* *22 Oct 2014 The New York Times By BENJAMIN MUELLER*

**When School Is Harder to Get Into Than U.S. Was**

WESTBURY, N.Y. — Before dawn breaks and the morning light spills onto his bedroom floor, Carlos Garcia Lobo bounces out of bed, his eyes alight with anticipation, and asks his mother if he can go to school.



**Carlos Garcia Lobo and his mother, Yeinni Lobo, at the Drexel Avenue School in Westbury, N.Y.**

Each time, she replies to her 8-year-old son: Not yet.

Four months after fleeing Honduras with a 15-year-old cousin, Carlos has reached what his family said seemed like an impassable frontier. Like dozens of the roughly 2,500 unaccompanied immigrant children who have been released to relatives or other sponsors on Long Island so far this year, Carlos has been unable to register for school.

The impasse has baffled parents, who say their scant resources have proved no match for school district bureaucracies. Required by law to attend school, children are nevertheless stuck at home, despite unrelenting efforts by their parents and others to prove that they are eligible. Suffolk and Nassau Counties, on Long Island, rank third and fifth, respectively, in the United States, after counties centered on Houston and Los Angeles, in the number of unaccompanied minors they have absorbed so far this year; Miami-Dade County is fourth.

Many of the children are barred because their families cannot gather the documents that schools require to prove they are residents of the district or have guardianship — obstacles that contravene legal guidance on enrollment procedures the State Education Department issued in September. Concern over similar deterrents across the country led Attorney General Eric H. Holder Jr. in May to chide districts for “raising barriers for undocumented children,” in that way violating a 1982 Supreme Court decision that guarantees their right to an education.

Driven from Honduras by gangs that brandished machetes and robbed his grandmother’s home, Carlos trekked to the border in June with his cousin and a guide, bumping along on buses “all day and night,” he recalled.

On July 10, Carlos joined his mother, Yeinni Lobo, who came to the United States when he was 11 months old. Since he arrived, Ms. Lobo says, she has visited the local school office at least 10 times, toting immunization records. She said she provided her address, and the name of the fellow tenant who collects her rent, to show that she lived in the district. But the school demanded a statement from the home’s absentee owner.

So as Carlos tries to decode the schoolwork his older cousins bring home, Ms. Lobo gets an education in red tape. She found her homeowner’s Bronx address on property records at a courthouse. A letter she sent pleading for help dropped back through her mail slot, marked “Return to Sender.” Carlos’s official manila file folder is affixed with a Post-it reading, “Waiting for owner’s affidavit.” Once, a school secretary suggested that Ms. Lobo fix the problem by moving to a different home. In the school parking lot, she says, she and other mothers cry over the lost weeks.

“They are not giving us a solution,” Ms. Lobo said. “I’m worried because he’s getting behind.”

New York City has recently built programs to guide undocumented children through school and health forms and even finance legal representation. But on Long Island, a small number of low-cost lawyers say they are overwhelmed with hundreds of new cases.

Even children who enrolled in school say they have subsequently been stymied. According to a school document obtained by the advocacy group New York Communities for Change, 33 Hispanic students in Hempstead, many of them recent immigrants, have been signing in for attendance a few times each week, only to be told by administrators they should return home because there are not enough classrooms to accommodate them. The delay prompted the State Education Department last week to order an investigation into the district’s procedures and affirm its September legal guidance. School officials said the students would be allowed to start classes at an alternate location this week.

On the margins of Long Island’s well-to-do suburbs, where Central American families have long settled, churches have become sanctuaries for the newly arrived.

Carmen Bustillo, who said she left Honduras with her children after a gang repeatedly threatened to kidnap them, seeks advice at St. Brigid’s Church in Westbury. Alongside her 12-yearold son, Gendries, and 11-year-old daughter, Linda, Ms. Bustillo waded across the Rio Grande in June, carrying her 3-year-old son over her head. The water lapped at Linda’s chin.

Like many immigrants on Long Island, where affordable housing is scarce, Ms. Bustillo rents rooms in a home that illegally lodges several families. To protect himself from scrutiny, the landlord declined to notarize district residency papers. Gendries and Linda were kept out of Westbury schools for about three weeks before they were allowed to enroll.

“I don’t know who to trust,” Ms. Bustillo said.

Lease agreements or copies of bills are common prerequisites for school enrollment, a practice that is allowed under legal guidance the federal Education and Justice Departments issued in May. Activists say such requirements, when applied to newly arrived children, can impede their access to school and undermine federal law. New York State has asked schools to consider classifying children in shared or temporary housing as homeless, which under federal law allows them to attend school without formal proof of residency.

The updated federal guidance, Mr. Holder said in May, “emphasizes the need for flexibility in accepting documents from parents to prove a child’s age and to show that a child resides within a school’s attendance areas.”

The superintendent of the Westbury schools, Mary A. Lagnado, said the district accommodated new arrivals by making paperwork available in Spanish and looking for “whatever alternative we can” when certain information is unobtainable. As a testament to their success, Dr. Lagnado said, the district has already enrolled 121 more students this year than last.

But especially in a town sensitive to its tax burden, she said, certain residency requirements are rigid. Families like Ms. Lobo’s who are subleasing rooms in a home must provide a notarized lease or owner’s affidavit, the homeowner’s residential deed or mortgage statement, and two home bills.

“We try to make sure that they are a bona fide resident of the school district,” she said. “Taxes are very high on Long Island. We have a responsibility to our community and homeowners.”

The strain on already-packed classrooms builds because many immigrant children do not speak English and have scant experience in school, Dr. Lagnado said. Integrating them without extra funding makes the perpetual academic competition with nearby districts even harder, she said.

“It’s a challenge when you’re surrounded by such wealthy districts,” Dr. Lagnado said.

Public officials are working to replenish schools’ reserves. Representatives Steve Israel, a Democrat, and Peter T. King, a Republican, both from Long Island, recently introduced legislation that would give districts emergency financing for new enrollees, an effort that Mr. Israel said was intended to relieve towns of the burden “to raise taxes or cut other services because the federal government is pursuing humanitarian impulses.”

Other Long Island districts have deployed extra resources to smooth the transition for new arrivals. Citing schools’ obligation not to “make any judgment about the living situation you have,” the superintendent of Hampton Bays Public Schools, Lars Clemensen, said staff members knocked on children’s doors to certify their residency when more traditional documentation proved elusive.

Still, activists say the obstacles to enrollment on Long Island reflect a wariness toward new arrivals that prevails in schools across the country. The federal Education Department has received at least 17 complaints nationwide since 2011 that led to legal action in school districts, while the Justice Department has evaluated enrollment procedures for 200 districts in Georgia alone. The Southern Poverty Law Center and a New Orleans advocacy group last week sent letters to 55 schools there that they say were discouraging immigrant children by seeking Social Security numbers or a parent’s state identification, documents that illegal immigrants generally would not have.

On Long Island, where some districts in the mid-1990s tried to expel undocumented students or required permanent resident visas to enroll, the re-emergence of “barriers to kids enrolling” has rocked children’s unsettled lives, said Patrick Young, legal director for the Central American Refugee Center, based in Brentwood and Hempstead.

“That will be traumatic because then children will enter midsemester,” Mr. Young said of immigrants who are turned away. “It kind of stigmatizes them. They don’t socialize the same way.”

Such restrictions have deepened a cultural cleft in the region between Hispanic and longtime white residents, immigrants say, putting the promise of acceptance and economic opportunity farther out of reach.

Jorge, 16, who fled from El Salvador to Uniondale in 2012 and asked that his surname not be used because of a continuing immigration case, simmers at the memory of a gym teacher’s commanding two Hispanic students who had arrived late to class to, as he recalled, “go outside to do 50 push-ups and come back when they were residents.”

“I felt stepped on,” Jorge continued.

Those feelings resurfaced this month as he and his mother tried to enroll his brother Jonathan, 17, at Uniondale High School. Jonathan traveled from El Salvador by himself in June after a gang attacked him with a tire iron, dislodging his front teeth and leaving scars on his scalp and right shoulder. Despite frequent inquiries at the enrollment office, his mother, Vilma, said the school did not allow him to begin classes until mid-October. She said the school blamed immigration documents with an incorrect rendering of his last name.

“They don’t want to see us,” Vilma, who works at a fast-food restaurant, said of her neighbors.

On a recent afternoon at St. Brigid’s Church, Carlos squirmed on a wooden bench next to Yanira Chacon, the church’s outreach worker. He smiled shyly as he spoke about going to school to make friends and learn to play the guitar.

Hoping to help him prepare, Ms. Chacon gave Carlos a purple backpack adorned with peace signs that was stuffed with rulers, notebooks and pens.

[](javascript:;)

It lies unused on his bedroom floor.