.

— Sandra, Student Founder of Undocufriendly BHSECQ in 2016

Immigrant liaisons are vital in schools because many immigrant/undocumented students don't have access to the same social, professional, and educational opportunities compared to their peers. Immigrant liaisons can help foster better school environments for immigrant/undocumented students by using their positions of authority to advocate for fair policies.

—Brandon

Not all the faculty and staff members of schools can understand the struggles of immigrant students, so it's important to have another ally on hand to understand and talk about what they are going through. It's not only more helpful for the struggling student, but it helps the school community understand more about this and assists them to adapt and make a safer space for them.

—Anonymous

It is important for schools to have an immigrant liaison because otherwise it will be very easy for issues relating to students and immigration to be swept under the rug. An immigrant liaison can pay attention to these previously ignored issues and bring them to the attention of students and administration so that they can be addressed.

—Clio



Testimonials from Multicultural High School

Multicultural High School was established in 2007 and is located at the Franklin K. Lane Campus. We are a comprehensive four-year high school with small classroom sizes in grades 9-12. Our program design supports students and their families that identify Spanish as their home language. Currently, we offer two programs: a Transitional Bilingual Program and a Dual Language Program. While we serve students from across the City, the majority of our students come from the surrounding Brooklyn and Queens neighborhoods. We serve Multilingual Learners that are new to the United States. We help students learn to read, write, and communicate fluently in English while also providing opportunities for students to maintain and strengthen their native/primary home language of Spanish. We offer a diverse curriculum ranging from the traditional subjects to college leveled coursework and programs that support our school of newcomers with the practical skills needed in their day-to-day lives, these programs include Latinos in Action and Peer Group Connection.

Immigrant Liaison Testimonial

Thinking back to my experiences as an undocumented young person, I clearly remember high school being a time of great challenges. I faced these challenges alone; the college application process, the questions around legality, the overall anxiety around “belonging.” My school community did not immediately provide or make known the resources needed for me to cope with one of the most difficult times in my young life. When I became a teacher, I found that not much had changed since I graduated and students were still navigating their complex undocumented experiences on their own. It wasn’t until I joined Multicultural High School as an English teacher, that I was able to find the courage and support as a teacher to create spaces for students to openly talk about their experiences as migrant students. As an immigrant liaison, I am continuing the work I have prepared for since I was an undocumented student. I understand that students have complex lived experiences that impact their understanding of what it means to be an immigrant in this country, and this reality means that students need a place free of judgment or preconceived notions on immigration. This year, much of the work was about letting students take control of the “space” to talk, to share, to ask questions, and to finally learn from different perspectives. This year, students simply needed to connect to know that they aren’t alone, especially during this time of great isolation. My job is a bit different in the sense that my story and my work is more visible in the school, which means that if there is a student that needs help, they will know there is an adult that can guide them--someone that understands. Being an immigrant liaison in my school means I am the adult I needed when I

was in school. It also means that I have the power of creating communities of students that won't let other students live through the complexities of being an immigrant all alone.

—**Emilia Fiallo**, immigrant liaison

Principal Testimonial

Any opportunity a school has to give students an opportunity to learn, develop their voice, and to empower themselves is a mark of success. Oftentimes, our immigrant community is silenced. The work of immigrant social justice in schools is to help the vibrancy of our community shine. It is critical for schools to have immigrant liaisons that support students to understand their own journey, connect with each other, and reaffirm their sense of belonging. We are grateful for our liaison who supported our students throughout the year with gatherings, current information, and facilitated dialogue about our country's current immigrant perspectives. Liaisons are key to supporting our schools with our immigrant youth and will augment the sense of community and empowerment for all.

—**Ms. Alexandra Hernandez**, principal

Student Testimonials

What is the role of Latinos in Action? Why is having a group like this (and an immigrant liaison like Ms. Fiallo to facilitate it) important?

I attend Multicultural High School and I'm a youth leader with Latinos in Action. LIA has changed my life. When I came to this country it was hard for me to adopt a new culture and leave my comfort zone, but it was until I found out about Latinos In Action that I discovered who I am. As immigrant students, one of the greatest challenges we've faced this year was adapting to a new way to learn, which was remote learning. And as a group it was very hard to commit at the same time to meet through the online platforms, but just like other challenges we overcame this one as well, and we found ways where we can stay connected as a family. For us is very important the topic of immigration and it is really important to discuss how this affect us everyday. Our experiences are very different but we have something in common and it is our passion for caring for other people and our community and our role as leaders and immigrants. We educate our communities on the issues and the real experiences people have with the system.

—**Dariel**

Since the beginning of the school year, the pandemic has caused a separation between the teachers, counselors, and students, but this hasn't stopped LIA from doing its thing. We've challenged many obstacles that we've discussed as a group, this year we took over the topic of immigration. In our meetings, we've reflected on how does immigration affects us positively or negatively. We have shared many personal experiences that we passed through and we could get over it even though we're always going to remember those moments.

We've found some solutions to these little problems that sometimes affect us.

- We've said that the best way to get over this feeling is to talk to people that you can trust and that they can understand and support you.*
- We also say that it's a really hard time leaving your country but we can always get used to another culture because it's for a better future.*

In LIA we are all a very supportive group, when we talk about our instructors, we are talking about Ms. Fiallo and Ms. Rosio, who are really nice women, who have always been there for us, to support us in everything we need. These women have provided us with new leadership that will benefit us in the future, we now more than ever understand more what is to be a leader.

—Antony

Leadership as a liaison with immigrants was necessary in our school for the reason that it is a factor that helps us to be in community with ourselves talking about what happened in the world during these difficult times that we are living. Some of the challenges we face is to dialogue with our communities in addition to the fact that sometimes conflicts are occurring in our countries. In these times of pandemic, many causes have occurred with respect to COVID -19 with our families and the countries and their inhabitants. But we always tried to make each of our points of view visible and in addition to everything we always supported and motivated ourselves. One of the moments I enjoyed the most was talking with my colleagues about immigration and knowing what were the main reasons why they immigrated from their country of origin.

—Yarlenis

LIA is a program that provides great educational benefits and opportunities for Latino students. As a team, we faced several changes since our meetings were virtual to protect ourselves from Covid-19 but that did not prevent us from continuing with our curricular activities which we did with organization and information such as making a screening of films about immigration as we consider it was important due to the fact that it connects with us and the problems they face when we arrive in the United States and the family separation to empathize the suffering felt by people who are separated from their loved ones, as well as social problems, one of them

It was the hate crimes against the Asian community it was difficult to attract people to join us to participate in the events, we organized through social media, an announcement at the end of classes and by inviting close friends we were able to gather some students willing to collaborate with our team. My favorite event was when we watched a movie about immigration and deportation where the people who were in the meeting left their reactions in the chat. Ms. Fiallo helped us organize the events and develop our leadership during the meetings. She gave us the opportunity to choose the topics we wanted to discuss and teach the people who collaborated and supported our work.

—Anonymous

Pilot Program



Description

In the fall of 2020, the NYSYLC received financial support from the [CUNY Initiative on Immigration & Education](#) to begin an immigrant liaison pilot program. Members of Teach Dream spent the fall preparing for the program, creating job applications and interviewing for immigrant liaison positions.⁵⁸ In hiring, individuals who were directly impacted by the U.S. immigration system in some way were prioritized. We specifically sought applications from candidates from racially/ethnically marginalized communities

disproportionately impacted by systemic injustice, whose lived experiences contribute to more culturally-conscious representation, and/or who speak more than one language that is spoken by students/families.

In the spring of 2021, the NYSYLC began to work with three immigrant liaisons at the International High School at Union Square in Manhattan, the Multicultural High School in Brooklyn, and Bard High School Early College in Queens. As a part of their work for the NYSYLC, the immigrant liaisons filled out weekly google forms describing the work they were doing at their schools as well as support needed (see below for examples of the work that the immigrant liaisons did).

The immigrant liaisons were supported by two youth fellows, who were high school youth who have direct experiences with immigration and navigating spaces as undocumented youth as well as immigration advocacy work. The youth fellows read the responses and followed up with the immigrant liaisons with resources (such as a list of summer opportunities available to undocumented students), suggestions for how to approach various conversations at the

⁵⁸ It is important to note here that the hiring entity for the pilot program was the NYSYLC, not the New York City Department of Education. As such, immigrant liaisons were compensated differently than they might otherwise have been if the position were created through a school or district. See later in this guide for suggested on funding and compensation directly through a school.

intersections of immigration and education, and book/movie suggestions on the topic of immigration. The youth fellows were compensated for approximately five hours of work per week. In addition to giving feedback to the immigrant liaisons, the youth fellows also developed other resources (see below on needs assessment) and helped facilitate meetings.

As a youth fellow and an undocumented student, I have had the opportunity to share my knowledge and resources with educators who seek to provide the best resources for their immigrant students. Some of the resources I have shared include job opportunities, documentaries, and books. I believe that it is extremely important to have youth feedback when working with undocumented students because our lived experiences allow us as youth fellows to give accurate information and be the best advocates for our people.

—Dennise

Youth fellows help Immigrant Liaisons better connect with their students despite their age differences. Youth fellows provide better background knowledge of student life, expectations, struggles and more. In order to ensure that students are getting the most efficient and up to date help, there needs to be direct background; youth fellows give better background on issues closer directed with students around their age. Youth fellows will oftentimes be the people that best know and can explain the needs of other students because they have a deeper connection with students around them due to being close in age.

—Ariadna Silva

See the appendix for the questions from both the immigrant liaison and youth fellow applications and interviews.

In addition to being supported by two youth fellows, the immigrant liaisons were also supported by two immigrant liaison coordinators who worked together to manage logistics, compile resources in a website⁵⁹ so that they were easily accessible, and bring the group together for monthly meetings. A typical agenda from the monthly meetings included:

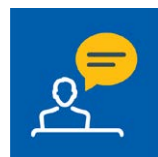
- Check-in/get to know you question
- Reflection on/share out of work being done
- Discussion about/check-in on expectations (related to needs assessment, spending supply money, etc.)
- Sharing of ideas/resources (website, feedback from youth fellows)

⁵⁹ Go to www.nysylc.org and check out the immigrant liaison page for more information and a link to this website.

Through a partnership with the NYU Immigrant Rights Clinic, the youth fellows and two NYU law students created a needs assessment for each school to administer to students and faculty⁶⁰ that was then reviewed and revised by the immigrant liaisons. The purpose of the needs assessment was to gauge needs of immigrant students at the school as well as faculty in supporting immigrant students. When creating the needs assessment for students in particular, issues of literacy and language access were considered. The needs assessment was translated (in writing and orally with sound clips) into all of the primary languages of students at different schools. In the future, we hope to find a platform that will allow respondents to record oral responses in addition to purely written responses. The needs assessment was given in May and June and will inform further work done by immigrant liaisons during the 2021-2022 school year. See the appendix for the questions in the needs assessment. It is important to note that these questions were developed for high-school aged students but similar questions might be appropriate for younger students, particularly if multiple modes of responses (drawings, etc.) are permitted, as younger students also have a wealth of knowledge and opinions to share about their schools, immigration, etc.

Examples of the Work

Below are examples, taken from the weekly google forms, of work the immigrant liaisons did in their schools related to curriculum, after-school clubs such as Dream Teams, college and career advising and support, immigration support (i.e. sharing resources and connecting with community-based organizations), and trainings they conducted for staff or attended themselves to further their own knowledge.



Curriculum

Katharina: “Our 5th annual Day of Action for Immigrants was on Wednesday. Faculty were asked to incorporate themes of immigration into their classes.”

Emilia: “I held a meeting with a group of 20 students about the recent border crisis and violence related news. I know my students closely watch the news with their families and I am concerned about the news they consume around a topic that directly impacts them. I

⁶⁰ The intention is to also create a needs assessment for parents and caregivers in the coming year of the pilot program.

started by sharing updates around my own case with immigration. We have established a close bond with one another and I directly asked about their feelings regarding immigration today. One student immediately referenced a news coverage of a violent death at the border of a drowned child. Other students started chiming in about similar stories until one student mentioned that she believes parents are irresponsible for sending their kids to cross the border. Another student mentioned she was confused about why immigrants are always “mistreated” in this country. There was a lot to unpack there and I know I have to come back to the conversation again next time.”



Dream Team (and Other Clubs)

Katharina: “Our 5th annual Day of Action for Immigrants was on Wednesday. The Dream Team hosted RAISE (Revolutionizing Asian American Immigrant Stories on the East Coast), who held a workshop for three out of four grades titled Resisting Anti-Immigrant America: An UndocuAsian Perspective. The grade that didn’t attend has college readiness during the workshop period, and the Dream Team asked college advisors to highlight resources for undocumented students during their period.”

Juan Carlos: “We revived our Alianza Group - a support group for Latin American students that focuses on providing support to undocumented at-risk students.”

Emilia: “This week I created a presentation for a core group of students that would be supporting me in the planning and execution of activities with other students. I did this in order to give students the space and the platform to own the space with their own vision in mind. They signed a contract that detailed the expectations I have for them as core members and the responsibilities they will be facing. We have about five students as core members and we will be meeting on Monday to give them a “training” on maintaining an agenda and leading in activities. Then we will be doing outreach to prepare ourselves for more members from 9th and 10th grade. They were super excited to be considered equals to me, which they are.”

Katharina: “The Dream Team prepared and led a presentation at the Club Fair to talk about what they do. They also prepared a presentation for the Difference and Justice Symposium at Bard College on March 20th on activism to support undocumented youth and their families.”

Emilia: “This week, I met up with our group of students to discuss our understanding of the hate crimes concerning the Asian community. We had about 7 members join us in the

conversation about what we see on the news and what we can do about it as Latinos and immigrants. We discussed how we are the same and how we are different, and why we need to care about this. I shared this video with them: <https://www.newyorker.com/video/watch/the-new-yorker-documentary-a-daughter-and-her-mother-reconnect-over-chinese-dumplings?c=series>. And we discussed how this video reminds us of our own homes and cultures. Students shared that we are really the same in our hearts and this is an issue that concerns and affects all of us. We then tried our best to express our sentiments about the issue we discussed using different graphic art websites.”

Juan Carlos: “At this week’s Dream Team meeting, we collaborated on a list of books to order for our library with our Department of Education grant money.”

Katharina: “The Dream Team worked on conceptualizing a special print issue of Immigrant Voices (a quarantine edition).”

Emilia: “This week I connected with the counselor of 11th graders to gather support in a movie screening for the students. Since I want students to be able to lead a bit more in their advocacy and their own learning around immigrant identities, I believe the film 3 Minute Hug will provide students with the opportunity to ask questions about the complexities of the border and what it means to be affected by it as well. Since the movie is a triggering subject, the counselor is there to offer support for students around difficult conversations that might arise. We are showing the movie, with the students support, today after school.”

Juan Carlos: “In Dream Team, connected students with tentative summer programs using the resources provided by the youth fellows. I have also connected students to the NYSYLC Dream Team Network”



College/Career Advising and Access

Juan Carlos: “I met with two siblings seniors to chat about their concerns about graduating from high school and trying to figure out next steps. I also brainstormed with a social work intern ideas for paid summer programs for a high achieving junior hoping to earn some money over the summer. We decided to reach out to YLC, ImmSchools, and Global Kids. We also searched for programs that provide stipends for students and not hourly compensation.”

Katharina: “Undocufriendly BHSECQ reviewed and approved an application for a HOPE Scholarship recipient (an undocumented graduate from our school who transferred to a four-year college to finish their Bachelor’s degree) who requested a yearlong extension of their

tuition funding. The HOPE Scholarship is a two-year scholarship, but in many cases, students take an additional semester or year to fulfill the requirements of their chosen major at their transfer school. The student will receive \$3,000 for two more semesters. This covers almost their entire tuition and makes it easier for them to stay in school as their family deals with unemployment due to COVID-19.”

Juan Carlos: “I met with the College Counselor to review a list of undocu friendly colleges.”



Immigration Support: Sharing Resources and Connecting with Community-Based Organizations

Katharina: “The Dream Team sent a list of resources and sources of support for undocumented students to the school community. I also shared resources with faculty and staff for do’s and don’ts when talking to undocumented folx from UndocuBlack.”

Juan Carlos: “I helped a student with their application for a driver’s permit.”



Staff Training (For Self and Colleagues)

Katharina: “I provided a colleague who asked for advice on how to write a character letter for a stay of removal petition for a former student with a template and recommendations from a previous training I hosted at my school by New Sanctuary Coalition. I also provided resources for my colleague to share with the student (like upcoming DACA clinics—the student has been advised to apply—and information about the New Sanctuary Coalition).”

Juan Carlos: “I attended a workshop with Unlocal on financial aid and resources.”

Katharina: “I attended the CUNY-IIE workshop on Legal Updates at the Intersection of Immigration and Education.”

The NYSYLC Teach Dream Campaign

The NYSYLC is advocating for the Mayor and Chancellor of New York City to fund an immigrant liaison part-time position that would be filled by a stakeholder (staff member or someone from an outside community organization) in every school. Teach Dream has been advocating for this position for several years.

The plan for an immigrant liaison originated from 1) a resolution for an immigrant liaison, which passed in the UFT in May 2016, and 2) a follow-up rally at the New York City Panel for Educational Policy meeting in February 2017 in which a coalition of organizations including Teach Dream, NYSYLC, the Movement of Rank and File Educators and Teachers Unite advocated for increased support for immigrant students in NYC schools including the immigrant liaison position.



Work Leading up to May 2016

In November of 2014, then President Obama announced a different prioritizing strategy for Immigration and Customs Enforcement, under the misnomer “felons, not families” that would increase the detainment and deportation of the members of already harassed low-income communities of color that are disproportionately affected by the racist and punitive policing efforts of the last 40 years.

In December of 2015, ICE announced ‘new’ raids emphasizing this policy and spreading fear in immigrant communities. In response, in January of 2016, a handful of school districts, and some unions in urban districts, like Philadelphia, Los Angeles, San Francisco, Washington, DC and others began passing resolutions and releasing statements reiterating their support for immigrant students and policies in place to provide services like legal support, counseling, translation services and others.

TeachDream released a [public statement](#) against the ICE raids in January 2016, and drafted a petition to the Mayor and then Chancellor Fariña. The petition asked that they use their power to send a message and implement policies supporting and defending the thousands of immigrants in New York City. Gathering petition signatures continued and some individual schools took action by sending letters home or alerting their staff and voting on the petition in their UFT chapters. In March, Teach Dream sent a letter directly to Chancellor Fariña, with no response.

In April of 2016, Teach Dream decided to try to reach city policy makers through the teacher’s union main body: the Delegate Assembly. They drafted a resolution, with advice from members of MORE (the Movement of Rank and File Educators, the social justice caucus in the union). In order to get a resolution on the agenda, it must be raised and approved for the agenda at the previous month’s Delegate Assembly. As reported to TeachDream members: “At last month’s Delegate Assembly, Teach Dream member Oliver Cannell proposed a resolution to urge the union and the city to do more to protect, defend, and support immigrant students and families in schools. The

1000-member Delegate Assembly voted nearly unanimously to put this resolution on May 18th's agenda."

On May 12, five members of TeachDream attended the Delegate Assembly. While the original resolution was not approved, an amended resolution passed. The final resolution passed stated:

RESOLVED, that the UFT ask the Department of Education to require that each school with immigrant students appoint an 'Immigration Adviser' (similar to the 'sustainability coordinator' or 'anti-bullying liaison') to ensure that school processes are welcoming of immigrant students and families;

RESOLVED, that the UFT continue its advocacy for fair, sensible and humane immigration reform; and be it further

RESOLVED, that the UFT will continue to support our colleagues, students and communities on this important and sensitive issue.



Work After UFT Resolution

After the resolution, Teach Dream members continued to advocate for policy change on a city level. On February 28, 2017, a coalition came together at the Panel for Educational Policy meeting with demands for city and state policy makers: pass the New York Dream Act, implement culturally responsive, multicultural education, develop guidance to restrict ICE access in schools, end broken windows arrests (which contribute to the school to prison to deportation pipeline), invest in restorative justice, and create an immigrant liaison position in every school.

On March 21, 2017, the Department of Education expanded guidance on ICE in schools.⁶¹ At the point of the publication of this guide, all of the demands listed have been met to a certain extent, with the exception of the immigrant liaison position. It is important to note that the NYSYLC drafted the initial language of the New York Dream Act and has been part of advocating for its passage for many years. The New York Dream Act passed in 2019. The demands listed above have been met in many cases due to the advocacy and organizing of youth and other directly-impacted communities.

⁶¹ <https://www.schools.nyc.gov/school-life/school-environment/immigrant-families/protocols-for-non-local-law-enforcement>.
Date last visited: May 15, 2021.

IMMIGRANT RIGHTS DAY OF ACTION:

FEB. 28TH

AT YOUR SCHOOL, DURING THE DAY:

Share posters, fliers, lessons, and T-shirts advocating for city policies that protect our immigrant students.

PROSPECT HEIGHTS H.S. AT 5 P.M.:

Join us at the PEP for a press conference where we will voice our requests to the Mayor.

ADDRESS: 883 CLASSON AVE, BROOKLYN, NY 11225

RSVP: <https://goo.gl/forms/WiGMFjQi7wcyA52a2>

OUR REQUESTS TO MAYOR DEBLASIO:

IMMIGRANT LIAISON IN EVERY SCHOOL

Create an official role designed to provide resources and support to immigrant students

MULTICULTURAL CURRICULA

Available to all teachers, developed by teachers and embracing our values as a multicultural community

SUPPORT NY DREAM ACT

Actively lobby Governor Cuomo to pass this bill

END BROKEN WINDOWS ARRESTS

Place a moratorium on prosecuting minor offenses

INVEST IN RESTORATIVE JUSTICE

Restrict the role and presence of law enforcement officers in schools

In 2019, several members went to a Teach to Lead conference where Teach Dream decided to shift their approach from advocating directly to the DOE to create this position in every school toward creating a pilot program to further develop the position. As a result, members of Teach Dream and the broader NYSYLC community spent time discussing and drafting a job description and eligibility. In many cases, Teach Dream members had been doing immigrant liaison work in their schools for years, without institutional support or compensation and members of the NYSYLC had experiences as undocumented students that helped them identify appropriate roles for immigrant liaisons. This collective expertise informed the conversations around and drafting of the immigrant liaison job description and eligibility. The group also did research on various ways the position might be structured and funded if it were to be adopted by the New York City Department of Education and implemented in DOE schools and came to the conclusion that a full-time position in every school was not realistic given budget constraints.

NYSYLC Current Ask to New York City Department of Education

While the NYSYLC is currently focused on implementing the immigrant liaison pilot program, funded by CUNY-IIE, ultimately the goal is to have the Department of Education create an immigrant liaison position in every New York City PreK-12 public school. The hope is that these positions will be supported at the district level, with the NYSYLC as a consultant, and through district-level network meetings so that immigrant liaisons can come together to engage in professional learning, share the work they are doing in their schools, and workshop problems of practice. In implementing the pilot program, the NYSYLC has found that this level of network support is crucial for the sustainability of the position.

See the section “Creating a similar position in your school” next in this guide for more details and advice on hiring and funding of this position.

Creating a Similar Position in Your School



Hiring Process

If you/your school is considering creating an immigrant liaison position, you can use the following tools to support you in this process:

1. See description of the position as well as suggested eligibility considerations at the beginning of this guide. Whenever possible, prioritize hiring individuals who are immigrants themselves, particularly currently or formerly undocumented immigrants, so that the immigrant liaison at your school can directly relate to the experiences of immigrant students and families.
2. See the appendix “Job Application Questions” section for possible questions to ask during the application/interview process
3. When possible, involve students/ families with direct experiences with immigration in the hiring process. If your school already has students/families who are actively organizing around the needs of immigrant students, include these students and family members in the hiring process by having them review applications and participate in the interviews. Give students time during the school day to participate in the process. If possible, compensate family members for their time (see below for tips around compensating undocumented students and families).
4. Make every effort to ensure that youth feedback is involved in every step of the process. Once the immigrant liaison is hired, youth fellowships can also be established so the youth fellows can work directly with immigrant liaisons to provide feedback and think about how the school can best meet the needs of immigrant students and families, especially those who are undocumented. Other options include using clubs like Dream Teams to provide support and feedback for the immigrant liaisons.

Funding

There are several different ways to compensate an immigrant liaison, depending on who is hired and the school budget. In the pilot program, we found that immigrant liaisons typically spent 3-5 hours a week (at least) doing work specifically related to supporting immigrant and undocumented students and families at their school, outside of their typical contractual duties.

1. **Comp time:** If the immigrant liaison is an employee who is eligible for comp time at the school, then they can get hours off from other contractual duties to complete work for this position.
2. **Per session:** If the immigrant liaison is an employee who is eligible for per session, their time can be compensated in this manner.
3. **Stipend:** Provide a monthly, semester-long, or yearly stipend that is equivalent to compensating approximately 3-5 hours of work per week. Using a stipend is a way to open up the position to parents and staff at community-based organizations who might work directly with the school.



Hiring and Paying Non-Citizens

We recognize that hiring non-citizens as immigrant liaisons and youth fellows can be challenging, particularly given barriers to employment created by city and state governments.⁶² However, non-citizens are often best positioned to know what support immigrant and undocumented youth and their families need, given their relevant and necessary personal and professional experiences, and are therefore often the best candidates for immigrant liaison and youth fellow positions. Below are a few options to consider to provide monetary compensation for work done by non-citizens who do not have work authorization. Note that non-citizens with DACA and other legal immigrant categories will have work authorization.

1. Hire non-citizens as independent contractors. We recommend consulting with a contract attorney to ensure that the work identified for the position is appropriate for an independent contractor. See the [NYSYLC's Non-Citizen Guide to Entrepreneurship](#) for more information on how to support a non-citizen hired as an independent contractor.

⁶² For more information, check out the CUNY-IIE Undocu-Edu videos on the CUNY-IIE website. The work of Undocu-Edu highlights the barriers non-citizens face in becoming teachers and works to shift policy and break down those barriers

2. Provide a stipend through gift cards.
3. If the district where you work states that public money cannot compensate non-citizens for the work they do, fundraise private money for this.



Resources to Support this Position

For resources that can support this position, check out the NYSYLC Immigrant Liaison Resources on the NYSYLC website at www.nysylc.org.

For questions or further support, email teachdream@nysylc.org

If you are based outside of New York City, we also recommend connecting with local immigrant rights groups in your area.

Comparable Programs

While the immigrant liaison position does not currently exist in most districts in the country (with the exception of San Francisco), there are various models to learn from, some of which are described below.



In New York

In New York City, the City Department of Education and local nonprofits aim to provide supports for immigrant students and language learners.

1. Student Success Centers

Student Success Centers are “partnerships between community-based organizations and multi-school campuses, and are staffed by school and CBO staff.”⁶³ These Centers are distinct spaces

⁶³ Department of Education, Chancellor Fariña Announces New Student Success Centers Serving 15 Schools at 4 Campuses, Apr. 26, 2017 (last visited Nov. 19, 2020). <http://www.uft.org/files/attachments/secure/student-success-centers-press-release-may-2017.pdf>.

within the campus and host one-on-one meetings for students and families. The DOE also hires Youth Leaders to work at the Centers, who are successful upperclassmen and college students who receive ongoing training and support younger students and peers in college and career awareness, planning, and application activities⁶⁴. The DOE has 12 student success centers at 19 schools throughout the five boroughs, many of which focus on providing support for applying to college and career planning.⁶⁵

a. Make the Road NY: Bushwick Campus

The first Student Success Center was created by Make the Road NY (MRNY) in partnership with Bushwick High School (now Bushwick Educational Campus) in 2007.⁶⁶ The Bushwick Campus schools serve 1,200 students. At the Bushwick Campus, MRNY offers an array of services including legal services and a youth-led college access program. MRNY's school-based staff offers mental health services along with peer support. The center provides college access resources, peer counseling, youth leadership workshops, restorative justice programs, and other programs.⁶⁷ Youth leadership is an important part of how the Center functions, and part of the mission is to make college more accessible for immigrant students. Over the last 10 years, MRNY's Bushwick Campus Community School has had reductions of suspensions by 32%, arrests and summonses in school by 27%, and suspensions for insubordination by 81% in New York City schools. During the summer each year, MRNY offers an intensive six-week civic engagement and organizing training for 100 youth.⁶⁸

2. Language Access Coordinators

Every New York public school has a Language Access Coordinator, who is responsible for coordinating translation and interpretation services for parents and guardians. It seems that this is a full-time position for someone at each school. Coordinators inform parents of the availability of language assistance services, allocating funding for language assistance, and providing other

64 *Id.*

65 Carolina Pichardo, New Student Success Center Encourages Uptown Teens to Plan for College, DNA Info (May 2, 2017), <https://www.dnainfo.com/new-york/20170502/washington-heights/george-washington-education-campus-student-center/> (last visited Nov. 19, 2020).

66 Press Release, Make the Road New York, New York City to Open First Student Success Center (October 30, 2007), <https://maketheroadny.org/new-york-city-to-open-first-student-success-center/> (last visited Nov. 19, 2020).

67 Press Release, Make the Road New York, New York City to Open First Student Success Center (October 30, 2007), <https://maketheroadny.org/new-york-city-to-open-first-student-success-center/> (last visited Nov. 19, 2020).

68 Make the Road New York, Youth and School Programs, <https://maketheroadny.org/program/youth-and-school-programs/> (last visited Nov. 11, 2020).

resources to staff for monitoring parent language needs.⁶⁹ They are overseen by Field Language Access Coordinators, who are supposed to track whether schools are addressing the language access needs of parents.⁷⁰ Translation is available in the nine most commonly spoken languages, and over-the-phone interpretation is available in 200 languages.⁷¹



Comparable Programs: Outside of New York

1. San Francisco

In 2014, in response to the increase in unaccompanied minors crossing the border, San Francisco Unified School District (SFUSD) created a program to provide services for refugee and immigrant students and their families.⁷² In 2017, SFUSD adopted a comprehensive resolution regarding their policy for protecting the rights of undocumented and immigrant students and expanded services available in public schools.⁷³ The city funds this program.

The 2017 board resolution specifically called for the creation of an immigration liaison position at each middle and high school. The board resolved to: “Establish a stipend position at each middle and high school for an Immigrant & Refugee Liaison, with expertise necessary to:

- a. Specifically support undocumented students and mixed-status families, as distinct from newcomer students or English language learners, including undocumented students who may have lived in the U.S. since a young age;
- b. Establish school clubs to support undocumented students and students in mixed-status families, such as a Dreamer’s Club and establish confidential support groups as part of

69 NYC Dep’t of Education, Language Access Kits, <https://docplayer.net/12747054-Nyc-department-of-education-s-translation-interpretation-unit-what-is-a-language-access-kit.html> (last visited Nov. 19, 2020).

70 Press Release, NYC Dep’t of Education, Chancellor Fariña Announces Expansion of Language Access Services (Jan. 11, 2016) <https://www.schools.nyc.gov/about-us/news/announcements/contentdetails/2016/01/11/chancellor-fari%C3%B1a-announces-expansion-of-language-access-services> (last visited Nov. 19, 2020). If interested, an older version of the Language Access Coordinator training is available online here: <https://prezi.com/0c93je2hnjyi/nyc-doe-language-access-coordinator-training/>.

71 NYC Dep’t of Education, Achieve NYC, A Complete Guide to New York city Public Schools, http://www.ps82q.org/achievenyc/Achievenyc201617_English_WEB_B.pdf (last visited Nov. 19, 2020).

72 San Francisco Unified Schools Student, Family, and Community Support Dep’t, Refugee and Immigrant Supports in Education (RISE-SF), <https://www.healthiersf.org/Programs/SHP/Caminos/> (last visited Nov. 19, 2020). For more info, visit: <https://www.sfusd.edu/services/student-supports-programs/rise-sf-refugee-and-immigrant-supports-education>

73 Student Led Effort: Resolution Supporting Immigrant Students & Families Adopted by Board, Parents for Public Schools, <https://www.ppsf.org/news/2017/5/23/pps-sf-board-of-directors-votes-in-support-of-undocument-unafraid-resolution>.

Wellness programs;

- c. Gather and provide information regarding earning opportunities, internships and trainings that do not require a social security number;
- d. Provide contacts for resources for legal, medical, housing or other assistance;
- e. Make information regarding resources and supports for immigrants and identifying opportunities for alliances with immigrants available to all students, including but not limited to posters, pamphlets, contact information for community resources, and a toolkit with resources, including medical, legal and housing;
- f. Partner with organizations that have expertise, and are culturally and linguistically appropriate, in providing supports and opportunities for undocumented students;
- g. Connect with local community partners to provide multilingual workshops designed to teach students their rights, how to remain as safe as possible depending on different legal statuses, and how to organize their communities and allies;
- h. Make information regarding resources and supports for undocumented immigrants available to families, including distributing information in multiple languages; distributing information to families of English language learners; and family nights and conferences focused on supports for immigrants and how parents can support their children; and
- i. Establish equivalent age-appropriate support programs in elementary schools."⁷⁴

Like New York, San Francisco will not ask students about immigration status nor share that information.⁷⁵ After the 2017 resolution, the program was adapted into Refugee and Immigrant Supports in Education Program (RISE-SF). RISE-SF is a preexisting program that the San Francisco Unified School District created in 2014 to support unaccompanied minors moving to San Francisco.⁷⁶ In addition to its work with the liaison program, RISE-SF offers advocacy, consultation, staff training, and coordination of student services. There is a resources folder available online for this position.⁷⁷ It includes general articles/research; school climate materials about cultural inclusivity and supports for undocumented students; tools for assessments; intervention training handouts; and referrals to local organizations. The resource folder was most recently updated in

74 San Francisco Unified School District, *Board Resolution No. 171-10A1: Undocumented, Unafraid and United Students Resolution*, <https://smallschoolsforequity.org/wp-content/uploads/2018/08/Haney-Walton-et-al-adopted-Undoc-clean-copy-5-23-17.pdf> (last visited Nov. 19, 2020)

75 San Francisco Unified School District, Notification: Commitment to Education of All Immigrant Children and Opposition to ICE Raids, <https://www.sfusd.edu/services/know-your-rights/student-family-handbook/chapter-3-family-resources-and-rights/36-lep-el-immigrant-undocumented-students-families/367-notification-commitment-education-all-immigrant-children> (last accessed Nov. 19, 2020).

76 San Francisco Unified School District, About RISE-SF, <https://www.sfusd.edu/about-rise-sf> (last visited Nov. 19, 2020).

77 RISE-SF, Immigrant Liaison Resource Drive, <https://drive.google.com/drive/folders/0B32uLFfgLGKNNgpGSGFYMV9mQTA> (last visited Nov. 19, 2020).

2019, so it appears that the implementation of this program is ongoing.

It is not clear from the information available online how the implementation of this liaison program has gone. An application from 2018 is available online, and shows that the position would be expected to host at least two school-wide activities and two workshops, along with coordinating a student group and distributing information school-wide on an ongoing basis. The liaison position offers an \$800 stipend for the full year⁷⁸.

2. Minneapolis

Minneapolis, Minnesota has a Multilingual Department that coordinates ELL, dual language, and world languages programs.⁷⁹ The Multilingual Department also hires Family Outreach Specialists to work directly with the families of ELL students. They host workshops in the families' native language that cover topics such as creating a learning environment at home, communicating effectively with school staff, connecting with school and community resources, and participating in their children's education.⁸⁰ Last year, Minneapolis Public Schools created a Parent Language Advisory Committee to incorporate families in district efforts to improve services for ELL students and their families and ensure multilingual services are effective.⁸¹

Some schools in Minneapolis, Minnesota hire cultural liaisons for their Special Education program. These are district employees who are of the same racial, cultural, socioeconomic, or linguistic background as the students. The cultural liaisons provide information to the Individualized Education Program team about the student's background and facilitates the parents' involvement in the special education process.⁸² Cultural liaisons are not required in all public schools, but they are recommended.

Some of the suburbs outside of Minneapolis provide good examples of the cultural liaisons beyond special education. For example, Anoka, Minnesota, offers cultural liaisons in their school

78 RISE-SF, Liaison Application, https://docs.google.com/document/d/1DpVh1_ig0CBPePEeSM1h4pfazMN9sFABBOQhLJUhesRE/edit?copiedFromTrash&pli=1 (last visited Nov. 19, 2020).

79 Minneapolis Public Schools, Multilingual Department, https://multilingual.mpls.k12.mn.us/newcomer_toolkit (last visited Nov. 19, 2020).

80 Minneapolis Public Schools, Multilingual Family Outreach Program, https://multilingual.mpls.k12.mn.us/refugee_family_outreach_program_2 (last visited Nov. 19, 2020).

81 Minneapolis Public Schools, Parent Language Advisory Committee, https://multilingual.mpls.k12.mn.us/parent_language_advisory_committee (last visited Nov. 19, 2020).

82 Minneapolis Dept' of Education, Interpreters, translators and Cultural Liaisons in the Special Education Process, https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE087800&RevisionSelectionMethod=latestReleased&Rendition=primary.

district to meet the needs of English Language (EL) learners.⁸³ These liaisons collaborate with EL staff and school departments about all aspects of K-12 education, and facilitate EL family engagement events. They also develop partnerships with community organizations and create resources, such as general parent-engagement trainings which are available online.⁸⁴

Similarly, White Bear Lake school district offers African-American, Latino, Hmong and Asian, and Native American Cultural Liaisons. These Liaisons mentor students, ensure equitable access to information for families, assist students with college preparation, and connect with community resources.⁸⁵ It may be worth emailing some of these liaisons to speak with them about their roles in the school. Unfortunately, there is not much available publicly online assessing the impact of these programs, the training required to become a liaison, or the history of these programs.

3. Los Angeles

Los Angeles does not have a designated person in each school to support immigrant students. Instead, the city has centralized Immigrant Relations Coordinators whose positions are funded by the County Office of Education.⁸⁶ This is a full-time position that develops programs and trainings for teachers and staff, along with public awareness campaigns targeted at parents and the general community. Additionally, this role appears to involve a great deal of collaborative work with other governmental agencies, including the office of General Counsel when they are considering immigration litigation.⁸⁷ Los Angeles Unified School District also shares an education and immigration resource guide for families and students that covers an explanation of the school system and educational resources, legal resources and explanations, and health and wellness resources.⁸⁸ They provide additional resources through their website for teachers and staff, as well as information regarding the census and the COVID-19⁸⁹ pandemic. Like New York, Los Angeles does not ask for the immigration status of a student or family member or share

83 Anoka-Hennepin Schools, EL Cultural Liaison, <https://www.ahschools.us/Page/37671> (last visited Nov. 19, 2020).

84 Minneapolis Dep't of Education, Family, School and Community, <https://education.mn.gov/MDE/dse/fsce/> (last visited Nov. 19, 2020).

85 Hugo Elementary, Cultural Liaisons, <https://hugo.isd624.org/support/cultural-liaisons#> (last visited Nov. 19, 2020).

86 Los Angeles County Office of Education, Immigrant Relations, <https://www.lacoe.edu/Home/Immigrant-Relations> (last visited Nov. 19, 2020).

87 Los Angeles County Office of Education Immigrant Relations Coordinator, <https://www.edjoin.org/JobDescriptions/367/ImmigrantRelationsCoordinator-856-20181008102509.pdf> (last visited Nov. 19, 2020).

88 Los Angeles Unified School District, Education & Immigration Resource Guide for Families and Students, https://achieve.lausd.net/cms/lib/CA01000043/Centricity/domain/818/pdfs/We%20Are%20One_Booklet_Family.pdf (last visited Nov. 19, 2020).

89 Los Angeles Unified School District, Home, https://achieve.lausd.net/cms/lib/CA01000043/Centricity/domain/818/pdfs/Promoting%20a%20Safe%20and%20Secure%20Learning%20Environment%20for%20All_model-k12.pdf (last visited Nov. 19, 2020).

status with I.C.E.⁹⁰

4. Portland, Maine

Portland Public Schools offer a Multilingual and Multicultural Center to assist recently arrived families in registering with the schools and assessing students' language abilities. This program is funded through the board of education in Portland. There are three main programs/services at the Multilingual & Multicultural Center. Make It Happen! is the college readiness program, which works with AmeriCorps volunteers to help multilingual students "build competitive academic profiles for college admission and financial aid."⁹¹ The Family Welcome Center is the centralized registration system for collecting student information and assessing English language proficiency. The language Access services are provided by Parent Community Specialists, who conduct outreach and provide translation and interpretation services.⁹² It is the responsibility of the superintendent to implement diversity training and regulations, along with promoting family partnerships with the schools.⁹³

Conclusion

San Francisco has the closest model to what YLC has discussed for its immigrant liaison position in terms of vision for the kind of support that this position could provide and buy-in from the department of education. Other cities have focused on incorporating English Language Learners into particular programs, but without additional supports. These programs also do not seem to have much support for students in mixed-status families or students who speak English but may require other resources.

90 Los Angeles Unified School District, Responses to frequently Asked Questions: Immigration Policies and Freedom from Discrimination, <https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/652/FAQ%20English.pdf> (last visited Nov. 19, 2020).

91 Portland Public School, Multilingual and Multicultural Center, <https://mlc.portlandschools.org/programs> (last visited Nov. 19, 2020).

92 *Id.*

93 Portland Board of Public Education, School and Family Partnership Policy, <https://usm.maine.edu/sites/default/files/eems/School%20Partner%20Policy.pdf> (last visited Nov. 19, 2020).

Glossary (taken from [CUNY-IIE glossary](#))

Accomplice: Someone who stands and works with marginalized groups, often to dismantle large scale institutional structures and systemic barriers that perpetuate oppression. Can also be referred to as a co-conspirator.

Advocate: To provide active support to an individual or group so that they receive equal rights, treatment and/or support.

Ally: Someone who is outside of a particular marginalized group, but works to support individuals from that group so they are treated in an equitable manner.

Community-Based Organizations (CBO): A non-profit organization built by the community and for the community. CBOs work on the local level to improve the lives of the community; members include local leaders, volunteers, and stakeholders in these organizations.

College and Career Readiness: The set of skills, behaviors, and knowledge that students require in order to be successful in their chosen post-secondary environment.

College and Career Access: The set of services and supports provided by institutions that remove barriers and structure opportunities for students to select, apply to, and ultimately participate in a post-secondary plan to study and/or work.

Culturally Responsive and Sustaining Pedagogy: A framework that centers students' backgrounds and views them as strengths from which to learn. This approach teaches students to become socially and politically conscious and able to view the world through multiple and critical perspectives.

Deportation: The formal and often forced removal of someone, usually a foreign national, from the US for violating immigration law.

Detention: The practice of incarcerating immigrants while they await a determination of their immigration status or potential deportation.

Deportation Center: A jail-like building with conditions that are often inhumane where immigrants are held as they await their hearings to determine if they will be permitted to stay in the country.

Deportation Hearing: A court proceeding where a non-citizen gets the chance to present arguments before an Immigration Judge and defend their right to remain in the United States. The Immigration Judge makes the final decision to either allow the non-citizen to remain in the US or be deported to their country of origin.

Directly Impacted: A person who has experienced a specific situation or whose background gives them first-hand knowledge.

Dignity for All Students Act (DASA): A New York State act signed into law in 2012 to provide all students, including immigrant-origin students, with a safe and supportive environment free from discrimination, harassment, and bullying (including cyberbullying).

Deferred Action for Childhood Arrivals (DACA): In 2012, the Department of Homeland Security provided temporary relief from deportation and work authorization to approximately 800,000 eligible young people allowing them to work lawfully, attend schools and live without the imminent risk of deportation. DACA does not provide permanent legal status and must be renewed every two years. In 2017, the Trump administration attempted to end DACA; however a 2020 Supreme Court decision determined that the attempt to close the program was arbitrary and capricious under the Administrative Procedure Act.

Dream Team: A student club, usually at high school or college level, that focuses on undocumented and immigrant justice. It is also a space created by students to discuss their immigrant experiences with like-minded individuals, share resources and advocate for themselves and their peers.

English Language Learner (ELL): A federal, bureaucratic term for students learning English. However, we refer to students as multilingual learners or emergent bilinguals in order to be more responsive to students' linguistic backgrounds that look beyond their English proficiency. It's important to note that not all students labeled as ELLs are immigrants and not all immigrants are ELLs.

Family Educational Rights and Privacy Act (FERPA): A federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the US Department of Education. FERPA also protects undocumented

students' information from being handed over to federal officials like US Immigration and Customs Enforcement (ICE).

Federal Financial Aid: Student tuition aid provided by the US federal government that includes grants, loans, and work-study programs.

Free Application for Federal Student Aid (FAFSA): An on-line form to qualify for federal student aid, such as federal grants, work-study, and loans. Many states and colleges also use FAFSA information to determine eligibility for state and school aid, and some private financial aid providers may use FAFSA information to determine whether students qualify for their *aid*.

Immigrant: A person who leaves their country of origin to live in a new country.

Immigrant Justice: A broad series of movements across legal, medical, social, economic, and educational contexts that seek to transform structures that criminalize and dehumanize immigrants. Immigrant justice describes the equitable provision of rights and opportunities to immigrants and all people who are marginalized on the basis of race, disability, sexuality, gender, class, and religion.

Immigrant-origin: An umbrella term for students who were born in another country and those who are US-born to immigrant parents.

Immigration and Customs Enforcement (ICE): A federal agency within the Department of Homeland Security that was created in 2003 as part of the government's reorganization after the September 11, 2001 attacks. ICE arrests, detains, and departs unauthorized immigrants inside the United States.

Immigration Status: How the federal government defines the way in which a person is present in the United States. Everyone has a status such as: US Citizen, Legal Permanent Resident, Asylee or Refugee, Non-Immigrant or Visa holder, Temporary Protection Status, and Undocumented.

In-state Tuition: The rate paid by students with a permanent residence in the state in which their university is located. In-state tuition is subsidized by state taxes and therefore lower than out-of-state tuition.

Mixed-Status: Families composed of members with varying legal statuses that may include both citizen and non-citizen parents and/or children; ex. a family where some (or all) of the children have birthright citizenship and at least one parent is a undocumented.

New York State DREAM Act (also known as The Senator José Peralta NYS DREAM Act): Passed in 2019, the act provides undocumented and other immigrant students access to New York State-administered grants and scholarships to support their higher education cost. It was originally written in 2010 by the New York State Youth Leadership Council in response to the failure of the Federal DREAM Act.

Papers: An unofficial way of saying whether someone has legal status by way of referring to their immigration papers, or lack of them.

Private College or University: College funded primarily by their endowment and/or student tuition. Private institutions create their own policies regarding undocumented students.

Public College or University: College funded primarily by the government, generally through state taxes. In New York these are the CUNY and SUNY systems. Public institutions must follow state policies regarding accepting undocumented students and the type of tuition they must pay.

Plyler v. Doe: A 1982 Supreme Court ruling that established that all school-age K-12 students be afforded protections by the Equal Protection Clause of the Fourteenth Amendment, regardless of immigration status. Undocumented students cannot be denied enrollment in public schools. Schools cannot ask about immigration status or social security numbers of their students and families.

Sanctuary State: A state in which the local government and police withhold information from ICE (US Immigration and Customs Enforcement) and do not cooperate with other immigration enforcement agencies in deporting undocumented people. Currently, no formal sanctuary exists because all states still share information with ICE as legislative action is required to fully halt this process. A sanctuary designation is often a symbolic gesture in support of undocumented immigrants.

State Financial Aid: Student tuition aid for higher education provided by state governments; can include grants and loans.

Tuition Assistance Program (TAP): A New York State financial aid program that provides undergraduate students tuition funding for colleges in the state that they do not need to pay back. In 2019 TAP became an option for undocumented students through the New York State Dream Act.

United Nations High Commissioner for Refugees (UNHCR): A United Nations agency with the mandate to protect refugees, forcibly displaced communities and stateless people, and assist in their voluntary repatriation, local integration or resettlement to a third country.

Xenophobia: The fear, hatred, and discrimination against people who come from other places or countries, or are perceived to be foreigners or outsiders.

Job Application Questions

Immigrant Liaison Application Questions

1. Name, pronouns, email, role at school
2. How do you identify racially?
3. What languages do you speak? How comfortable are you in speaking to families and students in these languages?
4. School information: please include the name, address, school phone number, and name/email of principal

Part I: School (These questions are to give a sense of the school atmosphere so we know why the position is needed and how best to support people that apply.)

1. Please describe your school, including demographics and climate related to immigration.
2. Is there work that is already being done by staff at your school to support immigrant students and families? If so, please explain. Potential questions to consider:
 - Do you have a student organization dedicated to supporting immigrants and/or students from immigrant families, such as a Dream Team or a similar club? (A DREAM Team is a group of undocumented youth and supporters who fight for immigrant rights and create better schools for immigrant students.)
 - Is your school a place where students can speak openly about being undocumented?
 - To what extent does the school do outreach to immigrant families?
3. Why do you think your school would benefit from this position? Potential questions to consider:
 - Will your admin and staff be supportive of this position?
 - What types of additional supports do you feel your school needs?
 - What is the law enforcement presence like at your school? Has your school and/or your students' families had any interactions with ICE?
 - To what extent are immigrant students doing well academically at your school?

Part II: Liaison (These are questions for the person who is applying to be the immigrant liaison.)

1. Do you have previous experience supporting immigrant students and families, particularly in regards to immigration status?
2. Why do you think you would be a good fit for this position? Potential questions to consider:
 - Do you already have some knowledge of federal, state, and city immigration policies and legal resources for immigrants?

- How comfortable are you talking about issues related to immigration with students, families, and staff?
- Have you worked with youth and/or families before on advocacy projects? Please explain using examples.
- How do you build trust with students at your school?

Immigrant Liaison Interview Questions

1. Can you share your experience working with undocumented students in NYC Public Schools?
 - a. How do you start conversations about immigration with your students? How do you build trust/bonds with your students?
2. Any follow up questions based on their application, including:
 - a. Have you spoken to school leadership about this position? If not, how supportive do you imagine them being? (Note: This question was specific to the pilot program, given that the NYSYLC was the hiring entity rather than the school.)
 - b. School demographics (Note: We wanted to ensure, to the extent possible, that we hired immigrant liaisons in schools that served diverse immigrant populations, in order to emphasize that the immigration experience exists beyond Latinx narratives.)
3. What is your understanding of the role of an immigrant liaison? What could this work look like at your school? What does it already look like?
4. What experiences and skills do you have that you think would help you in this position given the expectations?
 - a. Example: trainings conducted for staff, work done with youth on advocacy projects, etc
 - b. What are some time management practices that you utilize and how do you plan on utilizing them in this position?
5. Anything else about yourself that you didn't get to share in the interview/application that you think is relevant.

Immigrant Liaison Youth Fellowship Application Questions

1. Basic questions about name, pronouns, age/grade, school, and if they were able to meet afterschool
2. How do you identify? Share whatever parts of your identity feel important to you and this work.
3. Why do you want to be an Immigrant Liaison Youth Fellow?
4. What advice would you offer teachers about how to make schools safer for undocumented

youth and their families?

5. Do you have any questions or concerns?

Youth Fellow Interview Questions

1. Connect to something written in application and ask follow-up question
2. What other commitments do you have at this time?
3. Review job of youth fellow with applicant and give overview of immigrant liaison pilot program.
4. Overall, why do you think you're a good applicant for this role? What experiences have you had that make you a good fit?

Needs Assessment: Students

1. What grade are you in?
2. Do you feel welcome and included in your school community?

Not Welcome/Included **Very Welcome/Included**

1 2 3 4 5 6 7 8 9 10

- a. If you feel welcome at your school, what does your school do to make you feel included or to make you feel a sense of belonging?
3. What clubs or student organizations are there for students from immigrant backgrounds and/or their allies?
 - a. What clubs or student organizations do you wish were available?
4. What do you wish your school knew about what it's like to be an immigrant student or have family members who are immigrants?
5. Is there an adult at school who you feel most comfortable speaking with? (Yes/no)
 - a. If there is an adult at school you feel most comfortable speaking with, what type of school staff are they? (counselor, social worker, teacher, other school staff, other)
 - b. What do they do to make you feel comfortable talking with them?
6. Do some or all of your teachers help you feel included in class?
 - a. If so, what do teachers do to help you feel included in class?
7. What do teachers do to help you feel included outside of the classroom?
8. Do you feel like immigrant voices, perspectives, and experiences are included in your classes?
9. How comfortable do you feel with the presence of school safety officers in your school?

Extremely uncomfortable **Extremely comfortable**

1 2 3 4 5 6 7 8 9 10

10. How comfortable do you feel with the presence of police officers in your school?
11. If you want, please explain why you feel that way about the presence of school safety officers or police officers in your school.

- 12.** Have you ever seen immigration officers at or around your school?
- a.** If you feel comfortable, please share more about what happened when you saw immigration officers at or around your school.
- 13.** Does your school provide resources such as mental health, housing, legal, or other services?
- a.** If yes, what resources does your school provide? Please choose all that apply.
 - b. Options included: mental health, housing, legal, food, technology, other, nothing**
- 14.** Has your school supported you with resources such as mental health, housing, legal, or other resources?
- a. Options included: My school has supported me with such resources, My school has not supported me with such resources when I requested support, I have not requested such support or services from school staff.**
 - b.** If you would like, please elaborate on your experience seeking support or resources from school staff.
- 15.** Does your school connect students with people and organizations in New York City that provide these types of resources? If so, what types of connections does your school provide?
- a.** Are there resources that you wish your school would connect you with?
- 16.** Does your school have a College and Career Office?
- 17.** Have you met with the College and Career office at your school?
- a.** If you have met with them, what was that experience like?
- 18.** What, if any, challenges to learning and class access have you experienced during the COVID-19 pandemic? Please choose all that apply.
- a. Options included: Access to internet, Access to a learning device, Space and quiet to learn at home, Illness (personally or a loved one), Other**
 - a.** If you would like, please elaborate on any challenges to learning and class access that you have experienced during the COVID-19 pandemic.
- 19.** Is there anything else about the experiences of immigrant students and/or students from immigrant families that you would like to share?

Needs Assessment: Educators

1. How are students from immigrant backgrounds, including first- and second-generation immigrant students, doing at your school across the following factors, with 10 being “outstanding” and 1 being “needs improvement”?
 - b. Factors included:**
 - i. academically
 - ii. socially
 - iii. extracurricular activities
 - iv. mental health
 - v. in-class participation/engagement
2. What kinds of barriers have you noticed students from immigrant backgrounds facing?
 - a. Categories included:** academically, socially, extracurricular activities, mental health, in-class participation/engagement, other
3. What resources, supports, or professional development do you need or want to better support students and families from immigrant backgrounds? Please select all that apply.
4. Does your school offer activities and resources for immigrant students and/or students from immigrant backgrounds?
 - a. Options:** yes, no, somewhat
 - b.** If yes/somewhat, please provide examples.
5. Does your curriculum reflect immigrant perspectives? In what ways?
6. How challenging is it for your school to retain students from immigrant backgrounds?
 - a. Options included:**
 - i. not challenging at all
 - ii. mildly challenging
 - iii. neutral
 - iv. somewhat challenging
 - v. very challenging
7. What are the primary challenges for retaining students from immigrant backgrounds? Please select all that apply.
 - a. Options included:**
 - i. economic instability
 - ii. language access
 - iii. lack of community involvement
 - iv. lack of culturally responsive curriculum

- v. lack of extracurricular activities that match student interest
- vi. lack of paid internship or work opportunities that connect to school programs
- vii. computer/technology access
- viii. other

8. Do you agree with the following statement?

If we had a staff member dedicated to supporting students from immigrant backgrounds, some or all of these issues would be resolved.

a. Options: agree, disagree

9. Do students from certain immigrant populations seem to struggle with respect to performance more than others?

a. Options: yes, no

b. If yes: Please explain which immigrant populations and their biggest challenges (e.g., attendance, computer/technology access, language access, academics, economic instability, etc.).

10. How has the shift to online learning affected students from immigrant backgrounds in the following categories?

a. Categories included:

- i. academically
- ii. socially
- iii. extracurricular activities
- iv. mental health
- v. in-class participation/engagement

11. What lasting effects of the COVID-19 pandemic, if any, do you foresee for your students?

12. Does your school provide students and families with information about their legal rights with respect to the following agencies?

a. Options included: ICE, police, both, neither

b. If yes, how does your school provide this information? Please select all that apply.

c. Options included:

- i. Know your rights trainings for students
- ii. Know your rights trainings for parents and community members
- iii. Posters and other signage in the school
- iv. Referrals to local community organizations or nonprofits
- v. Informational brochures and materials
- vi. Staff member(s) dedicated to individualized consultations with students and/or families
- vii. Other. Please explain.

- 13.** Do you support students whose families or caregivers are not comfortable communicating in English?
- d. Options: yes/no**
 - e.** If so, how do you communicate with them (verbally, digitally, and in writing)?
- 14.** What sorts of language learning supports and resources does your school offer for students and their families/caregivers?
- 15.** Have you ever witnessed Immigration and Customs Enforcement agents at or near your school?
- f.** Options: yes/no
 - g.** If so, please describe what happened.
- 16.** Does your school offer support for undocumented students planning their career or college choices after graduation? If so, what does that support look like?
- 17.** If you are a classroom teacher and/or oversee student activities or clubs, how do you include and address immigrant experiences and contributions in your curriculum and/or meetings and events?
- 18.** If you'd like to share anything else about your experience working with students from immigrant backgrounds that wasn't covered by these questions, please do so here.

Note: The needs assessment was edited by each immigrant liaison to adapt to the needs and structures of their school. If you use questions from this needs assessment, we encourage you to do the same.

Educational Context in New York City

What are the current federal, state, and city laws, regulations, and policies that most directly affect immigrant students and students from immigrant families?

In 1982, the Supreme Court decided *Plyler v. Doe*, which is a landmark decision holding that states cannot constitutionally deny students a free public education on account of their immigration status.⁹⁴ This decision led other federal courts to determine that schools cannot require students or their families to provide information regarding their immigration status or take other actions that significantly interfere with immigrant students' rights to basic public education.⁹⁵ Because social security numbers are often tied to immigration status, school districts that seek to collect social security numbers must inform individuals that disclosure is voluntary and must explain the basis for seeking the numbers and how the district intends to use them.⁹⁶

In addition, the Federal Educational Rights and Privacy Act (FERPA), a federal law enacted in 1974, prevents schools from releasing students' records, including information regarding their immigration statuses, unless there are exceptional circumstances.⁹⁷ Under federal regulations, a school may only disclose information to ICE officials if the parent or a student who is older than 18 consents, or if disclosure is necessary to comply with a judicial order or a subpoena signed by a judge.⁹⁸ The New York State Education Department and New York State Attorney General have issued guidelines, which provide that requests from ICE or other federal immigration officials to access student data do not satisfy the FERPA exceptions.⁹⁹

94 457 U.S. 202 (1982). For a short summary and analysis of the case, see Public Education for Immigrant Students: Understanding *Plyler v. Doe*, Am. Immigration Counsel (Oct. 2016), https://www.americanimmigrationcouncil.org/sites/default/files/research/public_education_for_immigrant_students_understanding_plyer_v_doe.pdf.

95 See *Hispanic Interest Coal. Of Alabama v. Governor of Alabama*, 691 F.3d 1236, 1245 (11th Cir. 2012); *League of United Latin Am. Citizens v. Wilson*, 908 F. Supp. 755, 774 (C.D. Cal. 1995), *on reconsideration in part*, 997 F. Supp. 1244 (C.D. Cal. 1997).

96 *FAQ for Educators on Immigrant Students in Public Schools*, ACLU (Nov. 16, 2017), https://www.aclu.org/sites/default/files/field_document/2017-11-16_faq_for_educators_immigrants_final_with_logo.pdf (last visited Nov. 24, 2020).

97 20 U.S.C. § 1232g.

98 34 C.F.R. § 99.31(a)(9)(i); see also *FAQ for Educators on Immigrant Students in Public Schools*, ACLU (Nov. 16, 2017), https://www.aclu.org/sites/default/files/field_document/2017-11-16_faq_for_educators_immigrants_final_with_logo.pdf.

99 *Letter from Commissioner Elia and NYS Attorney General Regarding U.S. Immigration and Customs Enforcement*, N.Y.S. Dep't of Educ. (Feb. 27, 2017), <http://www.nysed.gov/common/nysed/files/oag-sed-letter-ice-2-27-17.pdf>.



State Regulations

The New York State Board of Regents has also adopted policies meant to strengthen protections for immigrant students. In 2014, following reports that unaccompanied minors and other immigrant students were being denied equal educational opportunities,¹⁰⁰ the Board of Regents adopted Commissioner's Regulation 100.2(y). This regulation states that

“the school district shall not request on any enrollment/registration form(s)... any information regarding or which would tend to reveal the immigration status of the child, the child's parent(s) or the person(s) in parental relation, including but not limited to copies of or information concerning visas or other documentation indicating immigration status.”¹⁰¹



Citywide Regulations and Policies

The NYCDOE Chancellor Regulations further prohibit asking children any questions that solicit immigration status, or referencing the immigration status of a child or parent on any school forms. The relevant regulation, A-101 I.G.3., reads:

“By law, children may not be required or asked to present documentation of immigration status nor can they be denied admission, registration, or enrollment to school based on immigration status or failure to present documentation about immigration status. Reference to the immigration status of a child or parent is not to appear on any school forms and/or records.”¹⁰²

As other documents from NYCDOE have clarified, NYCDOE staff do not track students' or their family members' or caregivers' immigration statuses, and should not keep documentation related

100 *Safe Havens: Protecting and Supporting New York State's Immigrant Students*, Advoc. for Child. of N.Y. et al. (May 2017), https://pronto-core-cdn.prantomarketing.com/537/wp-content/uploads/sites/2/2017/05/Safe-Havens_DIGITAL_5-171.pdf

101 Commissioner's Regulation 100.2(y)(3)(i).

102 NYCDOE Regulation of the Chancellor, A-101 *Admissions, Readmissions, Transfers, and List Notices for All Students* (Mar. 31, 2021), <https://www.schools.nyc.gov/docs/default-source/default-document-library/a101-admissions-readmissions-transfers-english>.

to immigration status.¹⁰³ Regardless of this directive, there is concern that the immigration documents that parents sometimes present when registering their child for school have sometimes been photocopied and put in a student’s file, according to Abja Midha from Advocates for Children.¹⁰⁴



ICE and Police Access to School Facilities

ICE

Since 2011, ICE and Customs and Border Protection (CBP) have maintained a sensitive locations policy, which provides that they will not engage in immigration enforcement in schools (pre-schools to colleges and universities), hospitals, and churches absent prior approval by a supervisor or exigent circumstances. Under the Trump administration, the Department of Homeland Security affirmed this policy. This policy means that agents should not arrest, interview, search, or surveil someone while at school, a known school bus stop, or at school activity.

While the sensitive locations policy is not law and is not binding, it does seem that ICE generally follows it. However, in New York, the Immigrant Defense Project and the Center for Constitutional Rights noted one arrest in May 2016 on the street in front of a preschool after a mother had dropped off her child.¹⁰⁵ They also found one arrest in 2015 by a bus stop right after a father put his son with special needs on the bus.¹⁰⁶ These are the only arrests Immigrant Defense Project and the Center for Constitutional Rights cite in their report, and research has not turned up any other articles or reports of arrests at schools.

At the beginning of 2017, the NYCDOE Chancellor and the Mayor’s Office of Immigrant Affairs (MOIA) Commissioner sent a letter home to all students and families stating their commitment to policies protecting immigrant students under the Trump administration. The letter stated that the Chancellor directed staff members at the school to continue refraining from asking or keeping

103 NYCDOE *Protections for Immigrant Families*, N.Y.C. Dep’t of Educ. (June 2019), https://infohub.nyced.org/docs/default-source/default-document-library/protecting-immigrant-families_english.pdf.

104 Monica Disare, *As anxiety grows after Trump’s executive orders, what protections do immigrant students have in NYC schools?*, Chalkbeat New York (Feb. 6, 2017), <https://ny.chalkbeat.org/2017/2/6/21099530/as-anxiety-grows-after-trump-s-executive-orders-what-protections-do-immigrant-students-have-in-nyc-s>.

105 *Defend Against ICE Raids and Community Arrests: A Toolkit to Prepare and Protect Our Communities*, Appendix B, Immigrant Def. Project & Ctr. for Const. Rts., 159 (2017), <https://www.immigrantdefenseproject.org/toolkit-no-appendices/>.

106 *Id.* at 198.

records of immigration status of students and families. Additionally, the letter stated that NYCDOE would not release student information unless required to by law via subpoena.¹⁰⁷ This letter came after advocacy on the part of immigrant youth and coalitions advocating for greater protection for immigrant, and particularly undocumented, youth and families in schools, as described earlier in this guide. As with the arrests at schools, it does not seem that ICE attempted to gain this information, at least not through the NYCDOE.

Should ICE agents attempt to enter a school building, the NYCDOE guidance states that they should contact the school's principal, who will instruct them to wait outside the premises. The principal will then speak with NYCDOE lawyers and contact the family of the affected student(s). ICE agents will only be allowed to enter with a valid judicial warrant or if an emergency requires immediate action, but the NYCDOE does not give any examples of what this kind of emergency would entail.¹⁰⁸ ICE agents typically operate with administrative warrants, which are authorized by a higher-level officer at the agency.¹⁰⁹ Administrative warrants are not judicial warrants—they are not reviewed by a magistrate or judge and do not require probable cause—and do not authorize officers to enter premises the way judicial warrants do.¹¹⁰ While ICE arrests could still conceivably happen with a valid warrant or during non-specified emergencies, it does not seem that any arrests have occurred on school grounds, as mentioned above.¹¹¹

Some advocates have asked that the NYCDOE go further in its protections for immigrant students. One group contrasted the NYCDOE letter with a similar letter issued by the Los Angeles Unified School District (LAUSD), which required a review by the superintendent before ICE officials could access their campuses.¹¹² In comparison, the NYCDOE would refer ICE requests to school principals to make determinations on a case-by-case basis¹¹³. Rishi Singh, Director of Youth Organizing at Desis Rising Up & Moving (DRUM), said that the NYCDOE could provide greater support for their students: "We would like to see the Department of Education take a stronger stance, saying that

107 Chancellor Letter of Immigration & FAQ (Jan. 30, 2017), https://www.fthhs.org/apps/pages/index.jsp?uREC_ID=374802&type=d&pREC_ID=1116825.

108 *Protocols for Non-Local Law Enforcement*, NYCDOE, <https://www.schools.nyc.gov/school-life/school-environment/immigrant-families/protocols-for-non-local-law-enforcement>.

109 See *The Basics on ICE Warrants and ICE Detainers*, Immigrant Legal Res. Ctr., https://www.ilrc.org/sites/default/files/resources/ice_warrants_summary.pdf.

110 See *Know Your Rights at Home and at Work*, Nat'l Immigration Law Ctr. (2008), https://www.nilc.org/get-involved/community-education-resources/know-your-rights/imm_enfrmt_homework_rts_2008-05-2/.

111 See supra n. 15.

112 Leonie Haimson, *Why parents and privacy experts are not reassured by the Chancellor's letter on undocumented students*, NYC Public School Parents (Feb. 7, 2017), <https://nycpublicschoolparents.blogspot.com/2017/02/why-parents-and-privacy-experts-are-not.html>.

113 *Immigrant Families*, NYCDOE, <https://www.schools.nyc.gov/school-life/school-environment/immigrant-families>.

they would not comply with federal policies if it were targeting their students¹¹⁴.”

The NYCDOE directs students and families to the Mayor’s Office of Immigrant Affairs and ActionNYC for further information about their legal rights and available resources.¹¹⁵

NYPD

NYPD also operates in NYCDOE schools. School Safety Agents, who are employed by the NYPD, operate metal detectors at entrances, patrolling school building hallways, and responding to situations within schools.¹¹⁶ There are over 5,000 School Safety Agents stationed across New York City public schools, which makes the NYPD school safety division one of the largest police forces in the country¹¹⁷.

Researchers have found that the presence of police officers in schools increases the likelihood of students being arrested between demographically similar schools.¹¹⁸ In the 2017-2018 school year, Black and Latinx students represented 67% of students but accounted for 88% of arrests and 92% of summons in schools, according to the New York Civil Liberties Union.¹¹⁹ An analysis by the Urban Youth Collaborative and the Center for Popular Democracy found that Black and Latinx students accounted for 96% of the students handcuffed during “child-in-crisis” incidents, where officers remove students from their classrooms and take them to hospitals for mental health evaluations.¹²⁰ The report also found that Black girls were 6.7 times more likely and Latinx girls were 2.9 times more likely to be issued a summons than white girls. Black boys were 4.6 times

114 Monica Disare, *As anxiety grows after Trump’s executive orders, what protections do immigrant students have in NYC schools?*, Chalkbeat New York (Feb. 6, 2017), <https://ny.chalkbeat.org/2017/2/6/21099530/as-anxiety-grows-after-trump-s-executive-orders-what-protections-do-immigrant-students-have-in-nyc-s>.

115 *Immigrant Families*, NYCDOE, <https://www.schools.nyc.gov/school-life/school-environment/immigrant-families>.

116 *Parent Guide to School Safety and Emergency Preparedness*, NYCDOE, <https://www.schools.nyc.gov/school-life/safe-schools/school-safety/parent-guide-to-school-safety-and-emergency-preparedness>.

117 Jessica Gould, Alex Zimmerman & Gabrielle Lazaar Lemee, *Students at mostly Black NYC schools more likely to have negative feelings about school police*, Gothamist (June 19, 2020), <https://gothamist.com/news/students-mostly-black-nyc-schools-more-likely-have-negative-feelings-about-school-police>.

118 Cory Turner, *Does Your School Arrest Students?*, NPR (Jan. 27, 2017), <https://www.npr.org/sections/ed/2017/01/27/511428075/does-your-school-arrest-students> (“There’s some research that came out in the last year that compared student arrests based on specific offenses, like vandalism, fights without a weapon – things like that – at schools that were demographically similar. They found that the rates were higher if a school had a school-based officer.”).

119 Lauren Camera, *New York City Limits Use of Police in Schools*, U.S. News (June 20, 2019) <https://www.usnews.com/news/education-news/articles/2019-06-20/new-york-city-limits-use-of-police-in-schools>.

120 *The School-to-Prison/School-to-Deportation Pipeline in New York City*, Ctr. for Popular Democracy, https://populardemocracy.org/sites/default/files/STPP-infographic_all-pages_092117%20%281%29.pdf; see also Patrick Wall, *Black and Hispanic students in new York City most likely to be arrested and handcuffed, data shows*, Chalkbeat New York (Sep. 26, 2017), <https://ny.chalkbeat.org/2017/9/26/21101024/black-and-hispanic-students-in-new-york-city-most-likely-to-be-arrested-and-handcuffed-data-shows>.

more likely and Latinx boys 2.2 more likely to be issued a summons than white boys. Black girls were 12.7 times and Latinx girls were 3.9 times more likely to be arrested than white girls; Black boys were 7.5 and Latinx boys were 2.7 times more likely to be arrested than white boys.¹²¹

In 2019, the NYPD agreed to a new memorandum of understanding (MOU) with school officials regarding how they operate in schools. The MOU was meant to limit the situations in which police officials can arrest or summon students for relatively low-level offenses.¹²² The agreement attempted to curtail the NYPD's zero-tolerance disciplinary approach by identifying categories of student misbehavior where officers should not make arrests, such as when students are being loud, cut or are late to class, are not wearing proper uniforms, or are caught smoking, gambling, or some other type of conduct considered disorderly by many school staff and under the Chancellor Regulations.¹²³ Despite promises from the New York City Council and Mayor de Blasio to transfer control of School Safety Agents to the NYCDOE, School Safety Agents will remain under the auspices of the police department this year. Although the NYPD controls School Safety Agents, they are largely funded by the NYCDOE.¹²⁴ The Dignity in Schools Campaign, led by youth of color, has called for the "removal of all police and school safety officers from our schools" in response to many of the policies and practices described above.¹²⁵

Notably, ICE contact may not necessarily flow from an arrest by the NYPD. The New York Police Department (NYPD) and the Department of Corrections (DOC) are bound by a detainer discretion law that went into effect in December 2014.¹²⁶ The detainer discretion law prohibits the DOC from honoring ICE detainer requests unless ICE has obtained a judicial warrant from a federal judge and the individual has been convicted of a "violent or serious crime" within five years of the arrest or is a possible match on the terrorist watch list. The NYPD also follows these guidelines, but is allowed to hold individuals for up to 48 hours (excluding weekends and holidays) if they have

121 *The School-to-Prison/School-to-Deportation Pipeline in New York City*, Ctr. for Popular Democracy, https://populardemocracy.org/sites/default/files/STPP-infographic_all-pages_092117%20%281%29.pdf.

122 Alex Zimmerman, *NYC announces its first overhaul of how police operate inside schools since Mayor Giuliani*, Chalkbeat New York (June 20, 2019), <https://ny.chalkbeat.org/2019/6/20/21108381/nyc-announces-its-first-overhaul-of-how-police-operate-inside-schools-since-mayor-giuliani>.

123 See *supra* n. 33 Camera, *New York City Limits Use of Police in Schools*.

124 Joe Anuta, *School safety agents will stay under NYPD this year, despite city's claims of \$1B cut*, Politico (July 6, 2020), <https://www.politico.com/states/new-york/albany/story/2020/07/02/school-safety-agents-will-stay-under-nypd-this-year-despite-citys-claims-of-1b-cut-1296868>.

125 <https://dignityinschools.org/dsc-ny>.

126 *New York City New Detainer Discretion Law Chart and Practice Advisory*, Cardozo Law Immigration Just. Clinic & Immigrant Def. Project (2013), <https://www.immigrantdefenseproject.org/wp-content/uploads/2013/09/Practice-Advisory-2014-Detainer-Discretion-Law-PEP.pdf>.

been convicted of a “violent or serious crime” and has been deported before or if the individual is a possible match on the terrorist watch list.



Harassment and Discrimination

New York State

In 2010, the New York State Legislature passed the Dignity for All Students Act (DASA), which took effect in 2012. This law was meant to create school environments free of discrimination and harassment based on students’ action or perceived race, color, national origin, ethnic group, religion, religious practice, disability, weight, sexual orientation, gender, or sex. DASA requires schools to collect and report data regarding incidents of discrimination and harassment, as well as develop remedial responses in their Codes of Conduct.¹²⁷ Teachers and school-related professionals applying for New York State educator certification are mandated to take a six-hour workshop on DASA.¹²⁸ In 2017, the State Attorney General and State Education Commissioner released new DASA guidance reminding schools of their duty to uphold the rights of immigrant students as well as guidance on combatting harassment and discrimination against immigrant students¹²⁹.

The New York State Education Department developed a guidance document for implementing DASA in local schools.¹³⁰ When a student is subjected to any form of harassment, DASA protocol requires that an oral report is submitted to the principal of the school and the superintendent of the district within one day of the incident, with a written report following within two days of the incident.¹³¹ An investigation should occur, with the results documented and presented to both parties.¹³² The students’ circumstances and safety should be taken into account when it

127 Dignity for All Students Act Summary, N.Y. Courts, <https://www.nycourts.gov/ip/justiceforchildren/PDF/NYS%20Summit-Additional%20Resources/P5%20-%20Dignity%20Act%20Primer.pdf>

128 *DASA Training Information*, New York State Education Department Office of Teaching Initiatives, <http://www.highered.nysed.gov/tcert/certificate/dasa.html>.

129 *Information Regarding Recent Immigration-related Actions*, N.Y.S. Educ. Dep’t, <http://www.nysed.gov/bilingual-ed/information-regarding-recent-immigration-related-actions>.

130 *Dignity for All Students Act: Student Discrimination, Harassment and Bullying Prevention and Intervention*, N.Y.S. Educ. Dep’t & S.U.N.Y. (updated July 2013), p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf (last visited Dec. 4, 2020).

131 *Id.* at 9.

132 *Id.* at 10.

comes to the disciplinary action that may follow, and the DASA policy is “meant to promote progressive discipline and intervention, as opposed to a ‘zero tolerance’ approach”.¹³³ DASA does not require that schools necessarily notify students’ parents or caretakers about the situation. The implementation guidance recommends that schools have a policy for notifying parents that takes into account the student’s safety at home, especially regarding homophobic or transphobic harassment that may lead to further retaliation from parents.¹³⁴

New York City

Chancellor’s Regulation A-830 provides the NYCDOE anti-discrimination policy for students, parents and families, employees, applicants for employment, and others who interact with the DOE. The text of this policy reads:

“It is the policy of the DOE to provide equal educational opportunities, including ensuring that all students are provided access to DOE programs, services, activities, and facilities, in accordance with applicable laws and regulations and without regard to actual or perceived race, color, religion, age, creed, ethnicity, national origin, alienage, citizenship status, disability, sexual orientation, gender or weight. It is also the policy of the DOE to maintain an educational environment free of harassment on the basis of any of the above protected classifications, including sexual harassment.”¹³⁵

Chancellor’s Regulation A-832 provides the NYCDOE’s policy regarding student-to-student discrimination, harassment, intimidation, and/or bullying. It provides that race, color, creed, ethnicity, national origin, and citizenship/immigration status are all prohibited bases of discrimination/harassment, among others.¹³⁶

College Access

The Supreme Court in *Plyler v. Doe* established that all children have a right to public K-12 education, regardless of immigration status.¹³⁷ However, the Supreme Court’s holding only

133 *Id.* at 11.

134 *Id.* at 10.

135 NYCDOE Regulation of the Chancellor, *A-830 Anti-Discrimination Policy and Procedures for Filing Internal Complaints of Discrimination* (Aug. 29, 2019), <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-830-8-29-2019-final-combined-remediated-wcag2-0>.

136 NYCDOE Regulation of the Chancellor, *A-832 Student-to-Student Discrimination, Harassment, Intimidation and/or Bullying* (Oct. 23, 2019), <https://www.schools.nyc.gov/docs/default-source/default-document-library/a-832-student-to-student-discrimination-harassment-intimidation-and-or-bullying#:~:text=It%20is%20the%20policy%20of,students%20on%20account%20of%20actual>.

137 457 U.S. 202 (1982).

extended to elementary and secondary, and not postsecondary, education.¹³⁸ While no federal laws bar undocumented students from attending postsecondary institutions, undocumented students (and many documented students) are barred from receiving federal financial aid, creating significant barriers to access. Some states and school boards have responded by affirmatively providing in-state tuition and state-funded financial aid to undocumented students. In addition, many individual schools and scholarship funds offer aid without regard to immigration status. Conversely, there are other states, like South Carolina, that bar undocumented students not only from receiving financial aid, but also from attending public university. However, finances are not the only factor in undocumented students' ability to access postsecondary opportunities. There are institutional and locality-based policies that can affect student access as well, including levels of institutional support for undocumented and immigrant students at the secondary level and the presence (or lack thereof) of sanctuary policies on or around college and university campuses.

A report released by the New American Economy and the President's Alliance on Higher Education estimates that there are about 454,000 undocumented immigrant students, or about 2 percent of all students, enrolled in U.S. postsecondary education.¹³⁹ This number includes 216,000 people who have or are eligible for Deferred Action for Childhood Arrival (DACA). In New York, there are approximately 33,000 undocumented students in college or graduate school, or 2 percent of the total student population. The New American Economy report found that the undocumented postsecondary student population is 46 percent Latinx, 25 percent Asian American and Pacific Islander, 15 percent Black, 12 percent White, and 2 percent other.¹⁴⁰

Financing is often a major barrier to accessing postsecondary education. There are three pieces of federal legislation that prevent or restrict certain immigrant noncitizen students' access to federal financial aid. First, Title IV of the Higher Education Act of 1965 required that applicants for federal postsecondary educational financial aid be U.S. citizens or permanent residents.¹⁴¹ While this Act has not been reauthorized by Congress since 2008 and has been relying on temporary

138 For purposes of this memo, the term "postsecondary education" includes community colleges, private and public colleges and universities, vocational programs, and other programs. *Everything You Need to Know About Getting a Post-Secondary Education*, ThroughEducation, <https://www.througheducation.com/everything-you-need-to-know-about-getting-a-post-secondary-education/> (last visited Mar. 15, 2021).

139 *Undocumented Students in Higher Education: How Many Students are in U.S. Colleges and Universities, and Who Are They?*, New American Economy and Presidents' Alliance on Higher Education and Immigration (Apr. 2020), <https://www.presidentsalliance.org/wp-content/uploads/2020/07/Undocumented-Students-in-Higher-Education-April-2020.pdf>.

140 Peter Bjorklund Jr., *Undocumented Students in Higher Education: A Review of the Literature, 2001 to 2016*, *Review of Educ. Rsch.*, Oct. 2018, at 650.

141 Higher Education Act; Jessica C. Enyioha, *College Access for Undocumented Students and Law*, *Educ. Considerations*, 2019, <https://files.eric.ed.gov/fulltext/EJ1219121.pdf>.

extensions or the presumption that its programs are still authorized,¹⁴² other pieces of federal legislation have created additional barriers.¹⁴³

The Personal Responsibility and Work Opportunity Responsibility Act (PRWORA) of 1996, which implemented many reforms to the social welfare system, restricted types of federal financial aid available for immigrants. PRWORA divided immigrants into two categories. “Qualified” immigrants include lawful permanent residents; refugees, people granted asylum or withholding of removal, and people with conditional entry; people granted parole into the United States for at least one year; Cuban and Haitian entrants; certain survivors of abuse and human trafficking and their immediate family.¹⁴⁴ Everyone else is considered “not qualified”. Qualified immigrants are ineligible for federal public benefits during the first five years of residence, and sometimes longer, after securing “qualified” status; “not qualified” immigrants are barred regardless of how long they have been in the country. PRWORA precludes “unqualified” immigrants from federal financial aid. Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (or “IIRIRA”), state institutions cannot extend postsecondary education benefits to undocumented immigrants based solely on their residence within the state that are not also available for citizens and documented immigrants.¹⁴⁵ The general understanding is that under PRWORA, states cannot provide public benefits to undocumented immigrants unless they enact legislation that “affirmatively provides” those immigrants’ eligibility; however, once a state passes this type of legislation, it is not barred under PRWORA or IIRIRA from extending those benefits.¹⁴⁶

State Policies for Admission and Financial Aid

Because of federal legislation, each state must decide whether to extend in-state tuition and/

142 Aaron Lacey and Christopher Murray. *The nuts and bolts of HEA Reauthorization*, Thompson Coburn REGucation Blog (Jan. 20, 2016), <https://www.thompsoncoburn.com/insights/blogs/regucation/post/2016-01-20/the-nuts-and-bolts-of-hea-reauthorization>.

143 *Renewing the Higher Education Act*, American Council on Education, <https://www.acenet.edu/Policy-Advocacy/Pages/HEA-ED/Renewing-the-Higher-Education-Act.aspx>.

144 8 U.S. Code § 1641(b); Tanya Broder, Avidah Moussavian, and Jonathan Blazer, *Overview of Immigrant Eligibility for Federal Programs*, Nat’l Imm. Law Center, Dec. 2015. <https://www.nilc.org/issues/economic-support/overview-immeligfedprograms/>.

145 8 U.S.C. § 1623(a) (“...an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State (or a political subdivision) for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident.”).

146 [Name redacted], Cong. Rsch. Serv., R43447, *Unauthorized Aliens, Higher Education, In-State Tuition, and Financial Aid: Legal Analysis* (2016), available at: https://www.everycrsreport.com/files/20160111_R43447_a099640f20da964c6df67bb727dc2ec603149639.pdf.

or state-funded financial aid to undocumented students on its own. Since 2002,¹⁴⁷ residents of New York State, regardless of immigration status, are eligible to pay in-state tuition at all City University of New York (CUNY) and State University of New York (SUNY) colleges and universities, as long as they meet certain requirements.¹⁴⁸ In 2019, New York State extended state-funded tuition assistance to certain undocumented students through passage of the New York State DREAM Act after years of advocacy led by undocumented youth at organizations like the New York State Youth Leadership Council. These benefits are available for students who have a U-visa, Temporary Protected Status (TPS), or are undocumented, including DACA-holders.¹⁴⁹

147 New York had provided in-state tuition for all residents since the 1980s, but removed it after September 11, 2001 and then reinstated it in 2002.

148 See N.Y. Educ. Law § 355.

149 *Senator José Peralta New York State DREAM Act*, Higher Educ. Serv. Corp., <https://www.hesc.ny.gov/dream/> (last visited Mar. 15, 2021).