

Summary of Conference Call

U.S. Immigration and Customs Enforcement
Advisory Committee on Family Residential Centers
Subcommittee on Education
May 17, 2016

The U.S. Immigration and Customs Enforcement (ICE) Advisory Committee on Family Residential Centers (ACFRC), Subcommittee on Education convened for its weekly meeting on Tuesday, May 17, 2016, via teleconference from 12:00 P.M. to approximately 12:30 P.M. The purposes of the meeting were to review the subcommittee's matrix and to continue discussing potential recommendation topics.

Attendance:

Subcommittee Members Present for the Teleconference:

- BethAnn Berliner
- Anadora Moss
- Michelle Brané

Others Present:

- John Amaya, Deputy Chief of Staff, ICE; Designated Federal Officer (DFO), ACFRC
- Maryam Ali, Special Assistant, ICE

Opening Remarks:

Chair BethAnn Berliner conducted the standard roll call. Vice Chair Anadora Moss informed the group that she could only stay on the teleconference until 12:30 P.M. due to her responsibilities as an instructor at the National PREA Resource Center's (PRC) PREA Auditor training.

General Meeting:

Chair Berliner began the meeting by noting that she had just participated in the subcommittee Chairs call, and each of the Chairs expressed struggles with compiling their list of additional questions and requests for information. She stated that the group was a little bit ahead of the other subcommittees, which still have not officially submitted their requests.

Chair Berliner then informed the subcommittee that she offered to consolidate the group's questions into more detailed queries for the ICE staff to send through the review process. However, she added that she did not think this would be a good use of the limited time left. The Chair said the subcommittee has a very thin evidence-base to go on, so she thinks the group should just move forward with what they consider best practices. If the subcommittee ultimately receives more information that suggests practices are already in place and do not need to be strengthened or further examined, members can go back and delete recommendations, she said.

Michelle Brané said she was okay this approach. She also said that she wanted to be sure that ICE did not hold off on giving whatever information is available as it is available in regards to

the additional requested information. Ms. Brané said that from her past experiences with various government entities, she knows agencies will hold onto everything until the information can be delivered in one package. She stated that even getting information in drips and drabs would be better than waiting for an extended period of time and then not getting anything. Chair Berliner agreed with this sentiment, and Special Assistant Maryam Ali said their thoughts were noted.

Ms. Brané continued that it would also be helpful to receive background and information even if the response is slightly different from the way the subcommittee worded a question. Again pointing to previous experiences, she said that sometimes people look very literally at the way a question is framed and will not provide information, though there is an answer that might satisfy the question, because it is not framed in the exact same way. Ms. Ali said she was sure that whatever relevant information is available will be given to the subcommittee.

Vice Chair Moss then then asked about speaking to an ICE staffer attending the PRC PREA Auditor training. She said she thought many of her questions regarding where the thinking is with the family residential centers (FRCs) and the Department of Homeland Security's version of PREA implementation could be answered, if she talked to the ICE staffer. The Vice Chair asked if it would be okay for her to speak with the employee. Ms. Ali explained that because this individual is an ICE staffer, that conversation would have to take place within the subcommittee meeting; a one-off conversation would not be permitted. She added that ICE could facilitate including the staffer on a subsequent subcommittee call, if Vice Chair Moss provided her name.

Ms. Brané said she was a little confused by this answer, noting that Vice Chair Moss would be speaking with this ICE employee anyway in her professional capacity and independently from the Committee. Ms. Ali stated that she understood that the Vice Chair would be engaging with the staffer in her professional capacity and that was fine as long as the conversation did not touch on the Committee or its tasking. Ms. Brané said it seemed as though the parameters curtailed the Vice Chair's ability to have what would be a natural conversation in her professional capacity. Ms. Ali reiterated that Vice Chair Moss was not being asked to inhibit her regular conversation, but to hold off on any questions and/or conversations that would be specific to the tasking. Vice Chair Moss agreed with Ms. Brané that she would be having these sorts of conversations anyway, but said she would stay away from specifically discussing family detention.

Moving the conversation to the topic of the group's matrix, Chair Berliner said the goal is to continue populating the document with best practices and knowledge to build out a complete set of recommendations for the subcommittee to agree on and at some point do a thorough read through of what is listed. The Chair asked members if they thought the matrix was becoming unwieldy as more information was added to it and flagged that she wanted to get a few more rows assigned to individual members who would own doing a deep dive on the issue. Vice Chair Moss and Ms. Brané said they were fine with the format of the matrix.

Chair Berliner said that ideally each week going forward she would like for the subcommittee to take what is color-coded in the matrix and talk through the text to reach consensus. When consensus is reached, the text will be converted to black. She said another option could be to convert everything currently in the matrix to black, take the next two weeks or so to add more

information using the color-coded system, and then at that point stop adding to the document and do a thorough read of it. The Chair, noting that it seemed premature to convert anything during this meeting, asked the group to provide their feedback on what they believed was the best method to track new additions and start moving toward firming up recommendations.

Ms. Brané said she could commit to reviewing the full matrix by Thursday (May 19) morning and provide any additional thoughts. Vice Chair Moss said she had read through the document pretty well and made a couple of comments. Chair Berliner asked if there was anything currently in the chart that gave them pause or if it was working. Both Vice Chair Moss and Ms. Brané stated there was nothing in the matrix that was concerning.

Given that everyone was in agreement with what was on the chart, the Chair then asked if she should go ahead and change all of the text to black, and members said yes. Chair Berliner said she would send the updated matrix to everyone following the meeting, and anything added after the updated chart was shared should be color-coded to denote that it is new information.

The Chair then shifted the discussion to some of the issues in the matrix that still need to be refined and owned by a member of the subcommittee. One of the issues was special education as it pertains to provision of services and eligibility. Chair Berliner said that despite having done some projects on special education and being published in the area, she did not consider herself an expert in this field. She asked Vice Chair Moss and Ms. Brané if either of them wanted to tackle the subject.

Ms. Brané said she would be happy to own it from a layman's perspective, stating that special education is not an area she is very familiar with either. Vice Chair Moss said she would be willing to look at the issue in the context of the family detention setting. Chair Berliner suggested that recommendations in this field could center on information provided by ICE and compliance with the Individuals with Disabilities Education Act. She said rather than doing a deep dive, the group could leverage the basic information and practices that are available.

On the subject of parent engagement in school, Chair Berliner said she could own it. Vice Chair Moss said she could assist with looking at the topic from the orientation perspective, given her interest in how people are oriented as they come into FRCs. Ms. Brané added that she could provide some insight based on her work with undocumented children and their reports on access to education.

Grade-level placement was another issue the Chair said would be complex to address. Ms. Brané stated that it might be worth looking at how grade-level assessments are handled at the Berks Family Residential Center (Berks). She stated that when her organization reviewed Berks years ago, it appeared the educators at the residential center were doing quite a good job. She said they were using a Pennsylvania state program that assessed children's levels and then provided matching education plans.

Chair Berliner said that based on available evidence, it appeared the teachers at the FRCs are well-trained to conduct assessments to place children in the appropriate grade levels. The bigger issue, she continued, is when there are students who are over age, but have a very low-level

grade level. She said over age is one of the biggest predictors for dropping out. Ms. Brané concurred that this was a major issue, pointing out that along with affecting dropout rates, being over age has also caused some schools to refuse to enroll children.

Chair Berliner said that devoid of having information, the subcommittee could concentrate on making sure that there is a transition where a child, regardless of grade-level performance, is put in a school environment where they can strengthen their skills before they are actually placed in a grade. Ms. Brané agreed, and Chair Berliner asked her if she would like to take the next week to think about fleshing out the topic. Ms. Brané responded that she could think about it and share any ideas that develop. The Chair reiterated her concept of a transition period for students, and she suggested that there could also be a recommendation about ensuring that students who are over age for grade level are not put into dead end alternative programs as a default. Ms. Brané said providing information to parents and students about their rights and what their options are in their new community could also be helpful.

Vice Chair Moss mentioned that it was nearing time for her to depart the call. Chair Berliner asked her to agree to take ownership of at least one more row before her departure. The Vice Chair said she would be happy to add to the detention and immigration process recommendations and tackle the issue of awareness about trauma triggers for mothers and children in detention.

Chair Berliner then asked that everyone continue to push over the next two weeks to populate the matrix as much as possible. She said that after this push, the subcommittee could turn the corner and begin the process of setting the content, refining it, deleting things, and helping each other sure up their recommendations row-by-row. Vice Chair Moss said this plan made sense to her, and then she left the call.

Ms. Brané, still on the line, said she did not have any further issues to cover. With no additional issues to discuss, Chair Berliner adjourned the meeting.

Adjournment:

The subcommittee adjourned at approximately 12:30 P.M.