

# UNAUTHORIZED IMMIGRANT PARENTS AND THEIR CHILDREN'S DEVELOPMENT

*A SUMMARY OF THE EVIDENCE*



YOUNG CHILDREN OF IMMIGRANTS: RESEARCH FINDINGS AND POLICY CHOICES

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## A Summary of the Evidence

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## Executive Summary

Policy debates about unauthorized immigrants in the United States have tended, until recently, to focus on adults and adolescents. Yet there are a substantial number of children, including many born in the United States, who are affected by current enforcement of immigration laws and would be affected by legalization of the unauthorized. According to recent estimates, 5.5 million US children reside with at least one unauthorized immigrant parent, and 4.5 million of these children are US-born. Given that children with unauthorized parents constitute nearly one-third of all children with immigrant parents and about 8 percent of all US children, their well-being holds important implications for US society.

There has been little research on how a parent's unauthorized status affects child development, due in large part to difficulties in identifying and surveying unauthorized parents. Emerging research suggests that having an unauthorized immigrant parent (as opposed to a legal resident or citizen parent) is associated with lower cognitive skills in early childhood, lower levels of general positive development in middle childhood, higher levels of anxiety and depressive symptoms during adolescence, and fewer years of schooling. A variety of developmental mechanisms have been proposed to explain how parents' unauthorized status might lower children's learning and subsequent schooling outcomes, including:

- **Removal and parent-child separation.** Research on the effects of parental detention and removal, based on the large workplace raids of the mid-2000s, suggests subsequent increases in parental depression and child anxiety and behavior problems. Though these effects are limited to families in which a parent has been detained by immigration authorities or deported, fear of parental removal may also affect a broader set of children in immigrant, particularly Latino, communities. Parent-child separation can harm children's learning and emotional development due to disruption in attachment, interruptions in schooling, and economic hardship stemming from loss of parental income.
- **Lower access to public programs that benefit children's development.** While several major US social welfare programs restrict eligibility to citizens or long-term lawful permanent residents (LPRs), US-born children face no such restrictions. Research suggests that unauthorized immigrant parents may face barriers to enrolling their US-citizen children in these programs due to lack of information about programs and language barriers as many of these parents have limited English skills. Moreover, unauthorized immigrant parents are often unwilling to enroll eligible children in these programs, fearing they (i.e., the parents) could be identified as unauthorized immigrants and put at risk for arrest and removal.
- **Work conditions, psychological distress, and economic hardship.** Unauthorized workers are generally more likely than citizens or permanent residents to hold low-wage jobs. Two studies have indicated that unauthorized immigrants in low-wage jobs experience substantially poorer work conditions than authorized low-wage workers. Low-wage work and poor work conditions can lead to psychological distress among parents, distress which in turn is associated with low levels of child cognitive development and emotional well-being throughout early childhood and adolescence. The stresses associated with low-wage jobs form an important mechanism linking parental unauthorized status with lower child cognitive development.

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*There has been little research on how a parent's unauthorized status affects child development.*

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How might policies and programs reduce or mitigate the developmental risks for children with parents who are unauthorized? One solution is for state and local government agencies to provide better outreach and application support to unauthorized immigrant parents when they apply for public benefits for their children. Nongovernmental and advocacy organizations can ease enrollment barriers by acting as intermediaries between immigrant communities and government agencies.

In addition, public prekindergarten programs can narrow gaps in child development and academic readiness between children with unauthorized parents and other children. The research on public pre-K programs shows small-to-moderate positive effects on young children's language and preliteracy skills, which may be compromised among children with unauthorized parents. Some pre-K programs are universal but others are targeted to low-income children and require proof of income just like public benefit programs. Universal pre-K programs do not impose the same income verification and other paperwork requirements as targeted programs, and therefore are likely to obtain higher participation among children with unauthorized parents.

The most basic step toward addressing the well-being of these children would be to create a pathway to citizenship for their parents. A citizenship pathway would include employment authorization, which could improve parents' wages and working conditions, thereby enhancing their children's well-being and development.

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*Public prekindergarten programs can narrow gaps in child development and academic readiness between children with unauthorized parents and other children.*

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The research summarized in this report recommends a broad legalization: one not limited by age, educational credentials, or sector of employment. Legalization of comparatively well-educated unauthorized youth, as has been proposed through the *DREAM Act*, would exclude many parents who are too old to qualify as well as those without sufficient formal education. A legalization focusing on agricultural workers would affect just the small fraction of unauthorized immigrant parents employed in that sector.

Finally, the length of the citizenship pathway could also affect the well-being of children. If unauthorized parents gain a provisional legal status that does not carry the benefits of permanent residency and citizenship, they might continue to be vulnerable in the job market and fearful of interacting with government agencies. The amount of time they spend in provisional status could therefore affect the development of their children considerably.



## I. Introduction

Today's concerns about illegal immigration to the United States come on the heels of historically high rates of unauthorized inflows in the 1990s and 2000s. Although these rates had slowed by 2011, that year's total unauthorized population of 11.5 million remained near the historic high.<sup>1</sup> Of this total, roughly 6.8 million were immigrants from Mexico, representing 59 percent of the unauthorized population. The next leading countries of origin were El Salvador (660,000, or 6 percent), Guatemala (520,000, or 5 percent), Honduras (380,000, or 3 percent), and China (280,000, or 2 percent).<sup>2</sup>

Policy debates about unauthorized immigrants have until very recently focused on adults and youth. The children of unauthorized immigrant parents, meanwhile, compose a significant population. In 2010 there were 5.5 million children with at least one unauthorized immigrant parent,<sup>3</sup> constituting nearly one-third of all children with immigrant parents and about 8 percent of all US children.<sup>4</sup> Relatively few young children accompany adults crossing borders illegally (the majority of unauthorized immigrant adults in the United States are border crossers; the residual are visa overstayers).<sup>5</sup> Eighty-two percent of all children with unauthorized immigrant parents were US citizens, with this share rising to 91 percent for children under the age of 6.<sup>6</sup> The experience of growing up with an unauthorized parent is most likely to occur in the context of a mixed-status family, where at least one child is US born, and at least one parent is unauthorized.

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*In 2010 there were 5.5 million children with at least one unauthorized immigrant parent.*

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In this report, we consider how parental unauthorized status affects child development. We focus primarily on young children (birth to age 8), with a secondary emphasis on youth of older ages. Because the foundations of brain architecture are laid down in the first years of life, infancy and early childhood are developmental periods highly sensitive to environmental influences. The consequences of early childhood experience reach as far as a child's adult life, in the forms of health, educational attainment, earnings, and mental health.<sup>7</sup>

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1 Michael Hoefler, Nancy Rytina, and Bryan Baker, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2011* (Washington, DC: Department of Homeland Security, 2012), [www.dhs.gov/estimates-unauthorized-immigrant-population-residing-united-states-january-2011](http://www.dhs.gov/estimates-unauthorized-immigrant-population-residing-united-states-january-2011).

2 Ibid.

3 Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Population: National and State Trends, 2010* (Washington, DC: Pew Hispanic Center, 2011), [www.pewhispanic.org/2011/02/01/unauthorized-immigrant-population-brnational-and-state-trends-2010/](http://www.pewhispanic.org/2011/02/01/unauthorized-immigrant-population-brnational-and-state-trends-2010/).

4 Ibid.

5 Jeffrey S. Passel, *Unauthorized Migrants: Numbers and Characteristics* (Washington, DC: Pew Hispanic Center, 2005), [www.pewhispanic.org/files/reports/46.pdf](http://www.pewhispanic.org/files/reports/46.pdf).

6 Jeffrey S. Passel and D'Vera Cohn, *A Portrait of Unauthorized Immigrants in the United States* (Washington, DC: Pew Hispanic Center, 2009), [www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/](http://www.pewhispanic.org/2009/04/14/a-portrait-of-unauthorized-immigrants-in-the-united-states/).

7 Greg J. Duncan, Kathleen M. Ziol-Guest, and Ariel Kalil, "Early-Childhood Poverty and Adult Attainment, Behavior, and Health," *Child Development* 81, no. 1 (2010): 306–25; Jack P. Shonkoff, Andrew S. Garner, Benjamin S. Siegel, Mary I. Dobbins, Marian F. Earls, Laura McGuinn, John Pascoe, and David L. Wood, "The Lifelong Effects of Early Childhood Adversity and Toxic Stress," *Pediatrics* 129, no. 1 (2012): e232–e246.



## II. Does a Parent’s Unauthorized Status Affect Child and Youth Development?

Until the last few years, there were virtually no studies on how the unauthorized status of parents affects child development. This is due in part to the difficulty of identifying unauthorized immigrant parents. Relatively few large-scale studies that examine child development obtain information about parents’ citizenship status, let alone unauthorized status. Some of the studies reviewed here use direct measures of unauthorized status, others use proxies.

Before reviewing what is presently known about the developmental consequences of having a parent who is an unauthorized immigrant, we must acknowledge that this characteristic is correlated quite strongly with indicators of socioeconomic disadvantage. When compared to legal immigrants, the unauthorized have lower levels of education and higher levels of poverty.<sup>8</sup> In this review, we focus on studies in which traditional indicators of socioeconomic status (SES) like education, income, and employment are controlled when examining the effects of parental unauthorized status on children.

The research to date suggests that a parent’s unauthorized status is associated with lower levels of child cognitive development and educational progress. The evidence is uncertain regarding socioemotional development. In early childhood, as early as ages 2 and 3, a proxy for parental unauthorized status was associated with lower levels of standardized cognitive skills, but not with indicators of socioemotional development.<sup>9</sup> In middle childhood, legal vulnerability linked to parental unauthorized status<sup>10</sup> or unauthorized status itself<sup>11</sup> predicted lower levels of general positive development as perceived by parents. By adolescence, having an unauthorized parent was associated with higher levels of anxiety and depressive symptoms.<sup>12</sup> Finally, a large-scale study of Mexican-origin young adults showed that having an unauthorized mother, relative to an authorized one, was associated with between 1.25 and 1.5 fewer years of schooling (depending on the method used to adjust for characteristics of socioeconomic status and other family background variables).<sup>13</sup>

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8 Passel and Cohn, *A Portrait of Unauthorized Immigrants in the United States*.

9 Hirokazu Yoshikawa, *Immigrants Raising Citizens: Undocumented Parents and Their Young Children* (New York: Russell Sage Foundation, 2011).

10 Kalina Brabeck and Qingwen Xu, “The Impact of Detention And Deportation on Latino Immigrant Children and Families: A Quantitative Exploration,” *Hispanic Journal of Behavioral Sciences* 32, no. 3 (2010): 341–61.

11 Alexander N. Ortega, Sarah M. Horwitz, Hai Fang, Alice A. Kuo, Steven P. Wallace, and Moira Inkelas, “Documentation Status and Parental Concerns about Development in Young US Children of Mexican Origin,” *Academic Pediatrics* 9, no. 4 (2009): 278–82.

12 Stephanie R. Potochnick and Krista M. Perreira, “Depression and Anxiety among First-Generation Immigrant Latino Youth: Key Correlates and Implications for Future Research,” *The Journal of Nervous and Mental Disease* 198, no. 7 (2010): 470–77.

13 Mark A. Leach, Frank D. Bean, Susan K. Brown, and Jennifer Van Hook, *Unauthorized Immigrant Parents: Do Their Migration Histories Limit Their Children’s Education?* (New York: Russell Sage Foundation, 2011), [www.s4.brown.edu/us2010/Data/Report/report101811.pdf](http://www.s4.brown.edu/us2010/Data/Report/report101811.pdf).





### III. Developmental Outcomes: Mechanisms of Influence

What might explain these negative effects on the cognitive and school outcomes of children and youth? A variety of mechanisms have been proposed to explain how parents' unauthorized status might lower children's learning and subsequent schooling outcomes. Models have been put forward by Yoshikawa and Kalil<sup>14</sup> and Suarez-Orozco and colleagues.<sup>15</sup> Below, we review qualitative as well as quantitative evidence on several potential mechanisms.

#### A. Removal

The most damaging family event associated with parental unauthorized status is the removal of a parent from the United States. The number of noncitizens formally removed from the United States rose during the 2000s, to nearly 400,000 in 2009, and remained around that level through 2012.<sup>16</sup> Between July 2010 and September 2012, 205,000 noncitizens who were deported claimed to have at least one US-citizen child, representing an annual average of about 90,000 parental deportations.<sup>17</sup>

Research on the effects of arrest for removal, based on the large workplace raids of the mid-2000s, suggests subsequent increases in children's behavioral problems, anxiety, and depressive symptoms.<sup>18</sup> These outcomes for children may be due to several factors. First, the economic well-being of the household is drastically affected by the loss of income of a detained or removed parent. Second, the fear of authorities is greatly heightened in these families, with remaining relatives sometimes keeping children at home or out of school during the removal proceedings. Third, remaining relatives typically experience higher psychological distress, which in turn can harm children's well-being as well as learning.

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Fear of parental removal may also affect children, regardless of whether a parent is actually arrested. Qualitative studies suggest that fear of removal can be transmitted to children either directly or through more general parental stress, with consequences for the child's well-being.<sup>19</sup> Children of Mexican immigrant parents in one study by Dreby expressed a variety of fears, including fear of the family being

14 Hirokazu Yoshikawa and Ariel Kalil, "The Effects of Parental Undocumented Status on the Developmental | Contexts of Young Children in Immigrant Families," *Child Development Perspectives* 5, no. 4 (2011): 291–97.

15 Carola Suárez-Orozco, Hirokazu Yoshikawa, Robert T. Teranishi, and Marcelo M. Suárez-Orozco, "Growing Up in the Shadows: The Developmental Implications of Unauthorized Status," *Harvard Educational Review* 81, no. 3 (2011): 438–73.

16 US Department of Homeland Security (DHS), *Yearbook of Immigration Statistics, FY 2011* (Washington, DC: DHS, 2012), table 29, [www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois\\_yb\\_2011.pdf](http://www.dhs.gov/sites/default/files/publications/immigration-statistics/yearbook/2011/ois_yb_2011.pdf); Immigration and Customs Enforcement (ICE), "FY2012: ICE announces year-end removal numbers, highlights focus on key priorities and issues new national detainer guidance to further focus resources" (press release, December 21, 2012), [www.ice.gov/news/releases/1212/121221washingtondc2.htm](http://www.ice.gov/news/releases/1212/121221washingtondc2.htm).

17 Seth F. Wessler, "Nearly 250,000 Deportations of Parents of U.S. Citizens in Just over Two Years," *Colorlines*, December 17, 2012, [http://colorlines.com/archives/2012/12/us\\_deports\\_more\\_than\\_200k\\_parents.html](http://colorlines.com/archives/2012/12/us_deports_more_than_200k_parents.html).

18 Ajay Chaudry, Randy Capps, Juan Manuel Pedroza, Rosa Maria Castaneda, Robert Santos, and Molly M. Scott, *Facing Our Future: Children in the Aftermath of Immigration Enforcement* (Washington, DC: Urban Institute, 2010), [www.urban.org/publications/412020.html](http://www.urban.org/publications/412020.html).

19 Kalina M. Brabeck, M. Brinton Lykes, and Rachel Hershberg, "Framing Immigration to and Deportation from the United States: Guatemalan and Salvadoran Families Make Meaning of their Experiences," *Community, Work and Family* 14, no. 3 (2011): 275–96.



split up, of both parents leaving the United States while the children stayed behind, and of the police.<sup>20</sup> Children also expressed discomfort with others knowing they had an immigrant parent. Some children in Dreby's sample conflated immigrant status with illegality. This perceived stigma may exacerbate patterns of low parent involvement at school.

## **B. Parent-Child Separation**

Mixed-status families are more likely than other immigrant families to travel separately during voluntary, transnational trips.<sup>21</sup> This is in part because any return to the United States is more difficult for an unauthorized parent than an authorized one (or a US-born child). Children in mixed-status families are thus more likely to experience prolonged periods of parent-child separation, whether because of voluntary trips to countries of origin or removal. Parent-child separation can harm children's learning and emotional development due to disruption in attachment, interruptions in schooling, and economic losses in the household.<sup>22</sup> One interesting study observes this pattern inside a sending country. Lahaie and colleagues compared children in households in sending areas of Mexico whose caregivers left for the United States to those whose caregivers did not leave, based on a sample of families in areas with high emigration rates. Mexican children who had been "left behind" had lower levels of academic and behavioral outcomes than those whose caregivers stayed with them.<sup>23</sup>

## **C. Lower Access to Means-Tested Programs that Benefit Children's Development**

Unauthorized parents are ineligible for most public benefits provided to adults or parents by the federal government. This includes health or mental health care such as Medicaid or Medicare, aside from emergency care and care provided during the perinatal and immediate postnatal periods; publicly funded job-training programs; public housing; the Supplemental Nutrition Assistance Program (SNAP, or food stamps); the Earned Income Tax Credit (EITC); social security; and cash welfare assistance. However, US-born children are not barred from eligibility for these federally funded means-tested benefit programs, even if their parents are unauthorized. For example, the Children's Health Insurance Program (CHIP), SNAP, Temporary Assistance for Needy Families (TANF), and child-care subsidies are all available to US citizen children with unauthorized parents.

Research suggests, however, that parents who are unauthorized can face barriers to enrolling their eligible children in these programs for two principal reasons. First, unauthorized parents may simply not have the information about the programs and what they provide. Particularly among the most recent wave of unauthorized migrants, many of whom are the first in their families to immigrate, sources of information about US public programs may be scarce. This lack of information may be because the social networks of recently arrived unauthorized adults may have high concentrations of other recent arrivals and the unauthorized. In addition, many unauthorized parents have limited English proficiency and therefore face language barriers to accessing benefits for their children.<sup>24</sup>

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20 Joanna Dreby, "The Burden of Deportation on Children in Mexican Immigrant Families," *Journal of Marriage and Family* 74, no. 4 (2012): 829–45.

21 Marcelo M. Suárez-Orozco, Tasha Darbes, Sandra Isabel Dias, and Matt Sutin, "Migrations and Schooling," *Annual Review of Anthropology* 40 (2011): 311–28; Carola Suárez-Orozco and Maria G. Hernández, "Immigrant Family Separations: The Experience of Separated, Unaccompanied, and Reunited Youth and Families," in *The Impact of Immigration on Children's Development*, ed. Cynthia T. García Coll (Basel, Switzerland: S. Karger Publishers, 2012): 122–48.

22 Ibid.

23 Claudia Lahaie, Jeffrey A. Hayes, Tinka Markham Piper, and Jody Heymann, "Work and Family Divided Across Borders: The Impact of Parental Migration on Mexican Children in Transnational Families," *Community, Work and Family* 12, no. 3 (2009): 299–312.

24 Yoshikawa, *Immigrants Raising Citizens*.



Second, unauthorized parents may be unwilling to enroll their US-born children in these programs as they try to avoid authorities, organizations, and programs associated with the government. These parents may feel that contact with federal agencies carries risk of identification as unauthorized immigrants and, potentially, arrest and removal.<sup>25</sup> These fears are more likely to arise when programs require proof of income. Yoshikawa's study of low-income immigrant parents in New York suggested that children of unauthorized parents were less likely to receive child-care subsidies and the center-based care that such subsidies can purchase.<sup>26</sup> Lack of access had developmental consequences for the children in that study — among children from low-income families, center-based child care is consistently associated with better cognitive skills in the first years of life.

#### D. Work Conditions

Unauthorized parents generally endure poor job conditions. Two studies indicate that unauthorized low-wage workers experience substantially poorer work conditions than authorized low-wage workers.<sup>27</sup> For example, unauthorized low-wage workers are more likely than authorized low-wage workers (by between 30 and 40 percent, depending on the age of the child and the gender of the parent) to earn below the minimum wage. In addition, their jobs are characterized by much lower access to sick days, vacation days, overtime pay, and employer-provided health benefits.<sup>28</sup> Finally, the job duties of unauthorized parents, relative to authorized ones, involve fewer opportunities for autonomy as well as higher levels of repetition and physical demands. Within the low-wage service economy occupied by the working poor in the United States, the unauthorized hold jobs at the lowest levels of the skill and organizational hierarchies.

In addition to these poor work conditions, as measured at single points in time, the unauthorized have dramatically lower rates of wage growth. Earnings growth among low-wage working parents can benefit children's academic and behavioral development, by increasing parents' expectations for their children's educational success and achievement.<sup>29</sup> Wage growth was near zero — even in the context of a local booming economy — for unauthorized parents in Yoshikawa's New York study.<sup>30</sup>

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#### E. Psychological Distress and Economic Hardship

Parents' psychological distress and material hardship are consistently associated with lower levels of child cognitive development as well as emotional well-being, throughout early childhood and

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25 Randy Capps and Karina Fortuny, *Immigration and Child and Family Policy* (Washington, DC: Urban Institute, 2006), [www.urban.org/publications/311362.html](http://www.urban.org/publications/311362.html).

26 Yoshikawa, *Immigrants Raising Citizens*.

27 Annette Bernhardt, Ruth Milkman, Nik Theodore, Douglas Heckathorn, Mirabai Auer, James DeFilippis, Ana Luz González, Victor Narro, Jason Perelshteyn, Diana Polson, and Michael Spiller, *Broken Laws, Unprotected Workers* (New York: National Employment Law Project, 2009), [www.nelp.org/page/-/brokenlaws/BrokenLawsReport2009.pdf?nocdn=1](http://www.nelp.org/page/-/brokenlaws/BrokenLawsReport2009.pdf?nocdn=1); Yoshikawa, *Immigrants Raising Citizens*.

28 Ibid.

29 Hirokazu Yoshikawa, Thomas S. Weisner, and Edward Lowe, eds., *Making It Work: Low-Wage Employment, Family Life and Child Development* (New York: Russell Sage Foundation, 2006).

30 Yoshikawa, *Immigrants Raising Citizens*.



adolescence.<sup>31</sup> These factors help explain the association of parental unauthorized status with lower child cognitive development found in one study.<sup>32</sup> Unauthorized status can prompt a toxic stress response in caregivers, particularly if the threat of removal is experienced on a regular basis, as in strict state or local policy environments.<sup>33</sup> However, no studies to date have examined the biological processes (e.g., immune-system or hypothalamic-pituitary-adrenal axis changes) associated with stress responses to unauthorized status and their long-term consequences for children’s health, learning, and behavior.

## F. Awareness of Own Unauthorized Status and its Consequences

About 1 million children are themselves unauthorized, and for these children, growing awareness of unauthorized status during middle childhood and adolescence can have adverse consequences. This is a period of awakening to one’s own unauthorized status, or what Gonzales has termed “learning to be illegal.”<sup>34</sup> In his large qualitative study of unauthorized youth, Gonzalez found that most experienced the early years of K-12 schooling as a protected time, and looked back on it as granting de facto legal status. This is due to US policy regarding student access to public education, which is universal regardless of child citizenship or authorized status.<sup>35</sup>

By late adolescence, as peers engaged in normative teenager activities such as driving, working, or planning for college, unauthorized youth gradually realized the scope of their blocked opportunities. Difficulties accessing college (e.g., lack of access to in-state tuition and financial aid), drivers’ licenses, and employment represent barriers to educational progress, economic advancement, and other aspects of the normative transition through late adolescence.<sup>36</sup>

In some cases, youth in Gonzales’s study reported becoming much more guarded, restricting their social lives due to discomfort revealing their own status to their peers. Experiences of the transition to college were bifurcated — some had access to family resources and/or guidance counselors who helped navigate the limited number of scholarships and resources specifically available to unauthorized students. Others had fewer resources, and were much more likely to drop out of high school and enter the world of unauthorized or “illegal” work (often obtained through fake social security numbers).

## IV. Contextual Factors Influencing Developmental Outcomes

How children experience a parent’s unauthorized status may differ — that is, any negative effects may be mitigated or exacerbated — depending on historical, policy, neighborhood, and network contexts. Various factors may be at work, including:

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31 Elizabeth T. Gershoff, J. Lawrence Aber, C. Cybele Raver, and Mary Clare Lennon, “Income is Not Enough: Incorporating Material Hardship into Models of Income Associations with Parenting and Child Development,” *Child Development* 78, no. 1 (2007): 70–95.

32 Yoshikawa, *Immigrants Raising Citizens*.

33 National Scientific Council on the Developing Child, “Excessive Stress Disrupts the Architecture of the Developing Brain” (working paper No. 3, Harvard Center on the Developing Child, Cambridge, MA, 2005), [http://developingchild.harvard.edu/index.php/resources/reports\\_and\\_working\\_papers/working\\_papers/wp3/](http://developingchild.harvard.edu/index.php/resources/reports_and_working_papers/working_papers/wp3/).

34 Roberto G. Gonzales, “Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood,” *American Sociological Review* 76, no. 4 (2011): 602–19.

35 See *Plyler vs. Doe*, 457 U.S. 202 (1982).

36 Gonzales, “Learning to Be Illegal.”



**Chronic unauthorized status.** Some US immigrant groups are more likely to have experienced long-term unauthorized status than others. The duration of unauthorized status is determined most powerfully by policy.

Between 1986 and 1988, roughly 70 percent of the nation’s unauthorized immigrants transitioned out of that status (typically gaining LPR or “green card” status) under the legalization provisions of the *Immigration Reform and Control Act*.<sup>37</sup> But since the early 1990s, a new generation of parents and their children has faced much more restricted pathways to green cards and citizenship, resulting in a large number of immigrants keeping unauthorized status for decades.<sup>38</sup> Following enactment of immigration enforcement legislation in 1996, those who had accrued unlawful presence time in the United States were also subject to bars of up to ten years on lawful re-entry to the country.<sup>39</sup> Of course after a decade, the large part of the child’s development, and most possibilities for positively influencing that development, is over. The chronically unauthorized may be at greater risk of detrimental effects on their children’s ultimate educational attainment than those who enter the country as LPRs or eventually obtain a pathway to LPR status and citizenship.<sup>40</sup>

**The Great Recession and its aftermath.** The Great Recession may have exacerbated some aspects of the experience of unauthorized parents in ways that further increased developmental risk to children. National data show that the number of Hispanic families living below the federal poverty level has gone up during the recession.<sup>41</sup> Although rates of employment are higher for Hispanic and immigrant workers than those who are non-Hispanic and native born, wages dropped for Hispanic and immigrant workers after the recession.<sup>42</sup> Thus, although employment itself has recovered for immigrant workers, rates of low-wage work and resulting poverty — both of which can harm children’s long-term school and life prospects — have risen. In addition, the number of unauthorized immigrants returning to their origin countries, particularly Mexico, has increased since the recession. These returns may mean that some children are being left behind in the United States without their parents and are suffering the negative outcomes associated with family separation.

**Neighborhood and network social capital.** The influence of parents’ unauthorized status on children may differ depending on the parents’ access to neighborhood and network-level resources. For example, parents living in longer-standing ethnic enclave communities, or those with richer social-service infrastructures, may have better information about public benefit programs and the eligibility of their US-born children.<sup>43</sup> Multigenerational networks and contact with authorized or citizen parents — both less likely among those who entered through unauthorized channels in the 1990s and 2000s — can provide valuable information about childrearing and community and policy resources.<sup>44</sup>

37 Hiroshi Motomura, *Americans in Waiting: The Lost Story of Immigration and Citizenship in the United States* (New York: Oxford University Press, 2007); Hiroshi Motomura, “What is Comprehensive Immigration Reform? Taking the Long View,” *Arkansas Law Review* no. 63 (2010): 225–41.

38 Ibid.

39 DHS, “Provisional Unlawful Presence Waivers of Inadmissibility for Certain Immediate Relatives” (news release, January 3, 2013), [www.federalregister.gov/articles/2013/01/03/2012-31268/provisional-unlawful-presence-waivers-of-inadmissibility-for-certain-immediate-relatives](http://www.federalregister.gov/articles/2013/01/03/2012-31268/provisional-unlawful-presence-waivers-of-inadmissibility-for-certain-immediate-relatives).

40 Frank D. Bean, Mark A. Leach, Susan K. Brown, James D. Bachmeier, and John R. Hipp, “The Educational Legacy of Unauthorized Migration: Comparisons Across US-Immigrant Groups in How Parents’ Status Affects Their Offspring,” *International Migration Review* 45, no. 2 (2011): 348–85.

41 US Census Bureau, *The 2012 Statistical Abstract* (Washington, DC: US Census Bureau, 2012), [www.census.gov/compendia/statab/2012edition.html](http://www.census.gov/compendia/statab/2012edition.html).

42 Rakesh Kochhar, Soledad Espinoza, and Rebecca Hinze-Pifer, *After the Great Recession: Foreign-Born Gain Jobs, Native-Born Lose Jobs* (Washington, DC: Pew Hispanic Center, 2010), [www.pewhispanic.org/2010/10/29/after-the-great-recession-brforeign-born-gain-jobs-native-born-lose-jobs/](http://www.pewhispanic.org/2010/10/29/after-the-great-recession-brforeign-born-gain-jobs-native-born-lose-jobs/).

43 Joanna Dreby, *How Today’s Immigration Enforcement Policies Impact Children, Families, and Communities: A View from the Ground* (Washington, DC: Center for American Progress, 2012), [www.americanprogress.org/issues/immigration/report/2012/08/20/27082/how-todays-immigration-enforcement-policies-impact-children-families-and-communities/](http://www.americanprogress.org/issues/immigration/report/2012/08/20/27082/how-todays-immigration-enforcement-policies-impact-children-families-and-communities/).

44 Yoshikawa, *Immigrants Raising Citizens*.





*How children experience a parent's unauthorized status may differ depending on historical, policy, neighborhood, and network contexts.*

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## V. Relevant Programs and Policies

Can public programs and policies mitigate the risks that parental unauthorized status poses to children's health, learning, education, and behavior? At a point in history when the US child population would be shrinking without immigration, the risks to 4.5 million US-born children with unauthorized parents, as well as over 1 million children who are unauthorized themselves, should not be taken lightly. The US economy will benefit from maximizing the developmental potential of all its children, including the 5.5 million who have unauthorized parents. The research just reviewed suggests that there are substantial risks to these children's learning and school success and attainment stemming from parental unauthorized status.

How could policies and programs reduce or mitigate these risks for the next generation? Differing approaches include altering unauthorized status itself, changing the way removal proceedings of parents are conducted, and expanding children's access to benefits and early education.

### A. Policies Directly Modifying Unauthorized Status

The most basic step toward addressing the problem is to create a pathway to citizenship for unauthorized parents. This is currently the subject of debate in Congress and the Obama administration, as it was during the presidency of George W. Bush. A variety of criteria for eligibility have been considered, including a certain number of years of residence, years of continuous employment, and lack of a criminal background.<sup>45</sup> The congressional and White House proposals include the payment of a fine, and a bipartisan Senate plan would require that the unauthorized go to the “back of the line” — that is, not ahead of those who have been in waiting for legal permanent residency or citizenship under other circumstances.<sup>46</sup>

For unauthorized youth, a pathway to citizenship has been proposed multiple times in Congress through the *Development, Relief, and Education for Alien Minors Act* (the *DREAM Act*, first proposed in the Senate in 2001).<sup>47</sup> The 2009 version would grant qualifying immigrants — those under 35 years who arrived in the United States before age 16, have lived in the country for at least five years, and have received a high school or equivalency diploma — “conditional” status during a six-year period. The bill would require this group to (1) graduate from a two-year community college, (2) complete at least two years toward a four-year degree, or (3) serve two years in the US military. After this six-year period, those who meet at least one of these three conditions would be eligible to apply for LPR status.<sup>48</sup>

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45 Marc R. Rosenblum, Randy Capps, and Serena Yi-Ying Lin, *Earned Legalization: Effects of Proposed Requirements on Unauthorized Men, Women, and Children* (Washington, DC: Migration Policy Institute), 2011, [www.migrationpolicy.org/pubs/legalization-requirements.pdf](http://www.migrationpolicy.org/pubs/legalization-requirements.pdf).

46 Richard Durbin, “Bipartisan Group of Senators Unveil Immigration Reform Principles” (news release, Senator Richard Durbin, Assistant Majority Leader, Washington, DC, January 28, 2013), <http://durbin.senate.gov/public/index.cfm/pressreleases?ID=d5ca2efc-5743-437e-9a31-2b21aa52561a>.

47 *Development, Relief, and Education for Alien Minors Act*, S. 1291, August 1, 2001.

48 Luis Miranda, “The Dream Act: Good for Our Economy, Good for our Security, Good for our Nation” (The White House, Washington, DC, December 1, 2010), [www.whitehouse.gov/blog/2010/12/01/get-facts-dream-act](http://www.whitehouse.gov/blog/2010/12/01/get-facts-dream-act).



However, there are concerns regarding the *DREAM Act's* benefits for parents with unauthorized status. Thirty-eight percent of women and 21 percent of men who are under 35 years and have a high school degree — and thus are eligible for the *DREAM Act* — are parents.<sup>49</sup> Some scholars argue that parental responsibilities often hinder individuals from obtaining a higher level of education.<sup>50</sup> Thus, parents who immediately qualify for the *DREAM Act* might not be able to complete the requirements that lead to LPR status as they would be faced with completing at least two years of postsecondary education while also attending to family responsibilities.

Meanwhile, there are over 279,000 unauthorized immigrants who meet the *DREAM Act's* requirements for age and length of US residence but do not have a high school diploma or a general education development (GED).<sup>51</sup> Even though some might be motivated to pursue secondary education by the prospect of obtaining legal status, family demands might make additional education particularly challenging. Parents in this group may require additional space in adult education programs and focused outreach to ensure that they are ready for the *DREAM* requirements (or any other potential pathway to citizenship that similarly requires involvement in education).

Finally, since the *DREAM Act* excludes people who are older than 35 years of age, unauthorized parents who are beyond this age limit would not be eligible.

The Deferred Action for Childhood Arrivals (DACA) policy implemented by the Obama administration in 2012 provides work permits and temporary protection from removal for a group similar to those who would be eligible for the *DREAM Act*. This group includes unauthorized youth under the age of 31 who came to the United States as minors.<sup>52</sup> These individuals must have continuously resided in the United States for the last five years; be physically present in the United States at the time of making their request for consideration of deferred action; have entered the United States without inspection or have allowed their lawful immigration status to expire as of June 2012; be currently in school, have graduated from high school, have obtained a GED certificate, or be a discharged veteran of the Coast Guard or armed forces; and have no criminal record. The DACA program also provides for work authorization and a social security number, which facilitate obtaining identification such as a driver's license.

DACA provides relief from deportation and work permits to a significant number of unauthorized youth and children, once they reach the age to qualify. Parents with unauthorized status, too, face a number of barriers to qualifying for DACA.<sup>53</sup> First, the age limit of 31 excludes many parents. Second, unauthorized adults face barriers in some states to the education programs in which participation is required — for example, GED classes. This population has no access to federally funded job training programs. Parents may be more constrained than childless adults in their ability to access adult education programs due to financial and time restrictions. These restrictions have consequences for children. For example, along with a number of other requirements, the earned income tax credit (EITC) requires valid social security numbers, which DACA recipients can gain when they obtain work permits.<sup>54</sup> EITC, as the nation's largest direct poverty reduction program, has substantial benefits for children — it reduces child poverty rates nationally and improves their school achievement.<sup>55</sup>

49 Jeanne Batalova and Margie McHugh, *DREAM vs. Reality: An Analysis of Potential DREAM Beneficiaries* (Washington, DC: Migration Policy Institute, 2010), [www.migrationpolicy.org/pubs/DREAM-Insight-July2010.pdf](http://www.migrationpolicy.org/pubs/DREAM-Insight-July2010.pdf).

50 Mark H. Lopez, *Latinos and Education: Explaining the Attainment Gap* (Washington, DC: Pew Hispanic Center, 2009), <http://pewhispanic.org/files/reports/115.pdf>; Susan Choy, *Access and Persistence: Findings from 10 Years of Longitudinal Research on Students* (Washington, DC: American Council on Education, 2002), <http://nces.ed.gov/pubs2007/2007161.pdf>.

51 Batalova and McHugh, *DREAM vs. Reality*.

52 DHS, "Deferred Action for Childhood Arrival," undated, [www.dhs.gov/deferred-action-childhood-arrivals](http://www.dhs.gov/deferred-action-childhood-arrivals).

53 New York Immigration Coalition (NYIC), *NYIC DACA Policy Overview and Demographics* (New York: NYIC, 2012), [www.thenyic.org/sites/default/files/NYIC%20DACA%20Backgrounder%2010%2026%2012.pdf](http://www.thenyic.org/sites/default/files/NYIC%20DACA%20Backgrounder%2010%2026%2012.pdf).

54 US Social Security Administration, "Social Security Number – Deferred Action for Childhood Arrivals," [www.ssa.gov/pubs/deferred\\_action.pdf](http://www.ssa.gov/pubs/deferred_action.pdf).

55 Gordon B. Dahl and Lance Lochner, "The impact of family income on child achievement: Evidence from the earned income tax credit," *The American Economic Review* 102, no. 5 (2012): 1927-56.



Modifications to existing immigration laws that affect parents may also be beneficial. For example, under current law, individuals who crossed the US border illegally can be granted a provisional waiver of the unlawful presence ground of inadmissibility on the basis of proving “extreme hardship” to their US citizen relatives. However, the definition of relatives extends only to the US citizen spouses and parents of the petitioner, and does not include the petitioner’s children.<sup>56</sup> One way for more parents to obtain waivers would be to extend the criteria for hardship to petitioners’ children.<sup>57</sup>

## **B. Policies Modifying Enforcement Practice**

The developmental and policy rationales for considering parents of US-born citizen children as a subgroup in enforcement activities consists of the fact that two generations are severely affected by removal. The research reviewed above suggests that removing a working parent imposes a double penalty: lost family earnings and harm to the long-term prospects and productivity of that parent’s children.

Advocacy organizations and policymakers have begun to act on this issue. An Obama administration memo issued in the fall of 2011 outlined guidance for prosecutorial discretion allowing government officials to consider family and community ties, including the presence of US-born children, during immigration enforcement activities.<sup>58</sup> However, by mid-2012 it was made public — after pressure by advocates for the release of this information — that virtually no parents had been released from removal proceedings due to this provision.<sup>59</sup>

In addition, members of Congress have proposed legislation to take into account children’s needs in situations of removal proceedings (the *Humane Enforcement and Legal Protections for Separated Children Act*<sup>60</sup> and the *Help Separated Families Act*, both in the House).<sup>61</sup> In December 2012, the Obama administration issued a new policy governing federal requests to local law enforcement to detain those arrested for removal, stipulating that only those charged with more serious crimes (that is, felonies or multiple misdemeanors) would be subject to detainer requests.<sup>62</sup> This rule may reduce the probability that parents without serious offenses on their records will be separated from children and other family members while awaiting the outcome of their case.

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<sup>56</sup> *Immigration and Nationality Act* (INA) § 212, “General Classes of Aliens Ineligible to Receive Visas and Ineligible for Admission; Waivers of Inadmissibility,” [www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-29/0-0-0-2006.html](http://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-29/0-0-0-2006.html).

<sup>57</sup> David Thronson, *Forward Looking Immigration Reform and the Interests of Children* (Washington, DC: Migration Policy Institute, 2013 forthcoming).

<sup>58</sup> John Morton, “Exercising Prosecutorial Discretion Consistent with the Civil Immigration Priorities of the Agency for Detention and Removal of Aliens” (memorandum from the Director, Immigration and Customs Enforcement to All Field Office Directors, All Special Agents in Charge, All Chief Counsel, June 17, 2011), [www.ice.gov/doclib/secure-communities/pdf/prosecutorial-discretion-memo.pdf](http://www.ice.gov/doclib/secure-communities/pdf/prosecutorial-discretion-memo.pdf).

<sup>59</sup> Hirokazu Yoshikawa and Carola Suárez-Orozco, “Deporting Parents Hurts Kids,” *The New York Times*, April 21, 2012, [www.nytimes.com/2012/04/21/opinion/deporting-parents-ruins-kids.html](http://www.nytimes.com/2012/04/21/opinion/deporting-parents-ruins-kids.html).

<sup>60</sup> *Humane Enforcement and Legal Protections for Separated Children Act* (HR 2607), 112<sup>th</sup> Cong., 1<sup>st</sup> sess., July 21, 2011, [www.govtrack.us/congress/bills/112/hr2607](http://www.govtrack.us/congress/bills/112/hr2607).

<sup>61</sup> *Help Separated Families Act* (H.R. 6128), 112<sup>th</sup> Cong., 1<sup>st</sup> sess., July 13, 2012, [www.govtrack.us/congress/bills/112/hr6128](http://www.govtrack.us/congress/bills/112/hr6128).

<sup>62</sup> John Morton, “Civil Immigration Enforcement: Guidance on the Use of Detainers in Federal, State, Local and Tribal Criminal Justice Systems” (Memorandum from the Director, Immigration and Customs Enforcement, to All Field Office Directors, All Special Agents in Charge, All Chief Counsel, December 21, 2012), [www.ice.gov/doclib/detention-reform/pdf/detainer-policy.pdf](http://www.ice.gov/doclib/detention-reform/pdf/detainer-policy.pdf).



### C. *Programs, Nongovernmental Organization Initiatives, and Policies that Foster Access to Means-Tested Benefits*

Some parents with unauthorized status may be reluctant under current conditions to enroll their children in programs for which they are eligible. Access to means-tested programs could be promoted through outreach and applications that facilitate enrollment.<sup>63</sup> Some state Medicaid, TANF, or SNAP agencies, for example, have instituted clear instructions to low-income immigrant parents that they are not required to provide information on all family members when applying for benefits for their children. For instance, in some states SNAP applications require social security numbers only for all those household members applying for benefits, not for all household members.<sup>64</sup>

NGOs can play an important role in easing enrollment barriers for children in mixed-status families. Data from a recent study of immigrant access to health and human services programs in three states show several strategies that successful NGOs have used to facilitate the access of mixed-status families to benefits for which their children are eligible.<sup>65</sup> NGOs are not identified with the federal government or local law enforcement authorities, and may be more trusted in immigrant communities. Some state and local health and human services programs work with NGOs and/or informal organizations (e.g., churches, other faith-based organizations) to provide information about programs that can benefit children's development such as public prekindergarten; child-care subsidies; food stamps; or Women, Infants, and Children (WIC) nutritional supplements.

NGOs can also address the barriers faced by parents who feel reluctant to provide proof of income, or whose employers are unwilling to provide proof of income, to demonstrate eligibility for programs. For example, an NGO in Maryland works with immigrant laborers and provides proof-of-income letters for day laborers who lack stable employment. The organization vouches for the number of days a worker has secured employment and how much he or she makes. Such letters help workers apply for benefits that are contingent on work, such as SNAP, TANF, and child-care subsidies.<sup>66</sup>

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### *NGOs can play an important role in easing enrollment barriers for children in mixed-status families.*

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NGOs, states, and localities can also help bring unauthorized immigrant parents out of the shadows by helping them obtain a valid form of identification. One challenge common to mixed-status families is the lack of drivers' licenses and other forms of valid identification. Some cities, such as New Haven, CT; Trenton, NJ; San Francisco; and most recently Los Angeles, issue municipal identification associated

<sup>63</sup> Robert Crosnoe, Juan Pedroza, Kelly Purtell, Karina Fortuny, Krista Perreira, Kjersti Ulvestad, Christina Weiland, Hirokazu Yoshikawa, and Ajay Chaudry, "Promising Practices for Increasing Immigrants' Access to Health and Human Services" (policy brief no. 3, Immigrant Access to Health and Human Services Project, Urban Institute and US Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Washington, DC, 2012), <http://aspe.hhs.gov/hsp/11/immigrantaccess/practices/rb.shtml>; Hirokazu Yoshikawa, Christina Weiland, Kjersti Ulvestad, Karina Fortuny, Krista Perreira, and Robert Crosnoe, "Ensuring Access of Low-Income Immigrant Families to Health and Human Services: The Role of Community-Based Organizations" (policy brief no. 4, Immigrant Access to Health and Human Services Project, Urban Institute and US Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Washington, DC, 2013).

<sup>64</sup> Crosnoe et al., "Promising Practices for Increasing Immigrants' Access to Health and Human Services."  
<sup>65</sup> Krista Perreira, Robert Crosnoe, Karina Fortuny, Juan Pedroza, Kjersti Ulvestad, Christina Weiland, and Hirokazu Yoshikawa, "Barriers to Immigrants' Access to Health and Human Services Programs" (US Department of Health and Human Services, Washington, DC, 2012), <http://aspe.hhs.gov/hsp/11/ImmigrantAccess/Barriers/rb.pdf>.

<sup>66</sup> Yoshikawa et al., "Ensuring Access of Low-Income Immigrant Families to Health and Human Services."





with that locality to help increase access to resources.<sup>67</sup> As of February 2013, it appeared that all but two states (Arizona and Nebraska) would grant drivers' licenses to DACA recipients.<sup>68</sup> Mexican consulates provide consular IDs to Mexican nationals, many of whom are unauthorized, and some states and localities accept these consular cards as valid identification.

In New York, a photo ID must be shown by a parent who wishes to visit his or her child's school. For years, the required ID was a driver's license or state ID card. Responding to advocacy, New York City changed its policy to allow consular ID cards and foreign passports as acceptable forms of photo ID. The New York Immigration Coalition (NYIC) subsequently worked with the New York City Council and the Mayor's Office of Immigrant Affairs to link public schools in high-immigrant neighborhoods with consulates of countries that have been the sources of large migration flows to New York. Identification drives sponsored by the Mexican consulate at these schools have resulted in tens of thousands of immigrant parents obtaining these consular IDs.<sup>69</sup> Similar consulate drives have been successful in other cities, such as Boston.<sup>70</sup>

Finally, NGOs and advocacy organizations can partner with government agencies to facilitate information sharing about low-income immigrant populations, including mixed-status families. In Massachusetts, for example, NGO and advocacy leaders meet monthly with both the Department of Transitional Assistance (which administers SNAP and TANF) and the state Medicaid office. Both groups benefit from this arrangement; the state agency administrators learn more about the barriers faced by immigrant groups, and the advocates and NGO leaders learn about changes in regulations and policies from the federal and state levels. Policy implementation strategies that ease barriers for mixed-status families have emerged from these discussions.<sup>71</sup>

#### D. Universal Prekindergarten and Other Early Childhood Care and Education Programs

As pointed out by several scholars, public schooling is a "protected" developmental period for children who are unauthorized.<sup>72</sup> Public prekindergarten is an important and expanding part of many public school systems. As of 2010, public pre-K had been implemented in 40 states, enrolling roughly 27 percent of the nation's 4-year-olds.<sup>73</sup> These programs have robust effects, ranging from small to moderate, on children's language and pre-literacy skills — two sets of skills that most studies suggest may be most compromised among the young children of a parent with unauthorized status.<sup>74</sup>

However, many public prekindergarten programs — unlike the K-12 portions of the school systems of which they are typically a part — are means-tested; in fact, only eight states have universal pre-K programs. Means-tested pre-K programs require the same kinds of paperwork (for example, proof of income) as public means-tested benefit programs. Prekindergarten programs that are not means-

67 Kirk Semple, "In Trenton, Issuing IDs for Illegal Immigrants," *The New York Times*, May 16, 2010, [www.nytimes.com/2010/05/17/nyregion/17idcard.html?pagewanted=all&r=0](http://www.nytimes.com/2010/05/17/nyregion/17idcard.html?pagewanted=all&r=0).

68 National Immigration Law Center (NILC), *Will Individuals Granted Deferred Action under the Deferred Action for Childhood Arrivals (DACA) Policy Be Eligible for Driver's Licenses?* (Washington, DC: NILC, 2013), [www.nilc.org/dacadriverslicenses.html](http://www.nilc.org/dacadriverslicenses.html).

69 Melanie Reyes, personal communication with author, January 9, 2013.

70 Martha Montero-Sieburth, "The Roles of Leaders, Community and Religious Organizations, Consular Relationships, and Student Groups in the Emerging Leadership of Mexican Immigrants in New England," *Journal of Latinos and Education* 6, no. 1 (2007): 5–33.

71 Ibid.

72 Gonzales, "Learning to Be Illegal;" Suárez-Orozco et al., "Growing Up in the Shadows."

73 W. Steven Barnett, Dale J. Epstein, Megan E. Carolan, Jen Fitzgerald, Debra J. Ackerman, and Allison H. Friedman, *The State of Preschool 2010* (New Brunswick, NJ: National Institute for Early Education Research, 2010), <http://nieer.org/sites/nieer/files/yearbook.pdf>.

74 William T. Gormley, Jr., Ted Gayer, Deborah Phillips, and Brittany Dawson, "The Effects of Universal Pre-K on Cognitive Development," *Developmental Psychology* 41, no. 6 (2005): 872–84; Christina Weiland and Hirokazu Yoshikawa, "Impacts of a Prekindergarten Program on Children's Mathematics, Language, Literacy, Executive Function, and Emotional Skills," *Child Development* 84, no. 2 (2013, forthcoming); Vivian C. Wong, Thomas D. Cook, W. Steven Barnett, and Kwanghee Jung, "An Effectiveness-Based Evaluation of Five State Pre-Kindergarten Programs," *Journal of Policy Analysis and Management* 27, no. 1 (2008): 122–54.





tested, such as the ones that have shown strong positive effects on children’s cognitive skills in Tulsa and Boston, reduce enrollment barriers for low-income populations. The value of universal pre-K programs is reinforced by research highlighting the benefits of a more socioeconomically diverse preschool population — when compared to one that is restricted to the poor — for children’s learning and development.<sup>75</sup>

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*Public schooling is a “protected” developmental period for children who are unauthorized.*

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Promoting enrollment in center-based care would spur cognitive development among children of the unauthorized who are below age 3, the typical age minimum for public prekindergarten. Efforts targeting the paperwork process for child-care subsidies and enrollment, including those implemented by NGOs, could help in this regard. In addition, parenting and child development programs (e.g., the Video Interaction Project) provided in trusted settings such as primary-care clinics (e.g., during child-wellness visits) have improved the cognitive development of infants and toddlers of low-income immigrant parents.<sup>76</sup> Finally, home-visiting programs offer family-focused services addressing issues such as maternal and child health, positive parenting practices, and access to social services outside the home. When implemented with standardized curricula and qualified, skilled visitors, these programs also show promise in improving young, low-income children’s developmental outcomes.<sup>77</sup> However, to the extent that home-visiting programs require the proof of income that some unauthorized parents feel reluctant to report, there may be access barriers. Enrollment procedures conducted by hospitals and other health providers have been more successful — for instance, WIC and Medicaid/CHIP enrollment for infants of parents who are unauthorized at the time of their birth.<sup>78</sup>

## E. Workplace Policies

As noted above, parents with unauthorized status experience worse job conditions than their authorized low-wage counterparts. Reductions in labor standard inspections over the past decade or more have only exacerbated these patterns.<sup>79</sup> Rates of pay below the minimum wage and lack of access to workplace benefits could be addressed through reform of federal labor laws, revisions of enforcement strategies for current labor laws, or legislative and enforcement activity at the state level. Unionization is another approach to improving workplace conditions. There are several recent, successful efforts to unionize occupations with high proportions of unauthorized workers (for example, janitors in Los Angeles).<sup>80</sup>

Comprehensive immigration reform would bring the employment of the unauthorized out of the shadows.

75 Gary T. Henry, and Dana K. Rickman, “Do Peers Influence Children’s Skill Development in Preschool?” *Economics of Education Review* 26, no. 1 (2007): 100–12; Andrew J. Mashburn, Laura M. Justice, Jason T. Downer, and Robert C. Pianta, “Peer Effects on Children’s Language Achievement during Pre-Kindergarten,” *Child Development* 80, no. 3 (2009): 686–702.

76 Alan L. Mendelsohn, Purnima T. Valdez, Virginia Flynn, Gilbert M. Foley, Samantha B. Berkule, Suzy Tomopoulos, Arthur H. Fierman, Wendy Tineo, and Benard P. Dreyer, “Use of Videotaped Interactions during Pediatric Well-Child Care: Impact at 33 Months on Parenting and on Child Development,” *Journal of Developmental and Behavioral Pediatrics* 28, no. 3 (2007): 206–12.

77 National Forum on Early Childhood Policies and Programs, *A Science-Based Framework for Early Childhood Policy* (Cambridge, MA: Harvard Center on the Developing Child, 2007), [http://developingchild.harvard.edu/index.php/resources/reports\\_and\\_working\\_papers/policy\\_framework/](http://developingchild.harvard.edu/index.php/resources/reports_and_working_papers/policy_framework/); Monica A. Sweet and Mark I. Appelbaum, “Is Home Visiting an Effective Strategy? A Meta-Analytic Review of Home Visiting Programs for Families With Young Children,” *Child Development* 75, no. 5 (2004): 1435–56.

78 Yoshikawa, *Immigrants Raising Citizens*.

79 Bernhardt et al., *Broken Laws, Unprotected Workers*.

80 Ruth Milkman, *L.A. Story: Immigrant Workers and the Future of the U.S. Labor Movement* (New York: Russell Sage, 2006).



With a legal status that is recognized in workplaces, unauthorized workers may be less afraid to report job conditions that are illegal themselves. According to one study, a high proportion of unauthorized workers voiced fears of reporting poor working conditions.<sup>81</sup>

## VI. Concluding Note: Immigration Reform and Children's Development

In this report, we have discussed the mounting evidence that parental unauthorized status harms children's development across early childhood, middle childhood, and adolescence. US immigration policies rarely consider the rights and needs of children with at least one parent whose status is unauthorized.<sup>82</sup> We have reviewed some of the most promising approaches to improving these children's developmental and life prospects. They encompass policies and programs that target unauthorized status directly; lower the risks of parent removal and the consequences for children during removal proceedings; improve families' access to public benefits; enhance early childhood learning opportunities; and address workplace conditions that reduce households' economic well-being.

Current options in federal immigration policy include, most fundamentally, the choice between comprehensive reforms versus piecemeal or partial approaches. Comprehensive reforms under consideration include, among others, a pathway to legal status and possibly citizenship for most unauthorized immigrants, coupled with heightened enforcement through more resources for the US-Mexico border and a national employment verification system.<sup>83</sup>

The research summarized in this report suggests that certain aspects of the comprehensive approach are better from the standpoint of child development. Reform that extends beyond the restricted populations eligible for DACA or the *DREAM Act* would provide a path out of the shadows to parents beyond these age-limited provisions and to those with low levels of formal education.

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*US immigration policies rarely consider the rights and needs of children with at least one parent whose status is unauthorized.*

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And a full worker legalization process, rather than simply expanding the E-Verify system or other means of immigration enforcement in the workplace, promises to improve working conditions, instead of driving some employers and employees further into the informal, off-the-books economy.<sup>84</sup> Improved wages and workplace conditions could, in turn, improve both parent economic and psychological well-being as well as children's development.

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81 Linda Burnham and Nic Theodore, *Home Economics: The Invisible and Unregulated World of Domestic Work* (San Francisco: Center for Personal Assistance Services, 2012), [www.pascenter.org/publications/publication\\_home.php?id=1345&focus=PAS%20Library](http://www.pascenter.org/publications/publication_home.php?id=1345&focus=PAS%20Library).

82 Thronson, *Forward Looking Immigration Reform*.

83 Julia Preston, "Rubio Outlines Elements of His New Immigration Plan," *The New York Times*, January 17, 2013, <http://thecaucus.blogs.nytimes.com/2013/01/17/rubio-outlines-elements-of-his-new-immigration-plan/>.

84 Marc R. Rosenblum, *E-Verify: Strengths, Weaknesses, and Proposals for Reform* (Washington, DC: Migration Policy Institute, 2011), [www.migrationpolicy.org/pubs/e-verify-insight.pdf](http://www.migrationpolicy.org/pubs/e-verify-insight.pdf).



Finally, the length of the pathway to full citizenship has implications for the development of the 5.5 million children with parents who may be affected by immigration reform. This is because LPRs and other lawfully present immigrants who are not yet citizens have restricted eligibility for many means-tested benefits, and often express fears of accessing the benefits for which their citizen children are eligible.<sup>85</sup> The longer the pathway to citizenship for the parent, the greater the proportion of a child's life that might be affected by parental eligibility limits and participation fears. It is thus important to consider how a given pathway length might affect a young child's development. A draft immigration bill prepared by the Obama administration that was publicized in February, for instance, envisions an eight-year period of provisional status before LPR status could be obtained during which participants would be ineligible for most public benefits.<sup>86</sup> Most legalizing immigrants would not qualify for citizenship until another five years after obtaining LPR status.

The developmental consequences of parental unauthorized status affect the entire society: the early cognitive skills of our youngest citizens predict the future productivity and success of the nation. As a population of over 5 million, constituting nearly one-third of children of immigrants and 8 percent of all US children, the children of unauthorized immigrants are worthy of consideration in our current immigration policy discussions.

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*The length of the pathway to full citizenship has implications for the development of the 5.5 million children with parents who may be affected by immigration reform.*

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85 Yoshikawa, *Immigrants Raising Citizens*.

86 Obama administration, "Title II—Legalization of Undocumented Individuals," draft legislative text obtained and published by the Miami Herald, February 18, 2013, <http://media.miamiherald.com/smedia/2013/02/18/19/57/2CfDrSo.56.pdf>.



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