

## RESEARCH BRIEF

# Serving Special Populations: Insights on Working with Unaccompanied Minors and Undocumented Students



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### Introduction

During the 2014 CIS Summer Institute in Atlanta, three practitioners presented their insights and experiences from working with two growing groups of CIS students: unaccompanied minors and undocumented students. Tasha Moore, Program Director of Case Management Services for Lewisville Independent School District at CIS of North Texas, presented on *Promising Practices for Working with Unaccompanied Minors*, a presentation informed both by her practice and by insights gained during the course of a Research to Practice (R2P) project funded by CIS national<sup>1</sup>. Karina Chavarria, a PhD student at UCLA and graduation coach from CIS of Los Angeles, presented on *Undocumented Students' School Incorporation*. Ms. Chavarria's presentation, which was based in part on her personal experience as an undocumented person, covered how to provide postsecondary opportunities for students without documentation and how to integrate and empower undocumented students. Finally, Wanda Pathromit, a Master's student at UCLA and

<sup>1</sup> For a larger explanation of CISNT's experiences and lessons from working with unaccompanied minors, please see the R2P brief, *Working with Unaccompanied Minors in North Texas*.

intern at CIS of the San Fernando Valley, presented on *Legal Advocacy with Vulnerable Undocumented Students*. Wanda drew from her experience as a legal advocate at the Thai Community Development Center, covering information about immigration relief programs and appropriate intervention perspectives when dealing with undocumented students. Each presenter offered both useful background information and practical advice for working with unaccompanied minors and undocumented students – advice which will be essential to practitioners in the CIS network as these populations continue to grow. This research brief will explain the basics of each presentation. For more detailed information, please contact the authors directly at the email addresses included in this brief.

### Unaccompanied Minors

Unaccompanied minors are defined as children “not in the physical custody of a parent or guardian” (107<sup>th</sup> Congress, 2002). The National Alliance to End Homelessness estimates that there are “approximately 550,000 unaccompanied, single youth and young adults up to age 24 who experience a homelessness episode of longer than one week” (National Alliance to End Homelessness, 2012). One key piece of legislation

that any practitioner working with unaccompanied minors should understand is the McKinney-Vento Homeless Assistance Act (McKinney-Vento for short). McKinney-Vento is important because it provides guidance on the rights of homeless individuals in the United States. Though not all unaccompanied minors are considered homeless, many unaccompanied minors are, and thus are eligible for certain services guaranteed by McKinney-Vento. If an unaccompanied minor is considered homeless according to specific criteria laid out in McKinney-Vento, they have certain rights, including the right to enroll in a local school, the right to transportation to that school, and the right to receive assistance from a local homeless liaison (National Center for Homeless Education, 2013).

### Challenges in Serving

#### Unaccompanied Minors

Practitioners such as Tasha experienced several challenges when attempting to serve unaccompanied minors. This population of students frequently mistrusts authority, lacks parental supervision and advocacy, and must balance the pressures of school with the urgent need to work to provide funding for housing. They also often deal with estranged parents who are unwilling or unable to provide access to necessities such as health care or Supplemental Nutrition Assistance Program (SNAP) funds. Tasha and other CIS site and program staff also faced challenges with the systems set up to serve unaccompanied minors, such as some shelters, Child Protective Services (CPS), public health, and healthcare providers. Shelters were frequently unwilling to take in students under the age of 18, and CPS focused its efforts primarily on younger children. Site staff faced challenges in getting students transportation to school and in getting consent for students to see healthcare providers. CISNT staff had to navigate a sometimes tricky

relationship with school districts' homeless liaisons, who sometimes had different views of whether or not a student was homeless and qualified to receive services. Finally, Tasha and other staff members faced issues with the stigmatization of unaccompanied youth; specifically, schools and local leaders are often hesitant to acknowledge the problem because they fear that it would reflect poorly on their community.

### Lessons Learned in

#### Serving Unaccompanied Minors

Though site staff members face challenges in serving this population, Tasha and her team have discovered some important lessons. First, there is no quick fix; CIS employees need to work with the school district to build proactive relationships. Ensuring that all stakeholders trust that everyone working with children has the well-being of children and the community in mind will help to build bridges and open up honest dialogue about the prevalence of unaccompanied youth and how to address the issue. CIS employees also need to take time to build trusting relationships with the unaccompanied minors themselves; once one youth understands that he or she can go to a CIS employee for assistance, other unaccompanied students come forward to connect with CIS staff members. Second, CISNT personnel found it important to understand McKinney-Vento thoroughly. This helps them advocate for students – an essential part of a site staff person's job when serving unaccompanied minors. Third, site coordinators should work to educate, collaborate with, and build awareness amongst all community stakeholders – including partner organizations and school staff. Finally, CISNT employees learned to quickly connect and broker basic needs, such as SNAP, Medicaid, clothing, free/reduced lunch, and hygiene items. Site coordinators across the CIS network can use these lessons to efficiently and effectively serve unaccompanied minors.

## Undocumented Students

There are approximately 1 million undocumented youth under 18 years old in the United States (Passel & Cohn, 2009). Approximately 65,000 undocumented students graduate HS every year across the nation (Batalova & McHugh, 2010). If you are a CIS site coordinator or volunteer, chances are you will work with a student who is undocumented. It is therefore critical that CIS employees understand the rights of undocumented students and how to ensure that they have access to opportunities for a better life.

### Providing Undocumented Students an Opportunity for Higher Education

AB 540 and other In-State Tuition Laws As a doctoral student and former undocumented student, Karina Chavarria knows first-hand the impact of accessing high-quality education. There are several laws that have recently been passed that facilitate undocumented students' access to postsecondary education. The first law allows eligible students (Legal Permanent Residents and undocumented immigrant students) resident status for in-state tuition purposes (National Immigration Law Center, 2014). In California, where Karina works with undocumented students as a site coordinator, this

### Supplemental Nutrition Assistance Program (SNAP)

SNAP is a safety-net program that offers nutrition-assistance to low-income families. Being able to access programs such as SNAP is vital for unaccompanied minors, who need access to healthy food in order to succeed in school.

law is known as AB 540. Though AB 540 status does not grant students eligibility for financial aid, nor provide a path to legalizing immigration status, it is an important piece of legislation (Abrego, 2008) that does have a huge impact on the cost of tuition. For California residents, the difference between in-state tuition and out-of-state tuition can be as high as \$22,000 per year.<sup>2</sup> Similar laws that provide access to in-state tuition for undocumented students are in place in 17 states across the country. For these students, being able to pay in-state tuition rather than being forced to pay out-of-state tuition makes pursuing postsecondary education much more feasible.

#### Deferred Action for

#### Childhood Arrivals (DACA)

DACA is a memorandum from the Secretary of Homeland Security that allows undocumented students who meet certain guidelines to obtain a deferral of removal from the United States (U.S. Citizenship and Immigration Services, 2014) and employment permit. By deferring removal from the country, undocumented youth are allowed to pursue postsecondary education and employment opportunities for two years, with the opportunity for renewal. This is an incredible opportunity for young adults who were brought to the United States as children to improve their lives through the pursuit of postsecondary education. To be eligible, students should have:

- Arrived in U.S. before reaching 16th birthday
- Be at least 15 years of age
- Continually resided in U.S. since June 15th, 2007
- Under 31 as of June 15th, 2012

- Currently in HS, Graduated or received GED, Honorably discharged
- Not convicted of a felony, significant misdemeanor, 3 or more misdemeanors, and not pose a threat (U.S. Citizenship and Immigration Services, 2014)

#### Other Immigration Relief Programs

Along with AB 540 and DACA, there are several lesser-known (though still significant) programs that can help undocumented students. Wanda Pathromit found that knowledge of these programs was essential to her work in advocating for CIS students and families. First, there are two types of visas available to students who are victims of crime – the **T Visa**, available to victims of trafficking, and the **U Visa**, available to victims of crime. The visas allow victims of crime and trafficking to stay in the U.S. and help law enforcement with their investigations (U.S. Citizenship and Immigration Services, 2013). Undocumented students can also apply for **Special Immigrant Juvenile Status (SIJS)** if they are “foreign children in the United States who have been abused, abandoned, or neglected” (U.S. Citizenship and Immigration Services, 2014b). The **Violence Against Women ACT (VAWA)** “allows an abused spouse or child of a U.S. Citizen or Lawful Permanent Resident or an abused parent of a U.S. Citizen to self-petition for lawful status in the United States, receive employment authorization and access public benefits” (Immigrant Legal Resource Center). Finally, many families that have mixed status – a mother without documentation and a father who is a U.S. citizen – do not realize that parents can **grant citizenship to their child** (U.S. Citizenship and Immigration Services, 2013b).

#### Legal Advocacy

CIS site coordinators are in a better place to serve and advocate for undocumented students if they understand all of these laws and regulations. As with unaccompanied minors, one of the primary ways in which CIS site staff members serve students is through advocacy. In her work, Wanda found that to facilitate legal advocacy, site coordinators should:

- Build a legal advocacy network within the community by establishing a Board of Immigration Accreditation (BIA); obtaining the BIA will allow CIS affiliates to provide direct legal advocacy to youth at school sites.
- Incorporate legal advocacy information into case management services when conducting the intake assessment.
- Discuss the risk factors involved in legal advocacy. Before a client discloses information, they should be informed that site coordinators are mandated reporters; they have a legal obligation to report any activity bringing harm to self and others.
- Be aware of basic qualifications for immigration relief programs in order to make appropriate referral sources.
- Inform clients about legal resources and the possible duration of the legal process.
- Partner with local legal advocacy organizations to provide educational information to CIS staff and students on immigration relief programs for vulnerable undocumented youth
- Seek supportive immigration status relief for career and educational goals.
- Respect a client’s decision to accept or decline legal advocacy services.

Though Wanda recommends that site coordinators work with a local legal

<sup>2</sup>Estimates based on information found at [secure.californiacolleges.edu](http://secure.californiacolleges.edu). Contact financial aid offices in each campus for more information.

## Further Resources

The resources below offer more information about unaccompanied minors and undocumented students:

- The [National Center for Homeless Education \(NCHE\)](#) has a wealth of resources on its website, including a [guide](#) to recognizing homeless children and youth and a [guide](#) to understanding how to use McKinney-Vento to support the education of unaccompanied minors.
- The [National Law Center on Homelessness & Poverty](#) has a [booklet](#) on the education rights of homeless children and youth.
- The [National Network for Youth \(nn4y\)](#) has a [brief](#) on the Runaway and Homeless Youth Act (RHYA) and several informative [fact sheets and issue briefs](#) about homelessness, unaccompanied minors, and updates to pertinent laws and regulations.
- The U.S. Department of Health and Human Services' [Family and Youth Services Bureau \(FYSB\)](#) website has links to find FYSB-funded [Runaway and Homeless Youth programs](#).
- The [National Immigration Legal Service Directory](#) allows people to search for immigration legal services providers by state, county, or detention facility.
- [Educators For Fair Considerations \(E4FC\)](#) is a resource for undocumented young people interesting in pursuing college, career and citizenship.
- The [Legal Action Center](#) is one of the leading providers of litigation-related legal resources for immigration advocates, including in-depth practice advisories, trainings and litigation meetings.
- The [American Immigration Council](#) works to strengthen America by honoring our immigrant history and shaping how Americans think and act towards immigration now and in the future

advocacy organization, understanding these laws and the goals of legal advocacy will help CIS site personnel to build a supportive base for undocumented students and their families.

### Lessons Learned in

#### Serving Undocumented Students

In her work with undocumented students, Wanda found success using strength-based (focusing on strengths and assets (McMillen, Morris, & Sherraden, 2004)) and person-in-environment (staying mindful of environmental factors (Hepworth, Rooney, Dewberry Rooney, & Strom-Gottfried, 2012)) interventions. Both Wanda and Karina create a safe space in their offices. Karina displays DREAMers<sup>3</sup> posters and created a

wall of resources for DREAMers. Wanda ensures that her room is in a confidential location, sits side-by-side with her students to foster a sense of teamwork, and always provides tissue in case students feel emotional. Both Wanda and Karina emphasized that practitioners should not pressure students or ask specifically about their status; rather, they should foster a supportive and empowering environment for undocumented students. Karina works to broker connections between students and empowers them by encouraging them to form DREAMers clubs. Student leaders facilitate and collaborate with other school groups on campus-wide cultural events and share the story of their undocumented status with classmates. Karina also brokers relationships with counselors and

teachers and refers her students to honors and advanced placement courses.

## Conclusion

During the 2014 CIS Summer Institute in Atlanta, three practitioners shared how they work with special populations of students to empower them to stay in school and achieve in life. The insights and lessons learned from this presentation will help other CIS staff members across the network to support unaccompanied minors and undocumented students to fulfill their educational and life goals.

## What Do You Think?

Do you have quick comments or questions on this brief? [Click here](#) and let us know.

<sup>3</sup> Students who qualify for AB 540 are known as DREAMERS in California. DREAM is short for Development, Relief, and Education for Alien Minors.

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