

## **The Right to Equitable Education for Refugee and Immigrant Youth During COVID-19**

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Refugee and immigrant (i.e., newcomer) families often experience barriers in the U.S. education system. Due to migration and resettlement, newcomer children frequently face disruptions to their education, and stressors like discrimination, acculturation, and poverty may continue to impact academic functioning after resettlement (Montgomery & Foldspang, 2007; Simich, Hamilton, & Baya, 2006). Furthermore, 18% of children of immigrants live with family members with limited English proficiency, making communication with school staff challenging (*Kids count*, 2020). In comparison to 5% of children with U.S.-born parents, 21% of children of immigrant parents are living in a household where no parent had finished a high school education (Lou & Lei, 2019). Language and education barriers have long been a stressor for newcomer parents, but these stressors have been exacerbated due to COVID-19. This essay reviews recent literature and shares examples from immigrant and refugee families who were interviewed several months into the COVID-19 pandemic as part of a research study.

In conjunction with the challenges of accessible education for their children, newcomer families in the US must also navigate changes in employment status resulting from COVID-19. Between February and April of 2020, unemployment rates increased from 4.3% to 18% for immigrant women and from 3% to 15.3% for immigrant men (Clark et al., 2020). This economic stress is compounded for some newcomer families, as undocumented immigrants are ineligible for CARES Act and SNAP benefits. There may also be a fear of applying for these public assistance programs, since it may impede progress in obtaining legal status (Clark et al., 2020). Additionally, many undocumented individuals' health is at risk due to their essential jobs amidst a pandemic. In fact, an estimated 389,000 immigrants are working as farmworkers and food processors even as food processing plants became epicenters of the COVID-19 virus (Center of American Progress, 2020). Families who participated in our research study noted experiences such as job loss, ill family members, and various financial worries. Loss of employment and lack of access to basic needs and resources is critical to address in order to support newcomer children's well-being and academic functioning.

As many schools shifted to remote learning due to COVID-19, the reliance on adult support at home has amplified. However, as previously mentioned, many newcomer parents are working essential jobs and are unable to work from home. Consequently, they cannot support their children's remote education (Sugarman & Lazarín, 2020). In cases where parents are able to be physically present, there are additional challenges. Due to limited education and/or English proficiency, parents may be unable to support their child in understanding a lesson's content or instructions, suggesting that the greater dependence on parental support during remote learning intensifies existing disparities and educational inequities for newcomer youth (Sugarman & Lazarín, 2020). Newcomer parents in our research study indicated difficulty understanding teacher and assignment instructions due to language barriers.

In addition to obstacles at home, newcomer parents frequently face difficulties in communicating with school personnel (Good et al., 2010). Parents in one study said they were met with disrespect, racism, an unwelcoming environment, and defensive teachers when trying

to be involved in their children's education (Good et al., 2010). Furthermore, many newcomer parents' existing mistrust about their school systems has been exacerbated under the Trump administration's expanded public-charge rules. This has increased fear among immigrant families that accessing support and resources from public institutions, such as schools, may pose grounds for denial of permanent residency (Sugarman & Lazarín, 2020). Unfortunately, this divide between school districts and newcomer parents has only widened during remote learning. Most schools are now relying almost exclusively on their websites or email to disseminate information in English, but translated versions can take days to be shared. Due to limited information and significant delays, newcomer parents are put at increased risk of being misinformed, highlighting the limited translation and interpretation services offered (Sugarman & Lazarín, 2020).

The disconnect between schools and families extends to newcomer students as well. School engagement is a critical aspect of equitable education, and it has been linked to resilience, prosocial behavior, and better educational outcomes in immigrant/refugee youth (Venta et. al., 2018; Chiu et. al., 2012). Remote learning and separation from the school environment places newcomer youth at a greater risk for mental and academic detriment. Pre-pandemic research with Latinx immigrant youth demonstrated that school engagement lowered drastically post-migration (Green et. al., 2008). This is amplified by the transition to remote learning for newcomer youth, who may struggle to form interpersonal connections with teachers and peers post-migration. Connection via online platforms is often challenging, which is compounded for newcomer students who may also be navigating language barriers and less equitable access to technology and resources to support their education (Sugarman and Lazarín, 2020). Newcomer youth in our study noted missing friends, loss of option to participate in sports and other group activities in addition to challenges related to remote learning.

Even before COVID-19, access to and familiarity with technology served as an added barrier to education for newcomer families in the United States. Many schools in under-resourced communities are not equipped to provide the resources required for equitable access to remote learning (Human Rights Watch, 2020). Additionally, an estimated 14.6% of immigrant families are living in poverty, which poses barriers to obtaining the internet and technology needed for remote learning (Budiman et al., 2020). As many as 1 in 10 low-income families have no internet access at all (Rideout & Katz, 2016). Further, immigrant Hispanic families are less likely than their U.S.-born Hispanic, non-Hispanic Black, and non-Hispanic White counterparts to have the internet access and/or devices necessary to support virtual learning (Joan Ganz Cooney Center, 2017). Although the majority of low-income communities have internet access, the availability and utilization can be limited by service cutoffs, slow connection, outdated technology, or the difficulty of sharing a single device among multiple members of a household (Rideout & Katz, 2016). Difficulties stemming from the absence of critical resources and experience with digital media can be compounded by factors such as limited parental education, income, and time spent in the U.S. (Joan Ganz Cooney Center, 2017). Even when schools provide devices like laptops, newcomer youth—and particularly younger children—may experience disparities given parents' lack of familiarity and experience with virtual educational media. Newcomer families in our research study indicated difficulty logging into remote learning platforms, lack of clarity in how to submit assignments, and challenges with reliable internet.

These challenges must be addressed to support children's rights to equitable education. As noted by the Committee on the Rights of the Child, any country which has ratified the United Nations Convention on the Rights of the Child (UNCRC) is legally bound in delineating rights

that cater to children's survival, protection, and education. Under the UNCRC, governments are mandated to ensure that every child receives the proper education to reach their full potential. The United States is the only country to not yet ratify the agreement. Furthermore, both the Every Student Succeeds Act and the *Lau v. Nichols* Supreme Court decision outline legal obligations of schools to prioritize communication with English Language Learners and their families (Sugarman & Lazarín, 2020). When districts fail to meet these obligations, legal actors should utilize these precedents to protect immigrant and refugee families, especially during remote learning when communication with parents is more important than ever before. Failure to do this has already led to lawsuits, such as one against the Fresno Unified School District, a district that has refused to provide better online platforms, translations, and services (Price, 2020). Legal and policy actors should also educate families on their rights protected by law, such as the federal civil rights laws by the Department of Education and the Office for Civil Rights that removed many educational and career barriers, such as Title VI and Title IX laws (Department of Education, 2011).

The implications of COVID-19 on newcomer families and access to equitable education are considerable. Recommendations include policies that ensure adequate and equitable access to technology and high-speed internet for families that could not otherwise afford it. Training should also be offered to educators to enable them to provide an effective remote-learning environment to children of all backgrounds, economic statuses, and citizenship statuses. Parent engagement must be a priority and include extra efforts for parents who do not speak English, including prompt interpretation services. Many community-based organizations have connections with translators and interpreters of many languages and can support communication between schools and newcomer families (Sugarman & Lazarín, 2020). Necessary resources must be distributed to newcomer parents in the languages needed, so that they may be a resource for their children during these difficult times.

To actualize these recommendations, school districts need funding and resources to rapidly disseminate information in multiple languages through various modalities. Schools must also consider how English Language Learner services can be delivered to adequately support students in a remote learning context and consider prioritizing in-person support when it is safe to do so. Schools may also provide a critical access point for resources that mitigate financial strain and food insecurity. Many schools are continuing free/reduced lunch programming via food pickups—a critical resource for many families. Newcomer parents and youth in our study noted that school remained an important resource for them. Some noted that they were able to access a device through the school and were able to pick up food regularly. Some schools reached out to support connection and remote learning. These supports were pivotal for newcomer families to access educational and other resources. Still, many families noted language barriers, confusion, and technology challenges highlighting the need for additional support.

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