OUT OF THE MANY ONE

INTEGRATING IMMIGRANTS IN NEW JERSEY

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"The alien who resides with you shall be to you as the citizen among you."

Leviticus 19:33

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FOREWORD AND ACKNOWLEDGEMENTS

THE PUBLICATION OF THIS REPORT grew out of discussions that took place during and after the February 2005 Immigrant Rights Conference at Rutgers University convened by the New Jersey Immigration Policy Network. In supporting this project, the Fund for New Jersey sought to call attention to a set of vital but overlooked public policy needs and to spur the development of new thinking, new approaches, and new programs related to those needs. In sponsoring this project, the National Immigration Forum hoped to continue its work of disseminating best practices models related to immigrant integration in the United States. To the best of our knowledge, this report represents the first time that civic sector organizations have produced a comprehensive analysis and set of recommendations focused on the needs of immigrants in a single state. Its release, at a time when a new governor is taking office in New Jersey, is not coincidental. Our hope is that policy-makers will heed and implement these recommendations in the years ahead.

The report deals primarily with state and local issues and does not cover the many federal issues that have an impact on immigrant communities in New Jersey. Because of the wide range of topics covered in this report, in-depth analysis of single issues often had to be sacrificed for briefer coverage of multiple issues. Many of the topical areas in the report would benefit from continued research and analysis. Indeed, one of the recommendations contained in the report pertains to the importance of follow-up studies in several areas.

Many people contributed to the production of this report, both by sharing their expertise in particular subject areas, as well as their general knowledge of the state of immigrant communities in New Jersey. For their input into specific sections, I would like to thank Janina J. Kusielewicz of the Clifton Public Schools, Ana Maria Schuhmann of Kean University, and Tamara Lucas and Ana Maria Villegas of Montclair University, for their help with the section on education for immigrant children and youth; Ana Cruz of the Perth Amboy Adult Education Program, Marilyn Rymniak of the International Institute of New Jersey, and David Kring and Barry Semple of the New Jersey Association for Lifelong Learning for their contribution to the adult education section; Keith Talbot of Legal Services of New Jersey for assistance with the employment section; Linda Garibaldi of Legal Services of New Jersey and Mariann Moore of the Hudson Perinatal Consortium for their help with the healthcare section; Adam Gurvich of the New York Immigration Coalition, Michelle Lerner of Legal Services of New Jersey, Sophia Rossovksy of the International Institute, and Chia-Chia Wang of the American Friends Service Committee for their input into the language access section; Edwin R. Rubin, Esq. for his contribution to the section on immigration fraud, and Ryan Lillienthal, Esq., for his assistance

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Nicholas V. Montalto, Ph.D.

EXECUTIVE SUMMARY

IMMIGRATION HAS BEEN A MAJOR FORCE in the social, economic, and cultural life of New Jersey. In 2000, the state ranked 6th among states in the total number of foreign-born and 3rd in the percentage of foreign-born to total population (17.5%). Since 2000, legal immigrants continue to arrive in New Jersey at an average annual level of about 50,000. Current population forecasts suggest a continuation of these trends. Newcomers hail from virtually every country and linguistic community in the world. The 2000 census found that 11% of the state's population, or 873,033 people, had limited proficiency in English.

Although New Jersey has reaped great benefits from immigration, and hopefully will continue to do so, immigration poses special challenges to state and local leaders, not the least important of which is to incorporate immigrants, with their diverse cultures and traditions, into our civic and communal life. If newcomers are valued only for their labor, but then denied the opportunity to participate fully in society, or to enjoy the protections afforded to other Americans, then our society has created a recipe for alienation, inter-group conflict, and possible social explosion. Although the federal government sets *immigration* policy, states and local government have responsibility for *immigrant* policy, i.e. addressing the special needs and concerns of the almost 1.5 million foreign-born people living in New Jersey. Although well-intentioned people may differ over levels of immigration, the design of a sound immigrant policy should be a goal that unites people of varying ideological and political persuasions.

As people in many European countries have discovered, immigrant integration is not an automatic process; it requires commitment and hard work. At other times in the history of the United States, most especially after the last great influx of immigrants in the early 20th century, a vast mobilization of the nation's human and financial resources took place for the purpose of helping immigrants adjust to our society. Today, we are on the cusp of a new national movement to reaffirm the values and policies that have enabled us to build a free and dynamic society out of the contributions of people from all over the world. Regrettably, New Jersey is lagging behind other states in its attention to this need.

Unlike other states and communities, New Jersey has not yet established an office within state government devoted to immigrant issues. Investments in English and civics education for immigrants are low. Educational reforms are carried out with scant attention to immigrant need. State leadership on crucial issues, such as driver's licenses and police-community relations, has been absent. Compliance with requirements for language access to federally funded programs under Title VI of the Civil Rights Act of 1964 is minimal or non-existent. Apart from the Latino community, immigrant-led organizations are rarely involved in service delivery. And at least until recently, the immigrant rights coalition in the state was weak and ineffective. As a result, immigrants are often unaware or misinformed about services available through state and local government and their

contract partners, and are thereby excluded from participation in many programs. Opportunities to learn English and advance to citizenship are limited. Whether intentional or not, New Jersey is sending the wrong message to its immigrants, one of indifference at best or hostility at worst.

This report examines the challenge of immigrant integration in a comprehensive manner. Issues that matter to immigrants, such as learning English, adapting to a new society, accessing health care and other services, finding jobs, and feeling secure and confident in the future are covered in some detail. The report contains a total of 53 recommendations. Although many focus on state government operations, the report also looks at important role that local government leaders can play in building a fair and inclusive community. The report also covers the crucial work of private and civic sector organizations in addressing immigrant need and in building "unity in diversity." Finally, the Report sets forth a plan of action, based on models from other states, for a structured partnership between state government and private sector organizations to promote the integration of immigrants.

EDUCATIONAL OPPORTUNITY FOR CHILDREN AND YOUTH

The first section covers educational issues for children and young people and contains eleven separate recommendations. The quality of the education available to immigrant children is one of the most important concerns of immigrant parents in the United States. As educational reform efforts, sparked locally through the Abbott court cases and nationally through the No Child Left Behind initiative, ripple through the educational establishment, immigrant children, especially those new to the country, culture, and language, are often either overlooked in educational planning or blamed for the poor performance of schools falling to meet new accountability standards. Tests intended to measure academic progress unintentionally becomes high level English reading tests, with immigrant students failing who might otherwise pass if different, more appropriate assessments, were used. The knowledge and experience of ESL and bilingual educators are overlooked as administrators become increasingly fixated on testing. Poorly trained teachers are thrown into the classroom with English language learners, and best practices for working with such students are not followed. Many school districts, as well as the State Department of Education, fail to address the difficulties that immigrant parents have in understanding school policies and procedures and in communicating with parents and administrators, even though No Child Left Behind mandates parental notification of student progress. And even those students, who arrived in the country at an early age, often unaware that their parents were undocumented or that their legal status had lapsed, and who manage to graduate from high school with good grades are not able to pursue their dream of higher education because New Jersey does not permit them to pay in-state tuition at state colleges and universities.

EDUCATIONAL OPPORTUNITY FOR ADULTS

Although the fields of Pre-K-12 and adult education are treated in separate sections, the two fields are closely interrelated. Children will do better in school if their parents are actively involved in the

educational process, through more open channels of communication between school and home, parenting behaviors that support education, and parental participation in English language and other continuing education programs. However, the obstacles to such participation, especially for low-income immigrants, are great. Many are shut out of existing adult education programs due to strict eligibility requirements. Others are expected to fit into programs designed to help the welfare or unemployed population achieve self-sufficiency -- even though most immigrants are already working. Still others find it impossible to access classes in their local communities. The lack of any major state investment in adult English language training and citizenship preparation at a time of soaring need is striking. Unlike other states with substantial immigrant populations that have recognized and responded to this need, New Jersey has overlooked its estimated half million citizenship-eligible residents, many of whom could advance to citizenship, were it not for their inability to speak and write English. If English is the glue that holds our society together, then we need to do more to promote the study of English. The section on Educational Opportunity for Adults contains six recommendations.

ECONOMIC OPPORTUNITY

There is no more important measure of immigrant integration than the degree of economic opportunity afforded to newcomers. The ability of immigrants to acquire job skills, enter the labor market and advance in their chosen careers is a test of a society's commitment to equality of opportunity. The section on Economic Opportunity contains a total of six recommendations. Two are directed to the Department of Labor and Workforce Development. The first addresses the widespread violations of state labor laws, especially for low income workers, and asks the Department to be more proactive in pursuing exploitive employers and to undertake efforts to educate immigrants about labor rights, using culturally and linguistically appropriate methods. The second addresses the scarcity of training and recertification services for limited English proficient immigrants within the state's workforce investment system and calls for concrete steps to remedy this problem, through the formation of an independent task force and an analysis of innovative practices elsewhere in the nation. Other recommendations call attention to the important role played by unions in advancing the economic rights of immigrants and to the value of strong employer diversity programs in establishing an even playing field at work. The increase in the number of day laborers throughout the state presents special challenges to local officials. Pointing to effective practices elsewhere in the country, the report highlights approaches that hold out promise for easing community tensions on this issue. This section concludes with a discussion of the problems caused by the state's new six-point identification system for issuing drivers licenses. Stressing the danger to public safety from the growing numbers of unlicensed and uninsured drivers and the hardships imposed on undocumented workers, the report urges expanded use of foreign driver's licenses and consular identification documents to establish identity and the issuance of driving certificates as an alternate to licenses if and when the federal REAL ID act is implemented in New Jersey.

HEALTH CARE

Immigrants and their children constitute one of the biggest segments of the uninsured population

in New Jersey. As people of low or moderate income, they often work in jobs without health insurance, cannot afford to pay for insurance on their own, and do not qualify for state or federal insurance programs or shy away from participating in such programs out of ignorance or fear. Roughly half of all non-elderly, non-citizens lack health insurance. As the gap between the native-born and foreign-born population is so great, e.g. one study reported that 47% of immigrant children in New Jersey lack coverage as contrasted with 9% born in the United States, state action to expand coverage under the NJ Family Care program will go a long way to addressing this problem. The report recommends free or affordable coverage for all children through the age of 18, as well as expansion of coverage for low-income parents and single adults. Even when immigrants qualify for health insurance, lack of information, misinformation, and fear often keep people from signing up. The health care system in the United States is hard for even native-born, English speakers to understand, let alone those unfamiliar with both the language and the culture. The report therefore stresses the importance of targeted outreach to educate immigrants on health care and insurance options. Finally, the cultural and linguistic versatility of the state's publicly funded mental health system is found wanting. The report recommends the formation of a task force to study systemic service barriers faced by ethno-cultural and linguistic minorities and a more equitable distribution of resources, so that immigrants are not shut out from participation in the mental health system. The Health Care section contains a total of five recommendations.

LANGUAGE ACCESS

The last census found that 11% of the state's population lacked proficiency in English, a rate substantially higher than the national average of 8%. As might be expected, many of these people are new to the country, have low education and income levels, and high vulnerability to illness, unemployment, and other life crises. Without the provision of language assistance, these immigrants would be either shut out from participation in social support programs or receive shoddy and sometimes life-threatening services. In the health care field, lack of language access, for example, leads to misdiagnosis, medical procedures performed without informed consent, and unacceptable delays in the provision of medical care. The communication problem in health care is mirrored in other areas of human service. This section of the report contains five recommendations, of which three are directed to state government. The first calls for a comprehensive, inter-departmental review of language access policies and procedures to ensure compliance with federal Title VI requirements and the development of a comprehensive state plan for language assistance. The second calls for an inventory of existing state legislation and regulations pertaining to language access and for consideration of new legislation on the subject setting uniform standards and accountability. The third proposes that New Jersey join thirteen other states in permitting Medicaid reimbursement for interpreter services. The report also urges all public and private entities working with the foreign-born to develop and implement language access plans, based on available best practices and guidelines. Finally, the report calls on private philanthropy to support the establishment of a state-wide project to monitor compliance with all relevant federal and state statutes and regulations dealing with language access.

POLICE/COMMUNITY RELATIONS

In the process of integrating immigrants into our society, one of the most critical relationships is that between local law enforcement personnel and members of immigrant communities. By the nature of their work, the police must be engaged with the immigrant community. Professionalism and high standards in police work will produce strong relations, safer neighborhoods, and a climate of mutual respect that will permeate throughout the society. This section of the report discusses some effective strategies for successful police work with newcomer communities, including community policing, the recruitment of police personnel from immigrant backgrounds and more effective pre- and in-service training. Leadership is a critical element. Police chiefs set the policies and overall tone for their departments. Police chiefs must use their influence to combat anti-immigrant prejudice within police ranks, implement sound policies, and speak out in opposition to federal efforts to commandeer local police to enforce immigration laws. As the chief law enforcement officer of the State of New Jersey, leadership from the Attorney General will be essential. This section contains two formal recommendations.

BUILDING STRONGER COMMUNITIES

A community is built on a network of reciprocal relationships and a shared sense of identity and purpose. Building the new American community will require the participation of many groups, as well as the dismantling of barriers to social and civic participation that deprive immigrants of the benefits and opportunities available to native-born Americans. This section of the report contains seven recommendations, each of which highlights an effective approach to achieving a more inclusive society. Organizations and institutions seeking to serve the immigrant community should undertake research to understand key issues, identify barriers to service delivery, and develop effective service strategies. Several strategies seem especially promising. The establishment of specialized immigrant multilingual information and referral lines, modeled after the New York Immigration Hotline, would break down the isolation of immigrants and create links between immigrants and the human service system. The presentation of native language workshops on topics of vital importance to the immigrant community, done in partnership with trusted organizations, would be another effective way to reach people with useful information. The report also emphasizes the vital role played by bilingual professionals, who can help immigrants receive or access specialized services, such as legal counseling on immigration matters, or more mainstream services. The inadequate supply of immigration legal services, coupled with high demand, have created an opening for crooks that prey upon the immigrant population purveying misinformation and false hopes in exchange for exorbitant fees. Following the lead of other states, New Jersey could undertake efforts to educate the immigrant community about the dangers of immigration fraud and could aggressively prosecute those engaged in the unauthorized practice of law. Finally, the report urges voter registration drives for new citizens, as well as more widespread public participation in the citizenship process, so that the swearing-in ceremony for new citizens becomes a community-wide celebration and a more meaningful rite of passage.

OTHER KEY PARTNERS

Responsibility for immigrant integration is not limited to state office holders and civil servants in Trenton. Other groups can play a vital role in the process. Three key institutions in particular: local government, private philanthropy and the media have major stakes in the success of this effort and can make an important contribution**.** This section of the report offers recommendations for each of these three groups. Municipal and county leaders have broad scope for wise leadership on a number of challenging issues and can engage in a variety of activities, with several examples given in the report, to make newcomers feel welcome and to speed their integration into the community. The charitable sector, including local foundations, corporations, and United Way, can fill the vacuum created by the absence of large-scale federal investments in immigrant integration. Despite the range of giving priorities of New Jersey's charitable organizations, there are few such groups that could not fit immigrant-related causes into their regular mission. A third key institution is the media. Journalists need to ensure that they are achieving accuracy and balance in their immigration coverage, and not providing a platform for hate and extremist groups to disseminate propaganda. Finally, immigrants themselves, and in particular the leaders of immigrant associations, have an important role to play. Throughout our history, immigrant leaders have mediated between the immigrant constituency and the larger society, interpreting the larger society to the immigrant community, and the immigrant community to the larger society. This role deserved to be recognized, honored, and supported.

MOBILIZING FOR COMMUNITY CHANGE

The ideal of a fair and inclusive society, so much a part of our national heritage, yet too often ignored in our history, cannot be effectively advanced without the mobilization of the public and private sector behind the kind of reforms recommended in this report. This section contains seven recommendations related to community organizing and government restructuring. The first part discusses the critical importance of building a broad-based coalition for change around immigrant issues. Most of the states and localities that have seen the most success in promoting immigrant integration are those with strong and effective immigrant coalitions. This section of the report discusses the factors conducive to successful advocacy work. New Jersey's state-wide immigrant coalition, called the New Jersey Immigration Policy Network, must have clarity of mission, broad support, well-defined and achievable objectives, effective process, and sustainable funding. The Network could be a key partner with state government in the mission of keeping the American dream alive for today's immigrants.

State government for its part will be hard-pressed to implement these recommendations without strong leadership from the governor and the legislature, regular input from the immigrant community, and meaningful structural change. An important first step would be the creation of a "New Jersey Advisory Council on New Americans" charged with identifying problems facing new Americans and helping to develop appropriate responses. Members of the council would brief legislators and policymakers on issues of concern to newcomers, and would be broadly representative of the major immigrant communities in the state. The importance and complexity of immigrant issues demand a high degree of attention and specialization within both the governor's office and the state legislature. The governor might be advised to create a policy position within his office devoted to immigrant affairs, and the legislature should establish a joint Caucus on New Jersey Immigrants and Refugees to produce recommendations for legislative initiatives to promote the integration of new Americans. One of the first steps to be undertaken by the legislature should be the establishment of an Office of Immigrant Affairs. New Jersey is the only state with a substantial immigrant population lacking such an office. The Office should be invested with sufficient dollars and authority to coordinate integration efforts through all departments of state government and to spur integration efforts within local communities.

One of the most important functions of the Office of Immigrant Affairs would be to promote the full participation of immigrants in the life of the community. As mentioned earlier, immigrants must be given the opportunity to learn English, understand our nation's political traditions and freedoms, and qualify for citizenship. A major state investment in citizenship education and preparation will produce rich dividends in the future. Immigrants will know that they are welcomed and appreciated, they will emerge from linguistic and social isolation, contribute their talents and energies to the betterment of our state, and acquire a strong stake in the future of our society. The report calls for new funding of at least $4 million to help New Jersey regain its leadership in the critical area of language and citizenship training.

With 11% of its people unable to communicate effectively in English, New Jersey must do more to bridge the language and cultural barriers that separate immigrants from essential services. An Office of Immigrant Affairs can serve as a state-wide resource and a catalyst for change within all departments of state government. By centralizing certain key functions, such as Title VI compliance, the management of translation and interpreter resources, oversight of a multicultural hotline, and the administration of a grant program to secure the participation of community organizations in the delivery of services to immigrants, an Office of Immigrant Affairs would reduce service duplication and achieve greater efficiency and effectiveness in reaching out to isolated immigrant populations. Following a model established by the Illinois Immigrant Policy Project, the Office could also sponsor research and analysis around issues affecting immigrants, and work to develop policies and programs to further the integration of immigrants in New Jersey.

CONCLUSION

Immigration is a force that will shape the future of New Jersey for generations to come. Certainly, the security of Americans, even with two oceans of protection, has been shattered by the attacks of September 11 -- carried out by foreigners on American soil. Immigrants continue to contribute their talent, creativity, and labor to New Jersey's economy, but the immigration system seems to be broken, as evidenced by the growing numbers of unauthorized immigrants. These conditions are fueling a rising tide of xenophobia, which threatens to undermine the core values and traditions that have enabled us to realize the national motto *e pluribus unum* – out of the many, one. New Jersey has an opportunity to reclaim its leadership in the great social enterprise of immigrant integration, or it can watch as the social fabric unravels, and hatred and despair replace the tolerance and dynamism of the past. Although there is room for legitimate difference of opinion over questions of admissions policy and border control, there should be little argument over the importance of creating an equal playing field for all Americans, both new and old.

1. INTRODUCTION

IMMIGRATION HAS BEEN A MAJOR FORCE in the life of the nation and the State of New Jersey. Often taken for granted, often ignored, the waves of immigration roll through New Jersey, transforming whole communities, stirring up both anxiety and hope, creating tension and accommodation, and leaving people uncertain about the future. A major thesis of this report is that state and local policy makers cannot afford to neglect the immigrants in our midst, especially the most disadvantaged and vulnerable.

New Jersey is one of the major destinations for newcomers to the United States. In 2000, the state ranked 6th among states in the total number of foreign-born and 3rd in the percentage of foreign-born to total population (17.5%). In 2004, the state received more than 50,000 new legal immigrants, the 5th largest total among states and the second highest per capita total behind California. Average annual legal inflow for the five-year period ending in 2004 has been 49,755.[1] The Urban Institute estimates that almost 5% of the state's population, or roughly 400,000 people, are unauthorized immigrants. Immigration has been, and for the foreseeable future, will continue to be a major force in the state's political, economic, and civic life.

New Jersey's economic success is in no small measure attributable to the "brains and brawn" that immigrants have brought to our state. Most immigrants are natural risk takers, willing to sacrifice the familiar for a brighter future. They breathe new life into urban areas; they display an entrepreneurial spirit; they tend our sick, minister to the dying; performing back-breaking work, and their children often succeed in school and the professions. Were it not for immigration, New Jersey would likely have experienced population decline and a stagnating economy.

According to the Report of the Global Commission on International Migration, there were 185 million migrants world-wide, roughly 3 percent of the world's population, set in motion by differentials in the three "D's" of development, demography, and democracy. All indicators point to a steady increase in these numbers in the years to come. Although one could argue whether this is too much or too little immigration, the real question, according to the Commission, is quite different. "International migration is an established feature of contemporary economic, social and political life, driven by unstoppable forces of globalization and demography…the real question is how to manage migration for the benefit of all."[2]

For those countries like the United States, that have traditionally reaped the benefits of immigration, the challenge is to incorporate immigrants, with their diverse cultures and traditions, into the communal life of the nation. If newcomers are valued only for their labor, but then denied the opportunity to participate fully in society, or to enjoy the protections afforded to other Americans, then one has created a recipe for alienation, internal conflict, and possible

social explosion. A closed, stratified society also gives aid and comfort to the nation's enemies. As the conservative columnist David Brooks has written, "Terrorism is an immigration problem. Terrorists are spawned when educated successful Muslims still have trouble sinking roots into their adopted homelands. Countries that do not encourage assimilation are not only causing themselves trouble, but endangering others around the world as well."[3] Brooks' caution, of course, applies just as well to immigrants of other religious backgrounds.

As a "nation of immigrants," the United States has a great advantage over other countries that have only recently become immigrant-receiving. Our historical experience, values and constitutional structure are conducive to the great task of immigrant integration. But continued success is not inevitable. We must continually reaffirm and apply the values that have knitted us together as a single nation. We must look honestly at our successes and failures. We must remember that immigrant integration is not an automatic process, but requires hard work.

Contrary to common belief, the nation did not allow immigrants in the past to fend for themselves. Indeed, during and after the great wave of immigration from 1890 to 1914, a vast mobilization of the nation's human and financial resources took place for the purpose of helping immigrants adjust to our society. Most of this work took place in the hundreds of settlement houses that sprang up throughout urban America. But many other groups joined the movement, including the YWCA, YMCA, civic associations, and the various faith communities. And eventually the resources of government at the federal, state and local levels were applied to the work. Even those who pressed for immigration restriction at the time supported this campaign.[4] Some of the enduring reforms in American history, including child labor laws, women's rights, and the development of adult education programs, sprang from this campaign. The settlement house became "the outpost of the English language" in the immigrant neighborhood, but settlement workers also encouraged immigrants to value and preserve elements of their culture for the enrichment of our common American heritage.[5]

The United States is again at a crossroads. High levels of immigration, coupled with a greater diversity of sending countries, and advances in communication and transportation, which make it easier to maintain ties with home countries, create a challenge of unique proportions. The laissez-faire approach that seems to predominate in New Jersey has not served our state well. Nor has a rigid form of multiculturalism that locks people into cultural boxes without respecting individual freedom and the fluid nature of modern culture.[6] Americanization became a dirty word when it was used by those who had little respect for immigrants, little understanding of true Americanism, and little patience with a process of mutual accommodation, involving both native-born and foreign-born, that would repeatedly change and reinvigorate our society.

A clear understanding of our past helps us to shape sound policy for the future. Whether we describe the goal as "integration," as we do in the title of this report, or use other terms, such as inclusion, accessibility, or human rights, the essence of the policy and the practical consequences remain the same. Integration requires that institutions and organization put in place the "enabling conditions" to permit immigrant advancement in our society. Although discrimination

based on ancestry or national origin is outlawed in New Jersey's constitution, the reality often sharply diverges from the policy. "Structural discrimination" occurs when the barriers of language and culture are not effectively addressed in the delivery of state and local services. As the recent report of the Building the New American Community Project pointed out, integration must be a "continuous two-way interaction."[7] It won't happen without change occurring both within mainstream institutions and within immigrant communities. Thus, the burden is not just on immigrants, but on the entire society, to adapt. This process of mutual accommodation is in the best interest of all people. When a host society opens its minds, hearts, and resources to an immigrant population, it is helping to break down the barriers between people and create greater social cohesion and justice.

Although the federal government is responsible for *immigration* policy, i.e. setting admission numbers and priorities and controlling our borders, state and local government are responsible for *immigrant* policy, i.e. addressing the problems and concerns of almost 1.5 million foreign-born people living in New Jersey—real people with real needs living in real communities. Whether public officials like it or not, most immigrants are living, breathing, contributing members of society, often doing essential work in all sectors of the economy, and often suffering the same vicissitudes of life as other Americans. The federal government also creates a context for local action, both by denying eligibility for federally funded services to certain categories of immigrants, but also by granting rights and privileges to all residents of the United States by the federal Constitution. Within this larger framework of restrictions and rights, states and other local authorities have a degree of flexibility to either interpret rules and regulations in an expansive manner or in a strict manner, to either make resources available to immigrant communities or to deny them, to keep barriers in place or to dismantle them. States can also weigh in on federal policy debates from the perspective of local community need.

All over the United States, there are communities that are rising to the challenge of immigrant integration, recognizing the value and potential of diversity to benefit the entire society, but understanding that for diversity to work, communities must respond to the needs of immigrants. This is a process of change, change not only for immigrants as they adapt to our society, but change for host society institutions, which must overcome entrenched ways of doing things and sometimes distorted perceptions of immigrant communities. Regrettably, New Jersey, with such a mosaic of cultures, lags behind other states, especially those states with large immigrant populations, in responding to both the challenges and the opportunities of demographic change.

Unlike other states and communities, New Jersey has not yet established an office within state government devoted to immigrant issues. Compliance with requirements for language access to federally funded programs under Title VI of the Civil Rights Act of 1964 is minimal or non-existent. Investments in English and civics education for immigrants are low. Educational reforms are carried out with scant attention to immigrant need. State leadership on crucial issues, such as driver's licenses and police-community relations, has been missing. Apart from the Latino community, immigrant-led organizations are rarely involved in service delivery. And at least until recently, the immigrant rights coalition in the state was weak and ineffective. As a

result, immigrants are often unaware or misinformed about services available through state and local government and their contract partners, and are thereby excluded from participation in many programs. Opportunities to learn English and advance to citizenship are limited. Whether intentional or not, New Jersey is sending the wrong message to its immigrants, one of indifference at best or hostility at worst.

This report will review the major areas requiring attention and reform. It will cover the "bread and butter" issues facing immigrant communities in New Jersey. Educational opportunity, economic security, access to quality health care, and what are often called "survival services," are among the most important needs of immigrant communities. They provide the basic tools necessary to succeed in a new society. In most of the formal needs assessments conducted in immigrant communities, these issues appear over and over again, but, of course, with some variation in relative weight assigned to each area based on the profile of the particular community being studied. Immigrants, of course, have concerns, such as affordable housing and public transportation that resemble those of the general population; our report does not delve into these issues but instead focuses only on those that are uniquely or disproportionately experienced by immigrants. We will not limit our attention to state and government only. Business, private philanthropy, community and human service organizations, educational institutions, and the immigrant communities themselves, all have important roles to play in this great civic enterprise.

The Question of Unauthorized Immigrants

Before moving on to a discussion of specific issues however, a word about unauthorized immigration may be helpful. This report does not take any position on admission policy, e.g. how many people should be admitted on an annual basis? What criteria should be used to govern the admission process? What types of controls should be put in place to control the entry of unauthorized people over our borders? These are all controversial questions over which reasonable people can have legitimate differences. Perhaps the most controversial issue of all, especially since September 11, is how to stem the flow of unauthorized individuals into the United States, including both those who cross illegally and those who overstay visitor and other non-immigrant visas. Many will go home, as they always have. Throughout our history, there have always been significant numbers of migrants who either never intended to stay permanently or grew disillusioned with life in America.[8] But many will stay, especially those who have gained a foothold in our economy and who would face a future of misery or death if they returned home. Whenever the subject of the undocumented comes up in this report, we assume that these natural forces of attraction and repulsion will largely control who leaves and who stays, that mass expulsions are both impractical and morally problematic, and that consigning the undocumented to a permanent underclass is not in the best interest of the American people as a whole.

2. EDUCATIONAL OPPORTUNITY FOR CHILDREN AND YOUTH

A. SCHOOL ADMISSION

The quality of the education available to immigrant children is one of the most important concerns of immigrant parents in the United States. The pain, sacrifice, and hardship that immigrants endure are often for the sake of their children. Getting into schools can be a problem, when school systems require immigrant children to possess social security cards as a condition of enrollment in violation of the Supreme Court ruling in Plyler vs. Doe, or when residency rules are interpreted so strictly that immigrant children living with extended family members are turned away by admissions officials. The development of comprehensive regulations on this subject by the NJ Department of Education in 2001 was an important step in the right direction. Even with such regulations, school systems have occasionally exceeded their authority to deny admission to immigrant children. Their parents are fortunate to have the services of the non-profit Education Law Center to defend their rights in these situations.

Immigrants in New Jersey should be able to enlist the help of advocates when unlawfully denied admission to public schools. Organizations such as the Education Law Center should continue their efforts to protect the rights of immigrant students.

B. SCHOOL ACCOUNTABILITY

But even once in the school of their choice, immigrants face some daunting challenges. Through the Bush Administration's No Child Left Behind (NCLB) educational reform initiative, new accountability standards have been established for schools around the country. All children must be tested in reading and mathematics in grades three through eight. Schools are required to report results by demographic categories, including racial minorities and limited English proficient students (LEP's). For the first time in the nation's history, NCLB is holding the schools accountable for the effective education of LEP students – on the surface a very positive development. These students have come out of the shadows, and the federal government is now closely looking at their progress. However, the initial implementation of NCLB worked to disadvantage school systems with large numbers of LEP students.

The one-size-fits-all approach was rather naive in not taking into account the special needs and abilities of immigrant students and raised new barriers for LEP students, who were not being given the additional help they needed to pass these tests. Moreover, it penalized many schools for their commitment to the educational success of LEP students. Teachers and administrators shifted their attention away from strategies and approaches that had worked well in the past and began to focus

on test preparation. There is evidence that drop-out rates for LEP students increased during this period.[9] Fortunately, complaints from around the country, including from the NJ School Boards Association in 2004, led to a partial relaxation of the harsh federal rules that were imposed when this legislation took effect. However, schools with large numbers of LEP students still face an uphill battle meeting federal testing requirements without additional resources. And immigrant children could become the whipping boys if schools "fail" federal monitoring because these children "fail" unrealistic tests.

The needs of immigrant LEP students ought not to be overlooked or minimized in the drive for school accountability. The knowledge and skills of ESL and bilingual professionals should be brought to bear on school reform efforts.

C. ABBOTT REFORMS AND LEP STUDENTS

In what The New York Times said "might be the most significant educational decision since Brown vs. Board of Education," the New Jersey Supreme Court ruled in the original Abbott decision in 1985 that the wide disparities in education funding between poorer urban and more affluent suburban school districts violated the state's constitution. For more than 20 years, the Court has intervened to ensure compliance with its original ruling. In 1998, in the Abbott V decision, the Court ordered an array of reforms including "whole school reform," full-day kindergarten, preschool for all 3 and 4 year olds, and a school repair and construction program. Over one-third of enrollment in the 30 districts consists of students whose first language is not English; and roughly one in ten students is LEP.[10] The Abbott reforms, therefore, have the potential to greatly improve educational outcomes for less advantaged immigrant students. But as Tamara Lucas and Ana Maria Villegas point out in their Abbott Implementation Resource Guide for LEP students, such reforms need to directly address the problems and issues of immigrant children. The authors offer a blueprint for an effective educational program for LEP children. Among the strategies that have proven effective elsewhere in the country are: documenting the need for supplemental resources to enhance both instructional and non-instructional services for LEP children, holding high expectations of LEP students, hiring new staff with expertise in immigrant learning issues and ensuring that this expertise is diffused throughout the entire school staff, eliminating the isolation of LEP children and their teachers, and developing a comprehensive monitoring system focused on generally accepted benchmarks for effective programming with LEP children. Lucas and Villegas' thoughtful recommendations deserve to be carried out.[11]

The New Jersey Department of Education and local school systems serving LEP children should implement the recommendations contained in the Abbott Implementation Resource Guide for LEP students of the Education Law Center.

D. THE SPECIAL REVIEW ASSESSMENT

Another important issue is how immigrant children fare on high school exit exams, now used by approximately half of all states. Nationally, pass rates for LEP learners are averaging 30 to 40 points below average scores.[12] New Jersey began testing as a requirement for graduation in 1980 and currently administers the so-called High School Proficiency Assessment (HSPA). Until recently, the state also allowed certain "test-phobic" students, including LEP students, to be assessed using the Special Review Assessment (SRA). In 2005, the State Board of Education voted to phase out the SRA, even though 14.1% of all diplomas were awarded in this manner in 2005.[13] The state has yet to produce an alternate assessment process, even though at least 26 states have alternative procedures, rather than just one high stakes exit exam. The Education Law Center foresees plummeting graduation rates in New Jersey, especially in the state's urban districts, unless the state replaces rather than abolishes the SRA[14]. Although there were serious abuses in the administration of the SRA[15], the rationale for having some kind of alternative assessment is still valid. Although only a fraction of the seniors receiving diplomas via the SRA in 2005 were LEP, these are precisely the students for whom such an alternative assessment is needed. It is clear that the abandonment of SRA will have a disproportionately negative impact on LEP students. When students are not fully proficient in the language in which a test is written, then the test, perhaps unintentionally, becomes a measure of their language ability rather than a measure of their academic skills.

> The State Board of Education must establish a fair and effective system for assessing students who cannot pass the HSPA without diminishing the value of a New Jersey high school diploma.

E. BILINGUAL EDUCATION

One of the most controversial educational issues is the proper role of bilingual education in the schools. Some critics consider these programs to be both socially divisive and contrary to the best interests of LEP children, and indeed, some programs have not adhered to the highest performance standards. However, the bulk of research, including that of a special commission recently appointed by the Federal Department of Education, shows that bilingual education as a transitional program permitting students to <u>both</u> learn English and progress in academic subjects in native language is a valuable educational strategy.[16] The N.J. Administrative code requires school districts to establish bilingual programs whenever 20 or more LEP students from the same language group are enrolled. The code also requires these students to study ESL at the same time and to exit the program within three years. Parents may choose to opt out of bilingual programs if they feel that their children would benefit from a different kind of program. New Jersey's approach seems wise and well-grounded in educational theory.

However, the debate on bilingual education sometimes misses the point, especially for students who are new to the country. In districts without bilingual programs, a single, pull-out ESL class

per day may be the only accommodation provided to LEP students, with the rest of the day spent struggling to survive in mainstream classes. Schools often improvise solutions, some of dubious merit, to cushion the adjustment of these students. This kind of "decentralized newcomer policy" may do a disservice to immigrant children. The state may need to consider offering guidance to local school districts that transcends the debate between advocates and opponents of bilingual education.[17] In the meantime, immigrant students with limited English skills will generally progress faster, both academically and in English, if given the opportunity to participate in well-managed bilingual programs.

Effective newcomer and bilingual programs help newly-arrived LEP immigrant students to both learn English and advance academically.

F. HERITAGE LANGUAGES

Although some critics have seen dual language programs as a threat to the predominance of English as our national language, they have not appreciated the importance of developing second language ability, not only in immigrant students, but also in the general population. Some schools, however, have experimented with what are sometimes called "Two-Way immersion" programs, allowing native speakers and non-native speakers to learn together, with content instruction provided both in English and another language. Such programs are designed to promote high academic achievement, first and second language development, and cross-cultural understanding for all students. According to the Center for Applied Linguistics, there are 321 schools in the United States with such programs, but only 4 in New Jersey.[18] As the United States seeks to maintain its competitiveness in the global economy, as well as to combat international terrorism, a strong business and national security case can be made for the teaching of so-called "heritage languages."

Immigrant students and their families should be perceived as assets to the school and community. They bring abilities and experiences that can benefit the entire society. Programs should be created to build on these strengths.

G. PARENTAL INVOLVEMENT

Effective educational programs require the active involvement of home and community. One of the predictors of effective schools, as reported in a recent study of high-performing New Jersey Schools, located in both urban and suburban districts, is a school culture that values and facilitates parent participation in the education process.[19] This is as true for immigrant students as it is for the general population. Immigrant parents need to be partners in the educational process. However, there are many barriers that stand in the way of such involvement. Many students come from countries where parental involvement in schooling is not encouraged. Many

parents work long hours on two or three jobs and have little discretionary time. Without effective outreach, such families will remain disconnected from their children's education.

Language and cultural differences, of course, also impede effective communication. Schools must find creative ways to bridge these differences. Many schools in New Jersey have shown exceptional leadership in this regard. They have recruited staff or volunteers to serve as immigrant community liaisons. They have provided interpreters for parent-teacher meetings. They have translated important school documents into home languages. They have offered ESL or Family Literacy classes to parents on the school premises. They have partnered with immigrant-serving organizations. However, there are many administrators and districts that fail to reach out to immigrant families, and there is a lack of leadership on the state level in the whole area of immigrant education.

The New Jersey Department of Education needs to provide additional staffing to the Office of Specialized Populations to improve outreach to immigrant communities. The Department should set clear standards and provide guidance and technical assistance to local school districts in meeting language access requirements.

There are many examples from around the country of school systems and state educational agencies actively engaged in immigrant community outreach. The California Department of Education has established a web-based Clearinghouse for Multilingual Documents (CMD) to share translated materials and to avoid multiple translations of similar documents. In Los Angeles, a $5 million line item supports the work of a central translation and interpreter unit. In New York City, the Department of Education has created an Office of Translation and Interpretation with an even larger budget. The Illinois State Board of Education has put translations of its special 37-page Parent's Handbook on its web site. The Montgomery County Public Schools in Maryland has published a parent's guide entitled "Navigating the System" in five languages with others coming soon. The Guide covers issues such as graduation requirements, specialized programs, and available services for students.[20] In Seattle, the qualifications and responsibilities of the District's para-professionals (called Bilingual Instructional Assistants) have been rewritten to emphasize multilingual skills and the provision of interpreting services. Paraprofessionals now cover every major language group in the city.[21]

The Department of Education should establish a central clearinghouse of translated documents as a service to local educational agencies. The Department should ensure that translated parental orientation materials are available on its web site and utilized by the schools.

H. TEACHER PREPARATION

One of the most important factors influencing the quality of a child's education is the competence of his teacher. Although ESL and bilingual teachers usually have the motivation and preparation to work with LEP students, mainstream teachers often do not. Some school systems have recognized this need and arranged opportunities for professional development in cultural competence and linguistic sensitivity. However, the content and goals of such training need to be clarified and standardized. The New Jersey Administrative Code, which now requires teachers to complete at least 100 hours of in-service training over a five-year period, should be amended to require sufficient time for professional development in cultural competence. The code should also provide some detail as to the required content of such training. Whenever possible, immigrants themselves should be members of the training team.

Teachers in New Jersey should receive in-service professional development in cultural competency and in understanding the special needs and circumstances of immigrant students.

I. ROLE OF THE ADVOCACY COMMUNITY

There is an important role to be played by community organizations in ensuring that schools meet the educational needs of immigrant students. The partnerships established between school systems in Clifton, Jersey City, Paterson, and Trenton and immigrant-serving organizations in those communities is a excellent example. The work done by members of the Hispanic Directors Association in enrolling Latino immigrant children into pre-K programs in the state's Abbott districts is another example. In New York City, the New York Immigration Coalition teamed up with Advocates for Children to establish the EMPIRE Project (*Equity Monitoring Project for Immigrant and Refugee Education*), one of whose purposes is to build "an army of parents and community leaders who can engage the school system at, literally, thousands of points, from both the bottom and the top…"[22] The Coalition has secured foundation funding for the position of Director of Educational Advocacy and has established a Taskforce on Immigrant and ELL Students. Each year, EMPIRE sends testers into the school to ensure compliance with Department of Education requirements for language access.[23]

The New Jersey Immigration Policy Network should seek funding and community partners for a project to monitor the quality of educational services to immigrant students in New Jersey.

J. IN-STATE TUITION

One final educational issue requiring legislative remedy is the plight of undocumented high school students who cannot continue their education in the state's publicly funded colleges because they are required to pay out-of-state tuition. Most scholarship and loan programs are off-limits for these students; so the imposition of out-of-state tuition effectively shuts many of them

out of higher education. In New Jersey, students at the top of their classes, including a number of valedictorians, most of whom came at an early age and who only know this country as their home, are unable to pursue their dream of advancement in our society.

The state's power to treat undocumented students as residents for tuition purposes was severely limited by the 1996 federal Illegal Immigration Reform and Control Act. Through legislation known in the Senate as the DREAM Act, advocates in Washington are hoping to secure restoration of the state's right to classify students as residents, albeit with a number of conditions to be satisfied by each student. Pending a favorable outcome, however, the State of New Jersey can emulate action taken by legislatures in nine other states, where undocumented students were granted the privilege of in-state tuition through a process that adhered to the requirements of federal law.

The State of New Jersey should pass legislation allowing undocumented high school students with good grades, resident in the state for at least three years, the opportunity to attend publicly-funded colleges and universities at in-state tuition rates.

3. EDUCATIONAL OPPORTUNITY FOR ADULTS

THE EDUCATIONAL PROSPECTS OF immigrant children cannot be separated from the educational status of their parents. The ability of adult immigrants to speak English and their levels of participation in our society are important benchmarks in assessing progress toward immigrant integration. For immigrant parents to function as partners in their children's education, they need to acquire fluency in the English language and overcome other educational deficits that may impede their successful adjustment to American society. Unfortunately, limited attention has been paid to this critical need.

A. THE NEED FOR NEW STATE INVESTMENTS IN ENGLISH AND CIVICS EDUCATION

Both on the federal and state level, at a time when the population of immigrants has soared, investments in English language, citizenship, and other education programs for adult immigrants has declined or stagnated. From 1998 to 2002, the number of adults enrolled in federally supported adult education programs dropped nationally by 30.6%. A staggering total of more than 1 million students left the system. During the same period, total enrollment in New Jersey's adult education system fell from 45,000 to 30,000. More than two-thirds of all enrollees in New Jersey are immigrants, so the impact on immigrant communities has been great. Budgetary proposals from the Bush administration in 2005 threatened to further gut the system. Complicating matters is the formula used by the federal government to distribute funds to the states. New Jersey gets shortchanged due to a census formula that only looks at the percentage of the total state population lacking high school diplomas—in effect excluding large numbers of immigrants with diplomas from the total.[24]

New Jersey's only state-supported, adult immigrant educational program, called the "Evening Schools for the Foreign-Born" program, provides only meager supplemental support for English language and citizenship education. The current appropriation is $211,000, distributed in amounts up to a maximum of $5,000 to local school districts that match state support dollar-for-dollar. This funding formula has not changed in almost 100 years! When created in 1907, at a time of immigrant influx into New Jersey, this program provided generous support for the preparation of new Americans for citizenship. Today, the program is woefully under-funded.[25]

Throughout the United States, local officials are beginning to recognize the importance of facilitating immigrant integration. Several states and cities have established model programs to coordinate and facilitate the delivery of services to new Americans. Most of these programs are in

localities of heavy immigrant concentration, such as Illinois, California, Maryland, and cities such as New York and Boston. However, increasingly programs are being established in new gateway cities, or in areas trying to attract new Americans, such as the greater Pittsburgh area or the State of Iowa. Last year, the State of Illinois, for example, through its New Americans Initiative, appropriated an additional $3 million dollars to fund outreach, legal assistance and training to prepare 20,000 immigrants per year to become citizens. Boston's Office of New Bostonians has established a public/private partnership to increase the number of free English classes available in the city and has produced an on-line directory of ESL classes available by level and by neighborhood.

It is time for New Jersey to make a financial commitment to help immigrant adults learn English and become citizens. Like Illinois and New York, New Jersey should establish a special program to facilitate the rapid acquisition of English and the resulting passage to citizenship. New Jersey has one of the largest groups of eligible but unnaturalized immigrants in the country. As of March, 2002, there were 373,000 immigrants eligible to naturalize and another 134,000 "soon-to-be eligible."[26] English constitutes the major barrier to citizenship for most immigrants. An effective program must not only support the expansion of ESL and citizenship classes around the state, but also provide resources for public outreach, community citizenship workshops, assistance with the preparation of naturalization applications, and legal review. Collaborations should be encouraged between immigrant community organizations, legal service providers, and educational organizations. New Jersey should at least match the current available federal dollars for the "Integrated English Literacy and Civics Education Program," or $2.7 million dollars. This program could be run out of a newly-created Office of Immigrant Affairs (see recommendation below), and responsibility for managing federal dollars for citizenship education transferred to this Office.

The State of New Jersey should make an investment of at least $4 million dollars in a "New Americans Initiative" to help immigrants learn English and qualify for citizenship.

B. ACCESSIBILITY OF INSTRUCTION

Effective language learning programs must respond to the needs and goals of immigrant adults. Working long hours, sometimes at two or more jobs, and often with children to care for, immigrants look for classes at convenient times and in accessible locations. The consolidation of programs and the creation of county consortia, initiated by the NJ Department of Education in the nineties and continued by the Department of Labor and Workforce Development during this decade, have left whole communities with substantial immigrant populations without any available state-funded ESL classes. The same problem exists in New York City, according to a recent Immigrant Family Literacy Summit in New York City, which documented a huge increase in the LEP population but with stagnating enrollments and whole neighborhoods without available classes. Although one of the objectives of consolidation was to create a more efficient

and professional adult education system, it need not occur at the expense of accessibility. The community-centered school is staging a comeback among educational planners in the context of the Smart Growth Movement.[27] The State of Minnesota, for example, has 57 administrative units for programs at over 500 sites, most located within public school facilities.[28] The city of Toronto, recognizing that most immigrants either walk or take public transportation to class, believes that immigrants should not have to walk more than 3 kilometers or spend more than half an hour on public transit to get to English class. Further consolidation should not make it impossible for hard-working immigrants to attend classes, nor for successful educational organizations to compete for funding. Flexibility in scheduling, including classes on the weekend, as well as homogeneous ethnic grouping of some students, will also be necessary.

New Jersey must ensure that English classes are offered in accessible locations and in all communities with substantial immigrant populations.

C. SENSITIVITY TO LEARNER GOALS

New Americans enroll in ESL classes for many different reasons. Gaining the language skills necessary to obtain, retain, or upgrade employment, or to function more effectively in existing jobs, is certainly a primary motivation. However, immigrants need to navigate through hundreds of different systems in America, and English is their main rudder. Whether dealing with local schools, police, motor vehicle offices, doctors, hospitals, utility companies, immigrants will be better adapted and more at home if they know English. ESL classes are also places where information is exchanged among learners, where teachers sometimes function as counselors, and where the American values of tolerance and inter-group understanding are learned. Higher level ESL classes also provide an opportunity to discuss effective parenting, so critical in ensuring school readiness and success for immigrant children.[29] In a time of increased anti-immigrant hostility, the ESL class becomes a place where the stigma of foreignness can be shed. And finally, ESL classes offer pathways to citizenship for many immigrants, the place where they gain the civics and communication skills necessary to apply for naturalization. The consolidation of adult education and workforce programs in New Jersey and the emphasis on local planning through the Workforce Investment Boards and the One-Stop System present an opportunity for the new Department of Labor and Workforce Development to promote the establishment of high quality, easily accessible, community-based programs responsive to the varied needs of immigrant learners.

The State of New Jersey and the local Workforce Investment Boards that oversee adult education programs on the County level should be sensitive to the diverse learning goals of immigrants and provide educational options related to those goals.

D. THE ADULT HIGH SCHOOL

An important building block of New Jersey's adult education system is its network of adult high schools. These schools provide a "second chance" opportunity for adults to earn a locally-issued high school diploma. In 2003, there were about 50 such schools, 30 of which had enrollments of more than 100 students. Total enrollment for all schools was about 13,500 with most students in low-income, urban communities.[30] As mentioned earlier, the proposed elimination of the SRA alternative assessment, coupled with the requirement that high school students achieve a passing grade on a standardized test in order to receive a high school diploma, is likely to increase the drop-out rate and hence the need for adult high schools. At the same time, the effort to extend accountability and uniform standards to the adult high schools, if based on rigid K-12 models, could compromise their unique and historic role in the adult education system.

New Jersey has been actively involved in the promotion of general adult education for over 100 years. In the early part of the 20th century, these institutions were called "Continuation Schools," and later "Accredited Evening High Schools."[31] The current legislative framework for the adult high school dates back to 1968. In the early days, adult high schools had the flexibility to award credit for the life experiences of students. Abuses of this discretion led to a tightening of the system in the eighties, with limits placed on the number of credits that could be awarded in this manner and greater definition given to qualifying experience.[32]

Adult high schools have served a diverse clientele, consisting of both immigrants and native-born students. Immigrants benefit from adult high schools in a number of ways. These schools provide an alternative to the English language version of the GED, a battery of five written tests which non-native speakers often find difficult to pass. They grant credit for certified secondary instruction in countries of origin, as well as a maximum of 20 credits for approved English language study. They allow adults to study in the evening. They are also less restrictive in their enrollment criteria than federally funded programs. Although students must still pass an English language proficiency assessment in order to receive a diploma, adult high schools provide an important educational option for many immigrants.

A debate is currently raging over the funding formula for New Jersey's adult high schools. The McGreevey administration decided to freeze state aid at current levels and remove any linkage between the level of state aid and the number of students enrolled in each adult high school, in effect giving local superintendents the option to use the $18.4 million in state aid for adult high schools in any way they wish, including redirecting the money to support K-12 education. This decision, if allowed to stand, could sound the death knell of the adult high school in New Jersey. Already, in the space of 3 years, local districts have closed some 10 schools. It appears as if the Department of Education is intent on discontinuing its historic involvement in the field of adult education by phasing out the one remaining major program still under its jurisdiction. In the process, it is depriving an under-funded adult education system of vital resources necessary to maintain a viable educational delivery system in New Jersey, and shirking its responsibility to certify high school completion for all New Jersey residents, adults as well as children. It is imperative that these funds be restored as categorical aid based on the number of adult high

school enrollments. It may also be advantageous for the Department to give greater flexibility to local school districts to design special adult high schools, such as the Newcomer School in Houston, Texas, to better address the special needs of New Jersey's over-age immigrant population.

In order to meet the needs of undereducated adults, the Department of Education should restore categorical funding for the adult high school and set funding levels based on the number of adults enrolled in each adult high school.

E. UNDOCUMENTED STUDENTS

One of the most serious dilemmas facing New Jersey's adult education system, apart from a shortage of classroom slots, is the question of whether and how to serve the state's large undocumented population. Estimated at 400,000, or almost 5% of the state's population, the undocumented are among the most undereducated of New Jersey's residents. Virtually all undocumented men (96%) are in the labor force. About two-thirds are low-wage workers, i.e. earning less than twice the minimum wage. Contrary to public perception, women make up a large share – 41 percent – of the undocumented population. Their labor force participation rate is estimated at 62%. A high percentage of the undocumented are limited English proficient.[33] They also tend to cluster in certain communities, where the demand for English classes will be substantially higher than elsewhere because of their presence.

Although proposals to create a path to legal residence for the undocumented have not yet been passed by Congress, New Jersey should not discriminate against the undocumented in the provision of educational services. The Department of Labor and Workforce Development's current "5% rule", which limits the number of program enrollees without social security numbers at 5%, is both discriminatory and unworkable. It's discriminatory because programs in communities with large numbers of undocumented residents are forced to turn people away and do not receive sufficient funds to serve their communities. It's unworkable because some programs do not even bother to fill their 5% "quota," because of the headaches involved in administering such a policy. A report prepared for the Department of Labor in 2002 by the state-appointed Council on Undocumented Aliens recommended that literacy training be provided without regard to legal status.[34] New Jersey's "head in the sand" approach needs to change.

The State of New Jersey should dismantle bureaucratic barriers limiting the participation of undocumented immigrants in publicly funded adult education programs.

F. TEACHER PREPARATION

Teachers of English to speakers of other languages should possess training appropriate to the requirements of their position. Too often, adult ESL instructors, especially those working for local school districts, are certified K-12 teachers in fields unrelated to language learning. New Jersey's administrative code requires certification only, not certification in a related discipline. Many adult education instructors work during the day within a particular school district and in the evening within the local adult education program. Sometimes, they know little about linguistics, second language learning techniques and methodologies, and appropriate curricular materials. In addition, they may not fully understand the potential of the adult education classroom to empower learners to achieve short and long-term goals. Although the effort of the State Council for Adult Literacy Education Services (SCALES) and the Department of Labor and Workforce Development to develop a comprehensive plan for in-service professional development is laudable, such training will never fully overcome deficits of poor preparation. If a shortage of appropriately certified teachers makes stricter certification unrealistic, then a minimal number of course credits in the theory and practice of second language learning should be required. If New Jersey values the field of immigrant adult education, it should expect more from its teachers.

New Jersey should require appropriate certification and training for teachers of English as a Second Language.

4. ECONOMIC OPPORTUNITY

A. PROTECTION OF LABOR RIGHTS

Many new Americans seek to learn English to advance in the workplace. Their talent and labor account for the success of entire sectors of the American economy. Yet immigrants are especially vulnerable to discrimination and exploitation at the hands of some employers, and the frequency of such practices has risen since September 11. Employers may withhold wages, pay below minimum wage, violate overtime laws, discriminate in hiring or promoting, or dismiss workers for organizing efforts. Immigrants also work in some of the most dangerous occupations in the country and suffer high rates of accident and injury.[35] Although state government is responsible for enforcing labor and workmen's compensation law, immigrants and other workers are often unaware of remedies under the law, or fearful of invoking them. The state must be proactive in reaching out to immigrant communities, using culturally and linguistically appropriate methods to inform workers of their rights. The use of trusted community organizations as bridges to the immigrant population is essential. Without the assistance of legal advocates and case workers, low-income immigrants will find it hard to assert their rights.

Non-compliance with wage, hour and other employment regulations is flagrant in New Jersey. Instead of waiting for violations to be reported, the Department of Labor should greatly expand its on-going monitoring of smaller employers. Some employers hide behind fly-by-night sub-contractors who are treated by the Department of Labor as independent hiring agents and who are hard to find and prosecute. The Department must go "up the chain" to contractors, general contractors, and corporate owners who presently feel shielded from state oversight. Employers who do not keep records should be assumed guilty of violations and given maximum fines. The Department of Labor has a key role to play in protecting low-wage immigrant workers from exploitation. Often, these are people on the edge of severe poverty, only a few paychecks away from homelessness and hunger. They need and deserve greater attention.

> New Jersey could become more proactive in pursuing employers who violate state labor law and could forge stronger partnerships with community organizations in order to extend effective workplace protections to the immigrant population.

B. STRONG EMPLOYER DIVERSITY PROGRAMS

Notwithstanding the misdeeds of some employers, most corporations in New Jersey recognize the important contribution that immigrants have made to the success of New Jersey's economy. Perhaps more so than people in the public sector, corporate leaders understand and value the *business* case for diversity. New Jersey's diverse population is a resource of incalculable value as the state seeks

to compete in a global marketplace. An inclusive and discrimination-free work environment is a strategic imperative for many companies, as well as a moral one. Diversity also stimulates innovation as the energy of multiple perspectives is applied to business tasks. Companies that hire and promote based on competence and not on nativity will be more competitive in the global marketplace. And a state that enforces non-discrimination will occupy a strong position in the global economy.

The mere existence of corporate diversity policies and programs, however, is not enough. According to a leading expert in the field, the four main change drivers for an effective corporate diversity program are: A) The unequivocal commitment of senior management, B) An accountability framework for the program, C) Clear and frequent articulation of the business case for diversity, and D) Continued communication of results and requirements.[36] New Jersey's corporate leaders have shown enormous foresight in developing effective diversity programs. They must not waver in their commitment.

New Jersey's corporate leadership must continue to ensure a fair, inclusive, and dynamic workplace through sponsorship of effective corporate diversity programs.

C. THE ROLE OF THE UNION MOVEMENT

Unions can also play a vital role in bridging differences of language and culture. Reversing the ambivalence of the past, many unions have become strong advocates for immigrant rights and immigrant integration. Local 32BJ of the Service Employees International Union, for example, has bucked the tide of declining union membership by focusing its organizing efforts on immigrant workers. Since 2001, through its Justice for Janitors Campaign, the Union's New Jersey membership has grown from 1,000 to 6,000.[37] The Union also provides English classes for its members, as well as legal assistance with immigration matters. The surge in undocumented immigration has given the union movement in the United States one of its greatest challenges and opportunities. The decline in the number of stable jobs with benefits, the lack of legal protections for unauthorized workers, and the growth of temporary agencies as middlemen between workers and employers have created unprecedented problems. New organizing approaches, such as those represented by the New Labor organization in New Jersey, hold out promise for improvements in the working conditions of temporary workers and day laborers.[38] Although unions, particularly in the construction trades, often find employers circumventing labor contracts by hiring unauthorized workers, they must remember that the workers are not to blame. Unions must continue their traditional role as champions of the working man and women, whether born in the United States or anywhere in the world.

The Union movement and worker centers have a vital role to play in ensuring equal opportunity and fair treatment for immigrants in New Jersey.

D. THE VALUE OF TRAINING AND RECERTIFICATION PROGRAMS

Although most newcomers are hard-working and appreciate the opportunities available to them in the United States, many need access to basic skill training, job training and professional recertification programs to improve their life prospects. Regrettably, such access for LEP immigrants is extremely limited at present. Indeed, one could argue that they are systemically excluded from New Jersey's One-Stop Career system. It is symptomatic of a serious problem that the word "immigrant" appears only once in the Department of Labor and Workforce Development's, 266-page, updated state plan for the period 2005 to 2007. The reigning assumption at most One-Stop Centers is that clients who can not speak English are not ready for vocational skill training. Limited English, however, is not synonymous with limited intellect and limited abilities. Nor does limited English mean that special, targeted programs cannot be developed to address the training needs of low-income immigrant workers. New Jersey has much to learn from other states that have recognized the value of immigrant labor and given priority to programs to match immigrant labor with employer needs.

Although "best practices" models for serving LEP individuals are still rare, many communities around the country are experimenting with projects to adapt existing one-stop services for immigrants. Most of these projects understand that translation alone is not the solution. Rather, existing services need to be adapted to match the special needs of newcomers. The State of Wisconsin has been a pace-setter in this regard. With the help of a $1.5 million federal discretionary grant, the state's Department of Workforce Development has funded a series of training projects for several immigrant groups in the state, including CNC Machine operation for the Hmong, and medical assistance training for Pakistani and Arabic-speaking immigrants. Each project combines vocationally-oriented ESL with job skills training in a single training module.[39] For the last two years, the Private Industry Council of Milwaukee County has sponsored an annual conference devoted to the challenge of working with clients with limited English proficiency.[40] In addition, the County issues periodic requests for bilingual skill training programs and requires all provider agencies to demonstrate multilingual capacity.

Other states have shown similar creativity and innovation. In Boston, the International Institute of Boston has partnered with the Hilton Hotel Corporation, the Massachusetts Lodging Association, and the Boston Foundation to train refugees for careers in the hospitality industry. The program imparts the vocational and language skills necessary to gain initial employment, as well as on-the-job training after hiring.[41] In a major study of the Workforce Investment System, released six years after the passage of the Workforce Investment Act of 1998, the federal Department of Labor highlighted four programs that were especially innovative in working with limited English proficient populations in the One-Stop career center context. Among the techniques that seemed especially effective were: relationship-building within the immigrant community, providing in-language group orientation to One-Stop services, teaching vocational English and job skills in tandem, and establishing One-Stop affiliate sites with immigrant-serving agencies.[42]

A problem faced by many immigrants is that of securing professional re-certification in the United States. A recently completed, three-year demonstration project called Building the New American

Community found that professional re-certification was one of the three main priorities of immigrants in participating communities in Massachusetts, Tennessee, and Oregon. The Tennessee project, in particular, devoted considerable attention to this issue. A special task force worked to gather and disseminate recertification information, often complex and from a wide variety of fields, to immigrants in the Nashville area.[43] Clearly, many immigrants in New Jersey would benefit from a similar initiative. In this respect, we in the United States have much to learn from our neighbor to the north. Canada has just instituted a nation-wide project called "Capacity Canada" to help immigrants get re-credentialed in their respective fields A primary goal of the project is to build networks of immigrant and ethnic professionals active in various fields.[44] A variation on the same theme is provided by the City of Toronto's mentoring program, which pairs newly arrived immigrants with established Canadian professionals who commit to giving four to six hours of their time per month to immigrants referred by resettlement agencies.[45] A number of community agencies in New Jersey, including Jewish Vocational Services in East Orange, have attempted to promote such person-to-person initiatives in the past. However, an effective and comprehensive approach to the problem is probably beyond the means of any single agency. If possible, the Department of Labor and Workforce Development should identify a funding mechanism to permit a state-wide solution to this problem.

On the whole, there is little evidence of any serious effort in New Jersey to address the workforce needs of adults with limited English skills, as well as the special needs of immigrants in general. Most of the state's workforce growth is likely to come from immigration; many immigrants will find themselves in low-wage, unstable jobs. Yet, immigration is not even mentioned as a significant trend in the New Jersey Department of Labor's demographic forecasts for the next decade.[46] Nor has the Department produced a language access plan that goes beyond the generalities contained in a guidance issued in 2004. Although other states are engaged in creative projects to address the training needs of immigrants, New Jersey is not active in this endeavor.[47] It's time for New Jersey to integrate immigrants into its workforce development system. A good first step would be to create an independent task force to determine how existing resources could best be utilized for this purpose.

The New Jersey Department of Labor and Workforce Development should support the establishment of training and recertification programs designed to meet the needs of immigrant workers.

E. DAY LABORERS

One of the most vexing issues facing local officials in New Jersey is how to handle day laborers. Communities throughout the state have been torn apart over this issue, as merchants and local residents complain about loitering, traffic violations, and unsanitary conditions; and day labor advocates press for durable solutions that protect the rights of workers. Local resentments are fueled by the knowledge that most day laborers are undocumented. Although it may appear as if day laborers are a new phenomenon in the American economy, there are many precedents going back hundreds of years in American history, from the largely immigrant shape-up halls on the Hoboken waterfront and elsewhere, made famous in Marlon Brando's *On the Waterfront*, to rural gathering spots where agricultural workers were picked up in the Midwest and Southwest, to hiring halls for African-Americans in the South.[48] Some have argued, however, that the growth of day laborers in the American economy is a result of new trends in the American economy, most notably the swelling numbers of "contingent workers" and the dispersal of immigrants away from traditional urban centers to the suburbs. If true, more and more communities in New Jersey will have to wrestle with these problems and come up with viable solutions.

The recently released National Day Labor Study provides a snapshot of the day laborer population in the United States. Based on a national survey of 2,660 day laborers randomly selected at 264 hiring sites in 20 states and the District of Columbia, the Report both confirms and challenges some of the most common assumptions about day laborers. Eighty-seven percent of day laborers were born in Mexico or Central America. Three-quarters (75 percent) are undocumented, but within this group, about 11 percent have a pending immigrant visa application. They earn a median hourly wage of about $10 per hour, but because of the seasonal and erratic nature of some work, most day laborers do not earn enough annually to escape from poverty. Day laborers usually work in dangerous and tedious occupations, such as construction, roofing, moving and hauling, and gardening and landscaping. Many laborers are exposed to hazardous working conditions, including toxic chemicals and dust, with possible harmful, long-term consequences on their health. The rate of on-the-job injury is high, but most employers evade payment of workmen's compensation benefits. Lost time for injury or sickness means loss of pay. [49]

Contrary to popular stereotype, most day laborers have family responsibilities; almost two-thirds (63 percent) have children either here in the United States or in their home countries. Sixty-nine percent "are hired repeatedly by the same employer, suggesting a pattern of satisfied employers and willing workers." And most seem to gravitate into more stable employment after several years as day laborers.[50] Both the National Day Labor Study and a separate study in New York City found that about half of day laborers have been cheated by employers, either through non-payment of wages or lower wages than agreed upon.[51]

The presence of day laborers in suburban communities will test the political skills of local leaders. Although solutions will vary from community to community, certain conclusions can be drawn from experiences around the country. First, the day laborers themselves should be treated

with respect and invited to participate in conversations with municipal officials. Stereotypical thinking about day laborers should be avoided; many are in the country legally, are married and have families to support. Second, local officials should work as hard as possible to avoid politicization of this issue. There are too many groups willing to seize upon this issue as a way of scoring ideological points or to advance a broader agenda not truly related to the challenge facing local officials. Third, punitive approaches, such as the use of police to ticket for loitering, littering, blocking the sidewalk, or jaywalking, usually don't work Fourth, community groups such as churches, ethnic organizations, and social service agencies can often be enlisted to help resolve problems. And finally, effective solutions from other communities, such as worker centers and informal hiring sites should be assessed for their relevance to local needs.[52] Working together with day laborers and their spokespersons, local officials can balance the legitimate concerns of local residents with the needs of immigrant workers to arrive at solutions that work for all.

Day laborers should be treated with dignity and given a voice in shaping solutions for local communities. Municipal officials should follow best practices in dealing with day laborer problems.

F. DRIVER'S LICENSES

An important challenge facing many immigrants in New Jersey is the new identity verification system established by the Department of Motor Vehicles in 2002, which effectively bars undocumented immigrants from obtaining driver's licenses. Even legal foreign-born residents have confronted major obstacles in securing licenses. Although some consider driving a "privilege," driving is a necessity for many immigrants, who lack access to public transportation to commute to work. Many are bearing this hardship by car-pooling, walking, or cycling to work, sparking reports of rising pedestrian fatalities.[53] Others are moving closer to public transportation routes, raising housing costs in those areas. But still others are driving anyway, putting themselves and all New Jersey residents at risk by driving without state certification of ability and without insurance. Still others are securing phony licenses on the black market and allowing criminal rings to invade a lucrative new market.[54]

Even before 2002, New Jersey never officially allowed undocumented immigrants to obtain driver's licenses. However, laxity in checking the accuracy of social security numbers allowed thousands of undocumented immigrants to get them. New Jersey certainly has a legitimate interest in verifying the identity of its drivers. If the purpose of a license is to ensure public safety by keeping unqualified and uninsured drivers off the roads, then the current system, by forcing people to drive illegally, is failing to achieve its intended purpose. By following the lead of other states like New Mexico and broadening the list of acceptable documents to include foreign passports or consular documents, New Jersey could eliminate this serious problem.

The driver's license debate in the United States moved to a new level when the so-called REAL ID Act was passed by Congress without any hearings, testimony, or serious public discussion in the spring of 2005. Under the law, states may issue licenses, acceptable for boarding planes or entering federal buildings, only to legal residents of the United States, and only for the duration of their legal residence here**.** The law also established uniform standards for the use and verification of identity documents and for the manufacture of counterfeit-proof cards, in effect turning the driver's license into a national identity card. As one motor vehicle official in New Jersey put it, the state motor vehicle agency is being asked to fulfill other social goals far beyond its original mission. The implementation of the REAL ID Act, not scheduled to go into effect until 2008, will create huge costs for the states, prompting officials from around the country to complain about a new unfunded federal mandate. As an example, states will have to verify the authenticity of a wide range of documents, such as birth certificates, documents proving legal residence, and immigration documents. Although states have the power to opt out of participation in the federal program, their residents, under such a scenario, would all need passports or other acceptable documents to board a plane or enter a federal building.[55]

The REAL ID Act, however, permits states to issue driving certificates, in addition to federally compliant licenses. Draft legislation has been introduced in New Jersey permitting the issuance of such certificates. Some immigrant advocates fear that the use of such cards will create new incentives for police profiling and expose the undocumented to the threat of deportation. If the undocumented refuse to apply for driving cards, then the purpose of the legislation will be defeated. One solution would be to use the certificate for a broader segment of the state's population, including foreigners in the country on legal, nonimmigrant visas, and citizens and permanent residents unwilling to participate in the federal program out of privacy concerns. New Jersey must take action to protect the safety of the public.

Permitting qualified undocumented immigrants to drive legally is in the best interest of all New Jersey residents. One approach would be to expand use of foreign driver's licenses and consular identification documents to establish identity. If New Jersey chooses to abide by the provisions of the REAL ID Act, it should issue driving certificates to those New Jersey drivers unable or unwilling to apply for a federally compliant license.

5. HEALTH CARE

A. IMMIGRANTS AND THE HEALTH INSURANCE CRISIS

In common with other states, New Jersey has too many people - especially young people - living without health insurance. Despite federal and state health insurance programs such as Medicaid and Family Care, more than a million non-elderly New Jerseyans, according to the Kaiser Commission on the Uninsured, lived without health insurance. Even more troubling, 12 percent of the state's children go without health insurance, the highest percentage among any of New Jersey's neighboring states.[56]

The story for our most vulnerable families is even worse. Forty-eight percent of non-elderly adults living in poverty have no health insurance in New Jersey, a rate worse than the national average of 45% and well above rates in neighboring states which are all below 40%. In addition, twenty-nine percent of poor children in New Jersey live without insurance, a rate in excess of the national average of 23%, and well above the average in nearby states.[57]

The number of uninsured among recent immigrants and non-citizens is especially striking. The Kaiser Commission reported in 2003 that 60% of the 11 million low-income non-citizens in the United States lacked health insurance, as compared with 28% of low-income citizens. In New Jersey, the Rutgers Center for State Health Policy reported in 2001 that 48% of non-elderly, non-citizen adults lacked medical insurance, as compared with 14% of non-elderly adults born in the United States. The rates for non-citizen children show a similar gap: 47% lack coverage compared to 9% born in the United States.[58] Immigrants and their children constitute one of the biggest segments of the uninsured population in New Jersey. As people of low or moderate income, they work in jobs without health insurance, cannot afford to pay for insurance on their own, and do not qualify for state or federal insurance programs or shy away from participating in such programs for reasons discussed below.

B. EXPANDING HEALTH INSURANCE COVERAGE FOR VULNERABLE FAMILIES

The ability of children to obtain preventive health care and treatment for ordinary illness is an important determinant of school success. As the United States Surgeon General Richard Carmona has said, “Children in the United States need and deserve to arrive on the first day of school healthy and ready to learn.” [59] If immigrant children, who constitute such a large percentage of the uninsured population in New Jersey, are to realize their full potential, and to join the mainstream of our society, then their exclusion from the health safety net needs to be addressed.

Paradoxically, the State of New Jersey has been a leader in extending health coverage to its most vulnerable citizens, especially children. At 350% of poverty level, the NJ Family Care program has one of the highest family income thresholds for children in the nation. Although monthly payments and co-pays are required for higher income families, the state has used an affordability test to set payment levels. One important way for the State of New Jersey to demonstrate both its commitment to the children of our state and to the special plight of immigrant children, who through no fault of their own find themselves in families with breadwinners lacking access to employer-sponsored health insurance, is to make New Jersey Family Care a back-up health insurance program for all the state's children.

The State of New Jersey should provide free or affordable health care coverage for all children through the age of 18 in New Jersey.

Even with broader coverage for children, however, many families will not enroll their children in Family Care unless parents, too, especially those of limited means, have the same opportunity. Providing coverage to low-income parents will save money in the long run, as parents will make less use of costlier emergency room services, and the state can reduce outlays for charity care payments to hospitals. In addition, the financial pressure on state-funded family health centers will ease. The 2005 revisions to the Family Care program were a step in the right direction. However, the income ceiling of 133% of poverty level, to be phased in over a three-year period, is still much too low to have a significant impact on the number of uninsured in New Jersey. More liberal buy-in policies for adult family members above the income ceiling would also help. The health outcomes for low-income immigrants would greatly improve if the ceiling were restored to 200% for parents and 100% for single individuals, as recommended by the New Jersey Anti-Poverty Network.

New Jersey should amend the Family Health Care Coverage Act to re-open NJ Family Care for parents of minor children with family income that does not exceed 200% of the federal poverty level (FPL) and for adults without children with income not to exceed 100% FPL.

C. ADDRESSING PROBLEMS WITH CHARITY CARE

One of the burdens faced by New Jersey immigrants without health insurance is dealing with Charity Care programs at certain hospitals that allow specialists to bill indigent clients, often at exorbitant levels, for essential medical services. By New Jersey statute, hospitals are required to provide healthcare – even beyond emergency care – to indigent patients without insurance. In apparent violation of this requirement, a number of hospitals, often located in areas of high immigrant concentration, allow specialists such as anesthesiologists, radiologists, and emergency room physicians on outside contract to bill patients, often at levels much higher than the caps set by insurance companies for their covered patients. When Charity Care patients fail to make

payment, they often find their meager incomes garnished. It seems clear that physicians should provide pro bono care or hospitals should require all physicians with hospital privileges to provide pro bono care to all patients eligible for Charity Care. Legislation to eliminate any ambiguity in New Jersey's Charity Care law would help to resolve this problem, as would adequate funding to provide these services.

New Jersey should enact legislation clarifying that all hospital medical services to Charity Care patients are to be provided free-of-charge.

D. THE IMPORTANCE OF HEALTH OUTREACH AND EDUCATION

Even when immigrants qualify for health insurance, lack of information, misinformation, and fear often keep people from signing up. The health care system in the United States is hard for even native-born, English speakers to understand, let alone those unfamiliar with both the language and the culture. Compounding the problem are the various myths common in the immigrant community as to the possible consequences of utilizing publicly-funded health care. Legal immigrants worry about jeopardizing their legal status in the country or threatening the solvency of their sponsors, who might be asked to pay back the cost of their medical care. Many also fear that all family members, even if some are illegal, will have to verify their status to establish eligibility. And some worry about the stigma associated with publicly funded health care. These concerns keep thousands of otherwise eligible citizen children from enrolling in New Jersey's Family Care program. A peer-reviewed 2005 report reported that immigrants, regardless of age, legal status or insurance coverage, receive about half the health care services provided to native-born Americans.[60]

Recognizing the special challenges involved in reaching out to immigrant communities, special efforts have been made to acquaint immigrants with health care options. After the federal government in 1997 committed 24 billion to the states to expand health insurance coverage for the nation's children, the Robert Wood Johnson Foundation, through its Covering Kids Initiative, launched a national project to promote the enrollment of children in these new programs. A sum of $43 million was invested by the Foundation for projects in all 50 states. This effort was renewed in 2001 with a $65 million commitment to a 4-year, successor program called Covering Kids and Families. New Jersey received $1 million during the second round of funding. In conformance with foundation requirements, a coalition of more than 50 agencies came together to identify local needs and develop effective outreach strategies. Immigrants were identified as one of the principal target populations. A number of organizations, including the New Jersey Immigration Policy Network and the Hudson Perinatal Consortium, were contracted to spread the word in the immigrant community.

The impact of the Robert Wood Johnson initiative was immense. It played a key role in helping to reduce the number of uninsured children in the United States from 11 million in 1997 to 8

million in 2002. In New Jersey during the same period, the number of uninsured children dropped from 297,000 to 210,000. [61] It would be a shame if this critical work, along with the infrastructure put in place to carry it out, were to be abandoned at the end of the current grant cycle. For immigrants, who constitute such a high percentage of the uninsured population, this work needs to be always renewed, because as new immigrants enter the country, they face the same information void as their predecessors. As other states have done, including our neighboring State of Pennsylvania, public investments must be made in effective outreach programs to ensure the continuation of this work. Private philanthropy should play a key role supplementing limited state resources.

State government and/or private philanthropy should fund specialized outreach and educational services to inform immigrants about health care rights and options.

E. IMMIGRANTS AND THE MENTAL HEALTH SYSTEM

A critical component of health care is the state's mental health delivery system. One in four Americans suffer from mental disorders or substance abuse every year. The National Institute for Mental Health estimates that $300 billion is wasted annually on untreated mental disorders.[62] During the period of Richard Codey's tenure as Acting Governor, long overdue attention was devoted to gaps and deficiencies in New Jersey's mental health system. Unfortunately, little of this attention was devoted to the special circumstances and challenges facing immigrants and refugees in accessing mental health services.

Many newcomers to the United States have endured horrific experiences in their home countries: war, torture, persecution, protracted stays in detention facilities, and economic impoverishment. Often, families are separated, loved ones are injured or perish, and the normal routine of life is disrupted. Here in New Jersey, we caught a glimpse of such devastation after the attacks of September 11. Imagine, the physical and psychological toll caused by numerous disasters and upheavals around the world. Forced migration, as distinct from voluntary migration, is almost always traumatic. But even those who migrate freely suffer from the affects of culture shock and intergenerational conflict. And there is evidence that stress mounts and difficulties surface many years after migration.[63] Most immigrants are resilient enough to overcome these experiences; but many are not. They require a mental health system that can adapt to the cultural and linguistic background of a diverse clientele.

Governor Codey's Task Force on Mental Health produced an impressive report in 2005 documenting the waste, inefficiency, and neglect built into the state's mental health delivery system. As sound as the report's findings were in many areas, issues of culture and ethnicity were given scant attention. There is no mention, for example, of culture and ethnicity in the ten themes highlighted in the report. Nor was cultural competence one of the 12 "domains of study" meriting the formation of a separate advisory committee to the Task Force. Although cultural

competence is mentioned as one of the seven overarching "values for improving New Jersey's mental health system," and although there are scattered references throughout the report to the importance of cultural competence, the full implications of operationalizing such a value are never explored. As an example, there is no discussion of strategies for bridging ethno-linguistic barriers in the context of the Task Force's recommendation to establish a statewide Information and Referral System. Of the 54 recommendations contained in the Report, only one pertains to the issue of cultural competence: recruit culturally competent staff.[64] The word "immigrant" does not appear once in the entire 265-page report.

Piecemeal changes are not likely to produce the kind of systemic change necessary to make the state's mental health system accessible to newcomer populations. A 2005 report from the Hispanic Directors Association of New Jersey concluded that "a general cultural insensitivity pervades the entire mental health system."[65] Governor Codey's decision to invest $1 million "to expand bilingual and culturally diverse case management and outpatient services, specifically to serve the fastest-growing ethnic minority populations of New Jersey" is certainly a step in the right direction. However, money alone will not solve the problem. The Division should appoint a Task Force consisting of immigrant community representatives and practitioners with expertise in cross-cultural mental health to develop specific recommendations to make New Jersey's mental health system more inclusive and culturally relevant. Additional funding beyond the current $1 million, perhaps realized from savings elsewhere in the budget, will be necessary to translate these recommendations into reality.

The Division of Mental Health should appoint a Task Force to study systemic service barriers faced by immigrants and should fund the provision of multilingual mental health and related outreach and educational services to New Jersey's immigrant communities.

6. LANGUAGE ACCESS

A. THE SIGNIFICANCE OF LANGUAGE BARRIERS

The health care problem for immigrants has another important dimension. Substantial numbers of newcomers do not speak English well enough to communicate with health care providers. Twenty-six percent of New Jersey's population (over 2 million people) speak a language other than English at home, and 11% (873,088 people) are classified as LEP (limited English proficient).[66] Of this group, 55% speak Spanish and 45% speak other languages.

Communication is the most fundamental element in the relationship between health care professional and patient. Lack of competent interpreting resources has created a health care crisis for LEP people in New Jersey. Lack of language access leads to mis-diagnosis, medical procedures performed without informed consent, and unacceptable delays in the provision of medical care. Moreover, the state is ill-prepared to deal with the potentially catastrophic consequences of pandemics and bio-terrorism because it lacks the means to communicate with a large segment of the population. Common stopgaps, such as use of children, relatives, or neighbors as interpreters, are inappropriate and often unethical. Hospitals run the risk of law suits and civil rights complaints by not paying attention to this problem. According to a recent hospital survey conducted by the New Jersey Office of Minority and Multicultural Health, only 13% of the 58 responding hospitals (out of 122 hospitals contacted) reported having a formal interpreter services department. Eighty percent of respondents had never offered training to medical staff on working with interpreters.[67]

The communication problem in health care is mirrored in other areas of human service. Whether low-income LEP individuals receive desperately needed unemployment insurance, welfare, Medicaid, food stamp, and related services often depends on the linguistic and cultural capacity of government agencies and contract vendors. Whether domestic violence programs and shelters meet the needs of immigrants in crisis hinges on organizational commitment and capacity to serve linguistically and culturally isolated populations. Whether immigrant workers can rely on wage and hours, and health and safety protections depends on the quality of language assistance services. The shortage of competent interpreting and translating services makes it very difficult for LEP immigrants to navigate the social service system, and for the state to honor its obligation to serve all New Jersey residents.

Fortunately, federal law and regulation set clear requirements for health and human service providers in the area of language access. Under Title VI of the Civil Rights Act of 1964, the failure to provide such access is considered a form of national origin discrimination. When a government or private agency receiving federal funds withholds language assistance, it is in violation of Title VI requirements. state law may also be invoked against groups that deny

access. New Jersey's Law Against Discrimination makes it unlawful to subject people to differential treatment based on nationality or national origin.

B. LANGUAGE ACCESS PLANS

An important strategy for state and local agencies, health care institutions, and other human service providers to meet the needs of LEP individuals is to prepare language access plans. As recommended by the Office of Civil Rights of the federal Department of Health and Human Services, such plans should reflect an assessment of community need; describe the corresponding linguistic resources, both internal and external, available to meet the need; outline the procedures to be used in informing LEP clients of language assistance services; review the training requirements for implementing the plan, and explain procedures for periodic plan review and revision. Excellent models have been developed by a number of organizations, including the California Association of Public Hospitals and Health Systems and the Civil Right Division of the United States Department of Justice[68]

Special technical assistance is available to healthcare institutions. The federal Office of Minority Health at HHS has developed standards for the delivery of culturally and linguistically appropriate services (CLAS) and has issued a policy guidance on the subject. The 14 standards cover culturally competent care, language access services, and organizational supports for cultural competence. The Immigrant Policy Project of the National Conference of State Legislatures, in partnership with other organizations, sponsors the DiversitRX web site, which provides links to trainings and model practice reports for health care organizations. The National Health Law Program has identified model programs and practices and compiled and analyzed relevant legislation and regulations on language access found in all 50 states. Finally, the staff of the Office of Minority and Multicultural Health of the New Jersey Department of Health and Senior Services may be available to advise health care institutions on compliance issues. There are ample technical resources and effective models available to all agencies eager to overcome language barriers.

All public and private health and human service agencies receiving federal financial assistance should prepare and implement language access plans.

C. THE STATE'S ROLE IN ENSURING LANGUAGE ACCESS

Meaningful institutional change, however, will not occur without leadership, policy-setting, and enforcement activity on the part of New Jersey state officials. Although New Jersey was in the vanguard during the eighties in developing accreditation standards and testing procedures for court interpreters, the state has lagged behind other states in recognizing the importance of language access services in health care and other settings.

In recent years, several state policy-setting groups have recommended that an interdepartmental approach is the soundest and most cost-effective approach to the problem. In 2002, a study

commissioned by the Illinois Immigrant Policy Project, urged the state to "develop a Cultural and Linguistic Services Plan, which establishes strategic priorities and written policies that institutionalize the state's approach, across agencies and departments."[69] In 2004, the Joint Legislative Audit and Review Commission of the Virginia General Assembly recommended the development of a "state comprehensive plan" for addressing language access needs through the formation of a "secretarial-level committee" under the direction of the Secretary of Health and Human Services and with staffing provided by an "Office of Newcomer Services."[70] After the passage of special legislation in 2002, Maryland also implemented a systemic approach to the problem of language access. Over a four year period, staff of the Maryland Office for New Americans will provide training on language access requirements and strategies to employees of most departments and agencies of state government. The legislation specifies minimal access standards applicable to all agencies dealing with the public and requires the preparation of biennial progress reports.[71] Although language access issues and challenges may vary from one unit of state government to another, it appears as if a comprehensive, multi-departmental approach helps to raise awareness, enforce standards, avoid duplication of effort, and promote resource sharing.

New Jersey should undertake a comprehensive, interdepartmental review of language access policies and procedures and develop a comprehensive state plan for language assistance.

D. THE IMPORTANCE OF LEGISLATION

Legislation appears to be an important tool in any state's effort to achieve meaningful language access. More than 25 states and some local jurisdictions have enacted laws requiring the provision of language assistance services to LEP individuals. California and Massachusetts have the most comprehensive laws.[72] Although New Jersey has some laws and regulations that reference language access, there does not appear to be any overarching legislation that spells out state policy and provides for a coordinated and systematic approach across multiple departments of state government. There seems to be a patchwork quality to many of these measures.

The need for Spanish translation is covered in a number of statutes. For example, a law passed in 2005 authorizes publication of an informational booklet on breast cancer to be produced in English and Spanish.[73] Another 2005 law authorizes the Bureau of Migrant Labor in the Department of Labor to hire Spanish-speaking staff and maintain a roster of certified Spanish-speaking interpreters to assist seasonal workers.[74] Another law requires the Commissioner of Human Services to establish a "comprehensive toll-free, 24-hour social services hotline" staffed by people who speak English and Spanish. None of these laws address the needs of other limited English proficient populations.[75]

New Jersey made a modest effort to address the needs of LEP patients at New Jersey's public hospitals in a 2005 law defining the rights of patients. According to this legislation, patients have the right to expect that hospitals "within their capacity" will make a "reasonable" effort to

respond to a request for an interpreter "if 10% or more of the population of the hospital's service area speaks that language."[76] Compared to threshold requirements in other states (1 to 3% seems to be the standard), and considering the allowances made for "capacity" limitations, this particular statute seems poorly constructed and in need of major revision. It should also be pointed out that thresholds are only intended to trigger specific actions, like the translation of key documents, not to deprive the patient of the right to language access in the first place.

California's legislation, originally passed in 1973 and updated in 2002, covers every state agency directly involved in the furnishing of information or the rendering of services to the public, except state and local educational agencies. The law requires the use of bilingual staff or qualified interpreters whenever 5% or more of the people served by a local office or facility are LEP. The state Personnel Board provides coordination and technical assistance, and all covered agencies must update their plans and report on a biennial basis.[77]

Other states have passed legislation specific to the needs of LEP individuals in health care settings. Emergency rooms have received considerable attention. The availability of an interpreter in an emergency room can make the difference between life and death. A Massachusetts law passed in 2001 requires all acute-care hospitals to provide competent interpreter services in emergency rooms. Implementing regulations issued by the Department of Public Health restrict the use of telephone interpreter services, prohibit the use of minors and discourage the use of other family members as interpreters. Each hospital must designate a coordinator of interpreter services and keep track of the primary languages of all emergency room patients Hospitals may employ bilingual staff, staff interpreters, or contract interpreters; and must ensure that all interpreters have received appropriate training. The state Attorney-General is empowered to enforce the law, and individuals can take legal action if they feel they were denied interpreter services. The Department has also produced a "best practices" manual for the guidance of health care providers. In the State of Rhode Island, recently-passed legislation requires all hospitals, as a condition of continued licensure, to provide competent interpreter services, bars the use of minors under the age of 16 as interpreters, and requires public notices about language assistance services in the three most common languages spoken by patients.[78]

Units of local government have also responded to the language needs of immigrants. In late 2003, the City Council of New York passed and Mayor Bloomberg signed the Equal Access to Human Services Act. Through this act, the city's Human Resources Administration and its contractors will ensure that by 2008 speakers of the city's six most common foreign languages – Spanish, Chinese, Haitian Creole, Arabic, Korean and Russian – "are served as quickly as English speakers in the everyday affairs of the agencies' offices." The city's Office of Immigrant Affairs is currently planning extension of language access regulations to other departments of municipal government.

New Jersey should undertake a thorough review of all its current language access legislation and regulations. New legislation setting uniform standards and accountability procedures should be considered.

E. MEDICAID REIMBURSEMENT FOR INTERPRETERS

One excuse used by New Jersey health care institutions for not providing quality language services is that the state fails to include these services as optional in its Medicaid and State Children's Health Insurance Program. Instead, hospitals and other organizations must provide these services out of their overhead and administrative costs. Thirteen states have passed laws permitting the use of Medicaid funds for this purpose and making modest state investments in improving hospital language access.[79] New Jersey is not one of those states. A consultant's report prepared for the New Jersey Department of Health and Senior Services in 2004 concluded that third party reimbursement "would be the optimal mechanism for ensuring the highest quality of care, greatest patient satisfaction, fewest interpreter errors, least litigation, best patient outcomes, and most cost-effective healthcare for New Jersey's 873,088 LEP citizens."[80] The report went on to recommend that interpreter services be considered a covered service, rather than an allowable administrative cost, in order to draw down a higher percentage of federal support. Finally, the report spelled out a number of other steps that the state could take to improve the plight of language minorities in New Jersey. Thestate Department of Health and Senior Services should heed the advice of its consultants and join other states in allowing third party reimbursement.

New Jersey should permit reimbursement for interpreter services under Medicaid and should appropriate dollars to cover the state share of the program.

F. THE ROLE OF THE ADVOCACY COMMUNITY

The plight of the limited English proficient immigrant in New Jersey will not likely improve without vigorous advocacy efforts. Experience from other states suggests that the climate of indifference and neglect that pervades this area will not change without the mobilization of pro-integration forces behind well targeted enforcement action. The New York City legislation culminated many years of hard work by community groups and the New York Immigration Coalition which filed a complaint with the federal Office for Civil Rights of HSS against welfare agencies in the city In 2004, advocacy groups in California won a comprehensive resolution of their 1999 complaint against the Los Angeles County welfare agency charging that non-English-speaking and non-Spanish-speaking individuals were being denied basic services or being diverted into "the least desirable welfare-to-work activities." [81] Washington State became a leader in language access policy only after a consent decree in 1993 resolving a complaint filed by advocates many years earlier.[82] Formal complaints, however, may be considered a last resort. Many organizations are fully aware of their shortcomings in this area, and will negotiate with advocates for corrective action plans to sidestep legal action. On-going vigilance, however, is required to ensure compliance and to avoid back-sliding. And legislation sometimes provides an important tool in a comprehensive advocacy strategy.

The New Jersey advocacy community should consider the formation of a special task force

devoted to language access issues consisting of grassroots organizations, social service agencies, and legal groups. Such a task force will require professional staffing and a commitment of support from the philanthropic community. Ideally, a multi-agency collaboration would assign key functions to groups with expertise and capacity in specific areas, such as overall coordination, community outreach and education, research and monitoring, and legal work. Much can be learned from work undertaken in other states. For example, tools have been developed in New York to permit advocates to engage in formal monitoring of compliance by local institutions. Often, the results are shared with administrators who voluntarily implement corrective programs without resort to legal action.

Private philanthropy should support the establishment of a project to monitor compliance with relevant federal and state statutes and regulations pertaining to language access and to initiate legal and other actions if necessary.

New Jersey can reclaim its leadership in the field of language assistance services by defining principles and procedures applicable to all units of state government. Beyond the steps outlined above, the state could set standards for interpreters and translators operating in health care and other settings, utilizing models developed by several national professional associations. The state could also contract with community groups for the provision of language services, including the training of bilingual staff within state government and private agencies. A coordinated approach would ensure quality language services and efficiency in the delivery of those services.

7. POLICE/COMMUNITY RELATIONS

IN THE PROCESS OF INTEGRATING immigrants into our society, one of the most critical relationships is that between local law enforcement and members of immigrant communities. The quality of that relationship will have a major impact on the progress of immigrant adjustment.

Much has been written about immigrant perceptions of the police based on home country experiences. Individuals coming to the United States from countries with authoritarian or repressive governments often view the police with suspicion and fear. In less developed countries, police may not deal even-handedly with people and may be tainted with corruption. Thus, many immigrants are not predisposed to view the police positively, especially if they think that the police are hostile to them as immigrants, or that the police will collaborate with federal officials in immigration enforcement activities.

A. THE ROLE OF LOCAL OFFICIALS

Local elected officials and police chiefs bear a heavy responsibility to ensure that police observe the highest professional standards in their interaction with immigrant communities. Police officers risk their lives in the performance of their duties, but are not immune to the anti-immigrant prejudices that exist in the larger society. If such prejudices are allowed to undermine effective policing, the consequences can be tragic in the short term, both for immigrant crime victims and individual police officers, and disastrous in the long term for the goal of immigrant integration.

Leadership is a critical element in the design of effective policing strategies for immigrant communities. Local mayors must set the overall tone and direction of this effort and be willing to make investments in special training and community policing programs, even knowing that the return on those investments may be long-term in nature. When budgets are tight, resources for community policing tend to be shifted to enforcement. Immigrant rights advocates and police can join together in working for adequate budgets for local police departments.

The local police chief is the key official on the ground. His leadership, professionalism and community savvy can make a huge difference. Public safety should be his paramount concern. Through this lens, the chief understands the dire consequences of community estrangement from the police: unreported crime and escalating crime rates. He also knows that efforts to commandeer the police to assist with federal immigration law enforcement could lead to even worse consequences: the diversion of police resources away from the prevention of serious crime, an increase in the incidence of extortion and corruption within police forces,[83] and an

increase in youth gang activity. When federal or state policies threaten to undermine the work of the local police, police chiefs need to speak out clearly, whether in public or behind-the-scenes, whether as individuals or in professional association, to ensure that the public interest is protected.

Police chiefs must use their influence to build strong relations with immigrant communities and to oppose federal efforts to deputize the police to enforce immigration laws.

Effective policing in immigrant neighborhoods begins with the selection process for new officers. Exclusivity in recruitment networks can produce a force unrepresentative of the population being served. An open, transparent recruitment process, with special efforts to recruit officers of immigrant background, can help immensely. While many immigrant children might prefer careers in other fields, a police force receptive to diversity would exert a stronger appeal to some individuals of immigrant parentage.

Pre-service and in-service training is another important area requiring attention. Although many police organizations offer diversity training, the relevance of such training to the challenges faced by police in dealing with immigrant populations is questionable. Information specific to the communities and cultures represented in the community may be missing. Some useful tools, however, do exist, including the video on Arab-Americans produced by the Community Relations Service of the Department of Justice, and the work of the Police Executive Research Forum. However, it is hard to imagine that police could acquire the necessary insights and sensitivity without involving local immigrant community representatives in such training.

B. THE ROLE OF THE ATTORNEY-GENERAL

Especially since September 11, a particularly contentious issue has been the extent to which local police should cooperate with federal authorities in the enforcement of immigration laws. The degree of such cooperation has grown both because of the widespread perception that immigrants, especially those of Arab or Muslim background and/or those who are present in the country illegally, are more likely to commit terrorist acts and also because of the pressure exerted by federal authorities on local law enforcement agencies. Even the debate on racial profiling, an issue that has sparked so much controversy in New Jersey, has taken a surprising turn. As former New Jersey Attorney General John Farmer, Jr. put it, "the ground had shifted overnight," and some of the strongest opponents of profiling in the state were now condoning it, so long as it was directed at rooting out Muslim extremists.[84]

Farmer goes on to argue that the use of the term "racial profiling" is counterproductive "because society has never reached a common understanding of it" and that the police should instead be guided by well-defined standards of police accountability and the "constitutional touchstone of reasonableness." By this standard, immigration law enforcement is of limited effectiveness in

protecting the nation against terrorism, and its overemphasis can actually undermine the larger effort. Good police work requires good community relations, so that immigrant communities become partners in the struggle against terrorism and take their rightful place in the American cultural mosaic.

It is time for the Attorney General of New Jersey, who along with the state's 21 county prosecutors exercises authority over all local municipal police departments, to provide guidance to local police on this issue. The state should affirm that the public interest requires a separation of local law enforcement from immigration law enforcement.

The Attorney General of New Jersey should affirm the vital importance of maintaining good relations between local municipal police departments and the immigrant community and prohibit police involvement in immigration law enforcement except in on-going criminal investigations.

8. BUILDING STRONGER COMMUNITIES

A COMMUNITY IS BUILT ON A NETWORK of reciprocal relationships and a shared sense of identity and purpose. Building the new American community will require the participation of many groups, as well as the dismantling of barriers to social and civic participation that lock immigrants out from the benefits and opportunities available to native-born Americans. One of the biggest barriers lies in the realm of communication.

A. OUTREACH THROUGH RESEARCH

Too many organizations pay lip service to diversity, but do precious little to implement an effective outreach and internal change process that would truly make the organization responsive to the needs of immigrant communities. Often, there is a gap between written policies and on-the-ground realities. Organizations lament the fact that immigrants do not participate in their programs, but fail to understand the range of barriers that must be overcome. Communication is a two-way street. As important as it is for immigrants to understand the human services network, it is equally important for human service professionals to understand the immigrant community. Without such understanding, outreach and service interventions are likely to fall short of the mark. There are many examples, both in New Jersey and elsewhere in the country, of groups that have shown a willingness to listen and learn in a careful and professional way. The United Way of Central Jersey, for example, mindful of the surging numbers of immigrants settling in Middlesex County, funded an in-depth study of the major immigrant communities in the county, using focus groups, interviews with immigrant community leaders, and a literature review. Through this effort, they gained insight into the most pressing needs of immigrants, and were in a better position to develop priorities for future funding. Many of the issues covered in this report would benefit from more in-depth research focused on understanding the lives and concerns of immigrants.

> Immigrant community studies and needs assessments are important tools in the effort to implement effective outreach and service strategies.

B. CREATING A STATE MULTILINGUAL INFORMATION AND REFERRAL LINE

Moving to a new country is often like landing on a new planet. Not only are the rules and systems different, but the immigrant's desire to understand this strange environment is blocked by the wall of language and culture. The wall is highest during the period of greatest vulnerability for immigrants: the early years of settlement in America. In almost all studies of the immigrant population, the work of bringing useful and reliable information to immigrants is stressed as a major need. A bipartisan state commission in Virginia, for example, called attention to this problem in a 2004 report entitled, "Acclimation of Virginia's Foreign-Born Population." The report concluded that immigrants suffer from a "lack of access to basic information on the rights and responsibilities of Virginia's residents and information on how to access needed services and resources." [85] Acting on this recommendation, Fairfax County entered into partnership with the Center for Multicultural Human Services to establish a multilingual information and referral line. The line doesn't simply translate information; it also filters and interprets the information based on its understanding of service capacity, eligibility requirements, linguistic resources, etc. Immigrants view the line as a source of reliable and confidential information. A similar hotline operates in New York State funded by the State of New York and operated by Catholic Charities of the Archdiocese of New York. The New York Hotline has a dedicated, full-time staff of 10 speaking more than 15 languages. New Jersey's immigrants would benefit from a similar service. The possibility of collaboration with the NJ 2-1-1 Partnership, a subsidiary of United Way of New Jersey, should also be explored.

Specialized immigrant information and referral lines help to break down the isolation of immigrants and create links between immigrants and the human service system.

C. IMMIGRANT COMMUNITY WORKSHOPS

Hotline services are no substitute, however, for programs to educate immigrants on topics of vital interest. Usually offered in locations frequented by immigrants, such as churches, mosques, schools, and immigrant service organizations, and targeting members of specific ethnic communities, workshops are usually offered in bilingual format, either using subject area specialists with bilingual skills, or English-speaking specialists working with interpreters. Subjects may include Pre-K-12 education, employment preparation, health care options, immigration law, adult education, and mental health issues. A number of organizations in New Jersey have used this approach effectively. The Hispanic Directors Association has focused on educational issues; the Immigrant Rights Program of the American Friends Service Committee has specialized in legal and civil rights issues; and the International Institute of New Jersey, through its Pathways Program, has focused on general social service issues. All of these organizations struggle to continue their work in an environment of scarce resources and limited public appreciation for this work. Programs such as these deserve to be supported.

The presentation of native language workshops on topics of vital importance to the immigrant community, done in partnership with trusted organizations, is an important outreach and acculturation strategy.

D. CASE WORK SERVICES

As important as these communication techniques are, there is often no substitute for case work services, or one-on-one assistance, especially in communities with large numbers of working class immigrants from similar backgrounds. Such help may be provided by established social service organizations, immigrant self-help groups, or volunteers. Against often enormous odds, several groups in New Jersey have struggled to provide this kind of assistance. However, resources for this kind of work in New Jersey and the rest of the United States are extremely scarce. In this respect, we have much to learn from other major, immigrant-receiving countries. Canada, for example, has established a nation-wide network of agencies to assist newcomers. Unlike the United States, such programs are not limited to refugees only, but encompass the broader legal immigrant community. Funding for these centers is provided by Citizenship and Immigration Canada (CIC), and private organizations like United Way that provide matching funds to support such programs. The City of Toronto alone, including its suburbs, has over 30 such Settlement Centers. Many of the "settlement workers" spend part of their time in schools with heavy immigrant concentration where they run workshops for parents on a variety of topics, respond to questions from parents, and provide guidance in obtaining essential services.[86]

Immigrants often need the help and individual attention of trusted bilingual professionals who can provide information and guidance on a wide variety of questions.

E. IMMIGRATION LAW SERVICES

Beyond general guidance, immigrants often need to interact with skilled professionals with special expertise in certain areas. Nowhere is this need greatest than in the area of immigration legal services. At one or more points in their lives, most immigrants have to confront a massive federal bureaucracy, with labyrinthine rules and regulations, hundreds of complex forms, and few customer service resources. The consequences of any mistake are grave. For the family petitioner, the inability to be reunited with loved ones; for the naturalization applicant, years of delay until citizenship is granted; for the employment visa applicant, the loss of legal status in the United States; and for the asylum applicant, deportation. Although the commercial immigration bar can generally meet the need of affluent immigrants, poor and working class immigrants cannot afford the fees charged by private lawyers, which can range as high as $5,000. Legal aid societies are barred by federal regulations not only from providing immigration legal services but also from raising private dollars to support such work. The only recourse for immigrants is to obtain assistance from nonprofit organizations recognized by the Board of Immigration Appeals to represent aliens in immigration proceedings. The IOLTA

Fund of the Bar of New Jersey is currently providing about $400,000 to support this work through seven non-profit organizations, enough to meet only a small fraction of the need. Clearly, there is a role to be played by state government and private philanthropy in helping to close the gap.

Funding is needed to support the provision of affordable and high quality immigration legal assistance.

F. PROSECUTING IMMIGRATION FRAUD

The inadequate supply of immigration legal services, coupled with high demand, has created an alluring opportunity for shysters and crooks who prey upon the immigrant population purveying misinformation and false hopes in exchange for handsome fees. Desperate people are all too willing to believe the phony advice and quick fixes given out by these predators. Within the Hispanic community, they often represent themselves as "notarios," because notaries in Latin America are generally empowered to handle a broader range of legal matters than they are in this country. In New Jersey, practicing law without a license is treated as a fourth degree felony, and the completion of immigration forms is considered a form of legal practice.

Some states have taken aggressive action to crack down on these elements. The Attorney General of California established an Office of Immigrant Assistance in 2001. The office publishes a consumer guide to immigration fraud in a number of languages, conducts workshops on the subject, operates a special toll-free legal hotline for the immigrant community, and follows up on complaints arising out of California's stringent law to prevent the exploitation of immigrants by notarios and other unlicensed individuals. Texas has also acted firmly to address the problem. The Texas Attorney General also operates a toll-free telephone number to report immigration fraud. A total of 24 groups providing fraudulent legal advice were closed down under the authority of the Texas Deceptive Trade Practices Act during the period from December of 2002, through April of 2005.[87] One scam artist in Houston was penalized $10 million for her predatory and mistaken advice.[88] Recently, the Governor of New York announced a similar initiative to protect immigrants from immigration fraud. The State of New Jersey took a small step to addressing its own home-grown problem when the Committee on the Unauthorized Practice of Law of the New Jersey Supreme Court agreed to accept jurisdiction over immigration law violations in 2005.[89] Obviously, much more needs to be done here.

New Jersey should undertake efforts to educate the immigrant community about the dangers of immigration fraud and should aggressively prosecute those engaged in the unauthorized practice of law.

G. VALUING CITIZENSHIP AND VOTING

One of the most important milestones in the immigrant's life is the swearing-in ceremony for citizenship. Citizenship confers certain rights and privileges, such as the right to vote and hold office, but it also signifies acceptance of the responsibilities of full participation in our society and the molding of a new identity as an American. The process may be less important in a substantive sense but more important symbolically, representing the "mutual embrace" of the immigrant and the larger society. Regrettably, however, there seems to be some hesitation on the part of the American partner! Although the basic requirements for citizenship have not changed in more than 50 years, there are fewer resources available to help immigrants travel the road to citizenship. Nor do we appear to attach the same value to citizenship as we did during earlier periods in our history. The federal government doesn't even send postcards to permanent residents informing them that they might qualify for citizenship after five years as green card holders. The "user fee" for a citizenship application has been raised to $390 (as recently as 1998, it was $95). And applications often take years to be approved.

Still despite these many obstacles, local communities can elevate the process of citizenship to the level of importance that it deserves. Certainly, the kind of English and citizenship education program discussed earlier would make an enormous difference. In addition, a revival of local sponsorship of group swearing-in ceremonies would send an important message of welcome and acceptance. Such events could also be used to conduct voter registration drives. Here and there in New Jersey, some groups are stepping up to the plate. The City of Trenton included a swearing-in ceremony as part of its annual celebration of Patriots' Week, and the New Jersey Association for Lifelong Learning, with support from several civic groups including the League of Women Voters, also sponsored a ceremony and reception for new citizens in Trenton. Several county court systems have also held ceremonies in conjunction with annual Law Day celebrations in May. However, such events are no long held on a regular basis in New Jersey. Here again, we have much to learn from our neighbors in Canada. Ceremonies for new citizens are commonplace throughout Canada. Even local police jurisdictions and public schools sponsor such events on a regular basis. Many of them are held during Canada's annual "Citizenship Week" held every October. For the police, sponsorship of such a ceremony is a way of communicating acceptance and appreciation for the presence of immigrants in the local community. For elementary schools, the citizenship ceremony teaches an important lesson to children about tolerance and diversity. Many more groups in New Jersey should sponsor such events. Interested groups should consider launching a voter registration drive targeting new citizens.

Special ceremonies to welcome new citizens reaffirm American values, and create good will and mutual understanding.

9. OTHER KEY PARTNERS

RESPONSIBILITY FOR IMMIGRANT INTEGRATION is not limited to political leaders and civil servants in Trenton. Other groups can play a vital role in the process. Three key institutions in particular: local government, private philanthropy and the media have major stakes in the success of this effort and can make an important contribution. In addition, immigrants themselves, and in particular the leaders of immigrant associations have responsibilities to the larger community and to their adoptive land.

A. THE ROLE OF LOCAL GOVERNMENT

One of the most important functions of political leadership is to provide hope to people, to articulate a vision of what life can be like in a diverse state, city or community. Leaders of New Jersey's counties and municipalities have a heavy responsibility to create a sense of security and belonging to all residents within their jurisdictions. In time of crisis, a mayor can steer a community towards appropriate response and healing, or towards finger-pointing and division. One only has to think of the able leadership of Mayor Rudy Giuliani in New York City after September 11 or Mayor Ken Livingstone of London after the London subway and bus bombings in 2005.

There are many initiatives that can be taken by local government to improve the lot of newcomers and the quality of inter-group relations in local communities. Several have already been discussed in this paper. However, the range of possibilities for local government is quite large. Some cities and counties in the United States, including Boston, Los Angeles, New York City, and Santa Clara County (California) have established separate immigrant affairs offices. Others make an effort to ensure that city services are accessible to immigrants. Some cities, including Trenton in New Jersey, have issued executive orders requiring that municipally funded services be made available to residents without regard to immigration status.[90] Others work to ensure that immigrants are represented on advisory bodies. Even symbolic gestures, such as hosting receptions for immigrant community members on special occasions, can help to improve the climate of relations between immigrants and the larger community.

One of the more challenging issues facing local officials in some New Jersey communities is how to handle overcrowding in local housing, a phenomenon sometimes called "stacking." A recent report by the National Low Income Housing Coalition found that New Jersey is the fourth most expensive state in the nation for rental housing, and that more than half of New Jersey workers cannot afford to rent a modest, two-bedroom apartment. [91] As more and more immigrants bypass the cities to live and work in the suburbs, more and more suburban communities are grappling with the shortage of low-income housing. In exercising their

responsibility to enforce municipal housing codes, local leaders must weigh health and safety considerations against the hard fact of inadequate affordable rental housing and the possible consequences of displacement, including homelessness and stacking in other locations. It seems clear that this problem should not be treated in isolation from the broader social forces that have caused it, and that immigrants should not be made the targets of selective enforcement. Here again, local officials can show wise leadership, working with and not against community leaders, and searching for broader solutions that address the root causes of the problem.

Municipal and county government can engage in a variety of activities to make newcomers feel welcome and to speed their integration into the community.

B. THE ROLE OF PRIVATE PHILANTHROPY

In addition to local government, private philanthropy can help to bring about a more welcoming and inclusive society. The absence of large-scale federal investments in immigrant integration leaves a huge vacuum that the charitable sector can help to fill. In an important recent report on immigrant civic integration, the Carnegie Corporation stressed the critical importance of new investments by the private sector and gave examples of how such investments are producing positive results elsewhere in the Untied States.[92] Despite the diverse giving priorities of New Jersey's charitable sector, there are few philanthropic organizations that could not fit immigrant-related causes into their regular mission. Around the country, foundations are responding to this need and supporting integration initiatives. The Colorado Trust, for example, recently made a three-year financial commitment to endow the position of "Immigrant Integration Coordinator" in ten Colorado counties.[93] The Community Foundation for the National Capital Region formed a consortium of 11 local and 8 national foundations to respond to the needs of the growing immigrant population in the greater Washington, D.C. area.[94] The consortium is currently spending about $1 million per year on various projects, including an effort to strengthen the capacity of local immigrant serving organizations.

With its finger on the pulse of the local community, United Way can play a particularly useful role. In the Greater Toronto area, United Way organizations have defined newcomer services as a priority community need and are giving special attention to programs designed to improve immigrant access to existing services, and to reach isolated and under-served immigrant women and seniors. Many United Ways support immigrant and immigrant service organizations around the country.

According to Gary Lamarche, Director of US Programs for the Open Society Institute, the philanthropic community needs to perceive immigration in a different light, "not a special interest or funding niche," but rather, as "a core social, economic, political and human rights issue in every corner of the country." [95] In a certain sense, every issue is an immigrant issue, from education to health care to mental health to youth development to women's issues. But

perhaps the most important issue of all is to build a public information and advocacy infrastructure to counteract the growing influence of anti-immigrant hate groups. Clearly, there is a huge need for organized philanthropy to support this work.

The resources of private philanthropy need to be directed to the challenge of immigrant integration.

C. THE ROLE OF THE MEDIA

The media must also do its part. The code of ethics of the Society of Professional Journalists has strict rules against the stereotyping of ethnic, racial and other groups, and the misrepresentation of opinion as fact. Leaders of anti-immigrant groups have become adept at positioning themselves as experts on immigration matters, conducting letter-writing campaigns, and blasting op-eds. Journalists need to ensure that they are achieving accuracy and balance in their immigration coverage, and not providing a platform for hate and extremist groups to disseminate propaganda. By and large, New Jersey can be proud of the fairness of the reporting on immigration subjects by the state's print media. Perhaps, a recent editorial in The Winston Heights-Herald said it best, "It's one thing to raise responsible concerns about illegal immigration; it is, after all, illegal, and a strong argument can be made for government at all levels taking appropriate action to uphold the law. But there's a world of difference between taking a hard line on this issue and using it as a platform for the kind of extremist, xenophobic, racist ranting that far too many people seem to find both convenient and comforting." [96]

The media should ensure fairness and balance in its coverage of immigrant issues.

D. THE ROLE OF IMMIGRANT LEADERS

Although this report focuses on the role of state and local government and the civic sector in the integration process, it is important to remember that immigrant leaders, immigrant organizations, and immigrants themselves play an important role in the process. Throughout American history, immigrant organizations of various types, e.g. religious congregations, mutual assistance associations, cultural groups, have mediated between individual immigrants and the larger society. As one commentator put it, "organizations of immigrants are the expression of mobilized resources and ambitions" and work to promote integration "at the collective level."[97] To the extent that immigrant adjustment is a communal process, immigrant organizations and their leaders can play a vital educational role, interpreting and explaining the larger society to newcomers, and communicating the needs and concerns of immigrants to those outside the immigrant community. Through this mediating role, alienation and conflict are reduced, a common civic culture and national identity are promoted, and entire communities find their place in the American social landscape. New Jersey has some excellent examples of organizations

working in this manner, including the Islamic Educational Center of North Hudson, Pakistanis for America, the Vietnamese American Community Association, and many others.

The role of immigrants themselves in the adaptation process cannot be overemphasized. Often, the people who interact most often with new immigrants are other immigrants who arrived earlier, or the grown-up children of an earlier generation of immigrants. This was true, for example, with many southern and eastern European immigrants in the early 20th century, whose first exposure to "American" culture was through the Irish.[98] It is the same today as new Latino immigrants from Central and South America, for example, interact with Cubans who arrived a generation ago and their children.

Immigrant community organizations are important partners in the process of immigrant integration. Leaders of such associations should understand and effectively carry out their mediating role.

10. MOBILIZING FOR COMMUNITY CHANGE

DESPITE HAVING THE THIRD LARGEST concentration of immigrants in the country, New Jersey has *not* been in the forefront of efforts to provide equal opportunity for immigrants and to ensure their successful integration into our society. Immigrants have provided the human capital to power the development of New Jersey's economy. They have helped to revitalize our cities and to enrich our shared cultural heritage. Yet many immigrants face enormous hurdles in their quest to achieve the American Dream. In addition to the challenges discussed in this report, a climate of suspicion stemming from the September 11 attacks threatens to erode communal relations and social peace. Any new terrorist attacks on American soil would further poison the climate in the country. All New Jersey residents stand to gain by recognizing these challenges and by supporting public policies designed to help newcomers overcome them. Providing equal opportunity to all New Jersey residents, whether native-born or foreign-born, is the best strategy for continued social harmony and economic prosperity. In light of the many shortcomings outlined in this report, how can the civic sector in New Jersey and the various departments of state government become more effective in addressing the needs and concerns of immigrants?

A. CIVIC SECTOR MOBILIZATION

Effective leadership is a vital element in the process. Those who are committed to the goal of immigrant integration must learn to work together effectively and to apply lessons learned from related work done both here in New Jersey and elsewhere. One important lesson is that the circle of leadership should be drawn as widely as possible. A major conclusion of the "Building the New American Community" project was that local coalitions should seek non-traditional partners, moving beyond the "usual suspects" to include representatives of business, government, private philanthropy, faith-based organizations, and neighborhood associations.[99] Immigrant advocates need to remember that they represent the interest of the entire society, and not just another special interest group. If they act accordingly, they will systematically broaden their base. They will also become a visible and vocal presence in larger coalitions working to advance a broader social agenda.

Immigrant adjustment should also not be a partisan issue. Republicans and Democrats, so-called conservatives and liberals, as well as people without party affiliation, can join together in support of a program with solid historical precedent and roots in our most cherished values and traditions. One of the leading current champions of an immigrant integration agenda is New Jersey resident Tamar Jacoby, Senior Fellow at the conservative

Manhattan Institute, and editor of a recent book on immigration and American identity in the 21st century.[100] Her words deserve attention here:

"There is much the mainstream can and should do to encourage immigrant integration – first and foremost, making the American educational system work for today's newcomers as it worked in the past for an earlier influx. Also necessary over the long haul: plentiful economic opportunity, real access to political power and a meritocratic ethos like the one that allowed wave after wave of previous outsiders to climb the ladder of success in America. But ultimately, nothing will be more important than sustaining a culture of inclusion: the culture of *e pluribus unum* that has made it possible for generations of newcomers not only to join the mainstream but, despite their difference, to feel that they belong."[101]

The future of the nation's immigrant population is fast becoming one of the greatest civil rights and human relations challenges facing the United States. Important allies in this effort will be members of the African-American community, who understand the devastating effects of discrimination and de-humanization. In other parts of the country, African-America leaders and immigrant advocates are joining forces to combat the bigotry and discrimination that has tarnished the nation's reputation as a country committed to freedom and opportunity. The Congressional Black Caucus, for example, has gone on record in support of a legalization program for undocumented immigrants and in opposition to a new guest worker program that might drive down living and working standards for all Americans.[102] In New Jersey, the state NAACP has lent its support to a number of immigrant-friendly initiatives.

Immigrant advocates should seek allies from a wide array of groups sharing similar values and goals.

Most of the states and localities that have seen the most success in promoting immigrant integration are those with strong and effective immigrant coalitions. Adequate funding and staffing, as well as effective management are critical to the development of such coalitions. Many strong coalitions exist in areas of high immigrant concentration, e.g. The New York Immigration Coalition, the Illinois Coalition for Refugee and Immigrant Rights, the Massachusetts Immigrant and Refugee Advocacy Coalition, and The Coalition for Humane Immigrant Rights of Los Angeles. But new coalitions are cropping up in unlikely places, e.g. states like Iowa, Mississippi, Nebraska, and Tennessee, where immigrant populations have soared in recent years. The major coalitions have budgets in the range of $2 million dollars supporting a variety of program activities.

New Jersey's state coalition, called the New Jersey Immigration Policy Network, has been in existence for over 20 years. Begun as an all-volunteer group, the Coalition hired its first paid staff member in 1990. The Network's survival owes much to the commitment and hard work of many dedicated people and groups. However, the Network still operates on a shoe-string budget of about $300,000 and has yet to realize its full potential as a collective voice for immigrants and

catalyst for change in the state. Public and private investments in the development of the Network would be immensely helpful.

New Jersey has other groups that are working to promote collaboration and to advance issues discussed in this report. The American Friends Service Committee, for example, based in Newark, has provided training to emerging immigrant leaders and has developed a list-serve on immigrant rights issues. The Hispanic Directors Association has commissioned a series of useful studies focusing on access issues facing the Latino community. In developing its program and strategies, the Network should take advantage of the strengths and resources of participating organizations.

The Network must also reflect the diversity of the immigration population itself. A useful model is provided by the Illinois Coalition which recognizes that different approaches must be followed for the three broad categories of immigrants: undocumented, legal permanent residents, and naturalized immigrants. Focusing on one category to the neglect of the others would be a strategic blunder. A state coalition should also devote substantial attention to state and local issues, allowing national coalitions to take the lead on immigration policy issues. Finally, the coalition must not allow itself to be torn apart by ideological differences, institutional conflicts, or personality clashes. To handle such potential problems, a clear but democratic process for decision-making must be developed and followed.

New Jersey's state-wide immigrant coalition must have clarity of mission, broad support, well-defined and achievable objectives, effective process, and sustainable funding.

B. PUBLIC SECTOR MOBILIZATION

How can the perspective and needs of immigrants be reflected in the policies and programs of state government? A modest first step would be to create a mechanism for immigrant input into state policy-making. One useful model is provided by the State of Maryland which established a 15-member Maryland Advisory Council for New Americans (MACNA) in 1994. Appointed by the Governor and managed by the Maryland Office for New Americans, members of the Council are broadly representative of Maryland's immigrant communities. Similar advisory councils exist in many other states.

The Governor should create a New Jersey Advisory Council on New Americans charged with identifying problems facing new Americans in New Jersey and helping to develop appropriate responses. Members will brief legislators and policymakers on issues of concerns to newcomers, and will be broadly representative of the major immigrant communities in the state.

Immigrants and friends of immigrants in the state legislature should emulate their colleagues in neighboring states and organize a caucus to advance an immigrant integration agenda. In New York, the Legislative Task Force on New Americans has spearheaded the introduction of many important bills addressing immigrant issues. The Task Force has also co-sponsored an annual Immigration Day in Albany, when immigrants and advocates from around the state have an opportunity to speak to legislators about issues impacting the immigrant community.[103] Until a caucus can be formed, a core group of legislators must provide leadership in this area. In other states with large immigrant populations, such leadership has been a critical factor in instituting important reforms. New Jersey's Black and Latino Caucus can serve as a model, or possibly as a catalyst for dialogue and problem-solving. An Immigrant Issues Caucus could operate independently or as a special interest group under the auspices of the Black and Latino Caucus.

The State Legislature should establish a joint Caucus on New Jersey Immigrants and Refugees to produce recommendations for legislative initiatives to promote the integration of new Americans.

One of the first steps to be undertaken by the legislature should be the establishment of an Office of Immigrant Affairs. New Jersey is the only state with a substantial immigrant population lacking such an office. The office should be invested with sufficient dollars and authority to coordinate integration efforts through all departments of state government and to spur integration efforts within local communities. The office would serve as a training and technical resource for state government on immigrant-related issues and would coordinate state government compliance with Title VI requirements for meaningful language access. In addition, it would recommend policies and programs to help immigrants achieve rapid self-sufficiency and manage a grant program to promote immigrant integration (see below). Other functions of the office would include managing federal grants related to immigrant integration, commissioning studies or reports on immigrant policy issues, providing staff support to the Advisory Council on New Americans, and providing advice and assistance to local government on immigrant-related issues.

The new office should be shielded from political interference and should be staffed by individuals with experience and expertise related to its work In other states, including Illinois, Maryland, Massachusetts, and New York, such offices are housed within human service departments and are linked together with the federally funded refugee assistance program. One solution would be to group together the refugee program and the newly-formed Office of Immigrant Affairs into a larger Bureau of Immigrant and Refugee Affairs. Another possibility would be to combine the Office of Immigrant Affairs with the Center for Hispanic Policy, Research and Development within the Department of Community Affairs. In neither case would the current limited appropriations for these pre-existing programs, whether federal for the refugee program or state for the Center for Hispanic Policy, Research and Development, be available to meet the needs discussed in this report.

The State Legislature should establish an Office of Immigrant Affairs within the Department of Human Services or another appropriate department.

The effectiveness of such an office will be commensurate with the fiscal and human resources available to it. Although budgetary pressures limit the availability of new dollars, the potential for overall savings, through the elimination of duplicated outreach efforts and wasteful spending, is great. The gain to New Jersey through enhanced human productivity, reduced social conflict, and lower legal liability will far outweigh the needed investment of dollars.

Although the mix of services provided by the Office may change over time, the following are three critical areas of need:

English Language Acquisition and Citizenship Assistance: One of the most important functions of the Office of Immigrant Affairs will be to promote the full participation of immigrants in the life of the community. Immigrants must be given the opportunity to learn English, understand our nation's political traditions and freedoms, and qualify for citizenship. A major state investment in citizenship education and preparation will produce rich dividends in the future. Immigrants will know that they are welcomed and appreciated, they will emerge from linguistic and social isolation, contribute their talents and energies to the betterment of our state, and acquire a strong stake in the future of our society. Through grants to qualified, community-based organizations, the following services will be provided:

- Classes in English as a Second Language and Citizenship
- Dissemination of information about class locations and schedules
- Outreach to potential new citizens
- Community workshops on immigration law
- Assistance with preparation of citizenship applications
- Legal review of applications
- Training on immigration law and procedure
- Preparation of studies and reports
- Promotion of community swearing-in ceremonies

The overall goal of such a program would be to provide English instruction to as many as10,000 adults and to naturalize 10,000 immigrants per year. The program would encourage collaborations between community groups, local educational agencies, and legal service organizations.

Outreach and Language Assistance Services: With 11% of its people unable to communicate effectively in English, New Jersey must do more to bridge the language and cultural barriers that separate immigrants from essential services. Our review of state compliance with Title VI requirements for meaningful language access shows serious problems across all departments.

Moreover, immigrants tend to be uninformed or misinformed about their eligibility for safety net and other programs. A coordinated, interdepartmental approach would eliminate duplication and promote greater efficiency. Not only might the state begin a comprehensive internal review process leading to the development of common standards and procedures, but outside agencies could be engaged to provide community outreach, staff training and interpreting and translating resources. A useful model is provided by the Outreach and Interpretation Project of the Illinois Bureau of Refugee and Immigrant Affairs. Grants should be provided to:

- Provide training to bilingual staff in interpreting standards and requirements
- Provide training on Title VI requirements
- Provide information and referral services to immigrant families
- Provide quality interpretation and/or translations services
- Translate multilingual publications
- Disseminate multilingual materials to immigrant populations

Policy Analysis: The impact of immigration on New Jersey is extensive. Many activities of state government are intertwined with immigration issues, which are very often complex and controversial. A budget should be established to conduct in-depth studies of issues of importance to the state. Among issues that might be addressed in such studies are: drivers licenses, police-community relations, and workforce development issues.

The staffing pattern for the new office would likely include the following positions: Executive Director, Executive Assistant, Director of Outreach and Language Access Programs, Director of Educational and Citizenship programs, Training Director, Grants Administrator, and a number of support positions.

The Office of Immigrant Affairs should have an adequate budget in order to provide effective leadership and support to integration efforts within the State of New Jersey.

One final step deserving consideration would be the establishment of a liaison position within the Governor's Office dealing with immigrant issues. Such a position would help to formulate overall policy, serve as a communication bridge between departments, and facilitate interdepartmental resource sharing and collaboration. The Governor of Illinois recently created such a position which might serve as a model for New Jersey. The existence of such a position does not substitute for an Office of Immigrant Affairs; rather it helps to give the office shape, support, and direction.

Consideration should be given to the establishment of a policy position within the Governor's Office devoted to immigrant affairs.

11. CONCLUSION

IMMIGRANTS FACE MANY BARRIERS in their adjustment to a new society. Some barriers, like language and culture, are concomitants of their experience as transplanted people. Through perseverance and hard work, they can be transcended and overcome. Throughout New Jersey's history, immigrants have struggled to succeed. Those with resources and education have often made remarkable progress in a relatively short period of time, while less advantaged immigrants have made only modest gains; for them, "success" might often take several generations. Often immigrants confronted the hostility of native-born Americans, who treated them as scapegoats for all the nation's problems. As classic "outsiders," they could always be excluded from the circle of belonging, even though they often embodied the very values and characteristics that have come to be associated with America: optimism, inventiveness, hard work, and commitment to freedom and democracy.

Contrary to popular belief, few immigrants made it on their own. A vibrant charitable sector often cushioned the shock of adjustment to a new society. Ethnic fraternal and religious associations often helped in time of crisis or acute need. And government at all levels, often motivated less by altruism and more by concern for national unity in times of foreign threat, intervened to speed the process of adjustment. The descendents of immigrants often fantasize about the degree of rugged independence displayed by their ancestors. The truth is much more complex and much more human.

The world is a very different place today. The force of globalization is feeding the growth of world migration, at the same time that many sectors of the American economy are suffering major job losses. The security of Americans, even with two oceans of protection, has been shattered by the attacks of September 11 -- carried out by foreigners on American soil. Immigrants continue to contribute their talent, creativity, and labor to New Jersey's economy, but the immigration system seems to be broken, as evidenced by the growing numbers of unauthorized immigrants. These conditions are fueling a rising tide of xenophobia, which threatens to undermine the core values and traditions that have enabled us to realize the national motto *e pluribus unum* – out of the many, one. New Jersey has an opportunity to reclaim its leadership in the great social enterprise of immigrant integration, or it can watch as the social fabric unravels, and hatred and despair replace the tolerance and dynamism of the past. Although there is room for legitimate difference of opinion over questions of admissions policy and border control, there should be little argument over the importance of creating an equal playing field for all Americans, both new and old.

RESOURCES

THE FOLLOWING ORGANIZATIONS CAN PROVIDE helpful information and resources on immigrant integration policy:

EDUCATION LAW CENTER

ELC advocates on behalf of New Jersey's public school children for access to an equal and adequate education under state and federal laws. The Center's work is based on a core value: if given the opportunity, all children can achieve high academic standards to prepare them for citizenship and to compete in the economy. For more information, go to: www.edlawcenter.org.

GRANTMAKERS CONCERNED WITH IMMIGRANTS AND REFUGEES

GCIR seeks to move the philanthropic field to address the needs of the world's growing and increasingly diverse immigrant and refugee populations. GCIR members work on a wide range of issues including education, health, employment, civic participation, and immigrant integration. Some have longstanding immigrant-specific funding initiatives, while others incorporate the immigrant and refugee dimension into their core grant making programs. For more information, visit: www.gcir.org.

HISPANIC DIRECTORS ASSOCIATION

The association analyzes and reports on issues of importance to the Hispanic community in New Jersey and serves as an umbrella organization for 30 local Hispanic social service agencies. Further information may be found at: www.hdanj.org.

INTERAGENCY WORKING GROUP ON LIMITED ENGLISH PROFICIENCY

This federal task force was created to build awareness of the need and methods to ensure that limited English proficient persons have meaningful access to important federal and federally assisted programs, and to ensure implementation of language access requirements under Title VI, the Title VI regulations, and Executive Order 13166 in a consistent and effective manner across agencies. The working group web site is: www.lep.gov.

LEGAL SERVICES OF NEW JERSEY

LSNJ coordinates the system of non-profit corporations that provides free civil legal assistance to low-income people in all 21 New Jersey counties, with nearly 500 staff and a network of pro-bono attorneys. LSNJ staff members have expertise in areas such as immigrant worker rights, language access, and deportation law. For additional information, go to: www.lsnj.org

MIGRATION POLICY INSTITUTE

MPI is an independent, non-partisan think tank dedicated to the analysis of the movement of people worldwide. The Institute provides analysis, development, and evaluation of migration and refugee policies at the local, national, and international levels. In 2005, the Institute convened an "Independent Task Force on Immigration and America's Future." One of the four goals of the Task Force is to produce policy recommendations to promote the "social and economic integration of newcomers" in the United States. Informational resources assembled by the Institute may be found at: www.migrationinformation.org. Information about the Institute itself may be found at: www.migrationpolicy.org.

NATIONAL CONFERENCE OF STATE LEGISLATURES

The Immigrant Policy Project of the NCSL provides legislative research and analysis on immigration policy issues, such as the provision of benefits, health care, education, housing, and general integration assistance. Additional information may be found at: www.ncsl.org/programs/immig.

NATIONAL EMPLOYMENT LAW PROJECT

NELP is a nonprofit policy advocacy and legal organization based in New York City. NELP has advocated on behalf of immigrant, low-wage and unemployment workers and is particularly concerned with assisting these workers in overcoming barriers to employment and government systems of support. For further information, go to: www.nelp.org.

NATIONAL HEALTH LAW PROGRAM

The NHeLP is a national public interest law firm that seeks to improve health care for America's working and unemployed poor, minorities, the elderly and people with disabilities. NHeLP serves legal services programs, community-based organizations, the private bar, providers and individuals who work to preserve a health care safety net for the millions of uninsured or underinsured low-income people. The organization has done important work in researching and identifying model programs to serve limited English proficient people. The web site is: www.healthlaw.org.

NATIONAL IMMIGRATION FORUM

Based in Washington, D.C., the Forum works with a wide range of allies – immigrant, ethnic, religious, civil rights, labor, business, state and local government, and other organizations – to promote a new vision of immigration policy. The Forum advocates for policies that are consistent with global realities, foster economic growth, attract needed workers to America, and protect the rights of workers and families. The Forum also builds support for public policies that welcome immigrants and refugees and are fair and supportive to newcomers in the United States. Additional information may be found at: www.immigrationforum.org.

NATIONAL IMMIGRATION LAW CENTER

NILC is dedicated to protecting and promoting the rights of low income immigrants and their family members. The organization has special expertise on immigration, public benefits, and employment laws affecting immigrants and refugees. Its knowledge of the complex interplay between immigrants' legal status and their rights under U.S. laws is an important resource for legal aid programs, community groups, and social service agencies across the country. The organization's web site is: www.nilc.org.

NEW JERSEY ASSOCIATION FOR LIFELONG LEARNING

NJALL is a professional association of adult educators in New Jersey. The Association promotes communication and policy development on a wide range of issues of importance to teachers and administrators concerned with advancing adult literacy. More information may be found at: http://easternlincs.org/njall/

NEW JERSEY IMMIGRATION POLICY NETWORK

NJIPN is a broad-based, statewide coalition dedicated to a fair and humane immigration policy that ensures respect, dignity and justice for all newcomers to the United States – a policy that uplifts the life of the community as a whole. The network focuses on grassroots-driven advocacy, policy development, and legislative initiatives and also serves as a clearinghouse for information, provides publications, technical assistance and professional training. Further information may be obtained at: www.njipn.org

NEW JERSEY TEACHERS OF ENGLISH AS A SECOND LANGUAGE/NEW JERSEY BILINGUAL EDUCATORS

NJTESOL/NJBE is an association of educators and administrators dedicated to the instruction of students of limited English proficiency at all levels of public and private education. Its interests include classroom practices, research, curriculum development, funding, employment and socio-political concerns. The web site is: www.njtesol-njbe.org.

URBAN INSTITUTE

A nonpartisan think tank devoted to social and economic policy, the Urban Institute has produced a series of studies exploring various facets of immigration to America, including settlement patterns, immigration incorporation into the labor market, and the integration of immigrant families and children. For further information about the Institute's Immigrant Studies Program, see: http://www.urban.org/toolkit/issues/immigration.cfm#about.

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