

# *A Wall and a Travel Ban: Supporting California's Immigrant Children*



## **A CASP Resource/Position Paper**

*“I know that now there is no hope of bringing in my dad's part of the family here to America, no hope on giving them a better life. I hear so many heart-breaking stories of people who get stuck at an airport of a country they aren't even familiar with because they were denied entry to the United States of America. The funny thing is that the countries that are banned have nothing to do with the terrorist attacks that were happening, but the countries that had to do with it are not even banned. The fact that Trump even clearly stated that the Christians will be prioritized over the Muslims makes it even worse. He's basically labeling Me as a terrorist; having people stare at me differently on the street, because of HIM.”*  
--A California high school student

It's remarks like these – and the fear that goes with them – that has prompted the California Association of School Psychologists to produce this hybrid Resource/Position paper for its members. The beginning of the paper is a look at the status of the federal administration's travel ban and how that is affecting our students, while the second half is a listing of agencies for school psychologists who want to become involved in the issue. They may wish to share these with impacted students and families.

CASP's position is always to support the health and welfare of the children and families we serve. As the travel ban and the proposed wall have a profound, direct negative impact on a significant number of families and children we serve, as well as those extended families who are supported by those directly serve, CASP's position is in opposition to these actions.

This paper is a living document. It will be updated as more resources are known and as the travel ban evolves in the courts and through governmental agencies.

### **California v. National Political Landscape**

A wall and a travel ban. These are the proposed solutions of the current United States Executive Branch to keep America safe. The wall is meant to secure our borders with Mexico and Latin America. The travel ban targets potential immigrants from seven Muslim-majority countries: Syria, Iran, Iraq<sup>1</sup> and Yemen (geographically located on the continent of Asia), as well as Libya, Sudan, and Somalia (all located on the continent of Africa). Here is a look at what we know about immigration from these regions to put the Administration's concerns in context.

According to the Pew Research Center (2016), the number of undocumented immigrants residing within the United States in 2014 was around 11.1 million people, accounting for 3.5% of the total

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<sup>1</sup> The Trump Administration has since announced that travelers from Iraq, legal residents and green card holders will no longer be affected by the travel ban under a new executive order to take effect March 16, 2017.

population. With regard to country of origin, Mexicans accounted for 52% of unauthorized immigrants nationwide, with gross numbers decreasing from 6.4 million in 2009 to 5.8 million in 2014. The country saw the largest increase in undocumented immigrants coming from Asia and Central America, in addition to spikes from sub-Saharan Africa. In terms of religious identification, approximately 1% of the American population identify as Muslim (Pew Research Center, 2016).

When considering the national immigration numbers, it is important to note that California is home to more immigrants than any other state (Hayes, 2017). In 2015, more than 10 million immigrants were included in the state's overall population. According to the Center for Migration Studies (2014), approximately 75% of California immigrants are either naturalized U.S. citizens or have legal status via green cards and visas; about 25% are undocumented. Hayes (2017) summarized that the majority of California immigrants were born in Latin America (52%) and Asia (39%); however, between 2011 and 2015, 53% of new arrivals hailed from Asia and only 22% from Latin America. The 2010 census data were consistent with the national reports on religious identification, with 1% of Californians identifying as Muslim (Association of Statisticians of American Religious Bodies, 2012).

## **Travel Ban**

*"My cousin, who I really don't know much but my family is always in touch with, was on his way here (when the travel ban began). He was stopped and told that they weren't allowed to let people with visa cards to come in. Though he is here now, which I'm very thankful for, I would never forget the cries in the back and the crack in voice when we got the phone call. He was very confused at first 'cause he really doesn't know much English but then when he eventually got the vibe (and) he didn't want to believe it, he called us from the airport and made us talk to the people there, but (there was) no hope at all. It got me thinking like, wow, many people there were sent back and that's truly heartbreaking especially when some had big families and finally got their visas but then sold everything to buy tickets and when they finally bought the tickets they weren't allowed to come in. The ban was for 90 days. For some that may not seem a lot but for THOSE who only have a little bit of time and their visa will then expire, it means the world to them."*

*--A Central Valley high school student*

On February 9, 2016, the United States 9th Circuit Court of Appeals ruled against President Donald Trump's travel ban, which was originally issued on January 27, 2017. This ruling upheld federal District Judge Honorable James L. Robart's decision to block parts of President Trump's executive order. The travel ban, as envisioned by the Trump administration, was aimed at stemming immigrants from the following Muslim dominated nations: Iran, Iraq, Libya, Sudan, Yemen, Somalia and Syria. The direct impact of the travel ban would have been to suspend refugee entry into the United States and bar visitors from the seven Muslim nations for up to 90 days while allowing federal security agencies to tighten their vetting processes. The three judge panel refused to reinstate the travel ban on the grounds that there was "no evidence" that anyone from the abovementioned seven nations had committed terrorist acts in the United States. Consequently, this ruling presented a direct challenge to President Trump's assertion that the

courts are subject to the President's national security assessments (Liptak, 2017). The new travel ban is also expected to be decided by a court.

Given the political climate of the travel ban, school psychologists are at the forefront of supporting students who may have been or are in fear of being impacted by the implications of a ban. There have been reports of Muslim students feeling persecuted or living in fear of their parents or themselves being deported or targeted because of their religious beliefs or country of origin. Dr. Erlanger A. Turner, clinical psychologist and assistant professor at the University of Houston-Downtown, reminds educators that racist rhetoric can lead children to experience anxiety, depression, and concentration difficulties all of which can impact academic performance (Desmond-Harris, 2017). It goes without saying that positive school climate is an area in which school psychologists have direct specialization and should work with school administrators to ensure that all students regardless of religion or national origin feel that their school is safe.

On February 27, 2017, a federal appeals court denied a request from the United States Justice Department to put President Trump's travel ban on hold while he issues a revised executive order. President Trump is expected to issue a replacement order in the near future.

### **Sanctuary Schools/Safe Haven Schools**

*"The scarf wrapped around my head has given people ammunition to label and throw assumptions at me."  
--Central Valley high school student*

On December 21, 2016, Tom Torlakson, California State Superintendent of Public Instruction, sent an open letter to all superintendents, charter school administrators, and principals in California. In this letter, he noted that "since the presidential election, reports of bullying, harassment, and intimidation of K-12 students based on immigration status, religious, or ethnic identification are on the rise." He stated that he was committed to ensuring that California schools continue to be safe places for children and that all families would continue to be welcome on school campuses. Torlakson reminded schools of existing laws which are in place to protect students. For example:

- Schools are required to enroll all students regardless of their immigration status (Supreme Court decision *Plyler vs. Doe*, 1984)
- Educational agencies are prohibited from disclosing identifiable student information to law enforcement without parent consent, court order, or health emergency
- Districts are given flexibility in how they verify a student's age and residency (e.g., they do not have to use documents which may reveal immigration status)

Superintendent Torlakson "strongly urged" schools to declare themselves "safe havens," meaning that they will "not become an arm of the U.S. Immigration and Customs Enforcement" (ICE).

According to a February 4, 2017 EdSource survey, school boards of at least nine of the largest school districts in California (including Los Angeles, Sacramento, San Bernardino, and Stockton Unified) have passed resolutions affirming that they are *safe haven* school districts. Additionally, some districts are declaring themselves *sanctuary districts*, such as San Francisco and Oakland Unified. The meanings appear to be similar. Safe haven and sanctuary school districts have resolutions which prohibit ICE from entering schools without permission from the superintendent and accessing student's names. Some of them have developed curriculum for teachers to use to alert students to the sanctuary movement and how to exercise their civil rights. Others have provided referrals to legal agencies that can support families facing possible deportation.

There are scores of counties and cities in California that have recently declared themselves to be "sanctuaries." It is unclear as to whether school districts within those cities or counties would then become safe haven school districts. What is clear is that many districts have responded to recent political events by making their policies toward immigrant families more explicit and ensuring that they will not be cooperating with federal immigration officials trying to locate undocumented students and their families. As yet, these resolutions have not been tested and there has not been a halt to federal funding for school districts who have resolved to be safe havens.

## **Resources**

California is home to many statewide programs and nonprofit agencies that serve immigrant and refugee populations. School psychologists may find this list helpful when assisting students and families affected by the travel ban and the increase in ICE enforcement actions. This list is incomplete. If you have contacts for agencies not listed here, please forward that information to [media@casponline.org](mailto:media@casponline.org). CASP will continually update this information as it becomes available.

## **NATIONAL**

### **List of Refugee Service Information**

[Your Students and Immigration Raids - What You Can Do \(NEA\)](#)

### **State of California**

#### **Stanford Law School and the California Charter Schools Association**

A guide on legal obligations to provide education to undocumented students and actions schools can take to protect the educational rights of undocumented children. Data privacy protections and help schools can take if a caretaker is detained are among the areas covered. [Find report here.](#)

#### **California Equity Leadership Alliance, which includes Education Trust-West, the California State PTA and the California School Boards Association**

A toolkit of factsheets, policy briefs, sample resolutions, tips for talking with students, and classroom resources. [View materials.](#)

#### **State of California Dept. of Justice - Office of Immigrant Assistance**

<https://oag.ca.gov/immigrant>

[Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues](#)

[Quick Reference for School Officials](#)

[Student and Family Checklist \(English\)](#)

- [Spanish](#)
- [Traditional Chinese](#)
- [Vietnamese](#)
- [Korean](#)
- [Tagalog](#)
- [Arabic](#)

**Department of Social Services - Services for Refugees, Asylees and Trafficking Victims**  
<http://www.cdss.ca.gov/Refugee-Services>

**U.S. Citizen and Immigration Services - Refugee status and asylum information**  
1-800-375-5283  
<https://www.uscis.gov/humanitarian/refugees-asylum>

**Center for Health and Health Care in Schools**  
General information and tools; section on immigrant and refugee students; for providers  
<http://www.healthinschools.org/our-work/vulnerable-populations/#sthash.k8FlqSBO.dpbs>

**Undocumented Student Services Center (on all UC campuses)**  
<http://undoc.universityofcalifornia.edu>

**Immigrant and Refugee Children - A Guide for Educators and School Support Staff**  
[http://www.aft.org/sites/default/files/im\\_uac-educators-guide\\_2016.pdf](http://www.aft.org/sites/default/files/im_uac-educators-guide_2016.pdf)

**Undocumented Students & Families: The Facts**  
Fact sheet providing answers to key legal questions pertaining to undocumented students that may come up in light of potential changes at the federal level.  
<http://www.acsa.org/Advocacy/Federal-Issues/undocumented-students-families-facts>

**Guidance for Immigrant Families Affected by Trauma**  
The nonprofit research organization Child Trends offers strategies to support immigrant children and parents who have been negatively affected by the trauma of separation using Trauma Informed Care.  
<https://www.childtrends.org/publications/supporting-children-parents-affected-trauma-separation>

### **Northern California**

**The Islamic Center of Sacramento**  
2011 4<sup>th</sup> St. - Sacra,  
2011 4<sup>th</sup> St. - Sacramento, CA 95818  
Phone: (916) 444-6323  
<http://www.hineaf.net>

**Sacramento Food Bank & Family Services - Refugee Resettlement Services**

Family Services campus - Oak Park  
3333 Third Ave.  
Sacramento, CA 95817  
Phone: (916) 456-1980  
Fax: (916) 451-5920  
<http://www.sacramentofoodbank.org/refugee-resettlement/>

**Refugee Assistance - Alameda**  
Alameda County Social Services Agency  
[dabrooks@acgov.org](mailto:dabrooks@acgov.org)  
Phone: (510) 326-1857  
[http://www.alamedasocialservices.org/public/services/financial\\_assistance/refugee\\_cash\\_assistance.cfm](http://www.alamedasocialservices.org/public/services/financial_assistance/refugee_cash_assistance.cfm)

### **Central California**

**Islamic Cultural Center of Fresno**  
2111 E Ness Ave. - Fresno, CA 93720  
(559) 297-9535  
[info@icfresno.org](mailto:info@icfresno.org)  
<http://icfresno.org>

**Interfaith Alliance of Central California**  
<http://interfaithalliancecc.org>

### **Southern California**

**Refugee Employment Program - Los Angeles**  
Department of Public Social Services  
<http://dpss.lacounty.gov/wps/portal/dpss/main/programs-and-services/greater-avenues-for-independence/refugee-employment-program>

**How to Apply for Refugee Assistance - Social Services Agency - Orange County**  
<http://ssa.ocgov.com/calfresh/apply/refugee>

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