

Rescue.org

2024 STATE POLICY GUIDE



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Introduction

Each year the International Rescue Committee (IRC) works closely with state elected leaders to ensure that the communities in which we resettle are welcoming places for refugees and other new Americans. In addition to working directly on policy, we assess introduced legislation through our state tracker and identify new model policies and the trends in legislation—all informing the policies included in this guide. Year to year it has reflected emerging themes such as: resources for refugee-serving programs; reduced barriers for re-credentialing and licensure processes in states; and access to in-state tuition, to name a few. These measures not only help ensure refugees and other newcomers can access pathways to economic self-sufficiency and integrate more smoothly, but they positively impact the broader community as well. States and localities across the country can only benefit from the personal and professional success that a recently arrived individual achieves as they rebuild their lives. This year's state policy and advocacy guide includes new policy themes and some familiar ones—but with nuanced examples as the policy efforts take shape in different states and political contexts.

Recommendations provided are informed by stakeholder engagement and landscaping impacted communities to understand service provision needs, and strategic assessments of the political realities on the ground.

How to Use This Guide

This guide is designed for advocates with any level of experience. Drafting and supporting welcoming policies should be done in coordination with your local resettlement agency and refugee and impacted communities to address the most pressing needs. Each policy theme in this guide includes two sections:

- 1. Policy recommendations** that include issue summary, policy drafting best practices, and model policies already introduced and advanced in other states.
- 2. Strategic engagement guidance** specific to the political environment of your state, including a checklist of considerations and key targets within legislative committees, and local and national partners.

When reviewing our suggestions for proactive legislation, it's helpful to reflect on some key questions:

- ▶ **Have you assessed how these issues impact new American communities in your state?**
- ▶ **What are your own gaps in knowledge and do you need to consult with a policy specialist to learn more about how to address an issue in your state?**
- ▶ **What is your capacity to engage stakeholders and elected leaders, and advance policy through the legislative process?**

It is important to remember that while we propose model examples in this guide, each state is different, with its own state code, processes and procedures, and regulatory or coalition partners. Perform a detailed review of these components before pursuing policies.

If you have questions about any of the content and recommendations, please contact:

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Integration: Welcoming Resolutions, State Investments and Strategic Infrastructure

Part 1: Welcoming Resolutions

Issue Summary

Resolutions offer a legislature the opportunity to communicate its values or ideals on a variety of social issues. Resolutions can serve as an entry point or temperature check to gauge how a legislature may vote on policy and can help advocates build relationships with potential legislative champions. Resolutions that welcome refugees allow states to demonstrate their support for refugee and immigrant constituents, and reciprocally offer a special moment for refugees and immigrants themselves to feel recognized and valued by their state elected leaders. Further, if a state is considering anti-refugee/immigrant measures, a supporting resolution can offer an alternate narrative to the negative rhetoric, demonstrate existing support and provide a positive measure for the public to rally around.

Recommended Best Practices

- ▶ Resolution language should drive a strengths-based, humanizing and person-centric narrative about refugees and immigrants.
- ▶ Resolutions focused on the contributions of refugees to their communities should not only highlight their economic contributions, but also their social contributions and intrinsic value.
- ▶ Resolutions should take into consideration the political climate of that state and strive to be as localized as possible in language and content. This may include referencing anecdotes, cultural values and data points or outcomes that are state specific.
- ▶ Content should be timely and responsive to trends or larger societal issues impacting the state's current context.

Alternatives and Compromises

- ▶ Resolution language can be designed to meet the moment and the political environment. Consider building support for this attached to a significant, recognized event such as Welcoming Week in September or World Refugee Day.
- ▶ Advocates may also consider looking at other levels of government—such as the municipal level—for environments that may be more viable for introducing pro-refugee resolutions.
- ▶ Resolutions related to refugee resettlement and immigration may have any of the following purposes:
 - > Honor the state's commitment to welcoming newly arriving refugees and immigrants
 - > Recognize World Refugee Day, a Refugee Advocacy Day, or other event being held by advocates at the state capitol
 - > Raise awareness regarding specific crises in the world
 - > Urge the state's governor, congressional delegation or President of the United States to take a particular stance or action related to resettlement or immigration

Select State Examples

Policy Area	State(s)	Details
Refugee Advocacy Day at State Capitol	Texas 2023 H.R. 1175	Recognized the social and economic contributions of refugees to the state of Texas, honored the efforts of resettlement agencies and highlighted advocates' Refugee Advocacy Day being held at the state capitol.
Honoring Contributions of Refugees	Arizona (2023) S.R. 1002	Enumerated the many social and economic contributions of refugees to the state, identified the common values held by people who arrived in Arizona as refugees, and raised education and visibility around a companion bill on refugee workforce participation being introduced in the legislature.

Advocacy Checklist

You have researched best practices in strategic communications on refugee resettlement and immigration for your state.

- You have existing bipartisan relationships with legislators who would be willing to champion this resolution or have identified a legislator you would like to build a relationship with by making this request. Bipartisan sponsorship or legislative sponsors that reflect your political environment will be most effective in ensuring your resolution resonates with the legislature and garners support.
- You have a specific day or event you would like to build visibility and support around. Resolutions can be most impactful when marker points in their legislative journey (such as their introduction or reading on the House or Senate floor) are timed to coincide with a Refugee Advocacy Day, legislative briefing, World Refugee Day or other event being held by advocates at the state capitol.

Options for Political Environments

Red Option: Resolutions focusing on the economic contributions of refugees and immigrants to their state are historically successful in red states. Ideally this is introduced with bipartisan sponsorship. If passage of a welcoming resolution is not viable at the state level, consider passing a welcoming resolution at the municipal level of government.

Purple Option: Resolutions in purple states can indicate a legislature's readiness to support other policies supporting refugees and new Americans. A resolution with bipartisan sponsorship can raise awareness around a particular day or event in support of refugees.

Blue Option: Blue states can consider using their platform to urge other branches of government (their congressional delegation or the President of the United States) to take action on an issue related to resettlement or immigration.

Anticipated Legislative Committee Targets

Rules Committee; Resolutions Committee (if applicable); Legislative caucuses that have weighed in historically on issues related to resettlement and immigration, such as Jewish Caucuses, Black and African American Caucuses, Latino Caucuses, and Asian American and Pacific Islander (AAPI) Caucuses.

Coalition Building and Partner Targets

Members of impacted communities and ethnic community-based organizations; resettlement agencies and organizations providing services to refugees and immigrants; refugee and immigrant rights coalitions; Chambers of Commerce and business coalitions.

Part 2: State Budget Investments in Resettlement and Integration

Issue Summary

While the federal government provides pass-through funds for the resettlement program that supports the immediate resettlement and stabilization of newly arrived refugees, state investments can fill gaps in federal funding and maximize long-term integration outcomes. States may establish a general fund accessible to organizations providing services to refugees and immigrants, or may allocate state resources to improve access or outcomes for refugees and immigrants within specific initiatives and programs.

Recommended Best Practices

- ▶ The process of selecting funding priorities for the budget request centers input from impacted communities and service providers.
- ▶ Budget request is data driven and the funding need can be evidenced quantitatively. Developing a formula that breaks down the funding need ensures your budget request is seen as accurately addressing the identified funding gap.
- ▶ The budget request is designed with sustainability and growth in mind. Ideally, a state will carve out a specific and ongoing line item in the state budget that is resourced year over year commensurate to need.
- ▶ The budget request includes requirements for reporting outcomes of the use of resources to the state agency or legislature.
- ▶ If applicable, dispensation is overseen by your state’s Office of New Americans/Office of Refugee and Immigrant Affairs or state refugee coordinator, with input from resettlement agencies, service providers and impacted communities.

Alternatives and Compromises

- ▶ Across many states, the funding needs identified by community stakeholders may far exceed a state’s available funds. In years where a state may have less funds to invest, advocates are more likely to be successful if they compromise on their ideal funding amount (this can often be viewed or referred to as a “pilot”).
- ▶ Not all funding priorities will be supported universally across political environments. Consider selecting budget requests that you know will resonate with your state’s politics or funding priorities; if working with members of the state legislature or governor’s office, utilize the opportunity of working together on their funding priorities to socialize them to funding needs that are a priority for service providers and impacted communities.

Select State Examples

Policy Area	State(s)	Details
General Fund Establishments	Washington (2022) (see p. 274)	Washington allocated \$28.5 million across two years for services to Afghan humanitarian parolees and newly arriving refugees of any country of origin. The funds are distributed via the Washington Office of Refugee and Immigrant Affairs.

Policy Area	State(s)	Details
General Fund Establishments	New York (2017–2023) Aid to Localities	The New York State Enhanced Services for Refugees Program (NYSESRP) was initially established in 2017. NYSESRP resources are distributed through the State Refugee Coordinator.
Issue Area Specific Allocations	Minnesota (2023) S.F. 360	Appropriates \$1.5 million in fiscal year 2024 and \$1.5 million in fiscal year 2025 to fund the establishment of the Office of New Americans within the Minnesota Office of Employment and Economic Development.
Issue Area Specific Allocations	Oregon (2022) S.B. 1543	Appropriates \$10.5 million to the Oregon Department of Administrative Services for the Universal Legal Representation Fund in 2022, \$10.5 million for the Fund in 2023, and \$4.5 million to the Judicial Department for the purposes of supporting universal representation (providing legal services to people in immigration court).
Extended Case Management	California (2023) S.B. 85	In certain circumstances, would facilitate a process by which recently resettled refugees needing an extension of services could pursue state-resourced extension of federal reception and placement funding benchmarked throughout a 360-day period.

Advocacy Checklist

- Contact your state budget office to ensure you understand the timeline, procedures and roles of responsibility that are specific to your state. The National Association of State Budget Offices' 2021 report on ["Budget Processes in the States"](#) can also provide a helpful starting point.
- Understand and take into consideration your state's overall budget health and budget forecast for the next budget cycle.
- Research budget priorities communicated by the governor or legislative leadership and identify any potential alignment with your own priorities.
- Assess the political opportunity and potential risk of requesting state funds in your political context. Do you have a demonstrated history of the state being open to policy that supports refugees and immigrants? Review the history of the state's previous budget allocations related to refugee or immigrant communities.
- Assess the strength of your relationships with entities involved in the budget process across state government to identify your likeliest budget champion.

Options for Political Environments

Red Option: Advocates may consider securing funding that supports the implementation of legislation related to workforce development outcomes. Instead of pursuing state-level funding, consider opportunities at the county or municipal level.

Purple Option: Work with the relevant state agency to pursue inclusion in the state agency's proposed budget; reinforce the agency request or submit your budget request via the legislature or governor's office based on their respective political alignment with the request. Consider a two-year approach wherein the fund is established and state resources are allocated in subsequent budget cycles.

Blue Option: Establish a line item in the state budget that offers a broad pot of funding that empowers service providers or CBOs with greater discretion over fund utilization; funding can go not just toward programming, but also toward direct financial assistance; eligibility is inclusive of various immigration statuses.

Anticipated Committee Targets

Budget and Appropriations Committees; Health and Human services Committees; Committees that relate thematically to the intent of the funding.

Coalition Building/Partner Targets

Members of impacted communities and ethnic community-based organizations; Resettlement agencies and organizations providing services to refugees and immigrants; Director of Office of New Americans/ Office of Refugee & Immigrant Affairs, or the state refugee coordinator; Stakeholders specific to thematic content or purpose of the funding.

Part 3: Strategic Infrastructure—Office of New Americans (ONAs)

Issue Summary

Offices of New Americans (ONAs), also referred to as Offices of Immigrant and Refugee Affairs, are state agencies that provide a central location for state-wide integration plans spanning workforce development, civic engagement, language access and more. ONAs elevate the voices of impacted communities and service providers, provide technical support to state agencies, and make key policy recommendations related to refugees and immigrants to the state legislature and governor. ONAs can be established via state legislation, executive order or administrative action.

Recommended Best Practices

- ▶ Convening authority across state agencies, service providers, community-based organizations (CBOs), the business community and other key stakeholders to address intersecting issues.
- ▶ Provides technical assistance to state agencies on issues of service and access, specifically language access, for refugees and immigrants seeking assistance; is granted oversight for the implementation of state agencies' plans to be inclusive of refugees and immigrants and ensure their services are language accessible.
- ▶ Serves as a policy focal point for state agencies, the governor's office and the state legislature on issues related to refugees and immigrants.
- ▶ Directly reports to or coordinates closely with the governor or governor's executive staff.
- ▶ Funding is commensurate with staffing needs and to implement programmatic mandate.
- ▶ Outlines how the ONA will work closely with the state refugee coordinator and is clearly vested with powers and responsibilities outside the scope of the state refugee coordinator.

Alternatives and Compromises

- ▶ Implement a multi-year strategy beginning with the addition of a cabinet-level position within the governor's office tasked with convening stakeholders on issues impacting refugees and immigrants and making policy and budget recommendations to the governor. In time, advocates may consider making the case to expand the staffing position to a full ONA housed within the governor's office or with a direct reporting line to the governor and legislature.
- ▶ Municipal-level Offices of New Americans can be very effective in convening stakeholders and developing local-level policy that welcomes and supports newcomer communities. If politically viable, consider engaging your mayor or city council to allocate a staff member within the mayor's office or create a city-wide ONA.

State Examples

Policy Area	State(s)	Details
Establishing a Municipal Office	Seattle (2012) Ordinance 123822	Establishing Seattle's Office of Immigrant and Refugee Affairs.
Establishing ONA Within a State Agency	Colorado (2022) H.B. 21-1150	Vested the ONA with the authority to convene diverse stakeholders in order to implement a statewide strategy for successful integration. In 2023, H.B. 23-1283 transferred the State Refugee Coordinator's office from the Department of Health and Human Services under the Office of New Americans, consolidating and aligning both departments.
Establishing ONA Within a State Agency	Delaware (2023) S.B. 44	Establishes an ONA within Delaware's Department of State and requests \$543,620 in annual funding for personnel and operating costs.

Advocacy Checklist

- Connect with the [ONA State Network](#) for technical support on creating the office.
- Compile information about existing immigrant and refugee populations and their contributions, and identify gaps and opportunities that a statewide ONA can help meet.
- Establish clear benchmarks, deliverables, projects, responsibilities and powers for the ONA. Be ready to prepare the case as to why an ONA is necessary in addition to already existing state agencies that serve refugee and immigrant residents.
- Review ONAs from other states to identify a structure/mandate appropriate for your context as well as to develop a correlating budget request reasonable for establishing the ONA and hiring staff.
- Research if your state previously attempted to pass legislation that would establish an ONA. If so, understand why the measure was unsuccessful and determine how the advocacy approach could change in order to ensure success.

Options for Political Environments

Red Option: House the ONA within a workforce-related state agency and prioritize economic integration; consider a multi-year effort that establishes the ONA first and allocates funding in subsequent years; emphasize benefits of increasing efficiency across state agencies.

Purple Option: The alignment of either the governor or legislature may determine whether you pursue an ONA via executive order or legislation as well as whether it is housed in a state agency or the governor's office; ensure broad geographic/political representation at the table.

Blue Option: House the ONA within the governor's office; fully fund the ONA for staffing needs and programmatic implementation; provide a mandate to oversee other state agencies' implementation of language access and other newcomer-related plans.

Anticipated Committee Targets

Budget and Appropriations Committees; Health and Human Services Committees; Committees related to the department in which the ONA will be housed.

Coalition Building/Partner Targets

American Immigration Council (AIC) ONA network; members of impacted communities and ethnic community-based organizations; resettlement agencies and organizations providing services to refugees and immigrants; impacted community members; Chambers of Commerce and business coalitions.

Workforce Inclusion and Opportunity

Issue Summary

Across the U.S., refugees, immigrants and other new Americans play a vital role in local workforces—making up 17.1% of the U.S. workforce—filling critical needs, opening businesses and contributing to the success of communities across the country. However, the skills, training and education of these newcomers are often underutilized, and opportunities to build new skills can be limited.

For individuals who previously worked in credentialed professions—health care workers and educators, for example—the process to re-credential and return to a career can be inaccessible in terms of available retraining opportunities, guidance from state regulatory agencies, time and financial resources, and opportunities to demonstrate that their skills meet U.S. standards. Available solutions to address these obstacles include reducing requirements on applications for professional licensure; publishing guidance on pathways to professional credentialing for internationally educated individuals; and expanding opportunities for newcomers to demonstrate that their skills meet U.S. standards.

Individuals outside of credentialed experience, such as those looking to change careers or build new skills to meet local workforce needs, face barriers to finding skill-building and career mobility opportunities. Opportunities for intervention for career paths that do not require an occupational license, existing skill recognition, skill building, and opportunities for career advancement can be addressed through opportunities for vocational training, experiential learning opportunities, occupational English language classes and access to in-state tuition (see page 15).

Recommended Best Practices

- ▶ Advance policies related to occupational credentialing that create or increase opportunities for newcomers to demonstrate that their existing skills meet or are substantially similar to U.S. standards (licensure by endorsement; increase accepted English language or credential evaluation methods).
- ▶ Provide opportunities for internationally trained individuals in certain credentialed professions, such as health care, to obtain U.S.-based, hands-on experience to meet credentialing requirements and prepare for entry into the U.S. workforce.
- ▶ Eliminate unnecessary occupational credentialing barriers like immigration status requirements for professional licensure.
- ▶ Increase training and education opportunities for newcomers to build skills that meet vital workforce needs; invest in programs—such as experiential learning, workforce training, apprenticeships and pre-apprenticeships, and vocational English classes— that help build needed occupational and language skills.
- ▶ Consult with relevant industry professionals for contextualization, feedback and endorsement of policies.

Alternatives and Compromises

Legislative efforts may not always be possible. When that is the case, advocates should consider pursuing administrative solutions and targeted interventions that address specific occupations or industry needs.

- ▶ Consider engaging the governor to assess options regulating the application of executive Workforce Innovation and Opportunity (WIOA) funding to programs that specifically serve immigrants and refugees.
- ▶ Iow a dedicated resources to training recently arrived refugees to secure commercial driver's licenses and employment in trucking and transport.

- ▶ Pennsylvania's Department of State invested in a survey that asked new Pennsylvanians to share information about language access, education, employment, licensure and barriers they had experienced related to occupational licensing. The 2021 survey resulted in several policy recommendations.

State Examples

Policy Area	State(s)	Details
Experiential learning	Colorado (2022) <u>S.B. 22-140</u>	Creates several new programs to increase access to learning, skill-building opportunities and employment by closing the digital divide and reducing language barriers.
Temporary licensure	Michigan (2023) <u>S.B. 162</u>	Allows individuals licensed as a school counselor in another country to be granted a temporary school counselor license if they meet all requirements for a permanent credential.
Grant program	Maine (2023) <u>L.D. 1169</u>	Creates the Foreign Credentialing and Skills Recognition Grant Program Fund.
Published guidance on pathways and English-language exams	Oregon (2023) <u>S.B. 849</u>	Requires the professional licensing boards to provide culturally responsive training to specified staff members, publish guidance on pathways to professional authorization for internationally educated individuals and waive requirements for English proficiency examination for specified internationally educated individuals.
Workforce Study Committee	Arizona (2023) <u>S.B. 1563</u>	Establishes New American Study Committee to review best practices for the economic integration of newcomers and reducing unnecessary barriers to employment.
Resourcing employment training programs (ETP)	California (2022) <u>A.B. 1478</u>	Provides \$10 million in one-time funding for the Employment Training Program (ETP) to expand workforce literacy training in the state.

Advocacy Checklist

- Connect with impacted community members, workforce centers and community-based organizations working with refugees and immigrants to understand specific barriers and needs.
- Explore available data about immigrant and refugee populations in the state, including their skills, education, training and other demographic traits. This will provide a better understanding of the level of skills (informal, trade, professional), sectors (health care, manufacturing, education), and professions (nurse, mechanic, teacher) that are most impacted and could benefit from further action.
- Consider policies states have already introduced and advanced to address immigrant and refugee integration and what barriers and opportunities still exist. Identify and connect with existing organizations or coalitions supporting these efforts.
- Assess which occupations in the state require a license, registration or certification to practice and who oversees the licensure process.
- Gather information on existing labor shortages and impacted industries.
- Connect with relevant state agencies (Office of New Americans, Department of Labor, regulatory agency) about existing priorities and work related to immigrant and refugee workforce inclusion.

Options for Targeted Political Environments

Red Option: A study to understand the state's current and anticipated workforce needs, and the underutilization of immigrant and refugee talent. This helps to frame the issue through an economic lens with a specific focus on the role newcomers can play in filling critical workforce needs and contributing to the state's economic success.

Purple Option: Policies that address regulatory obstacles to re-credentialing and promote increased understanding and recognition of skills, experience and training obtained outside of the U.S.

Blue Option: Policies that create opportunities for skill building and occupational language acquisition through training, grants or other programs targeted at internationally trained individuals.

Legislative Committee Targets

Committees involved with workforce and credentialing typically include Business & Labor Affairs, Commerce, Economic Development, Regulated Industries, Industry & Labor, Economic Growth, and Education. For initiatives that require funding, Appropriations Committee outreach should also be prioritized.

Coalition Building and Partner Targets

In addition to working alongside impacted immigrant and refugee populations, the following targets should be considered:

- ▶ For work related to occupational credentials or licenses, targets should include occupational licensing boards or regulatory agencies, occupation-specific societies, and professional groups. Additionally, private, non-profit and government agencies that support workforce development for individuals seeking an occupational credential or license should be consulted.
- ▶ General workforce inclusion and opportunity work should include workforce development boards, job readiness training programmatic staff, local workforce centers or other entities supported through federal Workforce Innovation and Opportunity (WIOA) funding, higher education and vocational training institutes, and relevant employer groups or associations.

Education: Access to K-12 and Higher Education

Part 1: K-12 Education

Issue Summary

The enrollment of children in public schools is often one of the first encounters a refugee or new American has with a public bureaucracy. Federal law protects the rights of all children to equal access to public elementary and secondary education, yet many families may face barriers that delay or even discourage enrollment. For example, the process to enroll students at the correct age level can be complicated by foreign or missing documentation—for example, birth certificates may be lost in the complex transit as a family flees conflict. Concurrently, it can be difficult to enroll new American students at the proper level as foreign transcripts or systems of education may not have exact equivalencies in the United States.

Recommended Best Practices

- ▶ Work with the governor’s office and state agency to encourage them to consider providing training to staff who handle enrollment in public schools to ensure that federal rights of students are protected in the process.
- ▶ Build administrative flexibility in school enrollment procedures that provides alternatives for missing documentation; for example, students can utilize reliable proof of identity and age (e.g., an adoption record or a religious certificate illustrating the age of the student) rather than a birth certificate.
- ▶ Enable counselors, community representatives, interpreters, educational equity administrators and families to collaborate in identifying an accurate level for a student's enrollment.
- ▶ Establish a virtual repository for immigrant and foreign exchange students' transcripts that allows teachers and administrators to compare similar documentation.
- ▶ Allow the conditional enrollment of students pending documentation completion.
- ▶ Consider options for alternative high school models that can help adults earn a high school diploma rather than a GED.

Alternatives and Compromises

- ▶ Advocate for regulatory change with the state's Department of Education to establish administrative flexibility for enrolling students.
- ▶ Work with school administrators to pilot programs that can specifically support newcomer students.

Select State Examples

Policy Area	State(s)	Details
Support for newcomer students and families	Oregon (2023) S.B. 272 Utah (2022) H.B. 230	Provides flexibility and support for newcomer families as they register for school.
Affirming Rights of All Students	California (2017) A.B. 699	Affirms the rights of all students, regardless of national origin, to a public education.
Credit Transfer	Oregon (2023) S.B. 940	Directs the state to study the ability of transferring high school credits earned outside of the United States.

Policy Area	State(s)	Details
Alternative High School Programming	Colorado (2023) S.B. 23-003	Creating a pathway for new Americans in Colorado who are over the age of 21 and do not have a high school diploma to attend high school and earn a diploma, industry-recognized certificates, career and technical education certificates, or college credits at no cost through the program.

Advocacy Checklist

- Research your state’s current [enrollment](#) standards.
- Connect with impacted community members, service providers and educational entities (the state’s Board of Education) and identify areas of need.
- Research the [Military Interstate Compact](#) to identify if policy expansion/replication is beneficial.
- Develop a flexible, targeted policy to address newcomer student enrollment and ensure its functionality (and eventual implementation) by partnering with educational entities.

Options for Targeted Political Environments

Red option: Consider pursuing administrative changes that target structural issues with enrollment without fiscal notes attached.

Purple option: Pursue expanded administrative changes that lend more funding to, or increase the mandate of, existing programs.

Blue option: Consider the possibility and need to resource some of the changes you are pursuing.

Anticipated Legislative Committee Targets

Education Committee and Appropriation Committee.

Coalition Building and Partner Targets

School boards, educators, impacted community organizations, administrators, newcomer families, and parent-teacher associations.

Part 2: Access to Higher Education

Issue Summary

For individuals seeking to enroll in college following high school, or complete higher education as a means to re-credential in the United States or advance employment opportunities, access to residency-based in-state tuition rates can bolster participation in higher education. Refugees and other new Americans often do not qualify for in-state tuition at public institutions of higher education due to in-state residency requirements and/or legal status.

States can improve access to higher education by ensuring recently arrived students are able to access in-state tuition residency based rates upon arrival—promoting the successes of new American communities and their contributions to states’ workforces, economies and shared prosperity. While many states have taken strides to extend in-state tuition upon arrival ([consult this analysis](#) from the President’s Alliance on Higher Education and Immigration for examples), some efforts fall short as they are neither inclusive nor implemented.

Recommended Best Practices

- ▶ Design inclusive policies that allow individuals with any immigration status to access in-state tuition upon arrival in a state. Examples include: refugees, asylees, Special Immigrant Visa (SIV) recipients, humanitarian parolees, individuals with Temporary Protected Status (TPS) and individuals who can prove they have made an effort in good faith to apply for these statuses, including asylum seekers.

- ▶ Incorporate requirements to publicize the new legislation at institutions of higher education to increase awareness amongst college applicants.
- ▶ Partner with institutions of higher education to ensure policies are implemented.
- ▶ Build accountability mechanisms into legislative language by establishing appeals processes for students who are wrongfully denied in-state tuition residency.

Alternatives and Compromises

- ▶ Pursue a multi-year approach where target populations are included year on year by updating the state code.
- ▶ Consider partnering with the state’s Board of Regents or university advisory board to create administrative pathways for new Americans to access in-state tuition rates.

Select State Examples

Policy Area	State(s)	Details
In-state Tuition	Utah (2023) H.B. 102 Vermont (2022) S. 283	Allows refugees, and other resettled populations to access in-state tuition upon arrival.
Tuition Rate Accountability	New York (2023) S. 6129	Establishes accountability mechanisms if a student feels that in-state tuition access was wrongfully denied by an institution of higher education.

Advocacy Checklist

- Research your state’s current policies on [in-state tuition](#) with the Higher Ed Immigration [“Portal to the States.”](#)
- Connect with impacted community members, service providers and higher education institutions to assess need and understand the challenge. Verify if the challenge is residence and/or immigration status.
- Identify if this is a policy or regulatory change. In some states, the state’s Board of Regents can determine which populations qualify for in-state tuition. Collect enrollment data to ensure parity.
- Assess if you should develop an inclusive policy or a piecemeal approach with a multi-year strategy.

Options for Targeted Political Environments

Red Option: Consider a multi-year strategy that gradually expands access to immigrant populations.

Purple Option: Consider a broad expansion of in-state tuition residency waiver to include refugees, humanitarian parolees and special immigrant visa recipients.

Blue Option: Incorporate language in the policy that establishes and resources publication of these rates. Create a reporting mechanism for those who might be wrongfully denied access to seek review of their claim.

Anticipated Legislative Committee Targets

Education Committees and Appropriation Committees.

Coalition Building and Partner Targets

Higher education institutions (especially community colleges), workforce development centers, and job readiness providers like resettlement agencies; State Board of Higher Education or Board of Regents; [IMPRINT Coalition](#); and the [Presidents Alliance for Higher Education and Immigration](#).

Targeted Language Access Policies

Issue Summary

Language access—often operationalized as interpretation or translation—helps ensure the health and safety and full participation in society of limited English proficient individuals (LEPs). Mandated by federal requirements and judicial precedent—including Title VI of the Civil Rights Act—language access is a fundamental aspect of civil rights and a prerequisite to functional public policy. Communities and local governments across the United States have successfully implemented language access policies to make sure LEP individuals in their communities can access public services including emergency response, receive equitable health care, and exercise their rights.

Recommended Best Practices

Effective language access policies should be tailored to community needs. While states can, and should, take broad approaches to language access, targeted policies can have an outsized impact.

- ▶ Critical health and safety needs can be a foundational start to this work in your community to ensure that emergency responders in public safety and health have the resources necessary to understand and respond to crisis situations.
- ▶ Review existing resources to determine if additional policy or implementation measures are necessary. According to federal law, any agency or organization that receives federal dollars must have a language access policy. Many state agencies may have existing policies or resources that may need updating or further implementation.
- ▶ Advocate for precise solutions that address specific and unique needs (examples listed in the table below).
- ▶ Consider a multi-year approach that creates momentum across legislative sessions. For example, California began its path toward language accessibility in 1973 with the Dymally-Alatorre Bilingual Services Act, which has been amended and updated in the 50 years since.
- ▶ For additional in-depth analysis of language access policies, consult the IRC & Refugee Advocacy Lab's "Language Access Policy: Precedent and Possibilities in U.S. States, Counties, and Cities" or the Migration Policy Institute's Language Access Portal.

Alternatives and compromises

- ▶ Promote administrative changes—such as the adoption of language access policies by state agencies.
- ▶ Ensure existing policies—which, per federal law, each agency in receipt of federal funds should have—are implemented.

Select state examples

Policy Area	State(s)	Details
K-12 Settings	Nevada (2021) <u>A.B. 195</u> New York (2018) <u>S.B. 4031B</u> <u>Available here</u> is complete list of states funding language access in schools.	Mandate and support English Learner programs (ranging from instructional materials to interpretation and translation support) in schools.

Policy Area	State(s)	Details
Health care	Colorado (2023) H.B. 23-1004 Available here is a comprehensive list of states with health care-related language access policies.	Ensure language access services exist in health care-related settings.
Emergency Services	Hawaii (2007) H.B. 1045	Expand language access services to include 911 emergency services.
Multi-Year Approaches	California (1973), Dymally-Alatorre Act Utah (2021 , 2022 , and 2023)	Cultivate support for language access through incremental steps year on year.

Advocacy Checklist

- Collaborate with stakeholders including interpreters, translators, multicultural and multilingual families and individuals, refugee resettlement agencies and immigrant rights groups to identify specific language access barriers and ensure efforts are effective.
- Understand the language diversity in your community. The [American Community Survey](#) can help demonstrate how many individuals in your community identify as LEP and what their primary languages are.
- Identify current language access policies in your state to identify policy and implementation gaps. A useful resource for searching your state's language access policies is the Migration Policy Institute's [Language Access Portal](#).
- Identify which state agencies (if any) oversee language access in your state and where targeted interventions are necessary (school-level, state agencies, law enforcement, etc.).
- Develop targeted policy/administrative solutions. The Department of Justice's website [LEP.gov](#) has a multitude of free resources for language access policy planning and implementation.

Options for Targeted Political Environments

Red option: Advocate for policies that do not require additional funding or pursue policies at the municipal level ([Austin, Texas](#)).

Purple option: Create a study or workgroup for identifying challenges faced by multilingual communities. Establish a yearly reporting requirement to ensure that programs are current and accessible to evolving language access needs with a unique focus on emergency response settings and mental health.

Blue option: Mandate funded language access policies for all state agencies

Anticipated legislative committee targets

Sector specific language access policies may warrant engagement with relevant committees including: Education committees; Appropriation committees; Workforce/Labor committees.

Coalition building and partner targets

Stakeholders: refugee resettlement agencies, ethnic-based community organizations, and immigrant rights organizations. Administrative partners: teachers and school administrators, State Board of Education, emergency service departments and county leaders. For a focus on emergency response language accessibility needs, engage local law enforcement and other sector partners.

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