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INCLUSIVE PRACTICE WITH IMMIGRANT FAMILIES

A GUIDE FOR SERVICE ORGANIZATIONS
AND PRACTITIONERS

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THE CENTER ON
IMMIGRATION
AND CHILD WELFARE

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BACKGROUND

Approximately 44 million immigrants live in the United States (U.S.), and one in four children in the U.S. has an immigrant parent.¹ While most of those parents are lawful immigrants, roughly 5 million children live with at least one unauthorized immigrant parent.¹ Families with immigrant members are impacted by a set of distinctive and compounding issues and challenges that create barriers to service access, including immigration status, linguistic and cultural differences, past trauma, and fear or distrust toward public systems.² Not only do unauthorized immigrants face exclusion from accessing some of the essential resources and services that support families with children, but even immigrants with legal status experience significant barriers.¹

In light of this context, community organizations and practitioners should make intentional efforts to promote inclusion of immigrant families* in their services. The recommendations outlined here are drawn from research conducted by the Center on Immigration and Child Welfare with community agency leaders, government officials, and frontline workers serving immigrant families and children in Doña Ana County, New Mexico. These guidelines offer recommendations for organizational policies and practices and individual provider practices to increase inclusivity of immigrant families and their unique needs and experiences.

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*For the purposes of this resource, “immigrant families” refers to families in which all family members are non-U.S. citizens as well as to mixed-status families, or those who have at least one family member (e.g., a parent) who is not a U.S. citizen, while other family members, often children, who are U.S. citizens.



RECOMMENDATIONS FOR COMMUNITY ORGANIZATIONS

For community organizations that may serve immigrants, implementing organizational policies and procedures that protect immigrant clients and expand access of the organization's services to immigrants regardless of legal status are key strategies for increasing inclusivity and responsiveness to immigrants' needs and circumstances. Ensuring that that staff are trained on these policies and other immigration-related issues is essential.

The following are specific recommendations for key policies and procedures related to topics like interactions with law enforcement and Immigration and Customs Enforcement (ICE), language access, confidentiality, and service eligibility that community organizations should implement to protect and expand access for immigrant families who receive their services. We also provide recommendations for specific training topics to ensure that organizational staff are equipped to serve their immigrant clients in a contextually-grounded, trauma-informed and culturally sensitive manner.

ORGANIZATIONAL POLICIES & PROCEDURES

Develop and implement protocols on interacting with law enforcement and ICE. Protocols for interacting with law enforcement officials, which includes Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) agents, should include the following components:³

- ✓ Visitor's policies that require all visitors to check in with security or reception and to provide purpose of visit. The names, badge numbers, and affiliation of all law enforcement officers, including immigration officials, should be documented in a visitor's log.
- ✓ A code or phone number to alert staff of the presence of immigration enforcement officers in the building.
- ✓ Guidelines for advising anyone nearby that they have the right to remain silent and not to answer questions.
- ✓ Client notification procedures that require parental notification before a minor can be searched or interviewed by a law enforcement or ICE officer.
- ✓ Procedures for communicating "Know Your Rights" information to clients on their rights with respect to Immigration Enforcement (ICE) and other law enforcement. Clients have the right to remain silent and to not have to discuss their immigration or citizenship status with police, immigration agents, or other officials.⁴ This information should be posted on [organization](#) signage in public areas (e.g., lobbies), incorporated into client-facing paperwork, and communicated to clients during intake procedures.
- ✓ An immigration point-person or team that is informed of current immigration policy and best practices and can inform practitioners and agency leaders. This point-person or



team can also respond to law enforcement and identify and connect with key community stakeholders during critical moments.

Incorporate information on the ICE Protected Areas policy[†] into agency paperwork, signage, and client communication. Organizations should have knowledge of the [ICE Protected Areas policy](#) (formerly known as “sensitive locations”) and whether the organization is considered a “protected area.” Some examples of “protected areas” include but are not limited to the following:

WHAT PLACES ARE CONSIDERED “PROTECTED AREAS”?⁵

- **Schools** e.g., preschools, primary and secondary schools, vocational or trade schools, colleges and universities.
- **Medical or mental health care facilities** e.g., hospitals, clinics, vaccination and testing sites, urgent and emergency care centers, and community health centers.
- **Places of worship or religious study** e.g., churches, mosques, and temples, including temporary facilities.
- **Places where children gather** e.g., playgrounds, recreation centers, bus stops, childcare centers, and group homes for children.
- **Social services establishments** e.g., crisis centers, domestic violence shelters, homeless shelters, drug/alcohol treatment centers, food banks, community-based organizations, child advocacy centers, and any “other establishment distributing food or other essentials of life to people in need.”
- **Disaster and emergency response sites** e.g., along evacuation routes; shelter and emergency supply centers; where food, water, or disaster-related aid are being distributed; and where family reunification is underway.
- **Places where religious or civil ceremonies are taking place** e.g., funerals, graveside ceremonies, rosaries, and weddings
- **Sites of public demonstration and celebration** e.g., a parade, demonstration, or rally.

Organizations should clearly communicate their protected area status to clients via signage in public spaces, client paperwork, and verbal communication with clients. They should also have procedures for reporting violations of the policy. There are [multiple options](#) for reporting violations including contacting ICE Enforcement and Removal Operations (ERO) through the Detention Reporting and Information Line at (888) 351-4024 or through the ERO information email address at ERO.INFO@ice.dhs.gov. You may also contact the [DHS Office of Civil Rights and Liberties](#) and file a complaint using the instructions found [here](#).

[†]The memorandum “Guidelines for Enforcement Actions in or near Protected Areas” stipulates that ICE should not conduct immigration enforcement actions, including arrests, interviews, searches, and surveillance, in or near certain “protected areas”. A “protected area” is a location where essential services or activities take place, and as such, is generally protected from enforcement actions by ICE and CBP.⁶



Implement language access plans and ensure bilingual and bicultural staff and/or interpreters. A language access plan is a written document that describes how an agency provides services to individuals who are Limited English Proficient (LEP).⁷ It is required by federal law[‡] for all agencies who receive federal funds to have a language access plan in place. An effective language access plan should be tailored to individual organizations but should include components such as a needs assessment to identify the language needs of the client population, language services, tailored marketing and client communication, training for staff, partnerships with other community agencies, and evaluation.⁷ As such, organizations should:

- ✓ Provide language services, such as translation and interpretation services, that reflect the needs and demographics of immigrant populations. Language services may be provided in-house by fully bilingual staff or by an external language service provider. Organizations should have contracts with language service providers e.g., for phone interpretation, to be able to meet the language needs of all clients.
- ✓ Ensure that all information, handouts, consent forms, and other paperwork are being dispersed in the client’s native language.⁸
- ✓ Hire bilingual staff and/or follow the method of “growing your own” by hiring former clients. They will bring strong language skills and informative life experience to their roles.⁹

Ensure confidentiality of client information.³ Organization confidentiality policy should explicitly include confidentiality of immigration-related information.¹⁰ It is also crucial to train caseworkers and all staff about how to explain confidentiality policies to families, including the agency’s commitment to keeping information provided by the clients confidential.

Implement policy that limits acquiring and documenting immigration status. This policy should instruct practitioners and other staff to avoid recording immigration status in service records. If practitioners and staff feel that including reference to immigration status is absolutely needed, indirect language can be used to describe social context (e.g., “immigration stressors” or “ineligible for insurance”).³

Allow multiple forms of documentation for service eligibility determinations. Adjust documentation requirements so that staff is not required to ask families about their immigration status and allow clients to provide multiple forms of identification.¹¹ Some alternative forms of identification that different states, localities, and service providers have agreed to recognize include consular identification cards, foreign passports, driver’s license, municipal identification cards, and community identification cards (forms of identification for undocumented immigrants).¹⁴

‡ There are two federal laws that have implications for language access: 1) Title VI of the Civil Rights Act of 1964¹², and 2) the 2000 Executive Order 13166: Improving Access to Services for Persons With Limited English Proficiency.¹³ Additional information and resources on language access planning can be found at <https://www.lep.gov>.



TRAINING FOR ORGANIZATION STAFF

Organizations should provide training to staff on all of the above policies and procedures, including:

Interacting with law enforcement and ICE. This training should focus on understanding the differences between a warrant and subpoena, knowing how to identify and review valid warrants (e.g., differentiating between an administrative and court-ordered warrant, checking for a date and signature, etc.), and cooperating with law enforcement only if mandated by law.

- Due to the complex knowledge required in these cases and the fact that most frontline staff are already inundated with other responsibilities and training, it may be advisable to reserve the more detailed aspects of this training for specific designated staff members who serve as immigration liaisons/specialists or for a dedicated team. Frontline staff should then be trained on how to contact this immigration liaison/specialist or team and on not answering questions from or providing information to law enforcement without consulting this team.

The Department of Homeland Security’s “Protected Areas” Memorandum. Organization staff should be aware of whether the organization qualifies as a “protected area” and should be trained on the purpose of the policy and how to communicate about the “protected areas” memo with clients.

Confidentiality and protection of immigrant clients’ information. This training should review the specific organization policies regarding confidentiality and protection of immigration-related client information as well as documentation practices that limit notation of immigration status in service records. It should also cover how providers can effectively communicate with clients about the confidentiality policies in order to assuage related immigration-related fears.

Service eligibility requirements and work arounds. Staff should be trained on how the organization’s service eligibility requirements apply to immigrants and their families, particularly those who may have varying legal statuses. They should also be trained on best practices for working around eligibility-related challenges and/or the best external organizations to refer immigrants to if their organization cannot serve them due to eligibility issues.

Trauma-informed practice that is tailored to the unique needs and experiences of immigrants. Many organizations train staff on trauma-informed care; however, it is important to also include training on trauma-informed practice that is specific to immigrant contexts and experiences. Such training should include topics such as culturally relevant trauma conceptualizations; pre-, peri-, and post-migration trauma experiences; historical and political contexts; trauma measurement and screening for immigrant populations; and individual and organizational level trauma-informed practices with immigrant populations.



ORGANIZATIONAL PRACTICES

Engage in interagency collaboration. Organizations should make active efforts to collaborate with other community and government agencies in order to expand their capacity to serve and bring resources to immigrant families. For example, partnerships between social service providers and legal service providers can help immigrant families connect with needed legal services. Many organizations have found success in formalizing their collaborative efforts through contracts or memorandums of understanding.

Seek alternative funding to serve immigrants regardless of immigration status. Many government funding sources have restrictions on which populations organizations can serve with the money, often excluding immigrants who do not have a qualifying legal status. Thus, it is important to seek out and allocate alternative funding from donations and private funding sources to cover the expenses of serving immigrant families who are not otherwise eligible.¹¹

Hire staff who have relatable life experiences to the immigrants they are serving. Immigrants are more likely to trust organizations with staff that have relatable experiences to themselves, i.e., staff that are also immigrants, bicultural, or have faced their own immigration struggles.¹¹

TAILORED CASE MANAGEMENT AND REFERRALS

Provide comprehensive case management and referrals. Referrals and comprehensive case management, including using program navigators to connect immigrant families to resources like food, shelter, financial assistance, and other basic needs, is essential. Key elements of a comprehensive case management approach for working with immigrants include:

- ✓ **Meeting clients where they are at.** Meeting people where they are means that service providers engage clients in a format that is most accessible to them. Service providers consider the barriers and current resources clients already have or lack. Examples of this include providing the option of going to the client's home or work to provide services or meeting other needs that are a priority to the client before the agency offers the typical services they provide.¹¹
- ✓ **Assisting in navigating services.** Immigrant clients should be assisted in navigating services and service systems by walking them through them step-by-step.¹¹
- ✓ **Consistently following up.** Following up after a referral and throughout case management is essential for immigrant families to ensure they get connected to the services they need, but also in the event they have questions that weren't previously answered. Following up after the initial interaction helps build rapport and trust with families because it demonstrates the provider genuinely cares.¹¹
- ✓ **Referrals to trusted agencies.** When an organization cannot provide the service a family needs, it is critical to refer the family to an organization that can. Organizations should partner with organizations and other community entities that have long-standing trust and relationships with immigrant families. Such partner may include churches, schools,



early childhood educators, and immigrant advocacy organizations. Such partnerships can be helpful for outreach, enrollment, and retention efforts with immigrant families.¹¹

- ✓ **Conducting warm handoffs.** Providers should use a warm-handoff approach when services are not provided “in-house”. A warm handoff approach involves personally introducing families to staff at the partner organizations through face-to-face meetings, either in-person or through the use of tele-services, and coordinating the transfer for continuing service provision.⁹

CULTURALLY AND LINGUISTICALLY EFFECTIVE OUTREACH STRATEGIES

Implement culturally and linguistically effective outreach strategies. Families and clients will trust a worker or organization more readily if the individual they are working with is culturally sensitive.¹¹ As such, outreach and enrollment activities should be tailored to immigrant communities.¹⁵ Some examples include:

- ➔ **Creating outreach materials and strategies that are specifically designed for immigrant populations.** Oftentimes, outreach efforts and materials delivered to immigrant communities are the by-product of translations of campaigns originally designed in English. Crafting outreach efforts for immigrant communities from the beginning helps ensure that they are truly responsive to the unique needs and contexts of those communities.
- ➔ **Using a variety of platforms to share information and provide education.** A variety of platforms should be used to raise awareness about available resources and services, including social media, grocery store flyers, Spanish newspapers, Spanish radio stations, town halls, community information fairs, and know your rights presentations.¹¹
- ➔ **Using *promotoras* as trusted messengers.** *Promotoras* is a Spanish term used to describe trusted individuals who empower their peers through education and connections to health and social resources in Spanish speaking communities. Using *promotoras* to disperse information can be beneficial to ensure families are getting and trusting the information they are receiving.¹¹
- ➔ **Using word-of-mouth to distribute information.** Information distribution can also be dispersed through word-of-mouth. Immigrant families tend to have extensive word-of-mouth networks, meaning if they are satisfied with the services they are provided, not only will they continue to return, but they will also recommend it as a trusted source to family and friends.¹¹
- ➔ **Conducting door-to-door or workplace outreach.** Some service providers have found great success in their outreach with immigrant families by going door-to-door to provide information or to workplaces where many immigrants work.¹¹



RECOMMENDATIONS FOR PRACTITIONERS

Several approaches may be taken by individual service providers to ensure that they are responsive to the unique needs and experiences of immigrants. The following are recommendations related to topics like confidentiality, documentation practices, trust-building, and ongoing learning that providers should integrate into their practice to be more inclusive of immigrants.

PROTECTION OF PERSONAL INFORMATION

Limit acquiring and documenting immigration status in clients' records. Providers should avoid documenting a client's immigration status in any client notes or records to prevent discrimination from non-immigrant-friendly providers and to prevent immigration enforcement officers from potentially viewing immigration status in client records. In particular, providers should ensure no notes are made on any client records that could impact an immigration case (e.g., any of the following suspected activities: gang flirtation or affiliation, prostitution, drug addiction, drug trafficking, mental health disorder). These records can be subpoenaed by the federal government or appear in immigration records to be used against an immigrant person, regardless of the information's veracity or accuracy.¹⁶ Additionally, as mentioned above, practitioners should ensure that they maintain any immigration-related information about clients confidential.

Avoid asking for unnecessary personal information. Providers should not ask for unnecessary personal information e.g., immigration status, social security number, etc., or should ask for as little of this personal information as possible. Due to fear, immigrant families are less likely to use services that request a lot of personal information.¹⁶

TRUSTING BUILDING

Cultivate and leverage trust. It is essential to take time to establish trust with immigrant families by getting to know them and explaining your role as a professional and the limits of your authority. Establishing relationships with the various ethnic communities is crucial before serving immigrant families.

Practice linguistic and cultural sensitivity. Families and clients will trust a worker or organization more readily if the individual they are working with is culturally sensitive.¹¹ Immigrants are more likely to trust practitioners who speak their language, who are bicultural, and understand the struggles they have experienced throughout the immigration process.¹¹

Implement culturally and linguistically effective outreach strategies. Outreach and enrollment activities should be tailored to immigrant communities.¹⁶ Some examples are found in the recommendations for community organizations.



ONGOING LEARNING

Commit to ongoing learning about the issues impacting immigrant populations and best practices for serving them. A key element of engaging in culturally sensitive and culturally humble practice includes committing to ongoing self-education about the populations one is working with and the issues impacting these populations. Providers who work with immigrant populations should commit to doing this ongoing self-learning about the immigrant families they work with and the most important issues impacting them. Some key areas of ongoing learning may include:

- Historical and political contexts in the home countries of immigrants being served.
- Pre-, peri-, and post-migration experiences for common immigrant populations.
- Experiences and challenges of navigating life in a new country and new community.
- How to embrace diversity, equity, and inclusion of the immigrant populations in your community.



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