NEPC
NATIONAL EDUCATION POLICY CENTER

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Newsletter

Proposed Census Updates Could Shortchange Kids



If I count the fingers on one hand, but leave the other hand in my pocket, do I only have five fingers?

Of course not. Yet a proposed change to the 2030 decennial Census takes this approach by ceasing the collection of data on foreign citizens who are not lawful permanent residents.

The U.S. Census Bureau wrote in a September post on the Federal Register website:

> [I]llegal aliens (among others) should not be included in the apportionment count, as they are not true inhabitants, members of the body politic, or persons with a 'usual residence' in the United States due to their lack of a sufficient tie and allegiance to the United States.

The tension here is with Section 2 of the 14th Amendment, which begins, "Representatives shall be apportioned among the several States accord-

ing to their respective numbers, counting the *whole number of persons* in each State, excluding Indians not taxed."

Of course, regardless of legal status, immigrants still drive on roads, take sick and dying relatives to hospitals, and send their children to public schools—which is their right. For this reason, Census data is the direct or indirect source of many state and local efforts to plan for education and other community needs. It is also used to help allocate federal and local funds for a wide range of public services—especially education.

"[T]his proposal would fall especially hard on children," the National Academy of Education (NAEd) explained in a statement opposing the rule changes. For example, schools that enroll children who are not lawful permanent residents could end up with too little funding to serve their students.

In addition to removing undocumented immigrants from Census counts, the Trump administration has proposed adding a question about respondents' legal status, even though the Census Bureau's own research has found that this would result in undercounts, reducing the accuracy of the data. This could have a disparate impact on children under the age of five—an age group most likely to be miscounted. Even without this proposed rule change, the 2020 Census undercounted children in that age group by more than 5% (a million children) according to Bureau research cited by the NAEd statement.

An additional proposal to prohibit the Census from collecting data on ethnicity and race and to ban the collection of data on sexual orientation could add another layer of confusion by making it more difficult to figure out which subgroups are—and are not—receiving services. This could also complicate the enforcement of civil rights laws.

"The nation cannot determine whether it is treating its children equally if it chooses not to count them accurately," wrote NAEd, a nonprofit organization of education scholars who take on timely research projects and provide professional development to their field.

> Federal, state, and local governments rely on census data to distribute federal education funds, to enforce civil rights protections, and to plan for the students they serve. Researchers

rely on these data to determine whether those public investments reach children of every background and whether every child has a fair opportunity to learn and to thrive.

NEPC Resources on Immigration

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