Ensuring Equal Access for Students, Regardless of Immigration Status

MABE Annual Conference

Hot Topics Presentation, October 7, 2016

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Legal Context: Key Documents

- U.S. Supreme Court Decision: *Plyler v. Doe*, 457 U.S. 202 (1982)
- U.S. Departments of Education & Justice, Joint Guidance (updated 2014) [Handout #1]
- NSBA & NEA, Joint Publication on Legal Issues for School Districts Related to the Education of Undocumented Children (2009)

Legal Context: Key Points

- School districts are prohibited from denying students' access to public education based on immigration status.
- Immigration or citizenship status is not relevant to establishing residency in the district.
- School staff should avoid asking students or their family about their immigration status because such actions may chill or discourage participation in education, in violation of *Plyler v. Doe*.

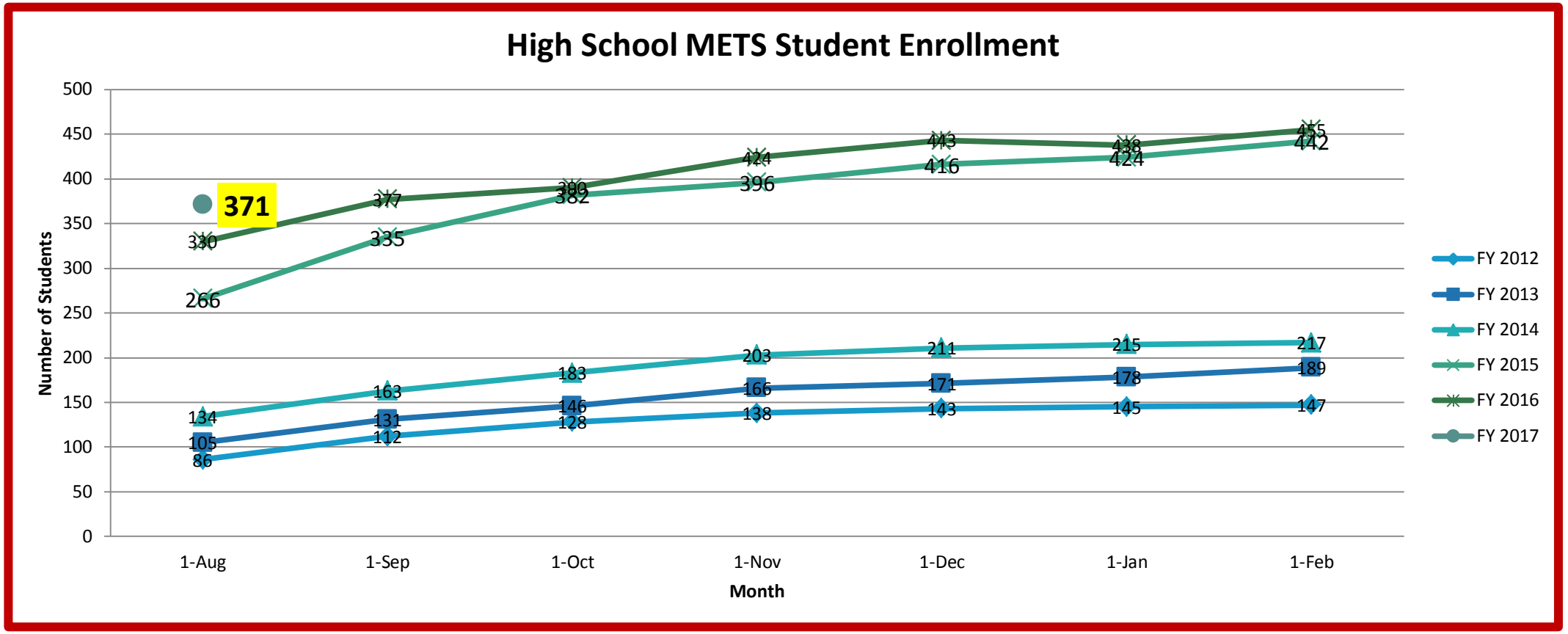
The Context of MCPS

MCPS Trends (2015–2016)

156,447 Students

- 30.2% White
- 29.1% Hispanic/Latino
- 21.4% Black or African American
- 14.2% Asian
- ≤ 5.0% Two or More Races
- ≤ 5.0% American Indian or Alaskan Native
- ≤ 5.0% Native Hawaiian or Other Pacific Islander

Multidisciplinary Educational Training and Support (METS) School Years – 2012 to 2016



Streamlined Registration Process

- "One-Stop Shopping" at centralized sites for registration, English testing, and immunizations
- Diversity of Languages – Enrollment staff speak multiple languages to support families through the process
- Additional staff and extended hours during peak enrollment periods
- Facilitated Transition to the Local School – Spearheaded by Multilingual Parent Community Coordinators (PCCs)
- Special Considerations for Unaccompanied Youth Fleeing Violence

Coordinated Supports for Students and Schools

Parent Community Coordinators: create a safe and welcoming environment and a smooth transition to schools, increase families' active engagement in schools, solve problems and connect families with community resources, and deliver workshops and trainings

Pupil Personnel Workers: assist families struggling with issues of student attendance and homelessness

ESOL Counselors: work to meet social and emotional needs of students, with an emphasis on acculturation, family reunification, and trauma

La Cultura Cura: Culturally-based, trauma-informed approach to support students and families

Support from Partner Organizations

A broad range of community and county government partner agencies support the work of MCPS

Some examples include:

- Wellness Centers
- Identity
- Latino Health Initiative
- Liberty's Promise
- Montgomery County Children Fleeing Violence Committee
- Charles W. Gilchrist Center for Cultural Diversity

MCPS Programs for Students with Interrupted Formal Education

In addition to ESOL, MCPS has developed programs for increasing numbers of older students with limited/interrupted formal education

- **METS** (Multidisciplinary Educational Training and Support)
- **SEPA** (Students Engaged in Pathways to Achievement)
- **CREA** (Career Readiness Education Academy)

Handout #2:

Memorandum to Montgomery County Board of Education, *Redesign of Multidisciplinary Educational Training and Support and Students Engaged in Pathways to Achievement Programs* (June 2016)

MCPS Response to ICE Enforcement Initiative

"[W]hen enforcing the immigration laws, our personnel will not, except in emergency circumstances, apprehend an individual at a place of worship, a school, a hospital or doctor's office or other sensitive location."

- Jeh Johnson, Secretary, U.S. Department of Homeland Security (February 2016)

Handout #3:

Memorandum to MCPS Principals, *Guidance Regarding the New Immigration Enforcement Initiative* (January 2016)

Discussion