

# WRITTEN TESTIMONY OF AMALIA CHAMORRO, EDUCATION POLICY DIRECTOR, UNIDOS US

Presented at

“The Consequences of Biden’s Chaos for K-12 Schools”

Submitted to

**Subcommittee on Early Childhood, Elementary, and Secondary Education**

Submitted by

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Good morning, Chairman Bean, Ranking Member Bonamici, and Members of the Subcommittee. Thank you for the opportunity to testify before you today. My name is Amalia Chamorro, and I am the Education Policy Director at UnidosUS. I have 20 years of policy and advocacy experience, having spent most of my professional career in the public sector. I have worked to advance educational opportunities for underserved populations at the University of California Student Association, United Way, and UnidosUS for the last six years.

UnidosUS is a nonprofit, nonpartisan organization that serves as the nation's largest Hispanic civil rights and advocacy organization. Since 1968, we have challenged the social, economic, and political barriers that affect Latinos through our unique combination of expert research, advocacy, programs, and an Affiliate Network of nearly 300 community-based organizations across the United States and Puerto Rico. We believe in an America where economic, political, and social progress is a reality for all Latinos, and we collaborate across communities to achieve it. Our vast network of affiliated partners includes public charter schools, as well as other organizations that provide educational support services such as tutoring, afterschool programs, youth mentoring, and college counseling. Our community believes that diversity and the contributions that immigrants make every day help make our nation more prosperous. Personally speaking, the topic of today's hearing hits close to home – I was once an immigrant student from Peru with hopes and dreams of a better future as a newcomer to the United States. It is due to my family's values of hard work and determination to succeed, and the support I received from my school community, teachers, and peers when I arrived, that I now find myself in this position – delivering testimony in front of this esteemed Congressional committee, and sharing with you the benefits and obligations of educating all students, irrespective of their immigrant backgrounds.

Providing an education to immigrant children is not only a smart investment because it strengthens our nation's economic advantage, but more critically, it is our moral obligation, consistent with our American values, to want children to succeed and have a bright future. Importantly, it is also our legal obligation. In 1982, the Supreme Court ruled in the landmark Plyler v. Doe case that students cannot be denied a free public education on account of their immigration status, basing its decision on the Equal Protection Clause of the Fourteenth Amendment.<sup>1</sup> Furthermore, it is now incorporated into federal statutory law through a provision expressly indicating that Congress would not interfere with Plyler rights as it sought to restrict other rights of immigrants in the 1990s. See 8 U.S.C. § 1643(a)(2).

The Court also made clear that the cost of not educating this student population would by far outweigh the investment in their education. Writing for the majority opinion, Justice William J. Brennan Jr. concluded that "education provides the basic tools by which individuals might lead economically productive lives to the benefit of us all." This continues to hold true today.

In our nation's schools, immigrant students are a significant asset in their classrooms. They are known for their resilience, grit, and problem-solving skills, which are critical for 21<sup>st</sup>-century learning.<sup>2</sup> In fact, research shows that immigrant students have such a high level of motivation

to succeed and learn, they contribute to positive classroom environments that benefit all students.<sup>3</sup>

A 2023 study of Florida students found that the presence of immigrant students in the classroom had a positive effect on the math and reading scores of U.S.-born students, particularly for students from disadvantaged backgrounds. Additionally, the presence of immigrant students did not have a negative effect on the academic outcomes of affluent students.<sup>4</sup> Researchers believe this is likely because of the attitudes and beliefs about the importance of an education to their future success in America that immigrant students transmit to their U.S.-born peers.<sup>5</sup>

Immigrant students also contribute vast knowledge about the world and cultures that can help all students expand their learning of global history and current events.<sup>6</sup> This benefit is in addition to the rich cultural and linguistic diversity they bring that allows all students to be better prepared to participate in a global workforce.

Therefore, it is crucial to emphasize that when we ensure that all students, including immigrant children, have the opportunity to learn, we are investing in the future of our country. A report by the National Academies of Sciences, Engineering, and Medicine concluded that “the children of immigrants are among the strongest economic and fiscal contributors in the U.S. population.”<sup>7</sup>

That said, we know that the current situation at the border is unsustainable and that certain school districts have experienced notable increases in enrollment of newcomer students without having the necessary resources to adequately support them. In fact, Latinos, like all Americans, want a secure and orderly border that is managed in a humane way,<sup>8</sup> as well as well-resourced schools where all children can thrive on a quality education.

The only way to achieve this is for Congress to work in a good-faith, bipartisan manner to enact firm, fair, and enforceable solutions to these challenges. Congress must, once and for all, reform and update our border and broader immigration policies in a comprehensive way. The responsibility lies with Congress, not our schools, to fix our long-broken immigration system.

Modernizing our immigration laws should, among other things, create processes that settle border arrivals and other vetted migrants who qualify to stay in an orderly manner.<sup>9</sup> This process, coordinated with state and local officials, should consider communities with sufficient resources, population loss, and declining school enrollment. An orderly system would end the current arbitrary and often harmful practice of politically targeting certain cities for migrant settlement.

As we continue to have these discussions, it is crucial that they be based on facts and not fueled by inaccurate narratives that could deepen divisions. Specifically, the broad claim that our schools are being overrun by unauthorized migration is not supported by the data.

The vast majority of students in the United States are U.S.-born citizens. According to the latest Census school enrollment data, only 0.3% of nursery and kindergarten students, 3.1% of elementary school students, and 2.2% of high school students are foreign-born.<sup>10</sup> While some of these foreign-born students are undocumented, many are not. This group includes resettled refugees, asylees, individuals legally pursuing asylum, children paroled into the country and supported by their own families through special programs such as “Uniting for Ukraine”<sup>11</sup> and the Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV)<sup>12</sup> programs, and the children of immigrants on work visas. I’ll also note that unaccompanied minors in the care of providers supported by the Office of Refugee Resettlement receive education from these providers, not from our public school system.

I emphasize these distinctions to provide a clear and accurate picture of our immigrant student population. However, it is paramount to affirm that, by law and in our national interest, we must provide a quality education to all students, regardless of their birthplace or immigration status. Many of these students are here to stay, after all, and will become U.S. citizens and be our future educators, Members of Congress, business owners, and other professionals who will make invaluable contributions to our communities and economy.

Therefore, Congress must ensure that our schools have the resources they need to provide all students, including immigrant students, with access to a high-quality education. You have an opportunity to do so by investing in programs like Title III of the Elementary and Secondary Education Act, which provides much-needed support to states to ensure that English learners – most of whom are U.S.-born – and newcomer students have access to the resources they need to attain English language proficiency and meet the same challenging academic standards as their peers. This can be coupled with funding for programs that support a well-rounded education for all, including mental health supports, professional development for teachers, and family engagement.

We strongly believe in the power of education to transform people’s lives for the better. To deny any child the opportunity to learn and acquire the skills they need to be successful undermines our nation’s ability to develop the workforce that will secure our competitiveness. That is a risk we cannot afford.

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- <sup>1</sup> American Immigration Council. (2016, October 24). Public Education for Immigrant Students: Understanding Plyler v. Doe. American Immigration Council. [https://www.americanimmigrationcouncil.org/sites/default/files/research/public\\_education\\_for\\_immigrant\\_students\\_understanding\\_plyer\\_v\\_doe.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/public_education_for_immigrant_students_understanding_plyer_v_doe.pdf).
- <sup>2</sup> Lander, J. (2018, April 24). *The Strengths of Immigrant Students*. Harvard Graduate School of Education. <https://www.gse.harvard.edu/ideas/usable-knowledge/18/04/strengths-immigrant-students>
- <sup>3</sup> Organisation for Economic Cooperation and Development. (2020, March 12). *Immigrant students' attitudes and dispositions*. PISA 2018 Results (Volume II): Where All Students Can Succeed. OECD Publishing. <https://doi.org/10.1787/7e9d780e-en>.
- <sup>4</sup> Figlio, D., Giuliano, P., Marchingiglio, R., Ozek, U., & Sapienza, P. (2023, April 21). *Diversity in Schools: Immigrants and the Educational Performance of U.S.-Born Students*. *The Review of Economic Studies*, 91(2), 972-1006. <https://doi.org/10.1093/restud/rdad047>.
- <sup>5</sup> Ibid.
- <sup>6</sup> Lander, J. (2018, April 24). *The Strengths of Immigrant Students*. Harvard Graduate School of Education. <https://www.gse.harvard.edu/ideas/usable-knowledge/18/04/strengths-immigrant-students>.
- <sup>7</sup> National Academies of Sciences, Engineering, and Medicine. (2017). *The Economic and Fiscal Consequences of Immigration*. The National Academies Press. <https://doi.org/10.17226/23550>.
- <sup>8</sup> Ramon, C., Olah, V. (2024, February 27). *Immigration by the Numbers: What Does Recent Polling Show About Latino Views About Migration to the U.S.-Mexico Border and U.S. Border Policy*. UnidosUS. <https://unidosus.org/blog/2024/02/27/immigration-by-the-numbers-what-does-recent-polling-show-about-latino-views-about-migration-to-the-u-s-mexico-border-and-u-s-border-policy/#:~:text=The%20polls%20suggest%20Latino%20respondents,support%20building%20a%20border%20wall>.
- <sup>9</sup> Brown, T. C., & Ramón, C. (2019, July 2). *Solving the Crisis at the Border: Immigration FEMA*. Bipartisan Policy Center. <https://bipartisanpolicy.org/blog/solving-the-crisis-at-the-border-immigration-fema/>.
- <sup>10</sup> U.S. Census Bureau. (2022). School Enrollment - CPS October 2022. <https://www.census.gov/data/tables/2022/demo/school-enrollment/2022-cps.html>.
- <sup>11</sup> Ibid.
- <sup>12</sup> U.S. Citizenship and Immigration Services. (n.d.). *Processes for Cubans, Haitians, Nicaraguans, and Venezuelans*. <https://www.uscis.gov/CHNV>.