



September 14, 2017

The Honorable Charles Schumer
322 Hart Senate Office Building
Washington, DC 20515

Dear Senator Schumer,

On behalf of the New York State School Boards Association, I am writing at this time to express our concern about the recent announcement that the Administration intends to phase out the current Deferred Action for Childhood Arrivals (DACA) program.

School districts have a clear obligation to all students to provide them with access to a free, appropriate public education. When a child presents themselves for enrollment, we enroll and educate them. Questions about district residency are addressed later. Questions about citizenship and immigration status are not asked at all.

The announcement by the Administration has led to a growing sense of anxiety and uncertainty in our schools. What should we be telling our students and their families? Is Congress inclined to address this issue?

Since its establishment in 2012, DACA has provided a framework for families, communities and districts to uniformly understand the rights and responsibilities of the students protected by this program. However, as this program was not enacted by legislation, but rather administrative action, its reversal could be, and in fact has been, reversed with little or no public input. Significant changes could just as swiftly be made if the practice of policy making of this magnitude through executive order continues.

You have the opportunity to act now, and alleviate the anxiety and potential disruption that this uncertainty will cause. Please do not allow such important policies to be set through executive orders or "Dear Colleague" letters. Please take formal legislative action now to make it crystal clear to families, communities and school districts nationwide what policies and practices will be enforced moving forward. Ensure through your actions now that districts can properly anticipate where their students will be at the end of this school year, and the beginning of the next.

Uncertainty and sudden change are not conducive to a well operating school system. My members want to serve their students—all of their students. Please support school districts in doing so by taking legislative action now to codify the policies governing undocumented students who are in this country and attending our public schools.

If you have any questions or require additional information, please do not hesitate to contact me at 518-783-0200 or tim.kremer@nyssba.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy G. Kremer", written over a white background.

Timothy G. Kremer
Executive Director

Cc. NYS Congressional Delegation
Deborah Rigsby, NSBA