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Joint Legislative Audit and Review Commission



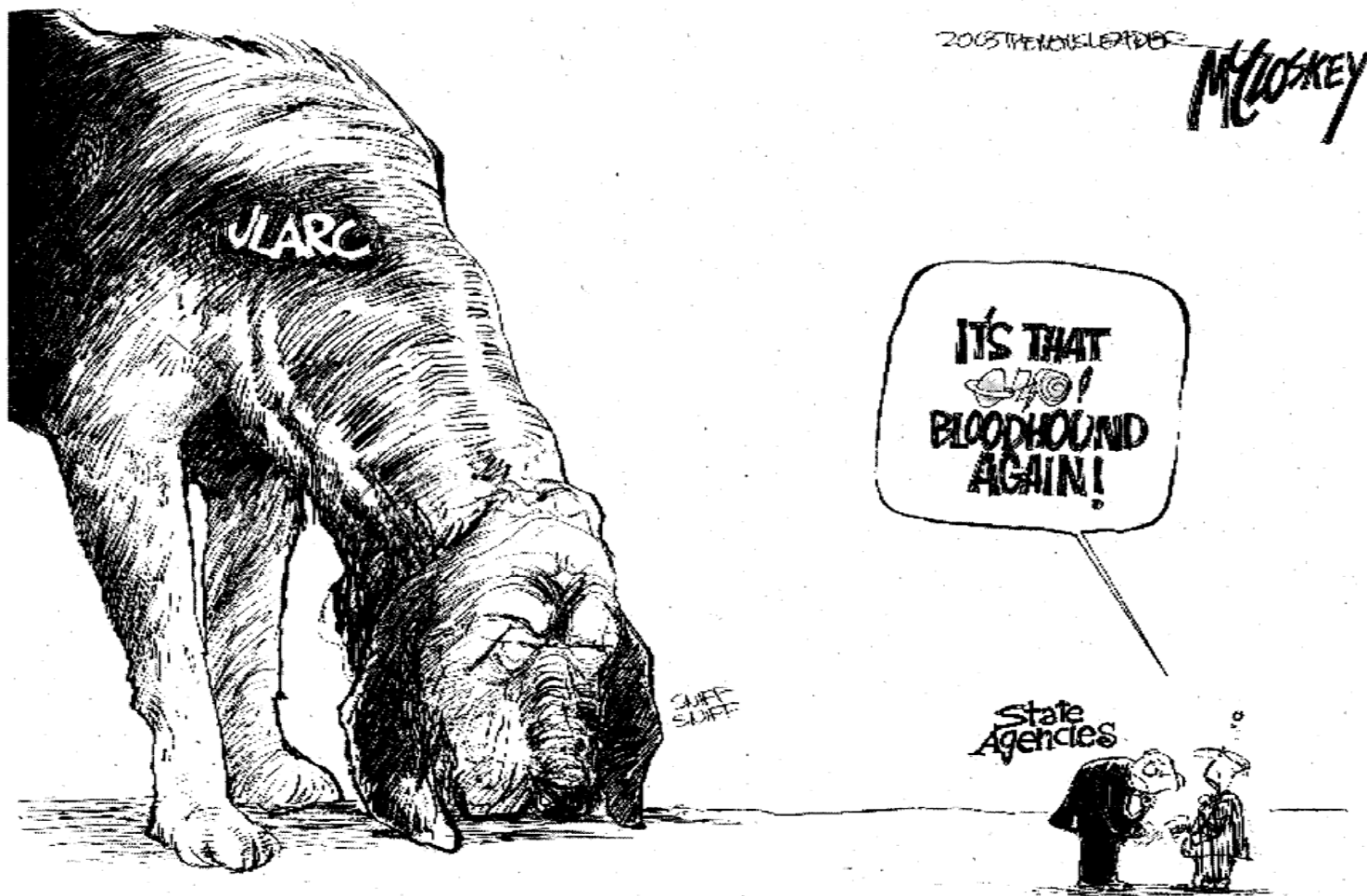
# The Acclimation of Virginia's Foreign-Born Population

Virginia Association of Counties

November 12, 2007



# What is JLARC?



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# Study Process

- Studies usually originate in the legislature
- Study is assigned to a team (1-6 analysts)
- Team:
  - develops workplan
  - conducts field work/other data collection
  - analyzes data
  - writes and presents a report for the Commission
- Multiple studies conducted simultaneously
- Final report to the JLARC members

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## 2003 Foreign-Born Study

- Requested by a member of the House of Delegates
- JLARC evaluated
  - Unique service needs of the population
  - Benefits and costs
  - Federal government policies and programs
  - Options for local, regional, and State government to facilitate acclimation

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# Presentation Outline

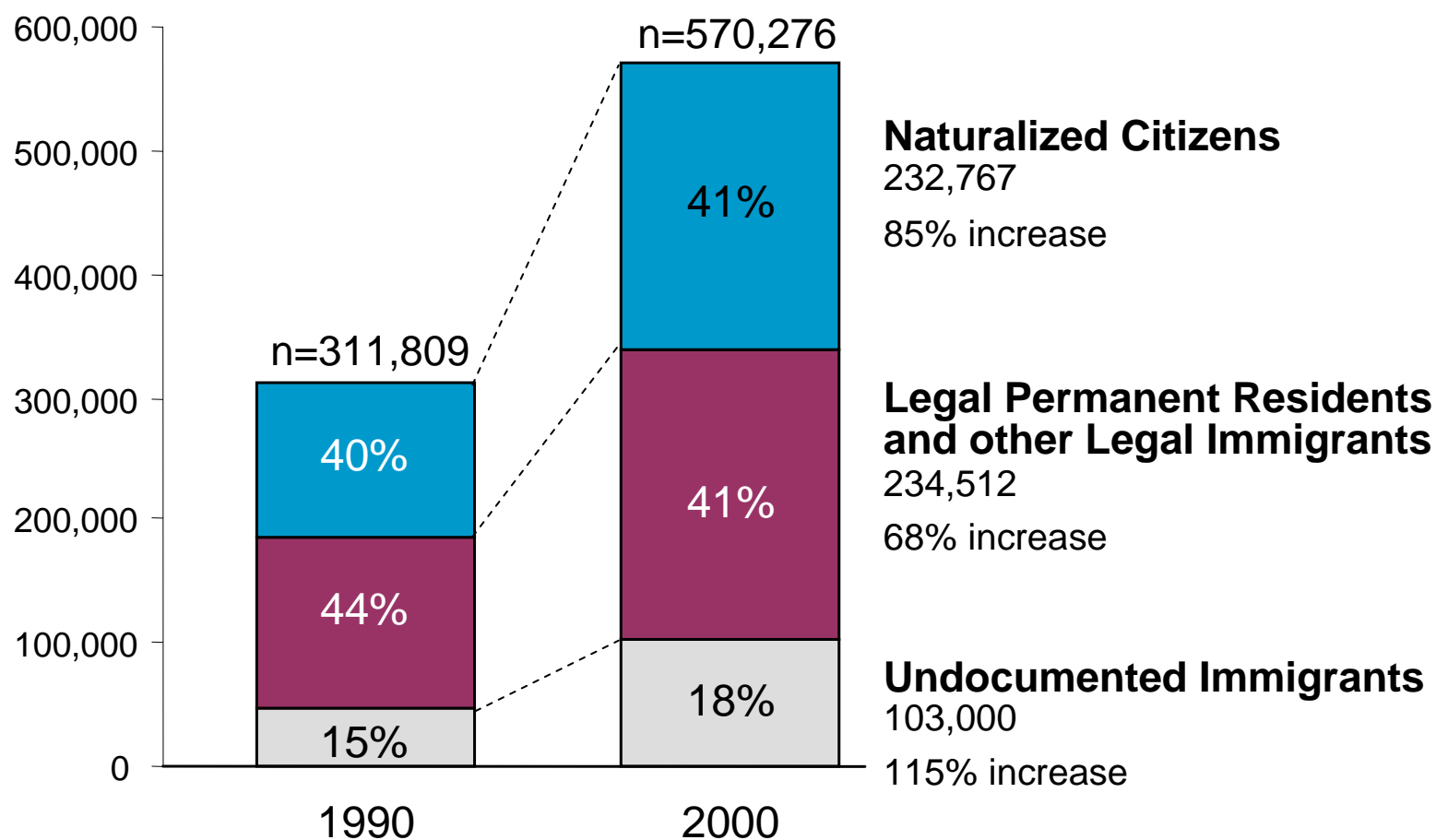
- Overview of Virginia's Foreign-Born Population
- Federal vs. State Government's Role
- Language Barrier
- Access to Health Care
- Access to Other Publicly Funded Services
- Public Safety
- Foreign-Born Labor Force Participation
- JLARC Recommendations

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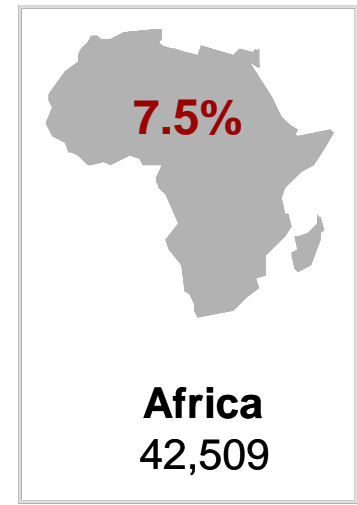
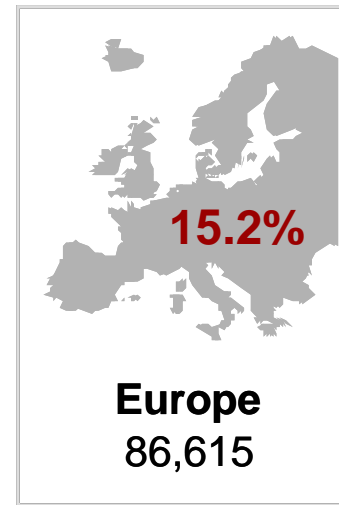
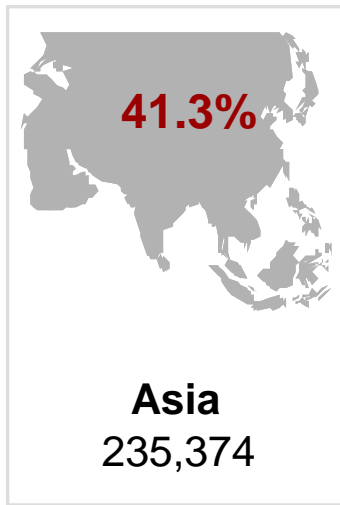
# Virginia's Foreign-Born Population

- 8% percent of Virginia's population in 2000
- 83% increase between 1990 and 2000
- Virginia ranks 11<sup>th</sup> in the nation
- More than 80% are in Virginia legally
- 12% of Virginia's workforce in 2000
- Majority from Asian and Latin American countries
- Located primarily in Northern Virginia and other urban centers
  - Many rural and suburban areas experiencing substantial increases

# Comparison of Foreign-Born Residents in Virginia, 1990 and 2000



# 570,279 Foreign-Born Persons in Virginia Emigrated From . . .



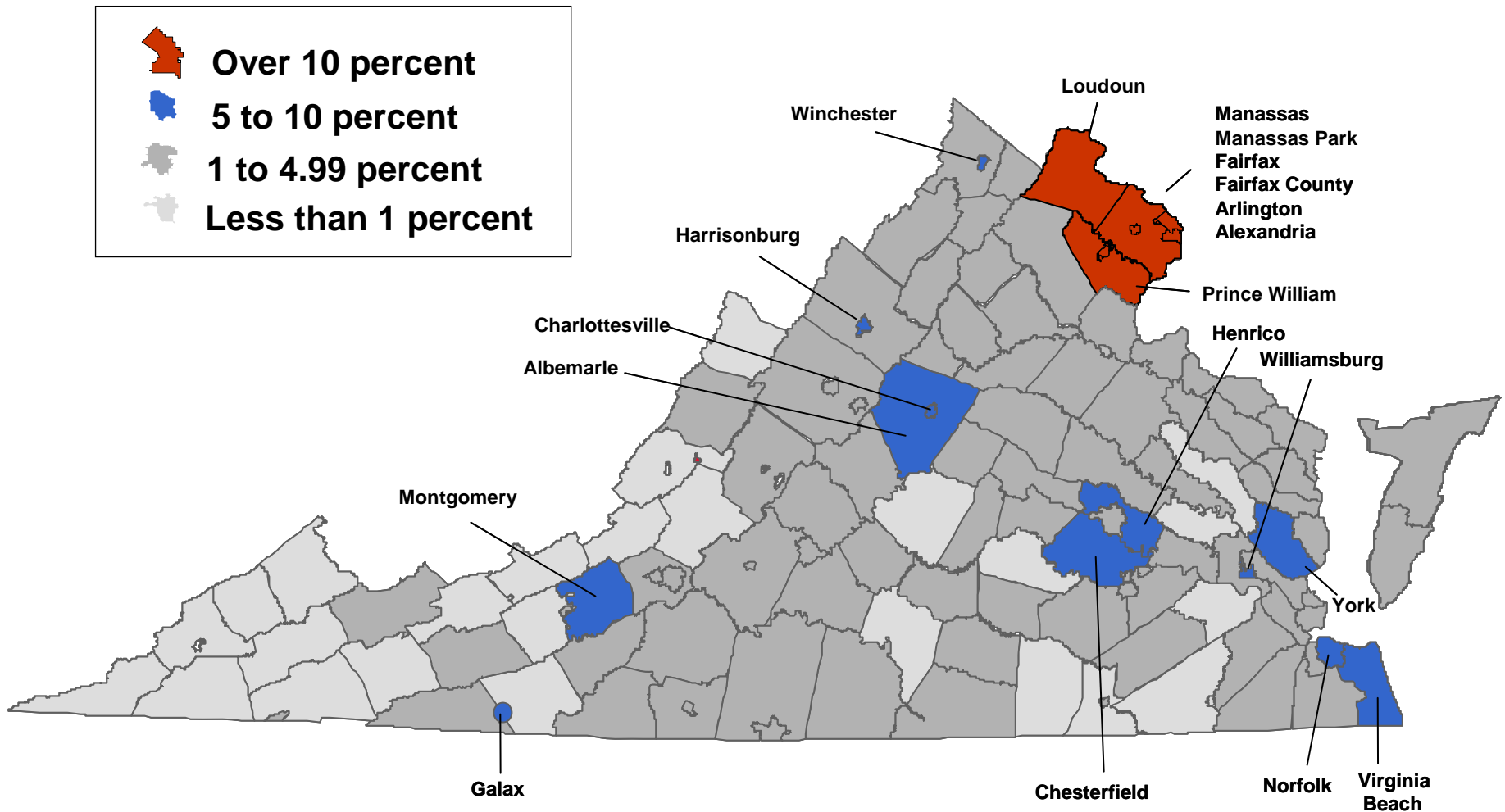
Korea		6.5%
Philippines		6.4
India		5.4
Vietnam		5.4
China		4.1
Pakistan		2.4
Other		11.1
<hr/>		
<b>Asia</b>		<b>41.3%</b>

El Salvador		9.6%
Mexico		5.7
Bolivia		2.7
Peru		2.4
Guatemala		2.1
Other		10.8
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<b>Latin America</b>		<b>33.3%</b>

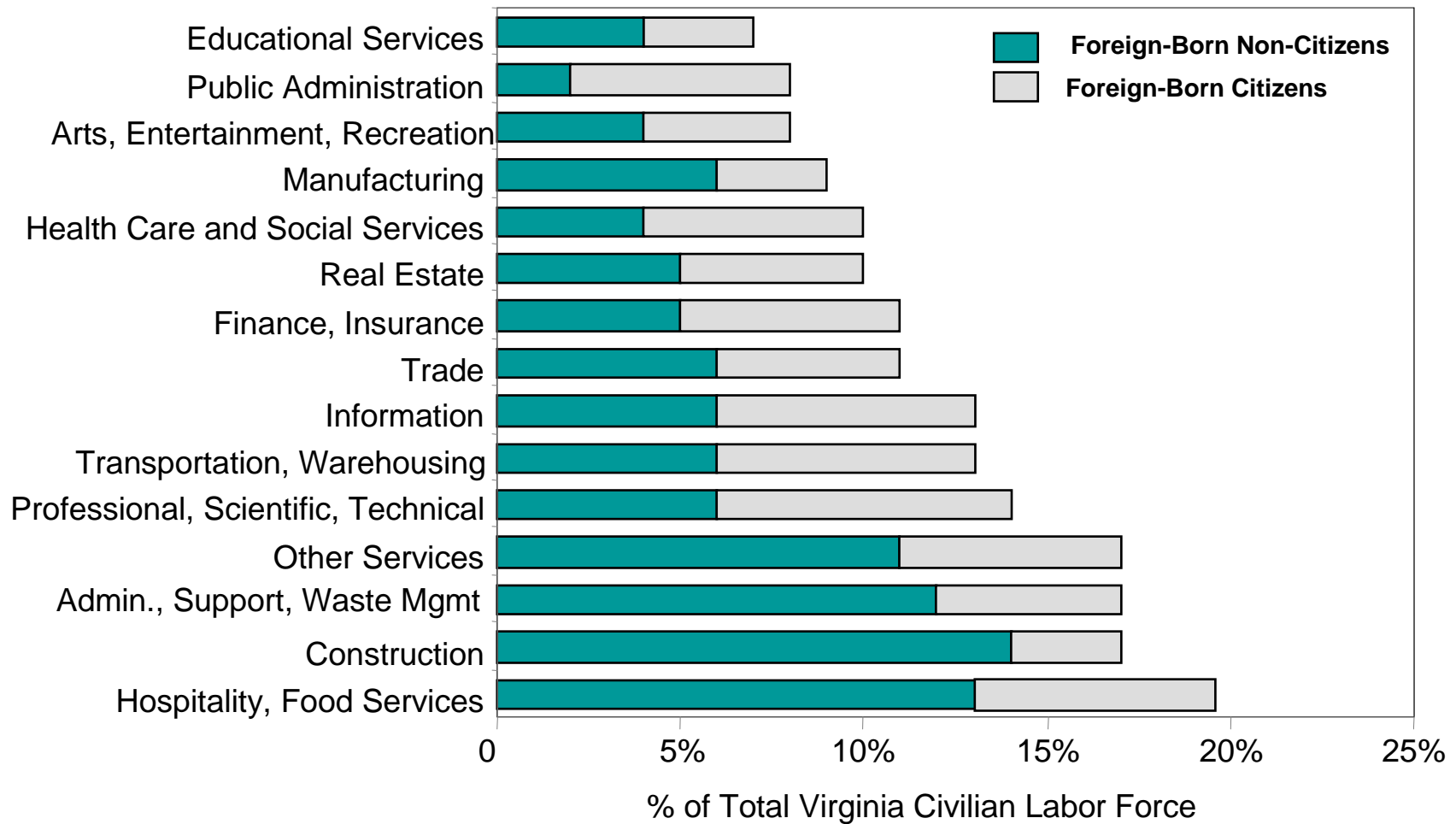
United Kingdom		3.5%
Germany		3.4
Other		8.3
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<b>Europe</b>		<b>15.2%</b>

Ethiopia		1.4%
Ghana		1.0
Other		5.1
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<b>Africa</b>		<b>7.5%</b>

# Foreign-Born Population Is Located Primarily in Northern Virginia and Large Cities (2000)



# Foreign-Born Participate in Every Major Sector of the Virginia Economy



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# Foreign-Born Population Plays Key Role In Agriculture

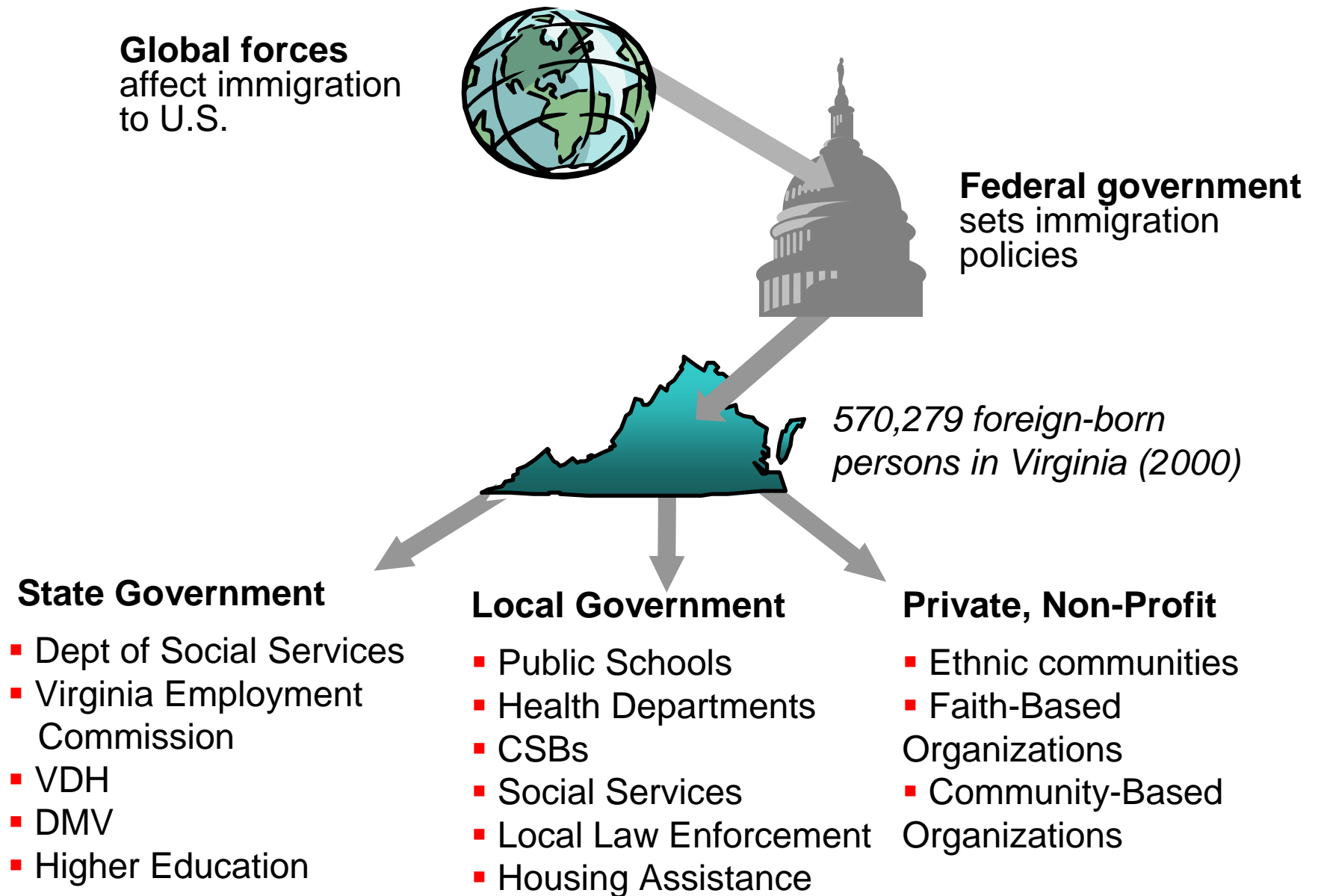
- About 90% of migrant farmworkers are foreign-born
- Fruit, vegetable, and tobacco agricultural industries in Virginia depend on foreign-born workers

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# Foreign-Born Participate in Armed Forces

- 6.5 percent of Virginia's active armed forces were foreign-born in 2000

# Policies & Services Affecting the Foreign-Born



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# Federal Government Sets Four Key Policies

- Immigration process
- Naturalization process
- Statutory requirement for equal access to certain services and information
- Eligibility for major public services

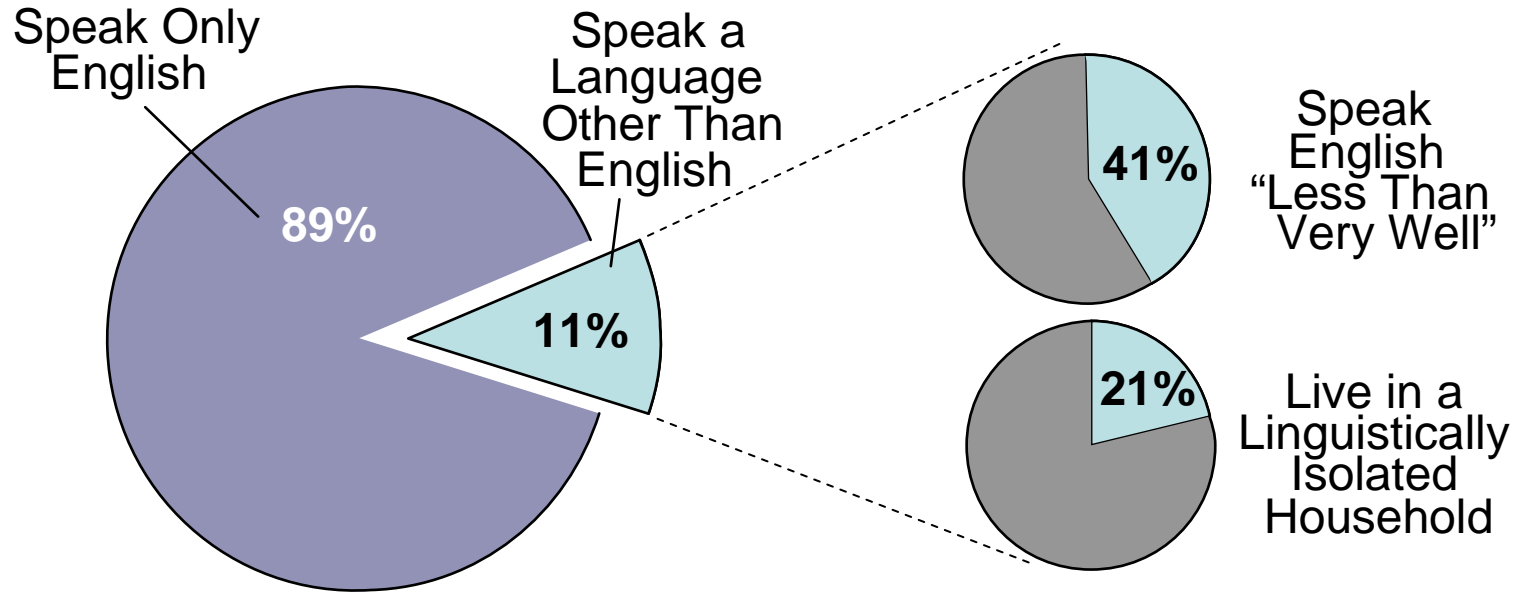
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# Examples of Federal Directives That Affect Foreign-Born Access to Services

- Title VI of the Civil Rights Act of 1964 mandates meaningful access (at no cost) to information and services
- Equal Educational Opportunity Act (1974) requires schools to meet the needs of limited English proficient (LEP) students
- 1982 Supreme Court ruling (*Plyler v. Doe*) requires access to K-12 public education, regardless of legal status
- Welfare Reform legislation of 1996 limits eligibility for services
- No Child Left Behind Act of 2001

# English Proficiency of Virginia Residents

Of 6.6 Million Virginia Residents  
Ages Five and Older



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# Title VI of the Civil Rights Act of 1964

- Title VI states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance

- Interpreted to require meaningful access (at no cost) to information and services
- Even in jurisdictions in which English has been declared the official language federal fund recipients must comply
- If an agency is found to be non-compliant federal assistance may be terminated

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# Learning English as an Adult

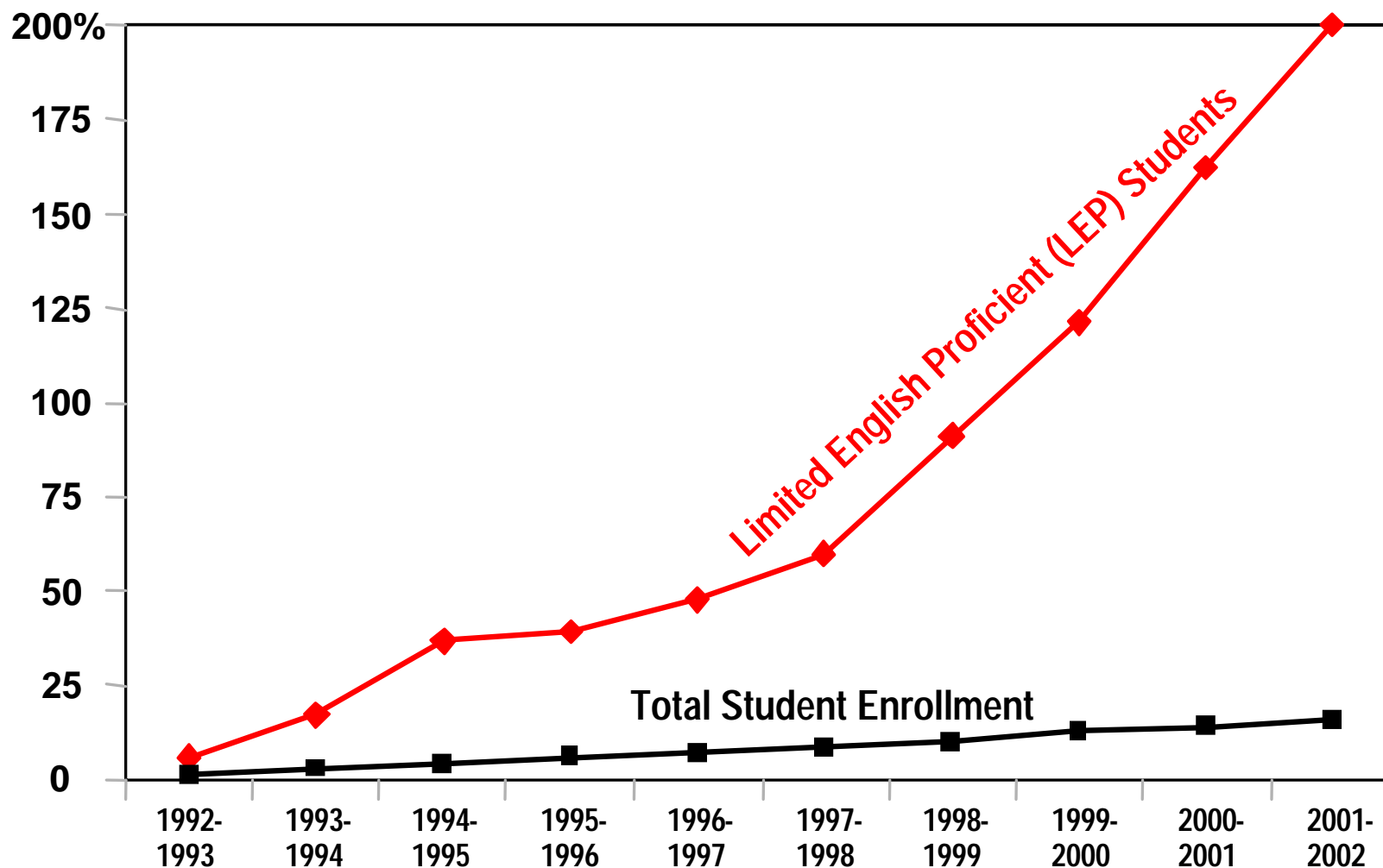
- Primary desire of new non-English speakers is to learn English
- Adult enrollment in classes through Virginia's school systems increased 45% between 2000 and 2002
- Demand for services exceeds supply
- Barriers to attending classes
  - Waiting lists
  - Working multiple jobs
  - Lack of affordable child care
  - Lack of transportation

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# LEP Students in Virginia's Public Schools

- September 2002, LEP students represented 4.3% of enrollment in Virginia's schools
- Virginia schools reported a total of at least 118 languages spoken by LEP students in 2002-2003

# LEP Student Enrollment Increased 200%



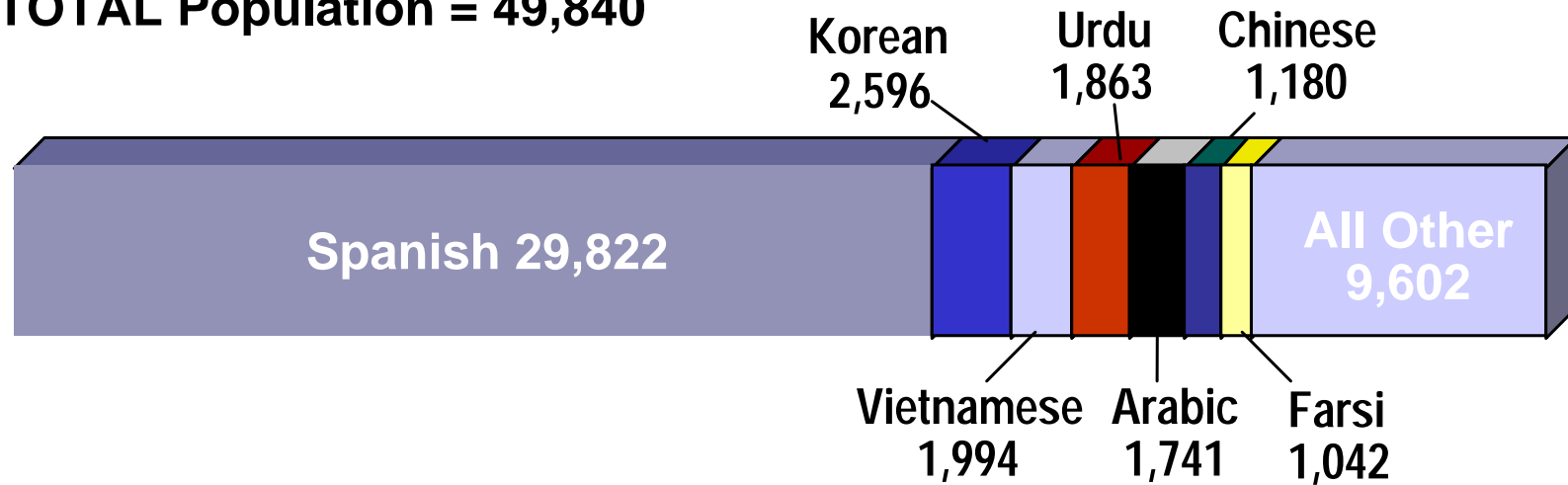
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# LEP Students Concentrated in Certain School Districts (2002)

- Localities with largest % of LEP students
  - Harrisonburg 30%
  - Arlington 26%
  - Alexandria 22%
  - Manassas Park 21%
- Some localities experienced substantial growth over short period of time (1999-2002)
  - Harrisonburg City schools 128%
  - Chesterfield County schools 125%

# LEP Student Population by Language Spoken

**TOTAL Population = 49,840**



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## Costs of Providing Adult & K-12 ESL Services

- Adult ESL is funded through Adult Basic Education Program
  - Primarily federal funds
  - Fairfax allocates 46% ( \$1.9 million) of its ABE program for Adult ESL
- State and local governments provide majority of funding for K-12 ESL in public schools
  - In districts with large LEP populations, locality appears to bear most of the cost
  - Fairfax County budgeted \$54.1 million in FY 2004 (includes federal and State funds)

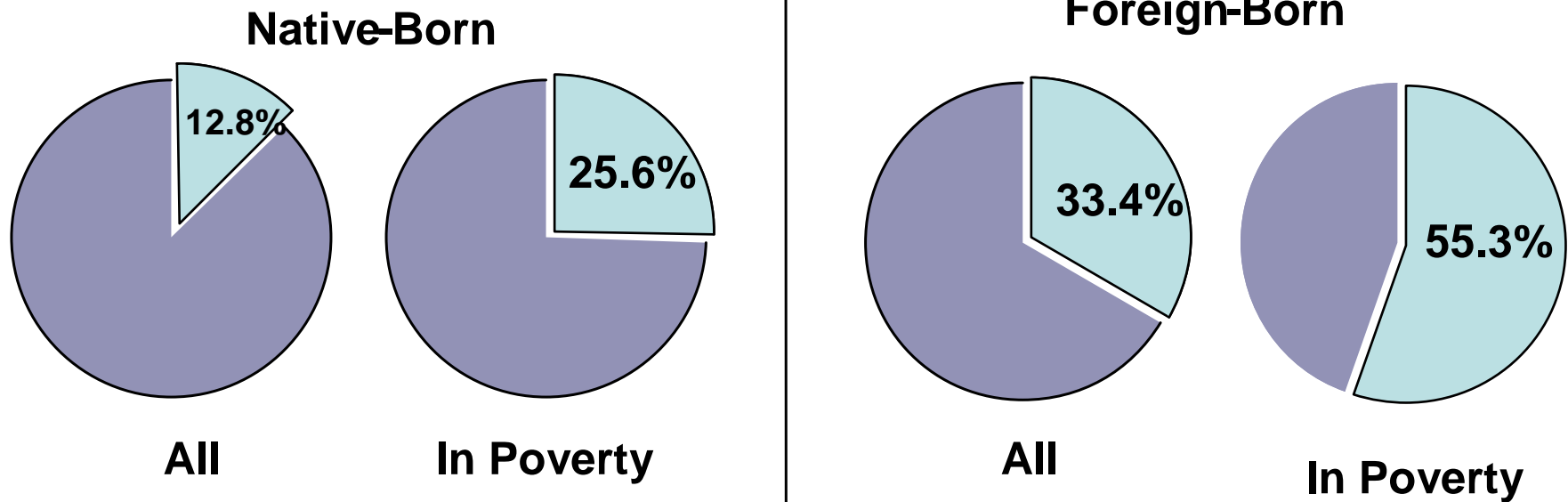
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# Study Found Inefficient Approach to Providing Interpreter Services

- Local governments use their resources to provide translation and interpreter services
- Lack of coordinated approach has resulted in inefficiencies and excessive costs in handling interpretation and translation activities
- JLARC recommended development of a comprehensive plan for dealing with language access issues
  - Increase the efficiency and cost-effectiveness of efforts
  - Help ensure compliance with Title VI

# Foreign-Born Are More Likely to Lack Health Insurance

People in U.S. Without Health Insurance in 2002



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# Impact on Health Departments

- Language barrier is a significant challenge faced by health care staff
  - Chesterfield County – 45% of maternity patients in March 2003 were non-English speakers
- Alexandria City – More than 1/2 of expenses are for services to the foreign-born
- FAMIS eligibility now extended to expectant mothers brings some federal financial relief

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## Foreign-Born Usage of Major Public Services is Low (FY 2002)

- Medicaid payments: 2.1% of total
- FAMIS payments: 3.4% of total
- Food stamp payments: 2.8% of total
- TANF payments: 1.5% of total
- Welfare Reform Act of 1996 limited Medicaid and FAMIS benefits to foreign-born

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# Foreign-Born Population Wary of Law Enforcement

- Fear of deportation (even when legally present) and distrust of law enforcement/government in countries of origin
- Local police and ethnic community leaders stated that unreported crime is a significant problem in Virginia's immigrant communities
  - Impacts public safety for general population
- Police could use Local Law Enforcement Block Grant to increase outreach to immigrant communities

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# Federal Program Would Fund More Costs of Undocumented Inmates

- Foreign-born represented 10% of the State inmate population as of June 30, 2003
- Improvement in collection of data on citizenship status of inmates in jails could enable more localities to receive federal funds through the State Criminal Alien Assistance Program

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# Role of State/Local Law Enforcement in Enforcing Immigration Law

- State and local law enforcement agencies have the option of enforcing immigration laws
- CLEAR Act – federal legislation that gives incentives to state and local law enforcement to enforce immigration law

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## Some Recommended Measures

- State Comprehensive Plan to address needs of foreign-born in consistent/uniform/cost-effective manner
- State to partner with private ESL providers to make English language classes more available
- Identify successful instructional approaches to improve academic performance of LEP students
- Better inform immigrant communities about available services and basic rights/responsibilities
- Improved data collection regarding country of birth and citizenship of jail inmates

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## Useful Links

- United States Citizenship and Immigration Services (Formerly INS)
  - <http://uscis.gov/graphics/index.htm>
- National Conference of State Legislatures (NCSL) Immigrant Policy Project
  - <http://www.ncsl.org/programs/immig/index.htm>
- Joint Legislative Audit and Review Commission: Follow-Up Research on the Acclimation of Virginia's Foreign-Born Population
  - <http://jlarc.state.va.us>

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