

ILLEGAL IMMIGRATION; Law's impact unseen in public schools

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Highlight: Despite predictions, enrollment appears up across metro Atlanta.

Body

After Georgia enacted its tough new **immigration** law this year, proponents expressed hope that it would sharply reduce the strain **illegal** immigrants put on the state's **public schools** and other taxpayer-funded resources.

School officials don't track the **immigration** status of their students in Georgia but had been watching for significant losses in enrollment at the beginning of this **school** year. Instead, the combined enrollment for metro Atlanta **school** systems is up by more than 2,600 students from a year ago, according to an Atlanta Journal-Constitution analysis of state and local figures.

School officials say they will have more information to report later this month after they take a state-required count this week, breaking down enrollment figures by race and for students receiving special English-language lessons. But in Atlanta, DeKalb and Gwinnett counties, enrollment last month was higher compared with October of last year and even above projections for this year. In Cobb and Fulton counties, where Hispanics make up a fraction of the student population, enrollment is slightly down and below projections for this year.

In Georgia, **school** officials monitor enrollment figures closely because so much is at stake. Swings in enrollment counts, for example, can affect state and federal funding that **schools** receive per student. Enrollment also affects **school** staffing and construction plans.

Meanwhile, some **illegal** immigrants who said this summer they were considering pulling their children out of local **schools** and moving away because of Georgia's crackdown have instead decided to stay. The reason: A federal judge has temporarily put on hold key parts of the state's new law --- called House Bill 87 --- amid a court challenge.

Local **school** officials cited another factor that may be encouraging **illegal** immigrant parents to stay: The Obama administration announced this summer that it is tightening its focus on deporting violent criminals while giving special consideration to **illegal** immigrants who were brought here as young children and who are getting an education.

None of this is welcome news to supporters of Georgia's new **immigration** law. But they are urging patience. They predict other parts of the law that are not tied up in the courts could have an **impact** on **school** enrollment when

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they start to take effect next year, including a provision that will require many businesses to use the federal E-Verify system to ensure newly hired employees can legally work in the United States. Immigration watchdogs say the No. 1 magnet for illegal immigrants in the United States is jobs.

"I was hoping that we would get attrition through enforcement," said Bill Hudson, a Georgia Tea Party board member from Marietta who has been a vocal supporter of HB 87.

The public cost of illegal immigration has long been a hot-button issue in Georgia. But this is a murky subject. There is no precise count for how many illegal immigrants are in the state or how many of their children attend public schools. This is partly because state Board of Education rules prohibit school officials from inquiring about the immigration status of their students. Those rules are in keeping with a 1982 U.S. Supreme Court ruling that school districts must educate all children regardless of their immigration status.

But at least one organization has sought to quantify the issue. The Federation for American Immigration Reform has estimated that 133,262 children of illegal immigrants attend Georgia's public schools, costing taxpayers \$1.4 billion a year. That represents 8 percent of the 1.6 million public school students in Georgia. FAIR --- a Washington-based organization that advocates tougher immigration enforcement --- says it based its findings on census data.

Georgia lawmakers considered legislation this year that would have required the state Board of Education to tally the expenditures, by school district, for illegal immigrants in kindergarten through 12th grade. House Bill 296 never made it out of committee. But its sponsor, Republican Rep. Josh Clark of Buford, plans to push for it next year. Alabama passed a similar law this year, and a federal judge upheld it Wednesday.

In DeKalb, overall enrollment has increased over county projections by 477 to 98,592. But the school system can't say whether HB 87 has made an impact, said Bob Moseley, DeKalb's deputy chief superintendent for school operations.

"Since we don't ask about a student's immigration status or a family's immigration status, we can't speculate as to, 'Well, did they move because of the new Georgia law, or are they just moving?'" Moseley said. "But one thing we can say is we didn't see a big dip in our enrollment."

Suttiwan Cox, the founder and principal of the Path Academy charter school in Brookhaven, where most of the students are Hispanic, said enrollment at her school has grown slightly since last year. Georgann Eaton, principal of Sweetwater Middle School in Lawrenceville, said more than half of her students are Hispanic, and she lost few of them this year.

School officials are reporting similar circumstances outside the Atlanta area. At Fair Street Elementary School in Gainesville most of the students are Hispanic and receive special English lessons. Many of their parents work in nearby poultry plants. Principal William Campbell said his school's enrollment increased by more than 50, from about 650 last school year to 711 this month.

"Last spring at the end of the school year as we were building classes for this year, some of the classes were kind of big ... and the teachers were concerned about the sizes," Campbell said. "I said, 'Just wait until they show up because they all might not show up because of the law.' And, by golly, they showed up. And they brought some friends with them."

Fidel Hernandez was relieved in June when he heard about the temporary hold on parts of HB 87. An illegal immigrant from Mexico, Hernandez is fearful of the new law and considered pulling his kids out of DeKalb public schools and moving his family out of state. But with parts of the law on hold, Hernandez and his wife are staying put. They have three U.S.-born children, two in a DeKalb charter school, the third in a county elementary school.

Hernandez said he is keeping a close eye on any attempts to appeal the judge's decision. He drives to work without a license and doesn't want to get arrested and deported.

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"If they pass that law, we can't afford to stay here, you know what I mean?" said Hernandez, a handyman who crossed the Mexican border illegally more than 20 years ago.

Tammi Verdi, a Lilburn Elementary School parent coordinator, said some immigrant families are sticking it out in Georgia but taking extra precautions. For example, she said, some are walking and using cabs to get their kids to school so they can avoid interactions with police.

But it may just be a matter of time before other parts of Georgia's law kick in and convince more illegal immigrants that they should leave, say the measure's proponents. For instance, starting Jan. 1, state and local government agencies must start requiring people who apply for public benefits --- such as Medicaid and housing assistance --- to provide at least one form of "secure and verifiable" identification, such as a state-issued driver's license or U.S. military identification card.

"At the state or the national level, we have had growth of illegal immigration over a long period of time," FAIR spokesman Bob Dane said. "They didn't come yesterday. They are not all going home tomorrow."

Staff writer D. Aileen Dodd contributed to this article.

The law

*Georgia's new immigration law --- also called House Bill 87 --- doesn't mention schools. But it seeks to deter illegal immigrants from coming here and encourages those who are already here to leave by preventing them from getting jobs and public benefits in Georgia.

*One provision of the law would authorize police to question certain suspects about their immigration status and arrest those who are here illegally. Another provision would punish people who knowingly harbor or transport illegal immigrants in Georgia.

*A U.S. district judge in Atlanta temporarily halted both of those provisions in June pending the outcome of a lawsuit brought by a coalition of civil and immigrant rights groups. The plaintiffs argue the law is unconstitutional. The state is appealing the judge's decision.

Student enrollment

Oct. 2010 Projected for 2011-2012 Projected change by % Sept. 2011 Actual change by %

Atlanta 49,796 *46,576 NA 50,408 NA

Cobb 107,315 107,493 0.16 107,209 -0.09

DeKalb 98,115 98,115 0 98,592 0.48

Fulton 91,864 91,798 -0.07 91,671 -0.21

Gwinnett 160,744 162,459 1.06 162,589 1.14

Sources: Georgia Department of Education, local school districts

*Atlanta did not include prekindergarten and charter school students in its projection, so comparing it to its actual enrollment from last school year and this school year would not be applicable.

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