

Connecting Families with Legal Resources

Families have varied wishes for how much information they want young children to know (about their situation), and we need to find ways to support students while also respecting families' wishes. Each family approaches the situation differently, so educators need to ask questions about how families are approaching talking to children.

– Educator, American Federation of Teachers ELL Cadre

Key Takeaways

- Schools can help connect families with legitimate legal advice and support, often presented by a community partner or advocacy organization. This information and support may focus on families' and steps or decisions that could have a big impact on their situation and on their children.
- Partner organizations can help pinpoint the information that will best serve your population of families.

See this information online

Connecting Families with Legal Support

- View online: <http://www.colorincolorado.org/immigration/guide/legal>
- Download PDF: <http://www.colorincolorado.org/immigration/guide/legal-pdf>

Complete guide: <http://www.colorincolorado.org/immigration/guide>

Excerpted from *How to Support Immigrant Students and Families*.

Provide families with information about trusted legal resources

Why this matters

Connecting families with free or low-cost legal help could have a significant impact on their situation. It is important to note that immigrant families are particularly vulnerable to fraudulent “attorneys” who charge ongoing fees for their services. (See more about scams targeting immigrant clients in the following information.) In addition, immigrant children in deportation or asylum proceedings [do not have the right to publicly-funded court-appointed lawyers](#). There may be immigrant organizations offering pro bono legal help that could make a big difference to a family. These organizations:

- are more likely to have accurate and up-to-date information, particularly as events move quickly
- may be able to provide advice and materials in settings not restricted by district rules
- may have professionals who can connect families with immediate legal advice.

Note: Here are some tips for figuring out [what kind of outreach is allowed](#) in your setting. This information should not be interpreted as legal advice. Any individual or organization seeking legal advice related to immigration issues should consult with the appropriate attorneys, local government officials, or non-profit organizations specializing in immigration law that can offer guidance. **We also remind educators not to provide legal advice.**

Tips for getting started

- Your district may have guidelines or rules about what is considered legal advice or support. Check those carefully as you get started.
- Look around the community for trusted resources and partners that can provide pro bono legal advice, such as a legal practice or law school.
- Look for ways to connect families to these kinds of resources by:
 - providing translated flyers parents with contact information or legal hotlines
 - offering information in one-on-one conversations with families
 - hosting workshops and information sessions for parents
 - finding out what resources or events are available through your teacher’s union.



Note: The California courts have developed a [bilingual resource directory](#) about basic state and federal immigration information, how to find immigration legal help, and resources if children are separated from their parents.

Help for immigrant families: Guidance for schools

The Immigrant Legal Resource Center offers the following additional tips for schools in their guide on [helping immigrant families](#):

- Help educate families on how to seek competent immigration help and avoid fraud.
- Encourage all families to get an immigration “checkup” to find out what protections and options that may benefit them.
- Offer families advice about which documents to keep with them at all times.

Avoiding fraud: Scams targeting immigrants

There are many different scams targeting immigrants, often promising to help change immigration status or speed along an application. (These scams can target both documented and undocumented immigrants.) These scams not only cost immigrants large sums of money that will not be recovered, they can actually hurt their immigration cases or lead to deportation. A common problem is the hiring of *notarios* ("notaries") in Latino communities. While *notarios* in Latin America may have legitimate legal credentials, that is not the case in the U.S. They are not qualified to provide legal advice and often take advantage of neighbors who feel more comfortable hiring someone from their home country who speaks Spanish.

Learn more about *notarios* and how to help immigrants avoid scams from the following resources and videos. Note that official government documents, even in the form of hand-outs, may make some families nervous. Be sensitive in how you distribute this information.

Recommended resources

Legal resources from Informed Immigrants

- [Strategy: How to help families find qualified immigration legal services](#)
- [Resources for finding legal assistance](#)

Flyers

- [Anti-Fraud Flyers](#) – also in [Spanish](#) (Immigration Legal Resource Center)
- ["The Wrong Help Can Hurt" Flyer](#) in multiple languages (U.S. Citizenship and Immigration Services)



FAQ and background information

- [Who is authorized to help immigrants with their legal matters?: FAQ in Multiple Languages](#) (StopNotarioFraud.org)
- [Scams Against Immigrants: Basic Overview](#) – also in [Spanish](#) (Consumer.gov)
- [Common Scams Against Immigrants](#) (United States Citizenship and Immigration Services)
- [Avoiding Immigration Scams](#) (Boundless)

News headlines

- [Notario Scammers Target Houston's Immigrant Communities](#) (Houston Public Media)
- [Long Time Con Artists Targets Immigrants](#) (Documented)

Recommended videos

These videos are available from the StopNotarioFraud.org website:

- [The Truth About Notarios](#)
- [La Verdad Acerca los Notarios](#) (Spanish version)



Partnerships with legal advocacy groups

Educators have partnered with local, state, regional, and national groups to provide information for families such as:

- CASA de Maryland
- the National Immigration Law Council
- the ACLU
- Catholic Family Charities
- Tennessee Immigrant and Refugee Rights Coalition
- the Mexican Consulate
- Do Good Roseville (Roseville, MN)

One respondent in our survey mentioned that she asked the interpreters who help families in court to come and present to families about their rights and put signs on doors with information that would be accessible to families with low literacy skills.



Connect families with experts who can help them plan for possible separation

Why this matters

Many schools are addressing the question of possible separation due to family detention or deportation through the following steps, usually taken with immigrant advocates who can guide parents through difficult conversations with great sensitivity and attention to practical matters. This expertise is essential on legal questions of guardianship and caretaking.

This is a delicate line to walk. A one-size-fits-all approach may not work well and different families will have varying needs depending on their situation. Nevertheless, a little bit of information and forethought can go a long way in giving children the best chance for a stable situation in the event of separation, especially since children of detained parents can quickly end up in foster care. (See more information on this topic in our sections on [emergency contact information](#) and the [protocols](#) for caring for children when a caregiver is unavailable.)

What will families be asked to consider?

A helpful overview of this topic can be found in [Protecting Undocumented and Vulnerable Students](#). These steps include:

- **Encouraging families to have a written plan in place in the event of separation:** Some schools and advocates are helping parents find guidance on what kind of plans they should have in place in the [event of separation or detention](#). These might include:
 - designating legal guardians, a particularly important decision for parents of children with [special education needs](#) (see related coverage of this issue in [The L.A. Times](#) and [The Washington Post](#))
 - establishing power of attorney
 - gathering necessary information related to the child's care (particularly medical information)
 - [getting passports for U.S.-born children](#) from parents' country of birth, such as Mexico
- **Ensuring that families understand that all plans must be in writing:** Many families may not realize that these plans need to be put into writing in order to take effect.



Tips for getting started

- Consult with legal experts on the information families need and how best to share it.
- “Take the temperature” on whether families are interested in this information; ask parent liaisons before talking with families themselves. Some may want the information, while others will not wish to discuss it or expose their children to the topic. Families may also have preferences on whether they get this information publicly or in private.

Reminder: The importance of sound legal advice

If families are considering giving power of attorney or guardianship of their children to a trusted adult, **it is imperative that they:**

- get sound legal advice and are not consulting with fraudulent immigration lawyers
- understand that all decisions **must be recorded in writing**
- understand all implications of those decisions.

Recommended resources

- [Family Preparedness Plan](#) in English, Spanish, and Chinese, with a related [webinar](#) (Immigrant Legal Resource Center)
- [Immigration Resources: State of Connecticut Family Preparedness Plan](#) in 8 languages
- [Family preparedness plans](#) (Informed Immigrants)
- [Resources for Families Facing Deportation and Separation](#) (Women’s Refugee Commission)
- [Prepare for Possible Family Separation](#) – also in [Spanish](#) (California Courts)
- [Information about](#) a pocket emergency-preparedness guide for immigrant families created and printed by the city of New Haven, CT
- A guide [on this topic in Spanish issued by the Mexican government](#)



Parent information folders

Educators in Minneapolis created education accordion folders where parents could store important information in one place that they could take quickly and easily if needed for legal reasons or if they had to move. The accordion tabs included: Assessments, support services (staff names, roles, contact information), student work/report cards, medical information, communication (letters from school/emails), legal guardianship, etc. This strategy can be used for any family in a K-12 or early childhood setting.

Consider creating a “letters of support” policy

Why this matters

When families experience immigration proceedings such as detention or court hearings, their lawyer may ask them to collect letters of reference to demonstrate the good character of the person and/or family. Individual families may request such letters from administrators, teachers, guidance counselors, parent liaisons, and social workers.

It may be an issue that requires some consideration. In the school district that provided the sample guidance below, there was much discussion about whether to provide these letters since the district had a policy of not providing letters for family disputes. After extensive review, the superintendent decided that the district would provide these letters when requested, clearly stating that they were going to do this because it supported families staying together – which has a direct impact on students’ learning.

Tips for getting started

The first step is to determine whether the district has a policy on this issue. If not, since these are legal documents, it is important for schools, centers, and districts to determine how to approach this issue, including whether these letters will be provided. If the district does decide to provide letters in appropriate cases, it will be helpful to have [a policy](#) indicating:

- who will write and sign the letters
- what kind of information will be included
- how letters should be requested and processed.

Recommended resources

- [Parent Letters of Support: Sample Guidance and Letter](#) (Kristina Robertson, ELL Program Administrator – Roseville Public Schools, MN)
- [How School/District Leaders Can Provide Social and Emotional Support for Immigrant Students](#) (ShareMyLesson and Colorín Colorado Webinar)


Recommended videos

- [Writing Letters of Support for Immigrant Families](#) (Nathaniel Provencio – Principal, Minnieville Elementary School, VA)



Take time to listen to families who want to talk about returning to their home country

Why this matters



Educators are hearing from families who want to discuss important, complicated decisions about whether they might return voluntarily to their home countries, even if their children are U.S. citizens. Schools can play an important role in these conversations by providing families with an opportunity to discuss their options and considerations that might impact their decision. The challenges of integrating students in a new school system are significant. Dr. Sarah Gallo, a researcher based in Mexico who is working with U.S.-born students enrolled in Mexican schools (which now number more than 500,000), has noted two significant factors in the schooling of this population:

- Mexican schools do not offer "Spanish as a second language," which means that students are in a "sink or swim" environment for some time.
- Special education services can differ greatly, and in some cases, be very costly.

At the same time, returning to a home country can provide positive opportunities to reunite with family members and return to a large network of extended family. [This toolkit](#) developed with Dr. Sarah Gallo discusses these issues in depth and also provides a list of required documents for families returning to Mexico who will be enrolling their children in school. Many of these recommendations in the toolkit can be applied to other countries as well, although the school registration requirements and documents may vary.

Tips for getting started

- It is very important to be sensitive to how you communicate about these kinds of resources. **It is not appropriate for educators to encourage families to make a certain choice. Carefully consider how to communicate about these issues so that conversations are not construed as encouragement to make one decision or another.**
- If you are already holding events for immigrant families' questions and concerns, consider including this topic as one of a list of topics addressed.
- If presenting this information publicly, preface it by saying something along the following lines: "Our goal is not to encourage you to make one decision or another. Instead, we want to make sure you have as much information as possible to make the best decision for you and your family."

Recommended resources

- [Toolkit: Helping Immigrant Families Navigate Migration Decisions and Schooling in Another Country](#)
- [OSU Researcher Finds Barriers for U.S.-Born Children Thrust Into Mexican Schools](#) (WOSU Public Media)
- [Deportees' US-Born Kids Struggle in Mexican Schools](#) (*The Columbus Dispatch*)
- [This New Mexico School Welcomes Families Who Live Across the Border](#) (PBS *NewsHour*)
- [As American Kids Pour Across the Border, Mexican Schools Struggle to Keep Up](#) (*USA Today*)

Recommended videos

- [Difficult decisions immigrant families are making about special education and their kids](#) (Lydia Breiseth, Director, Colorín Colorado)

