

**CLASP 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**

Chairman Roy and Ranking Member Gay Scanlon, and Members of the Subcommittee on the Constitution and Limited Government, we thank you for the opportunity to submit this statement for the record for the hearing titled, “Immigration Policy by Court Order: The Adverse Effects of *Plyler v. Doe*.” The Center for Law and Social Policy (CLASP) is a national, nonpartisan nonprofit advancing anti-poverty policy solutions that address structural and systemic racism and remove barriers blocking people from economic security and opportunity. CLASP works to develop and implement federal, state, and local policies (in legislation, regulation, and implementation) that reduce poverty, improve the lives of people with low incomes, and create pathways to economic security for everyone. That includes directly addressing the barriers people face because of race, ethnicity, gender, disability, and immigration status.

The CLASP policy team has expertise on education policy (from the early years through postsecondary levels) as well as on the range of anti-poverty policies impacting immigrant students and families. We submit this statement to urge Congress to uphold the right to K-12 education for all children regardless of immigration status that were established under the 1982 *Plyler v. Doe* decision and to reject any effort to restrict educational access. We also call on Congress to recognize the importance of immigrant students to our nation’s future workforce, as evidenced by the contributions of those who have been recipients of the Deferred Action for Childhood Arrivals (DACA) program. Ultimately, to deny any subset of the U.S. child population access to a basic education will have long-term harmful consequences for them and for the country.

Introduction

Throughout the history of the United States, the Supreme Court has decided landmark cases that have made public education more accessible for all students regardless of their race, gender, disability, or immigration status. In 1954, *Brown v. Board of Education* ruled that segregated public schools on the basis of race were unconstitutional, a decision that set the precedent for future civil rights cases that have shaped and strengthened the future of the United States.¹ Such cases

¹ Amanda Litvinov, “Why the U.S. Supreme Court Matters to Public Schools | NEA,” Nea.org, July 4, 2025, <https://www.nea.org/nea-today/all-news-articles/why-us-supreme-court-matters-public-schools.>; National Archives,

have led to the passing of federal laws such as *Title IX of the Education Amendment of 1972* and the *Americans with Disabilities Act of 1990*, which have protected the rights of millions of students, defending their access to the full benefits of a free and public education.² Among these historic cases, *Plyler v. Doe* has protected the constitutional right to a free and public education for children regardless of immigration status for over 40 years, a decision that has contributed to the healthy development and economic progress of generations of students.³

The need to protect the constitutional right of a public education for all students is essential to “maintaining the fabric of our society.”⁴ As the court argued, “the deprivation of education takes an inestimable toll on the social, economic, intellectual, and psychological well-being of the individual, and poses an obstacle to individual achievement.”⁵

***Plyler v. Doe* protects educational access beyond immigrant students.**

The reversal of *Plyler v. Doe* impacts more than just undocumented immigrant students; it affects all students that would be impacted by its potential chilling effect and new documentation requirements. This includes U.S. citizen children in immigrant families and other students who may face challenges documenting their immigration status.

Using data from the Pew Research Center, there were an estimated 850,000 undocumented children under the age of 18 in 2022.⁶ Additionally, thousands of immigrant children who have lawful legal statuses are also at risk. Per the U.S. Department of Education, there were 1,070,113 immigrant students enrolled in K-12 public schools in the 2021-2022 school year, some of whose legal statuses have been revoked due to the Department of Homeland Security canceling humanitarian parole and Temporary Protected Status for roughly 2.5 million people.⁷

“Brown v. Board of Education (1954),” National Archives (The U.S. National Archives and Records Administration, March 18, 2024), <https://www.archives.gov/milestone-documents/brown-v-board-of-education>.

² Kyrie E. Drago and Abigail A. Graber, “The Rights of Students with Disabilities under the IDEA, Section 504, and the ADA,” Congress.gov, 2024, <https://www.congress.gov/crs-product/R48068>.; U.S. Department of Education, “Title IX and Sex Discrimination,” U.S. Department of Education, April 11, 2025, <https://www.ed.gov/laws-and-policy/civil-rights-laws/title-ix-and-sex-discrimination>.

³ *Plyler v. Doe*, 457 U.S. 202, 206 n.2 (1982).

⁴ *Ibid.*

⁵ *Ibid.*

⁶ Jeffrey S. Passel and Jens Manuel Krogstad, “What We Know about Unauthorized Immigrants Living in the U.S.,” Pew Research Center, July 22, 2024, <https://www.pewresearch.org/short-reads/2024/07/22/what-we-know-about-unauthorized-immigrants-living-in-the-us/>.

⁷ U.S. Department of Education, Office of English Language Acquisition, “The Biennial Report to Congress on the Implementation of the Title III State Formula Grant Program,” December 30, 2024, <https://www.govinfo.gov/content/pkg/CMR-ED1-00192920/pdf/CMR-ED1-00192920.pdf>.; David Bier, “The Most Important Immigration Stories of 2025,” Cato Institute, December 30, 2025, <https://www.cato.org/blog/most-important-immigration-stories-2025>.

The overruling of *Plyler v. Doe* also creates barriers to a K-12 education for U.S. citizen children in immigrant families. For example, following the implementation of HB 56 in Alabama in 2011, which required schools to collect and report information on whether students were undocumented, roughly 13 percent of Latino students withdrew from public school despite immigrant students making up less than .5 percent of the state population.⁸

Requiring schools to certify the immigration status of all students would also create a new burden on all families enrolling children in school, which could adversely impact many non-immigrant students, including those who are homeless, part of single-headed households, currently in foster care, living in rural areas, or those with families with low incomes. This requirement would also create a new administrative burden on schools, leading to significant costs. An analysis by the Immigration Research Initiative of two Tennessee education bills that would require schools to document students' status found that the cost to Tennessee taxpayers would be around \$55 million in the first year alone.⁹

***Plyler v. Doe* has improved the lives of children, their families, and the economy.**

The *Plyler v. Doe* decision has positively impacted and equipped immigrant students and their families with the tools necessary to prosper economically and meaningfully contribute to their communities. Recent data estimates that 1.8 million children are currently benefiting from the protections offered by the *Plyler* ruling.¹⁰ Through this public education, students are obtaining the foundational resources a public K-12 education provides, including the social, physical and cognitive tools needed for healthy development. Access to a basic education also helps them achieve greater economic stability and overall improved health outcomes as adults.¹¹

Adult beneficiaries of *Plyler* have consistently shown that immigrant students are worth the investment. Since the creation of the program, *Plyler* beneficiaries have been significant contributors to our workforce, filling the gap of some of our most in-need industries and adding

⁸American Immigration Council, "Public Education for Immigrant Students: Understanding *Plyler v. Doe* - American Immigration Council," American Immigration Council, October 24, 2016, <https://www.americanimmigrationcouncil.org/fact-sheet/plyler-v-doe-public-education-immigrant-students/>.

⁹ David Dyssegaard Kallick and Anthony Capote, "The Unforeseen Fiscal Cost of Verifying Student Immigration Status," Immigration Research Initiative, March 2, 2026, <https://immresearch.org/publications/the-unforeseen-fiscal-cost-of-verifying-student-immigration-status/>

¹⁰ Scott D. Levy and Phillip Connor, "The Power of *Plyler*," FWD.us, December 2025, <https://www.fwd.us/news/the-power-of-plyler/>.

¹¹ Anna Farr, Cary Lou, and Hannah Sumiko Daly, "How Do Children and Society Benefit from Public Investments in Children?," Urban Institute, September 04, 2024, <https://www.urban.org/research/publication/how-do-children-and-society-benefit-public-investments-children#:~:text=K%E2%80%9312%20education%20programs%20can,achieve%20higher%20earnings%20as%20adults.>

over \$171 billion dollars to the GDP between 1982 and 2022.¹² This economic contribution is expected to reach \$2.71 trillion throughout the course of their lifetime.¹³ *Plyler v. Doe* has also increased the likelihood of economic stability for adult beneficiaries, preventing over 730,000 of their U.S. citizen children from entering poverty.¹⁴

Programs such as the Deferred Action for Childhood Arrivals (DACA) are evidence of the value of policies that help immigrant students access the tools needed to positively contribute to our economy. A national survey finds that nearly 46% of DACA recipients have a bachelor's degree despite not being eligible for federal aid, with 79% of respondents identifying as “financially independent.”¹⁵ Additionally, research shows that DACA recipients collectively earned nearly \$27.9 billion, contributing \$2.1 billion to Social Security and Medicare annually.¹⁶

Public education for all is foundational to the well-being of our communities and society.

Beyond the economic advantages, it is in the best interest of the United States to protect the right to a public education for all students. As a collective good, access to a public education leads to healthier, stronger, and more educated communities. More broadly, immigrant students help shape their classrooms, positively adding to the education and experience of their peers. For example, a Florida-based study found that U.S.-born students with more immigrant peers scored better on math and reading tests than similar students with fewer immigrant peers.¹⁷ Additionally, school officials and teachers have highlighted the numerous benefits education for all has had on their communities, from workforce development to fostering empathy.¹⁸

On the contrary, CLASP’s own research in 2025—which included interviews with 67 early education providers—found that anti-immigrant policies and immigration enforcement actions that deter immigrant families from sending their children to school have created painful disruptions to learning for all children.

¹² Scott D. Levy and Phillip Connor, “The Power of Plyler.”

¹³ Ibid.

¹⁴ Ibid.

¹⁵ American Immigration Council, “Deferred Action for Childhood Arrivals (DACA): An Overview - American Immigration Council,” American Immigration Council, July 2024, <https://www.americanimmigrationcouncil.org/fact-sheet/deferred-action-childhood-arrivals-daca-overview/>.

¹⁶ Trinh Q. Truong and Silva Mathema, “DACA Recipients Bolster Social Security and Medicare,” Center for American Progress, January 25, 2024, <https://www.americanprogress.org/article/daca-recipients-bolster-social-security-and-medicare/>.

¹⁷ Evelyn Iritani, “Presence of Immigrant Students Boosts Test Scores for All,” UCLA Anderson Review, April 14, 2021, <https://anderson-review.ucla.edu/presence-of-immigrant-students-boosts-test-scores-for-all/>.

¹⁸ Texas House Committee on Public Education, Public Education Committee Meeting, meeting video, Texas House of Representatives, accessed March 16, 2026, https://tlchouse.granicus.com/MediaPlayer.php?view_id=46&clip_id=23209

The overruling of *Plyler v. Doe* would have an adverse impact on our communities, economy, and the well-being of children. An estimated 450,000 jobs requiring a high school diploma and 300,000 jobs requiring a college-degree would be lost, resulting in a loss of over \$1 trillion dollars to the US economy over the course of the beneficiaries' lifetimes.¹⁹

In addition to the harmful economic impact, the barriers to public education would forever affect the lives of these children. Research shows that chronic school absences can lead to economic hardship as adults, with one report finding that participants who were chronically absent were more likely to require government assistance, less likely to have a job, and less likely to go to college.²⁰ Research also suggests that harsh immigration policies and the criminalization of children take a mental and physical toll, with many immigrant children and U.S.-born children in immigrant families experiencing psychological trauma and symptoms that obstruct healthy development.²¹

Denying children a basic education or removing current students from their beloved school communities would have devastating consequences, not only for the students themselves, but also for their U.S. citizen classmates. Such was the case for the Kindergarten classmates and school community of the recently detained Liam Ramos, who noted his absence and called for his return.²²

Conclusion

As experts on anti-poverty, education, and immigration policy, we call on Congress to protect the constitutional right of all children to access a public K-12 education. *Plyler v. Doe* has proven to be in the best interest of the U.S. economy, our communities, and the well-being of children. We urge Congress to protect the livelihoods of children by rejecting any policy proposal that limits their ability to access a basic education. Congress should be working to support schools to provide a high-quality public education that meets the needs of every student, not reversing decades of progress in making education accessible to all.

We thank you again for the opportunity to submit this statement for the record. For any questions, please contact Wendy Cervantes, Director of Immigration and Immigrant Families, at wcervantes@clasp.org.

¹⁹ Scott D. Levy and Phillip Connor, "The Power of Plyler."

²⁰ Jeff Grabmeier, "Early Absences for K-8 Students Have Effects into Adulthood," [ehe.osu.edu](https://ehe.osu.edu/news/listing/early-absences-k-8-students-have-effects-adulthood), July 14, 2020, <https://ehe.osu.edu/news/listing/early-absences-k-8-students-have-effects-adulthood>.

²¹ Lisa Fortuna et al., "Special Report: U.S. Immigration Policy and the Mental Health of Children and Families," *Psychiatric News* 60, no. 8 (July 1, 2025), <https://doi.org/10.1176/appi.pn.2025.08.8.19>.

²² New York Times Opinion, "ICE Took Their Classmate. They Started Writing Letters.," Youtube Video, January 31, 2026, https://www.youtube.com/watch?v=0Cw36_u3_7ink