

## STATEMENT FOR THE RECORD

Submitted to the House Judiciary Subcommittee on the Constitution and Limited Government

Hearing: “Immigration Policy by Court Order: The Adverse Effects of *Plyler v. Doe*”

March 18, 2026

Dear Chairman Roy, Ranking Member Scanlon, and Members of the Subcommittee:

Thank you for the opportunity to submit this statement for the record. I am a tenured Associate Professor of Educational Policy Studies at New York University and a leading scholar and researcher of immigration and education, and belonging and well-being for marginalized students. I study the positive impact of educational equity for immigrant and non-immigrant students in US public schools. My research has been published in top-tier peer-reviewed journals in education and the social sciences, and covered in major outlets such as the *New York Times*, *Education Week*, and the *Washington Post*. I respectfully request that this statement be included in the record of the Subcommittee’s March 18, 2026 hearing. In this statement, I share the education and social science research that shows the positive impacts of educating immigrant children in K-12 public schools, and the negative impacts of threatening *Plyler* on all children in public schools. I also note the economic, moral, and social imperatives of protecting the landmark case *Plyler v. Doe* (1982), which provides educational access and rights to all students regardless of immigration status.

The research is clear dismantling *Plyler* would be a short-sighted and irrational act with long-term consequences: weakening academic outcomes for all children, social cohesion in the country, and civic development for all students, while failing to offer any meaningful benefits in cost savings, school quality, or immigration control.

In *Plyler*, for example, the Court argued that barring undocumented children from schools would cause an undue “lifetime of hardship” on them if they are denied their right to public education and leave them “permanently locked into the lowest socio-economic class” (p. 11, *Plyler v. Doe*).

Yet, this hearing is taking place amidst what appears to be coordinated efforts to threaten and erode the constitutional rights of children. The current title of this hearing and the assumptions that adverse effects of educating immigrant students potentially exist is not research-based or rooted in evidence. I have conducted research on the current state-level bills that are attempting to erode *Plyler* to show the impacts of harmful state policies like the ones in Tennessee.<sup>1</sup>

### **Anti-immigrant policies and threats to *Plyler* impact ALL children in schools**

Not only do these policies have the potential to strip constitutional rights, and undo decades of legal precedent, they disrupt the work of education in schools and have negative consequences for academic outcomes on all children. Specifically, in my research educators around the country report how disruptive the current spectacle of immigration enforcement and threats to educational access, fear-mongering, and

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<sup>1</sup> See, Rodriguez, S. (2026). Policies that harm or help?: How anti-immigrant policies threaten and deepen inequalities for immigrant children, youth, and families. Institute for Human Development and Social Change, New York University, Steinhardt. <https://steinhardt.nyu.edu/ihdsc/policies-harm-or-help> and Rodriguez, S. (2025). What harsh immigration policies mean for schools, families, and schools. *Brookings*. <https://www.brookings.edu/articles/what-harsh-immigration-policies-mean-for-students-families-and-schools/>

hostile policy violence has on children.<sup>2</sup> Educators in my research are reporting that first graders, specifically six-year-olds, are coming to school crying and shaking because of the fears their families are facing. Further, research, including my own, shows the increase in trauma and negative psychological impacts on children.<sup>3</sup> From my research with educators, school counselors, social workers and children,<sup>4</sup> I hear the stress, anxiety, and fear this is causing, and how schools are responding.<sup>5</sup> Other research shows that this impact of anti-immigrant policies and threats to educational access is increasing absenteeism in many communities.<sup>6</sup> In addition, US-born children are reporting fear, anxiety, and stress as their classmates are living under surveillance and fear of losing educational access.

### **Impacts on US citizen children if *Plyler* is threatened**

The research is clear that educating immigrant children has benefits for non-immigrant children. Economic research shows the importance of having diverse classrooms, and the positive impact that US citizen children experience due to the presence of immigrant students, and additional diverse student populations.<sup>7</sup> Such research shows that such diversity improves academic performance and engagement. At the same time, immigrant students positively influence the academic achievement of their peers. Studies show that their presence in K–12 schools improve overall classroom performance, especially among students from historically marginalized backgrounds. For example, the presence of immigrant students has been associated with increased peer enrollment<sup>8</sup> and gains in reading and math scores for U.S.-born students from disadvantaged communities. A 2021 study in Florida found a particularly strong positive effect on the academic performance of U.S.-born peers in schools with higher immigrant

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<sup>2</sup> Rodriguez, S. (2026). ICE in America: Dread and danger. *New York Times*.

<sup>3</sup> Navarro, I. (2026). School counselors see rising trauma linked to immigration enforcement. *Education Week*. <https://www.edweek.org/leadership/school-counselors-see-rising-trauma-linked-to-immigration-enforcement/2026/02>

<sup>4</sup> Rodriguez, S., Monreal, T., & Howard, J. (2018). “It’s about hearing and understanding their stories”: Teacher empathy and socio-political awareness toward newcomer undocumented students in the New Latino South. *Journal of Latinos and Education*. <https://doi.org/10.1080/15348431.2018.1489812>; Rodriguez, S., & McCorkle, W. (2019). Examining teachers’ awareness of immigration policy and its impact on attitudes toward undocumented students in a southern state. *Harvard Journal of Hispanic Policy*, 31, 21–44.; Rodriguez, S., & McCorkle, W. (2020). On the educational rights of undocumented students: A call to expand teachers’ awareness of policies impacting undocumented students and strategic Empathy. *Teachers College Record*, 122(12), 1–34; Rodriguez, S., Roth, B. J., & Villarreal Sosa, L. (2022). “Immigration enforcement is a daily part of our students’ lives”: School social workers’ perceptions of racialized nested contexts of reception for immigrant students. *AERA Open*, 8, 1–15. <https://doi.org/10.1177/23328584211073170>; Rodriguez, S., Roth, B., & Villarreal Sosa, L. (2020). School social workers as nentantleras in equity work for immigrant students: A conceptual exploration. *Social Service Review*, 94(4), 748–780.

<sup>5</sup> Valero, M. (2025). US Immigration Policy: Mental health impacts of increased detentions and deportations. American Psychological Association. <https://www.apa.org/monitor/2025/09/mental-health-immigration-enforcement>

<sup>6</sup> Dee, Thomas S.. (2025). Recent Immigration Raids Increased Student Absences. (EdWorkingPaper: 25-1202). Retrieved from Annenberg Institute at Brown University: <https://doi.org/10.26300/a62e-h526>

<sup>7</sup> David N. Figlio, Paola Giuliano, Riccardo Marchingiglio, Umut Özek, and Paola Sapienza, "Diversity in Schools: Immigrants and the Educational Performance of U.S. Born Students," NBER Working Paper 28596 (2021), <https://doi.org/10.3386/w28596>

<sup>8</sup>David N. Figlio, Paola Giuliano, Riccardo Marchingiglio, Umut Özek, and Paola Sapienza (2021). Do immigrant students harm native students academically? *Brookings*. <https://www.brookings.edu/articles/do-immigrants-harm-native-students-academically/>

populations.<sup>9</sup> This impact extends beyond K–12 as well: in community colleges, greater exposure to undocumented classmates has been linked to higher course completion rates for U.S. citizen students.

School climates are currently being disrupted and all children’s sense of well-being and belonging is at risk due to the increased hostility toward immigrant students and families, the heavy immigration enforcement presence, and the intentional disruption these policies and practices are causing America’s schools.<sup>10</sup>

### **Context and Moral Imperative and Foundations for Democracy**

The title of this hearing frames *Plyler* as though it is a problem when in reality is a cornerstone of our country’s deep democratic history and commitment to providing key educational rights for children regardless of their backgrounds.

In addition to aligning with principles of democracy and the rights of all children to receive an education, *Plyler* relates to a tradition of legal arguments and theory that show the harmful effects, including the trauma and undue stress that marginalizing children and excluding them from educational opportunity causes, i.e. *Brown versus Board*. The philosopher Richard Rorty, for example, cites *Brown v. Board of Education* as a “reassuring instance” of our capacity for moral progress, which aligns with decades of educational research that shows how schools are key socializing institutions in this country (see, John Dewey). The attacks on *Plyler*, and stripping educational rights of children, reflect a kind of moral depravity and an intentional exclusion that is anti-thetical to democracy and the foundational principles of this country. The right to education is fundamental to progress of society, and the economic and social well-being of our society.

### **Conclusion**

*Plyler* is a constitutional right to educational access and opportunity. This right for immigrant students is critical to protect. Immigrant students and families already contribute to our economy and social fabric of society. I encourage the members of this Subcommittee to remember that the attacks on *Plyler* and the claims that educating immigrant children is a financial burden is not based on research, and in fact the evidence shows the positive impacts of diversity in America’s schools.

Thank you for the opportunity to submit this statement of record that relies upon research evidence and shows the importance of securing educational rights for all children for Tennessee and across the country.

Submitted by,

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<sup>9</sup> David Figlio, Paola Giuliano, Riccardo Marchingiglio, Umut Ozek, Paola Sapienza, Diversity in Schools: Immigrants and the Educational Performance of U.S.-Born Students, *The Review of Economic Studies*, Volume 91, Issue 2, March 2024, Pages 972–1006, <https://doi.org/10.1093/restud/rdad047>

<sup>10</sup> Rodriguez, S., & Wy, G. C. (2024). Struggling to belong: Evidence from a survey of youth belonging in public schools. *Educational Researcher*, 53(2), 123-127.