

# The Consequences of Unchecked Illegal Immigration on America's Public Schools

## THE ISSUE

Under President Joe Biden in fiscal year (FY) 2023, the United States had the highest number of illegal-alien encounters in its history, with more than 3 million individuals entering the country illegally. There are currently no reliable counts of total enrollment in public schools of children who were brought to the U.S. illegally.

## BACKGROUND

Since Joe Biden became President in 2021, the U.S. Customs and Border Protection (CBP) has encountered more than 470,000 unaccompanied alien children. (This analysis only considers the *unaccompanied* alien children released to sponsors in FY 2023, and as such, is an undercount as it does not include those who entered the country with a family unit.) The CBP transfers unaccompanied children to the custody of the Office of Refugee Resettlement (ORR), a government agency under the Department of Health and Human Services (HHS), which is charged with providing social services until children are placed with a sponsor.

The U.S. Supreme Court held in *Plyler v. Doe* (1982) that public school districts must enroll minors, regardless of their immigration status. Four examples from FY 2023:

1. In California, 11,121 unaccompanied alien children were sent to sponsors, according to ORR data. Although the exact number of unaccompanied children who attended public schools is unknown, at \$16,975 per pupil spent by California schools (combined

federal, state, and local spending), that equates to an additional cost of about \$189 million for one year if all those children enrolled in school.

2. In New York, 8,477 unaccompanied alien children were sent to sponsors, according to ORR data. New York spends \$28,261 per pupil, making the total additional cost to taxpayers close to \$240 million for one year.
3. In Texas, the ORR released 16,394 unaccompanied alien children to sponsors. At \$13,900 per pupil, per year, those additional students cumulatively cost nearly an additional \$228 million for one year.
4. In Arizona, 861 unaccompanied alien children were released to sponsors, according to ORR data. Arizona spends \$11,625 per pupil annually, leading to an additional cost of more than \$10 million to Arizona taxpayers for one year.

In just these four states in one fiscal year, absorbing this influx of migrant children into public schools may have cost taxpayers almost three-quarters of a billion dollars. (Author calculations. Estimates of education spending: \$188,778,975 for California; \$239,568,497 for New York; \$227,876,600 for Texas; and \$10,009,125 for Arizona—for a total of \$666,233,197.) Nationwide, the CBP encountered 145,474 accompanied and unaccompanied minors in FY 2023. Based on the national average spending of \$16,345 per student, if each

---

This paper, in its entirety, can be found at <https://report.heritage.org/fs263>

The Heritage Foundation | 214 Massachusetts Avenue, NE | Washington, DC 20002 | (202) 546-4400 | [heritage.org](http://heritage.org)

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

such child enrolled in public school in FY 2023, it would increase national education spending by more than \$2 billion for one year.

### UNDERSTANDING THE IMPACT

In addition to the significant financial burden imposed on state and local governments to educate migrant children, there are also concerns of misuse of school property, classroom management, and English proficiency. Each of these affect learning and academic performance.

**Misuse of School Property.** The surge in illegal immigration has led to the improper use of school facilities. In New York, for instance, students were sent home from school and were compelled to switch to online learning to allow migrants to shelter in the school gymnasium.

**Classroom Management.** School districts are forced to enroll a massive and sudden influx of migrant students into classrooms. At two Texas high schools in the Austin Independent School District, teachers were forced to instruct students in hallways and conference rooms to accommodate the 400-plus migrant children who were recently enrolled. New York Public Schools have had to absorb some 20,000 migrant children for the 2023–2024 school year.

**Limited English Proficiency.** Unaccompanied children arriving in the U.S. typically do not speak English. This poses additional challenges for teachers, who must then navigate classroom instruction and classroom management issues with children who may not understand content or instructions.

### POLICY RECOMMENDATIONS

Unchecked illegal immigration over the past three years has had adverse effects on public education. Not only must the federal government secure the border and prevent illegal migration, but states should also take action.

States should:

- **Require** school districts to collect enrollment data by immigration status as part of their regular enrollment counts.
- **Make** this anonymized data available to the public so that accurate cost analyses can be done, which would better inform policy.
- **Pass** legislation that requires public schools to charge tuition for unaccompanied migrant children as well as children who are in the U.S. with their illegal-alien parents. Such legislation would draw a lawsuit from the Left, which would likely lead the Supreme Court to reconsider its ill-considered *Plyler v. Doe* decision that had no basis in law. This reconsideration is warranted because the large number of unaccompanied alien children and mass illegal migration have significantly changed circumstances for states and localities.

States and the federal government should:

- **Refuse** the use of public schools to house or otherwise accommodate illegal aliens.