

# Quick Sheet for Working with Immigrant, Refugee and Migrant Students

*This “Quick Sheet” is compiled from the articles and documents cited. Please read these articles and documents for a more comprehensive understanding.*

**Consider these federal guidelines and laws regarding the education of immigrant students.**<sup>1,2</sup> *Please note that with immigration policy and laws in flux, schools should keep themselves informed of any changes that may occur.*

- In [Lau v. Nichols \(1974\)](#), the Supreme Court ruled that in order for school districts to comply with their legal obligations under Title VI of the Civil Rights Act of 1964 (Title VI), they must take affirmative steps to ensure that ELs can meaningfully participate in their educational programs and services.
  - In [Plyler v. Doe \(1982\)](#), the Supreme Court ruled that states cannot constitutionally deny students a free public education based on their immigration status.
  - In [Castañeda v. Pickard \(1981\)](#), the Fifth Circuit Court established a three-part test to evaluate the adequacy of a district’s program for ELs, and that test is used by the U.S. Department of Justice and the U.S. Department of Education’s Office for Civil Rights in evaluating school districts’ and states’ compliance with the civil rights laws.
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- Schools cannot ask immigration status.
  - Immigration enforcement cannot take place in “sensitive locations” which includes schools.
  - Under FERPA, a student’s file cannot be turned over to immigration officials.

**Who are our immigrant, refugee, and migrant students?** *Though the terms are often used interchangeably in the media, each of these populations is designated by the federal definitions below.*

Immigrant	Refugee	Migrant
<p>Title III definition of ‘immigrant children and youth’ means students who:</p> <ul style="list-style-type: none"> <li>• Are aged 3 through 21</li> <li>• Were not born in any one of the 50 United States; and</li> <li>• Have not been attending one or more schools in any of the 50 United States for more than 3 full academic years;</li> <li>• The term “State” means one of the 50 United States, the District of Columbia, and the Commonwealth of Puerto Rico.</li> </ul>	<p>A refugee is defined as a student who has fled to another country to be resettled due to political, religious or social persecution.</p> <p>Refugees with an official designation will come with an I-94 form.</p>	<p>A migrant student has a parent who works in agriculture, forestry, meat processing plants, dairy or fisheries, and, in the last 3 years, has moved from one school district to another in order to work (temporary or seasonal) in agricultural activities.</p>

<sup>1</sup> Serving and Supporting Immigrant Students: Information for Schools | Colorín Colorado. (n.d.). Retrieved from <http://www.colorincolorado.org/ell-basics/serving-and-supporting-immigrant-students-information-schools>

<sup>2</sup> US Department of Education, Office of English Language Acquisition. (2016, September). *Newcomer Toolkit*. Retrieved August 23, 2017, from <https://www2.ed.gov/about/offices/list/oela/newcomers-toolkit/index.html>

**What challenges are faced by immigrant, refugee, and migrant students?** *Because each of these populations are immigrants, all will experience the stressors associated with uprooting their lives and moving to a new country, culture and language. There are additional challenges that are unique to refugee and migrant students as outlined below.*

Signs of Immigration Related Stress <sup>3</sup>	Challenges Faced by Refugees <sup>4</sup>	Challenges for Migrant Families <sup>5</sup>
<ul style="list-style-type: none"> <li>● Acting withdrawn—appearing disconnected from life; pulling away from activities and relationships</li> <li>● Hyperarousal – nervousness, jumpiness, hypervigilance about surroundings</li> <li>● Difficulties focusing in schools, learning or memory problems, and decreased school performance</li> <li>● Externalizing symptoms – aggressive behaviors, temper tantrums, excessively seeking attention, etc.</li> <li>● Somatic complaints (e.g., stomach aches, headaches, fatigue)</li> <li>● Regressive behaviors in young children (e.g., accidental daytime wetting or reports of bedwetting)</li> <li>● Crying, sadness Fears of being separated from caregivers or family (e.g., not wanting to come to school)</li> <li>● Acting nervous, anxious or fearful, avoiding certain activities</li> <li>● Poor appetite or digestive problems</li> <li>● Poor or disrupted sleep</li> </ul>	<ul style="list-style-type: none"> <li>● See Immigration Related Stress</li> <li>● Post-Traumatic Stress - <i>Signs and symptoms of PTSD, as listed on the website <a href="http://www.kidshealth.com">www.kidshealth.com</a>, include:</i> <ul style="list-style-type: none"> <li>○ sleeplessness</li> <li>○ nightmares</li> <li>○ inability to get along with others, particularly in close relationships</li> <li>○ paranoia and distrust</li> <li>○ unwillingness to discuss or revisit in any way the site of the trauma</li> <li>○ persistent, intense fear and anxiety</li> <li>○ feeling easily irritated or agitated</li> <li>○ having difficulty concentrating</li> <li>○ feeling numb or detached</li> <li>○ no longer finding pleasure in previously enjoyable activities</li> <li>○ feeling helpless or "out of control"</li> <li>○ experiencing intense survivor guilt</li> <li>○ being preoccupied with the traumatic event</li> <li>○ physical symptoms such as headaches, gastrointestinal distress, or dizziness</li> <li>○ suicidal thoughts, plans, or gestures</li> </ul> </li> <li>● Limited Formal Education</li> <li>● Lack of Documentation</li> <li>● Resettlement Challenges</li> </ul>	<ul style="list-style-type: none"> <li>● See Immigration Related Stress</li> <li>● Physical hazards - Migrant farmworkers have one of the most labor-intensive, physically-demanding, often hazardous yet grossly undercompensated occupations in the country</li> <li>● Isolation - Migrant families tend to live in isolation from the communities where they work</li> <li>● Family separation - It is not uncommon for parents and children to be separated if parents want the children to finish the school year in the same school while they move on to the next work site</li> <li>● Socioeconomic disadvantages - Migrant children experience more acute poverty, health problems, health hazards, social alienation, educational disadvantages, mobility and lack of educational opportunities than any other major school population segment</li> <li>● Educational background - Migrant parents have the lowest levels of educational attainment of any occupational group</li> <li>● Language - Large numbers of migrant students lack English language proficiency (even though most are U.S. citizens) and/or require remedial instruction</li> <li>● Graduation rates - Migrant children have one of the highest dropout rates in the nation</li> <li>● Program support - Federally-funded programs for migrant children are not sufficiently funded to meet the children's needs</li> </ul>

<sup>3</sup> Edwards, L., & Black, J. (2017, February 24). Stress Related to Immigration Status in Students: A Brief Guide for Schools. Retrieved August 23, 2017, retrieved from <http://www.marquette.edu/education/news/guide.shtml>

<sup>4</sup> Robertson, K., & Breiseth, L. (n.d.). How to Support Refugee Students in the ELL Classroom | Colorín Colorado. Retrieved from <http://www.colorincolorado.org/article/how-support-refugee-students-ell-classroom>

<sup>5</sup> Lundy-Ponce, G. (2010). Migrant Students: What We Need to Know to Help Them Succeed | Colorín Colorado. Retrieved from <http://www.colorincolorado.org/article/migrant-students-what-we-need-know-help-them-succeed>

**How can we best assist our immigrant, refugee, and migrant students in achieving academic success?** *Because each of these populations are immigrants, the success strategies work for each of the populations. Below is a compilation of suggestions from the two articles cited. This is not a comprehensive list.*

### Strategies for Academic Success<sup>6,7</sup>

- Learn about your students
- Help students and families find resources they need
- Get to know the families by having regular meetings
- Remember that students may be under a lot of stress
- Integrate the students' cultural and country information into your weekly classroom routines
- Increase exposure to language
- Identify appropriate resources and support activities to keep the newly enrolled students engaged in learning even while their English skills are still very low.
- Create a school ambassador program with trained peers to guide newly enrolled immigrant, refugee, or migrant students through their first weeks of school.
- Use age appropriate materials
- For older students who need to develop initial literacy skills, work with other staff to provide age-appropriate materials that allows the students to practice their developing skills, but doesn't require them to complete activities designed for young children.
- Implement research-based methods on effective instruction for linguistically and culturally diverse student populations into classroom practice
- Expose students to the more academically rigorous coursework and content that mainstream students have access to
- Hold students to high expectations
- Use cooperative learning strategies
- Making sure that families of migrant students know what to do to navigate the system better once they are ready to move on
- Urging students to continue their schooling, keeping in mind the particularly challenging situations of each student, and making appropriate referrals to other staff and/or community-based organizations whenever possible.

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<sup>6</sup> Robertson, K., & Breiseth, L. (n.d.). How to Support Refugee Students in the ELL Classroom | Colorín Colorado. Retrieved from <http://www.colorincolorado.org/article/how-support-refugee-students-ell-classroom>

<sup>7</sup> Lundy-Ponce, G. (2010). Migrant Students: What We Need to Know to Help Them Succeed | Colorín Colorado. Retrieved from <http://www.colorincolorado.org/article/migrant-students-what-we-need-know-help-them-succeed>

## References

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