

Supporting Undocument and DACAmended Students and Families During COVID-19

This guidance document was prepared by [ImmSchools](#) for the New York City Department of Education. ImmSchools is an immigrant-led nonprofit working at the intersection of immigration and K-12 education. ImmSchools’ mission is to transform schools into safe and welcoming spaces for undocumented students and their families.

INTRODUCTION

As educators strive to support immigrant students and families in the time of COVID-19, understanding the complexity of our student’s immigration status is necessary to provide key resources and create a safe and welcoming space within and outside of remote learning.

Nationally, there are over 3.9 million students who are undocumented or who have family members who are undocumented in K-12 schools. In addition, the undocumented community is incredibly diverse with over 525,000 undocumented black people in the United States and the fastest growing population coming from people of Asian descent.

In New York City alone, there are an estimated 504,000 undocumented immigrants, with 1 in 4 New Yorkers living with an immigrant family member and with over 1 million New Yorkers live in mixed status families. Undocumented students and families are part of our classrooms and our school community. The Supreme Court ruling of 1982 states that every child, regardless of immigration status, has a right to receive a K-12 education. Educators have a responsibility to support all students regardless of their or their family’s immigration status.

This document is an overview of key factors regarding the undocumented community, ways in which educators can support them, and some key resources.

QUICK LINKS

- Important Terms to Know2
- How are immigrant-origin students and English Language Learners related?2
- Understanding and Affirming the Experiences of Undocumented & DACAmended families during COVID-192
 - Confidentiality2
 - Stress and Trauma3
- Rights of Undocumented and DACAmended Students and Families during COVID-194
 - Education4
 - Healthcare4
 - Stimulus Package4

Cultivating a Sense of Belonging and Addressing Social Emotional Health.....5
 Resources for Educators6
 Resources for Undocumented Students & Families6
 National Comprehensive Resources & Organizations.....6
 New York City Resources and Organizations.....6

Important Terms to Know

Undocumented: includes people who entered the U.S. without inspection and proper permission from the government, and those who entered with a legal visa that is no longer valid.

DACAmented: Previously undocumented individuals protected from deportation and granted 2 year work authorization under the DACA (Deferred Actions for Childhood Arrivals) program.

DREAMer: Derives from the federal legislative bill introduced in 2001 named the DREAM (Development, Relief, and Education for Alien Minors) Act. Often used to refer to undocumented youth.

Mixed-Status Family: A family whose members include people with different citizenship or immigration statuses

How are immigrant-origin students and English Language Learners related?

An excerpt from [A Culturally Responsive Approach to Understanding Immigrant-Origin Children \(2018\)](#).

Within educational settings, immigrant students and English Language Learners are often thought of interchangeably. While there is considerable overlap, they are not one and the same. Some immigrant-origin students emigrate from countries where English is the language of instruction (e.g., Nigeria or the Philippines), though they may speak another language at home; thus, they may enter U.S. schools without facing the hurdle of acquiring Academic English. Other ELL students are second-generation citizens but have not been exposed to English until they enter the school system in kindergarten. Most immigrant-origin students, however, must learn (at least one) new language as part of their journey to their new land.

Understanding and Affirming the Experiences of Undocumented & DACAmented families during COVID-19

Confidentiality

Educators must consider that not all undocumented families are comfortable with publicly sharing their immigration status. Many immigrants may be very vigilant regarding when, how, and to whom they disclose their status, given the associated risks. Educators may wish to proceed with caution when discussing immigration status and avoid demanding this information as it is a direct violation of Plyler v. Doe and FERPA.

Educators would benefit from creating a safe conversation space and building trust and rapport, where students may disclose their status if comfortable. Educators may also consider that there may be shame and stigma associated with holding an undocumented or temporary immigration status, and that there may also be pride and empowerment in this.

Stress and Trauma

The undocumented community in our schools each hold unique experiences that are centered on their resilience despite the hardships they experience. In addition, various research has found increased anxiety and trauma related to immigration status among immigrant children and youth. This experience is derived from the fear of deportation, family separation and increased uncertainty in a time of continuous anti-immigrant policies. As a result of this trauma and anxiety, undocumented students and families often fear seeking out resources, do not trust any form of enforcement or government entity and may experience post-traumatic stress¹.

Currently the undocumented community is not eligible to receive any form of federal aid, including the stimulus package and unemployment benefits. This means that someone who is undocumented losing a job often means a complete end to their income without a place to turn to for help, often questioning if they have any rights or means of support.

This reality may also mean that immigrant students may become the breadwinner of their family, having to balance school, work and heightened stress in the middle of an already heightened crisis. As a result, many undocumented students and students in mixed status families may experience heightened stress factors in a time of crisis which may impact their educational outcomes.

¹ German Cadenas, Diana Pena & Jesus Cisneros Educational Leadership of Immigrants [Book Chapter](#)

Rights of Undocumented and DACAmented Students and Families during COVID-19

Education

- Plyler v. Doe welcomes undocumented students and families in K-12 Schools. Schools must not inquire about a student's or family's immigration status.
- Schools are Sensitive Locations according to Immigration Custom Enforcement (ICE), meaning they are a place where enforcement should not be carried out.
- NYC DOE has a key policy in place if an ICE agent was to visit a school in person and seek a student, family member, or their records.

Healthcare

- **Testing or Treatment** for COVID-19 will NOT be used against immigrants in a public charge test. ALL immigrants regardless of immigration status should seek the care they need.
- **Hospitals and Clinics** are sensitive locations. ICE is recommended to not carry out enforcement. Healthcare workers are not to inquire about your immigration status. Patients do not have to provide their immigration status.
- **New York State Policy:** Undocumented immigrants can access New York State Emergency Medicaid for the testing, evaluation and treatment of COVID-19.

Stimulus Package

- Undocumented & Mixed Status Families will not receive this cash assistance as a Social Security Number is required.
- All individuals regardless of immigration status should get tested and treated for COVID-19.
- NYC Mayor's Office of Immigrant Affairs announced a 20 million dollar fund with the Open Society Foundation to support those who did not qualify for stimulus support. More details are in development.

Cultivating a Sense of Belonging and Addressing Social Emotional Health

Welcoming Language if families share their concerns around immigration.²

1. Appreciate them.

“Thank you for sharing this with me, I know it can be difficult to share”

2. Actively listen to the needs of the student and family.

3. Validate their experience and explain that this fear is NOT normal.

“What you are experiencing is not normal, the anxiety or fear you are going through is not normal and I am here to help and support any way I can”

4. Ensure confidentiality.

“This information will not be shared with others.”

5. Do not immediately jump to problem solve or provide false hope.

As educators we often want to directly problem solve. With immigration, there is an added layer of complexity and oftentimes problems cannot be easily solved.

6. Allow for time to process and build relationships.

Listen to what the needs of the students or families may be, understanding that they have a unique perspective and expertise in their experiences.

7. Connect to resource or support.

“These are some of the resources I have available, which one would be most helpful to you now? What would be most helpful at this moment?”

8. Reach out for support.

It is okay to not have all the answers. Contact one of the organizations below.

“I do not know some of the answers to your questions, but I will contact an organization to get more information. This is a hard time, but you are not alone.”

² Germán A. Cadenas, Ph.D. Assistant Professor of Counseling Psychology Department of Education and Human Services College of Education Lehigh University

Resources for Educators

- [Educator and School Guide](#): Supporting Undocumented Students & Families during COVID-19 by ImmSchools.
- Learn more about these best practices in [this The 74 opinion piece](#).
- [Educators Guide](#): 10 Best Practices to Support Undocumented Students in Schools by ImmSchools, Immigrants Rising, Immigration Advocates Network and Artist Yehimi Cambron.
- [Educator Videos](#): A four-part video series illustrating successful practices in creating safe and welcoming environments for immigrant students and families by CUNY-IIE.
- [Inclusivity Poster](#) by ImmSchools, Immigrants Rising, Immigration Advocates Network and Artist Yehimi Cambron.

Resources for Undocumented Students & Families

Below you will find resources that should be shared with ALL families, as many families will not share with you their immigration status. We recommend resources are shared with all families and ensure these resources are in the respective languages that your community predominantly speaks.

National Comprehensive Resources & Organizations

- [Rights of Immigrant Families regardless of Immigration Status in Healthcare](#) by *Protecting Immigrant Families*.
- Share and inform families about creating a [family emergency plan for immigrant families and students](#) by the *National Immigration Law Center*.
- [We Have Rights Videos](#): Rights of undocumented immigrants inside and outside of their home when engaging with Immigration Custom Enforcement by the *American Civil Liberties Union*.
- [Resources for Immigrants during COVID-19](#) by *Informed Immigrant*.
- [Mental Health Resources for Immigrant Families](#) by *Informed Immigrant*.
- [Advocacy, Mental Health & Know Your Rights Resources](#) by *Undocublack Network*.
- [Home is Here DACA Decision K-12 Educator Toolkit](#) by *Home is Here Coalition*.

New York City Resources and Organizations

- [Resources for Immigrant Communities During COVID-19 Pandemic](#) by the *New York City's Mayor's Office for Immigrant Affairs*.
- [GeoMap of Community-Based Organizations](#) in NYC by *NYCDOE's Division of Multilingual Learners*
- [Updates for Immigrant New Yorkers](#) by the *New York Immigration Coalition*.

- [Legal Guidance & Live Social Media Events](#) by *Unlocal*.
- [Online Resources, Events & Advocacy](#) by *Make the Road New York*.
- [UndocuFund & DACA Support Group](#) by *New York State Youth Leadership Council*.
- [UndocuFund & DACA Renewal Clinics](#) by *RISE New York*.
- [Rights as a Tenant in New York](#) by *Documented NY*.

Contact: Vanessa Luna, Co-Founder & Chief Program Officer

Email: vanessa@immschools.org

Website: immschools.org

