

Immigration and Education

2011 State of the State

Kansas Economic Policy Conference

- **ALL** students are entitled to a free and appropriate public education
 - **Plyler v. Doe** (1982), the U.S. Supreme Court ruled that all children who reside in the United States regardless of their immigration status have the right to a free education.
 - **Lau v. Nichols** (1974), the Supreme Court ruled that students with limited English proficiency should be treated with equality among the schools.
 - **Castaneda v. Pickard** (1978, 1981) case established three criteria for programs that serve LEP students.
 - It must be based on “a sound educational theory.”
 - It must be “implemented effectively,” with adequate resources and personnel.
 - After a trial period, it must be evaluated as effective in overcoming language handicaps.

Access to Public School

K-12

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- As public schools, we have the responsibility to educate any student who comes through our doors.
 - The federal and state government provide funding necessary to meet the educational needs of immigrant children and children learning English as a Second Language.

Districts' Legal Responsibilities

- **Myth** – All students classified as ELL (English Language Learners) are newly arrived immigrants
- **Reality** – A large number of children classified as ELL being educated in Kansas have immigrant parents; however the majority of the students have Birth Right Citizenship (about 70% Nationwide).
- **Fact** – In the last 4 years, USD 480 has had less than 20 students annually that would meet the immigrant criteria

Educating Immigrant Children

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- Someone who is in the US illegally
 - Someone whose parents were born in another country
 - Someone who was born in another country
 - Someone who is not a US citizen

Who is considered an Immigrant?

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- Age three through 21
 - Not born in any State; and
 - Has not attended one or more schools in any one or more States for more than three full academic years

Definition of Immigrant under Title III

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- 80% of ELLs speak Spanish
 - Other languages include:
 - Vietnamese, Chinese, Arabic, Korean, Hmong, Lao, Somali, Russian, Burmese, German

Languages Spoken by Immigrant Students

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- In 2009-2010 there were 41,606 ELLs
 - In 2006-2007 there were 28,793 ELLs
 - In 2003-2004 there were 25,504 ELLs

ELLs on the Rise in Kansas

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- Districts are held to the same accountability measures of No Child Left Behind regardless of the number of ELLs students served by the district.
 - Exception: If a student has been in the United States for less than one year, he/she does not have to take the Reading Kansas State Assessment. However, they must take the Math Kansas State Assessment.

Challenges for Schools

- Many school districts do not know how to best educate immigrant children:
 - Professional development
 - Model of instruction
 - Curriculum
 - Placement
 - Monitoring
 - Expectations

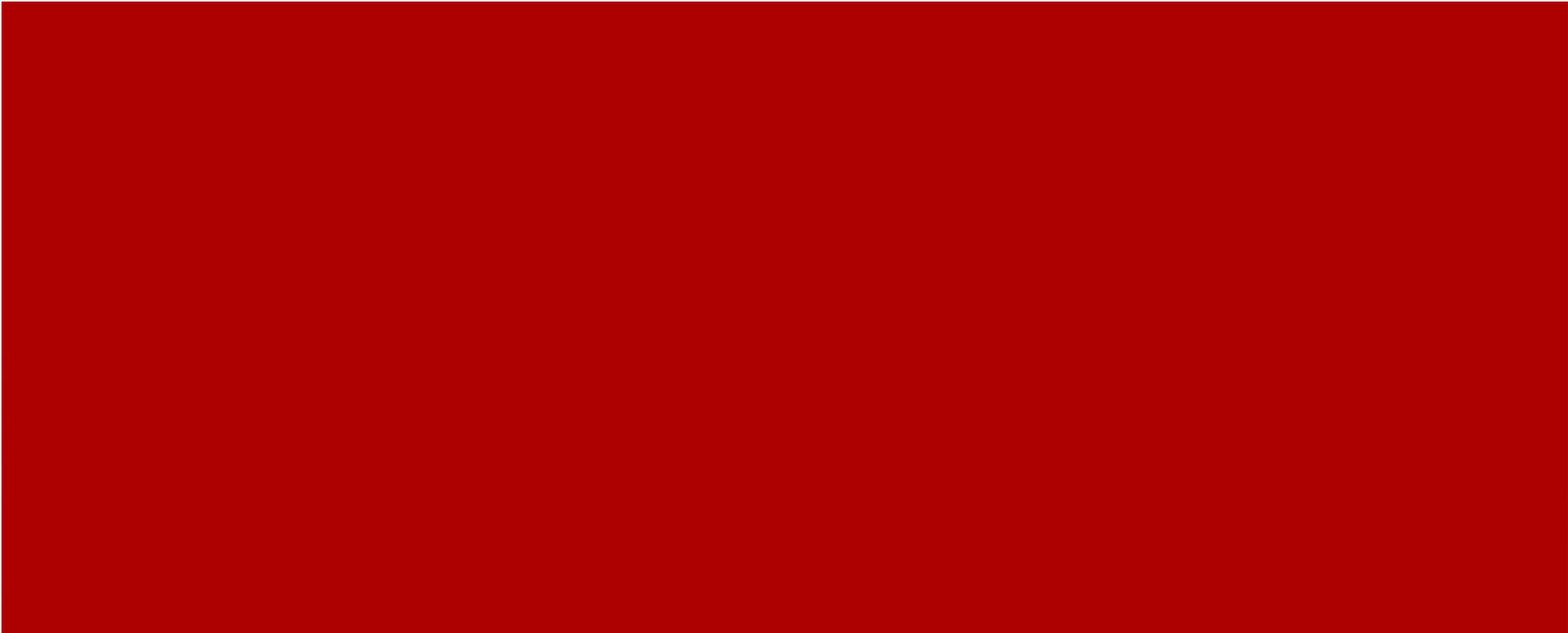
Challenges for Schools

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- Low Income
 - Limited English language skills
 - Unfamiliar with school system
 - Unfamiliar with government system (social services, law enforcement, traffic laws)
 - Unfamiliar with rights

Challenges for Families

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- Learning to live within two cultures
 - Learning a new language while learning academic content necessary to perform adequately on assessment measures
 - Burden of family issues and concerns
 - For some, the realization that no matter how hard they work at school they will not have the opportunity to obtain a college degree – DREAM ACT

Challenges for Students



Thank You!

Mrs. Laura Cano
Director of Federal Programs USD 480
laura.cano@usd480.net
620-604-2407
