

Undocumented and Asylum-Seeking Children from Central America and Mexico

Where They Are and How Schools Are Doing

Immigration has always been a force of change in U.S. public education. Each generation of young newcomers prompts state and school district leaders to prepare and adapt. Will the newcomers choose to live in our state or district? How many will register for school? Do schools have the capacity and training to support these students? What are school districts doing that can guide other school districts' response?

These questions are relevant now more than ever. In recent years, record numbers of undocumented and asylum-seeking families and children from Mexico and Northern Triangle countries—El Salvador, Guatemala, and Honduras—crossed the U.S. southwest border in search of safety and opportunity. Some cross undetected, without registering with immigration authorities and becoming “undocumented.” Others apply for asylum at the border. Once inside the United States, all children, regardless of immigration status, have the right to a public K–12 education by federal law. Education leaders need unbiased information, data, and good practices so they can be ready to support the newcomers effectively once they enroll in school.

RAND Corporation researchers sought to understand how the current increase in undocumented and asylum-seeking children may affect the K–12 school system in the coming years. To do this, the research team collected and analyzed a rich mix of quantita-

KEY FINDINGS

- From fiscal years (FYs) 2017 to 2019, approximately 575,000 undocumented and asylum-seeking children from Mexico and the Northern Triangle were encountered at the U.S. southwest border.
- In 2020, approximately 491,000 of these children remained in the United States with unresolved immigration status; 321,000 of these children were enrolled in U.S. K–12 public schools.
- Approximately 75 percent of these newcomers settled in California, Texas, Florida, New York, Virginia, Maryland, New Jersey, Georgia, North Carolina, and Louisiana.
- Federal law guarantees these students' right to an education; states and districts can apply for formula grants for assistance, as well as information and networking for support.
- Case studies in Louisiana and California show that schools apply multiple approaches to meeting the needs of these students, but federal assistance is insufficient, and schools need more teaching materials and better training.

tive and qualitative data and methods. The team is the first to model how many school-age children there are in specific states around the country, as well as implications for the numbers of teachers and school staff. The team reviewed federal and state policies for the education of undocumented and asylum-seeking children and conducted case studies of a school district in California and a school district in Louisiana. The findings can help state and local education officials, school districts, and school leaders address ongoing concerns and better prepare to assist this population in the coming years.

How Many Undocumented and Asylum-Seeking Children Are Now in School?

In the study, *undocumented immigrant and asylum-seeking children* refers to children who arrived in the United States either undetected as they crossed the border or who have applied for asylum, including those who arrived unaccompanied and those who arrived as part of a family group. Figure 1 presents the research team’s estimates as to how many children crossed the border between FYs 2017 and 2019, how many had unresolved immigration status in 2020, and how many of those children were school-age and entered public schools. Most children arriving in family units (77 percent) were age 12 or younger, while most unaccompanied children (74 percent) were teenagers.

The COVID-19 pandemic had substantial impacts on both the flow of children to the southwest border and U.S. policy toward these children, compared with FY 2019, the last year of arrivals considered in the study. Border encounters with children and family units fell quickly at the outset of the pandemic in 2020 and then rebounded in early 2021.

Which States Did Most Undocumented and Asylum-Seeking Children Move To?

As with every wave of immigrants, some states and counties experienced more arrivals than others. Analyses of multiple data sources shows that 75 percent of the wave of newcomers from FYs 2017 through 2019 settled in California, Texas, Florida, New York, Virginia, Maryland, New Jersey, Georgia, North Carolina, and Louisiana.

As illustrated in Figure 2, California, Florida, Texas, and New York each have more than 20,000 of these children enrolled in school. More than 10,000 are in school in five East Coast states—Georgia, Maryland, New Jersey, North Carolina, and Virginia. All nine states plus Louisiana (which has 9,200) account for about 75 percent of recent arrivals. Los Angeles, California, and Harris County, Texas (which includes Houston), are the counties with the largest numbers, with more than 50,000 children (more than 15 percent of all such children) between them. Estimates generated by

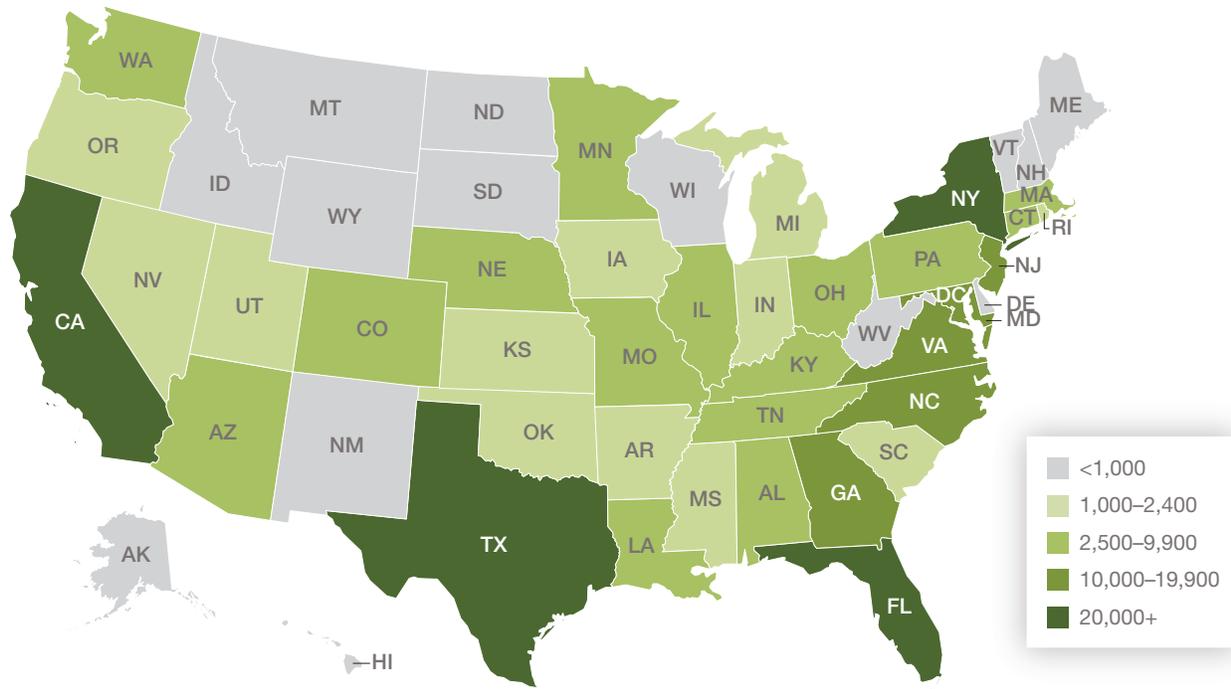
FIGURE 1
Estimated Numbers of Undocumented and Asylum-Seeking Children from Mexico and the Northern Triangle Seeking to Enter and Remaining in the United States and Attending U.S. Primary- and Secondary-School Systems, as of March 2020



SOURCES: RAND estimates based on data from Marc R. Rosenblum and Hongwei Zhang, *Fiscal Year 2020 Enforcement Lifecycle Report*, Washington, D.C.: Office of Immigration Statistics, U.S. Department of Homeland Security, December 2020; TRAC Reports, “Border Patrol Arrests,” webpage, undated (as of April 2, 2021: <https://trac.syr.edu/phptools/immigration/cbparrest/>); Migration Policy Institute, “Profile of the Unauthorized Population: United States,” webpage, undated (as of April 2, 2021: <https://www.migrationpolicy.org/data/undocumented-immigrant-population/state/US/>); National Center for Education Statistics, “Percentage of the Population 3 to 34 Years Old Enrolled in School, by Age Group: Selected Years, 1940 Through 2016,” Table 103.20, Institute for Education Sciences, January 2018 (as of April 2, 2021: https://nces.ed.gov/programs/digest/d17/tables/dt17_103.20.asp).

FIGURE 2

Estimated Distribution Across States of Recently Arrived Undocumented and Asylum-Seeking Children from Mexico and the Northern Triangle in Primary- and Secondary-School Systems, as of March 2020



SOURCES: RAND estimates of the state-level distribution of these children are based on three sources, weighted equally. The Migration Policy Institute provided data on the distribution of the unauthorized population from Mexico and Central America derived from U.S. Census Bureau 2012–2016 American Community Survey data. See Julia Gallet and Jie Zong, “Settling In: A Profile of the Unauthorized Immigrant Population in the United States,” Migration Policy Institute, November 2018. The Office of Refugee Resettlement publishes data on where unaccompanied children have been placed with sponsors. See Office of Refugee Resettlement, “Facts and Data,” webpage (as of April 2, 2021: <https://www.acf.hhs.gov/orr/about/ucs/facts-and-data>). TRAC Reports publishes data from the U.S. Department of Justice’s Executive Office of Immigration Review on the location of juvenile cases in immigration courts. See TRAC Reports, “Juveniles—Immigration Court Deportation Proceedings,” webpage, undated (as of April 2, 2021: <https://trac.syr.edu/phptools/immigration/juvenile>).

the distribution of these children across states, as shown in Figure 2, suggest that the seven states with the highest population of newcomer students would each have needed to hire at least 1,000 additional teachers and at least 1,000 additional staff to support the new arrivals without increasing student-teacher or student-staff ratios. Furthermore, schools in Los Angeles County, California, and Harris County, Texas (which includes Houston), alone would need at least an additional 1,000 teachers to maintain their baseline teacher-student ratios.

What Policies Guide and Support the Education of These Students?

Federal law guarantees minors’ right to an education, which was codified in the U.S. Bill of Rights and reaffirmed in Title VI of the Civil Rights Act of 1964. Supreme Court rulings have established that children have a right to education regardless of immigration status (*Plyler v. Doe*, 1982), set requirements regarding the provision of education while in federal custody (*Reno v. Flores*, 1993), and clarified constitutional educational practices for children with limited English proficiency (*Lau v. Nichols*, 1974).

Although the federal role in education has expanded since the mid-20th century, education remains primarily a state and local responsibility. State education agencies are responsible for administering federal and state education laws, dispersing federal and state financial resources, and providing guidance and support for local education agencies or school districts. The U.S. Department of Education provides two major resources to help states and school districts educate these students:

- **Formula grant programs:** Two grant programs of note are related to the 2015 Every Student Succeeds Act (ESSA): Title I, Part A, provides funding for disadvantaged populations, which may include immigrant students, and Title III provides formula grants to state education agencies, which are then provided to local education agencies to support the education of English-language learners, including instruction, family engagement, and professional development, as well as other activities to improve outcomes for English-language learners.
- **Guidance materials and professional networking assistance:** These resources are aimed to help school administrators navigate the complex federal policy landscape and build the capacity of state education agencies by connecting staff within a program.

State policies related to immigration and education shape undocumented and asylum-seeking children's access to public education, as well as the quality of that education, with variation from state to state in laws and circumstances. Factors that vary by state include policies for ages of students who can be enrolled; eligibility for public benefits, which can influence teenagers' decisions to drop out of school and work; and eligibility for in-state college and university tuition and state financial aid. In addition, differences in policy and practice at the local level—such as varying requirements for proof of residency—contribute to differences in the educational experiences of these children, and front-line district staff in districts sometimes create administrative burdens for children and families through unwitting or willful complication of enrollment and ongoing administrative processes. According to the research team's interviews with stakeholders in the education field, the chief impediments to accessing federal support were understanding of the law, navigation of the policy context, and receipt of adequate funding.

Why Migration over the U.S. Southwest Border Is Increasing

Seventy percent of arrivals in FY 2019 came from the Central American Northern Triangle countries. Multiple and often overlapping factors have contributed this influx.

- **Violence:** El Salvador and Honduras rank among the top ten countries globally for violent deaths of civilians as a proportion of the population. Mexico, not considered part of the Northern Triangle, is among the top ten as well.
- **Poverty and lack of economic opportunity:** The Northern Triangle countries rank in the bottom quartile for gross domestic product and have high rates of poverty and inequality.
- **Natural disasters:** Thousands of families have been affected by recent weather events. In 2020, for example, Hurricanes Eta and Iota devastated regions of Central America that were home to more than 5 million people.
- **Poor governance:** Corruption, low tax-collection rates, and lapses in the rule of law in these countries have led to low economic growth, dependence on remittances, and weak public services.

Some suggest that the possibility of a free public school education may incentivize families to cross the border into the United States to ensure that their children receive formal schooling. Yet such policies have been in place for decades and likely do not explain recent surges.

How Do Schools with Large Populations of These Students Educate and Support Them?

The research team conducted two school district case studies in two states with high numbers of immigrants who crossed the U.S. southwest border: Jefferson Parish Schools in Louisiana and Oakland Unified School District in California. The selected cases include one district that experienced large, recent increases in the population of children in this study (Jefferson Parish) and one that has been serving large numbers of these children for many years (Oakland Unified). Both are

in the top ten states and top 40 districts nationally in terms of numbers of newcomer students. One is in a sanctuary state (i.e., a state whose laws limit the extent to which state and local law enforcement can collaborate with federal agencies on deportation) (California), and one is not (Louisiana).

Table 1 presents the demographic details of the two districts. Most of the undocumented and asylum-seeking children from Central America and Mexico included in this study are likely in the category of English-language learners, but many English-language learners are not in this population.

Notably, the schools in the study faced staffing shortages, which were also reflected in the researchers' analysis of the national data. The information the team gathered was from interviews and focus groups with central office staff, school principals, teachers, counselors, social workers, English-language specialists, and community groups. Table 2 summarizes the challenges and useful approaches that interviewees discussed most.

As Table 2 suggests, undocumented and asylum-seeking children face considerable and wide-ranging challenges. These include understanding of English, trauma and culture shock, legal problems, lack of necessities, weak family support, and absenteeism.

Districts and schools also face significant challenges. District leaders noted that documentation requirements, online enrollment, and language barriers could hinder these students' access to school. Staff in both districts described the challenge of determining when to integrate newcomer English-language learners into regular classrooms with students who speak English proficiently. Another challenge facing staff was the lack of sufficient quality instructional materials

and approaches for students who may come to school far below their age-appropriate grade level. Staff also reported challenges in helping students consider post-secondary education and career options. Both districts provide all English-language learners—and particularly those who may be undocumented or asylum-seeking—with numerous resources and supports and address the challenges described here through multiple approaches, shown in Table 2.

Recommendations

The growing numbers of undocumented and asylum-seeking children has increased pressure on public schools. As the case studies suggest, many districts are doing their best and, in some cases, are clearly doing well in providing these students with education and other support. This review of immigration trends and school-related statistics, relevant policies, and challenges that students, policymakers, and districts face elicited recommendations for federal and state policymakers and school district leaders to consider before and after these students enter school.

Addressing the Initial Needs of Children When They Cross the U.S. Border

Develop and improve definitions, data, and information sources. Data about the numbers, locations, and ages of undocumented and asylum-seeking children are not available to the extent needed to support national policymaking. There is also a need to improve mechanisms for tracking and analyzing the performance of

TABLE 1
Student and Teacher Demographics in Jefferson Parish School District and Oakland Unified School District

School District	Oakland Unified	Jefferson Parish
Number of schools	87	84
Number of students	36,154	49,862
Number of teachers	1,911	2,363
Number of English-language learners (proportion of all district students)	11,990 (33%)	7,704 (15%)

SOURCES: The numbers of schools, students, and teachers are based on data from the National Center for Education Statistics Common Core of Data for the 2019–2020 school year. Percentages of English-language learners are drawn from the Common Core of Data for the 2018–2019 school year. See National Center for Education Statistics, “Common Core of Data: America’s Public Schools,” website, Institute of Education Sciences, undated (as of April 2, 2021: <https://nces.ed.gov/ccd/>).

TABLE 2

Summary of Challenges and Useful Approaches Taken by Case Study Districts

Category	Challenges	Useful Approaches
Enrollment	<ul style="list-style-type: none"> • Language barriers • Documentation requirements 	<ul style="list-style-type: none"> • Guaranteed in-person enrollment with language supports for immigrant students and families • Simplified intake processes • Students referred to some nonacademic services at the time of enrollment
English-language learning and academics	<ul style="list-style-type: none"> • Language barriers • How and when to integrate immigrant students into regular classrooms with students who speak English proficiently • Lack of good instructional materials and approaches for immigrant students who come to school far below their age-appropriate grade level • Not enough support for immigrant students to pursue careers after high school 	<ul style="list-style-type: none"> • Specific programs and supports for newcomer students • Treating language skills as an asset, including dual-language programs • Supportive high school models
Nonacademic supports	<ul style="list-style-type: none"> • The trauma and culture shock that many immigrant students are experiencing or have experienced • The poverty and lack of access to basic necessities among many students and their families • Weak family support at home for many students • Students' legal needs • Low attendance, truancy, and dropouts 	<ul style="list-style-type: none"> • Approaches to build community and trust among students and families • Specialized staff to meet students' social and emotional needs • Referrals and partnerships with other community programs • Trauma-informed instruction
Teacher training	<ul style="list-style-type: none"> • Need for teachers with expertise in language learning in Jefferson Parish • Need for specialized credentials to support dual-language and approaches for students with interrupted formal education 	<ul style="list-style-type: none"> • Specialized staff who push in to support teachers • Intensive professional learning opportunities

these students without collecting sensitive information or endangering them and their families.

Create agreements for educational records transfers with Northern Triangle countries. Although the United States has a memorandum of understanding with Mexico for educational records transfers for students enrolling in U.S. schools coming from Mexico, it does not have similar agreements with Guatemala, Honduras, and El Salvador.

Create opportunities for collaboration and discussion among stakeholders. A review of the immigration process in the full report suggests that many asylum-seeking children fall through the cracks at the point when they are released from the Office of Refugee Resettlement to a sponsor. That office, along with other federal and state agencies, might consider collaborat-

ing more closely with community service providers and local departments of health, including those who might provide more social and medical services and legal supports than schools are able to provide.

Addressing Needs of Children When They Are in K–12 Schools

Provide additional funding for schools with immigration surges on a rolling basis. Influxes of immigrant students arrive at schools throughout the year, yet schools must request funding based on August student populations. Consider giving schools an option to request federal funding more frequently than annually, as populations change.

Increase funding for mental health and counseling services. The provision of federal and state resources to support the hiring and professional development of mental health and counseling services would expand access to much-needed counseling supports.

Strategically develop, recruit, and place professionals with relevant language and other needed skills in school districts. School districts are facing a shortage of education professionals who have the language skills and appropriate certifications to support newcomers. Offering additional training and creating provisions for emergency waivers or certification opportunities would expand the labor markets from which districts could recruit staff.

Develop more resources and opportunities for educator collaboration to support students with interrupted formal education. More collaboration among schools and educators, as well as repositories and one-stop shops for materials and training, would likely

benefit both this student population and the schools that educate them. This should include readily available assessments in Spanish to help schools place incoming students in the appropriate grade.

Create more-targeted career and technical education approaches. A key challenge in both case study school districts was in preparing high school English-language learner students who were academically behind for the workforce after high school. The U.S. Department of Education and state education agencies should consider developing federal or state guidance regarding secondary training opportunities.

Improve the evidence base about critical under-researched areas. Educational approaches, cross-state comparisons, community relations, and teacher training as related to the education of undocumented and asylum-seeking children are all areas where the evidence base needs to be improved.

This brief describes work done in RAND Education and Labor and documented in *Educating Newcomers: K-12 Public Schooling for Undocumented and Asylum-Seeking Children in the United States*, by Shelly Culbertson, Julia H. Kaufman, Jenna W. Kramer, and Brian Phillips, RR-A1326-1, 2021 (available at www.rand.org/t/RR-A1326-1). To view this brief online, visit www.rand.org/t/RBA1326-1. Funding from the RAND Gulf States Policy Institute supported this publication. The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors. **RAND**® is a registered trademark.

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