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Council of the Great City Schools

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Council Files Amicus Brief to Protect Vulnerable Urban Students From Being Undercounted in 2020 Census

Big-City Students Face Adverse Financial and Educational Impact If Citizenship Question is Added to Census

WASHINGTON, April 1 --The Council of the Great City Schools, the nation's primary coalition of 74 large city public school systems, filed an *amicus curiae* brief with the Supreme Court of the United States urging the nation's highest Court to reject an appeal by the U.S. Commerce Department to add a citizenship question to the 2020 census because it would have a negative impact on the millions of students and families the Council serves.

The Council's members have significant non-citizen and Hispanic populations in their school communities. The population count derived from the 2020 census will be used to allocate billions of dollars in federal funding, a substantial amount that supports K-12 schools, including non-public and charter schools.

Earlier this year, federal district courts ruled that adding a citizenship question to the 2020 census would lower self-response rates among non-citizens and Hispanics, resulting in the misallocation of millions of dollars in federal funding, including funds supporting federal education programs intended to help schools serve the nation's most vulnerable students.

Districts represented by the Council educate a significant number of students from low-income families and students with disabilities, who benefit from the two biggest federal education programs, both of which rely on census data: Title I of the Elementary and Secondary Education Act (ESEA) and the Individuals with Disabilities Education Act (IDEA).

Millions of Dollars in Misallocated Funds

The Council analyzed data from six member school districts and found that they could lose millions of dollars, every year for the next decade, in funding for federal education programs if the citizenship question is included in the 2020 census.

A conservative undercount of 2 percent of non-citizen and Hispanic individuals would result in a reduction of **\$3,990,081** a year in Title I funds for the Los Angeles Unified School District; **\$942,727** for Chicago Public Schools; and **\$753,030** for the Dallas Independent School District.

A 5.8 percent undercount of non-citizens and Hispanic individuals, which a federal court found that adding the citizenship questions would likely result in, would lead to a loss of **\$1,240,347** a year in Title I funds for the Clark County School District in Las Vegas and **\$5,606,422** for Miami-Dade County Public Schools. In addition, the nation's largest school district, the New York city public schools, would lose **\$10,030,341** a year in Title I funds.

Council staff also calculated the estimated national misallocation of Title I funds if a significant undercount of "mixed-immigration status families" occurred. (These are families whose members include people with mixed citizenship or immigration status.) Even a conservative 2 percent undercount would yield a national misallocation of **\$52.3 million**, while a more modest 5.8 percent undercount could result in **\$151.7 million** in misallocated Title I funds. A higher undercount of 10 percent of non-citizens, which a district court has found to be a possibility, could result in a startling **\$261.6 million** nationally in misallocated Title I funds.

Decreases of this magnitude in federal education funding would have a significant negative impact on the educational opportunities available to students represented by Council districts. In the Los Angeles school system, the loss of Title I funds would require the district to eliminate as many as 200 teachers, counselors, librarians, nurses, and psychologists.

The Dallas school district Title I program provides support services to 151,418 students, many of whom come from extremely low-income households. These services include a program to help students who have been suspended transition successfully back into school and a program to support homeless students and their families.

The Miami-Dade County Public Schools currently serves 331 Title I schools with more than 235,312 students. The anticipated undercount would require the school district to reduce federal Title I funds to schools, resulting in the loss of classroom teachers, instructional coaches and community intervention specialists. The loss of these personnel would not just affect low-income students, but because the district operates many Title I school-wide programs, all students in those schools would be negatively affected.

"Adding a citizenship question to the 2020 census would have a detrimental effect on ensuring the nation's big-city school systems fulfill their mission of providing educational opportunity to all students, including students with disabilities and from low-income families," said Council Executive Director Michael Casserly. "It would be incongruent to the ruling of *Plyler*, which requires all school districts to provide services to all students regardless of citizenship. The Council's brief implores the highest Court not to allow this injustice and to affirm the district court."

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