



Bridging Refugee Youth & Children's Services

Refugee Children in U.S. Schools: *A Toolkit for Teachers and School Personnel*



Tool 1: The Birthdates of Refugee Children and the Impact on Grade Placement

To access the entire Toolkit, visit: <http://www.brycs.org/publications/schools-toolkit.efm>

*BRYCS is a project of USCCB/MRS and is supported by the U.S. Department of Health and Human Services,
Administration for Children and Families, Office of Refugee Resettlement. Grant No. 90 RB 0022.*

The Birthdates of Refugee Children and the Impact on Grade Placement: Frequently Asked Questions

For many years, schools have struggled with determining what to do with refugee students who arrive with potentially incorrect dates of birth on their documentation. In a country where most grade placements are age-based, schools are often not sure what to do with refugee students who may not know their actual date of birth. In researching this topic, BRYCS consulted with dozens of school districts and state Departments of Education to learn about best practices for dealing with this challenge. The answers to the following frequently asked questions are primarily based off of those recent conversations as well as BRYCS' responses to technical assistance requests from previous years.

Why do so many refugee children arrive in the U.S. with potentially incorrect dates of birth on their documentation?

- **Calendars:** Some cultures use a completely different calendar than what is used in the U.S. (e.g. Ethiopian). Other populations may not use calendars at all; for example, calendars were banned for a time in Afghanistan.
- **Determination of Birthdates:** Birthdates are determined differently throughout the world. In some cultures, the time in the womb is counted as a part of a child's age. In other cultures, only parts of the birthdate are deemed worthy of remembering; for example, the day of one's birth (e.g. Monday) or the year. Furthermore, some populations recall the weather, season or a particular event that occurred near the child's birth. Chaotic circumstances surrounding the time of birth of a child (e.g. war) may impact the family's memory as well.
- **Significance of Birthdates:** In some cultures, all birthdays are celebrated on a particular day (e.g. on New Year's Day in Viet Nam). Some cultures or families do not observe birthdays at all, due to religious belief, custom, or poverty.
- **Cultural Differences:** Cultural practices can impact child development and school readiness as well. For example, children in some cultures are breastfed until the age of three and may seem socially younger by American standards. In addition, some cultures use different methods for determining children's school readiness. For example, children in some Southeast Asian cultures are determined to be ready for school when they can wrap an arm over their head and reach their opposite ear.
- **Eating habits and malnutrition:** American children have access to more food, and more protein, than many poorer nations. Newcomer children who have spent time in refugee camps, or other impoverished situations, may look smaller than their U.S. classmates.
- **Birthdates Assigned by Officials:** Sometimes officials registering refugees may assign a standardized date such as January 1, or they may only be required to note the year. Occasionally, a child's birth date may have been recorded incorrectly due to a clerical error at some point in the refugee journey.
- **Birthdates Assigned by Family:** For refugee families who flee their homes without important documents or for whom birth documentation is unavailable, caregivers may guess at a child's age and date of birth. This is especially likely to occur with refugee children who are separated at some point from their parents and are cared for by another family. Alternatively, the child's birth date may have been changed to conceal some family history (such as the timing of a birth before marriage or indicating a different parentage), or to gain some advantage during migration.

My district/state does age-appropriate grade placement. Do I have to go by the age on the child's documentation even if it's wrong?

No, not necessarily. Many districts/states that mandate "age-appropriate" placement say nothing about what to do when a child's age is unknown. It is recommended that districts first assess a child's age and *then* make the age-appropriate grade placement. Furthermore, when dealing with refugee students with inaccurate ages, it is best to look at the child holistically and to consider factors beyond the child's age. Ultimately, it is recommended that school districts be as flexible as possible in these situations and work with the parents to determine the educational placement that is in the best interest of the child.

If a child's age seems potentially inaccurate, at what point should we assess that child's age?

Ideally a thorough assessment of a refugee child is done before an educational placement is made. Many districts have "Welcome" or "Placement" Centers where immigrant and refugee families go to register their children for school. Besides simply registering children for school, these centers typically assess the child's language and educational history, evaluate or recreate transcripts, and meet with the child's parents to ensure the child's unique needs are met. If a refugee child's age is in question, it is ideally addressed at this time.

What should I do if my district does not have a Welcome or Placement Center?

These decisions are usually best made with a team of professionals along with the parents. Due to the sensitivity of the issue, some districts visit the child's home to begin this conversation. Other districts use existing mechanisms (such as a "Student Study Team" or group that gets together to brainstorm intervention strategies for students) to discuss this issue. Often, the process of determining an accurate estimate of the child's age and making an educational placement takes more than one meeting.

Who should be involved in the decision to assess a child's age and determine an appropriate grade placement?

Whether your district has a Welcome or Placement Center, it is most effective if a team approach is used to make this decision. Such a team will likely include the parents, an interpreter, teachers, principal, counselor, social worker, psychologist, and nurse or other health specialists. In addition, it may be helpful to include a trusted community member and/or volunteer working with the family. In some districts, grade placement is ultimately based on the parents' request, whereas in other districts, it is ultimately the principal's decision. This varies throughout the country.

How do we assess a child's age? What factors should we consider?

Information gathered from a family meeting and a medical evaluation are typically the primary components of an assessment. If the child has already spent time in a U.S. school, the child's classroom behavior (social behavior, maturity level, how the student is adapting to the educational environment, etc.) are often considered as well. See the following two questions for more information.

What should we ask during the family meeting?

If the family meeting is at a Welcome or Placement Center, let the family know that you need to ask them some questions. If the child has already spent time in the classroom, school staff can respectfully state their concerns about the child's age. Keep the meeting respectful and avoid questioning in such a way that it feels like an "interrogation." Involve a trusted community leader if possible.

Ask the following types of questions:

- Questions that may be useful in helping the parents remember the child's date of birth, such as:¹

- Are there any other records that show the child's age (i.e. immunization or health records or family information recorded in a religious book)?
 - Where was the family at the time of birth?
 - What time of year was the birth (winter, summer, wet, dry)?
 - About how long ago did the child learn to walk (approximately 1 year)?
 - About how long ago was the child toilet trained or dry in the day (approximately 3 years)?
 - What is the child's age in relationship to other children in the family?
 - Are there other family or community members currently in the U.S. who were present at the child's birth or know of the circumstances of the child's birth?
- Questions about the child's prior school experience, including whether they have any transcripts or other records
 - If the student is old enough to have their own opinion, ask the student about his or her age and why they believe they are that age
 - If the team includes a developmental psychologist or other child development professional, have him/her assess the child's development (physical, social, cognitive, speech/language, etc.)

What if the family refuses to discuss the issue?

Some families may be scared to discuss the issue because they fear that any inconsistencies in information provided to the Department of Homeland Security will get them deported. It is true that there are penalties for committing refugee fraud; however, explain to the family that you understand there are a number of reasons, besides fraud, that the age on the child's documentation may be incorrect. In addition, remind parents that you are questioning the child's age for educational placement purposes only. Ultimately, while educational professionals may have valid reasons for wanting to change or reassess a student's age, the family may have their own reasons for wanting to maintain the child's stated age. The parents or caregivers may steadfastly believe the stated age is correct, or an assigned or estimated birthday may have become an accepted part of the family's history that they are reluctant to change. Older children may be reluctant to change their age if it has become a part of their identity. If the parents or caregivers are resistant to the assessment, do not force the issue.

How might medical information be useful in determining age?

Consider referring the family to get an evaluation from a doctor, especially if the school is unable to complete a developmental evaluation. An evaluation by a doctor may include a bone density test or X-ray or a dentist may evaluate the child's teeth. Since such tests have a considerable margin of error, some doctors recommend that these tests only be used when a child's estimated age is more than 18 months different from the age on the child's visa.²

Should we change the child's age in their student record?

Once a more accurate age is determined, some schools choose to permanently change the child's age in their data system. Other districts, however, choose to make a note and/or add documentation to the child's file so that the child does not need to be reevaluated upon switching schools or moving to a new district. Such documentation may include:

- A letter written by school staff who assessed the child and made the initial grade placement
- Copy of any assessments that were completed in conjunction with the child's initial placement
- A notarized statement written by the child's parents of the child's true age or a school form signed and notarized by parents that gives the district permission to make an educational placement based on the child's actual birth date

- Some [State Refugee Coordinators](#) provide letters for school districts that frequently deal with this issue (for example, [Texas](#))

Schools might consider consulting with their state Department of Education on this issue. Student data is typically shared with state Departments of Education, which is expected to match federal government student data. Your state Department of Education can advise as to whether changing students' data could have any unintended consequences.

Shouldn't the family get the child's age legally and permanently changed? Won't it affect other services for the child in the long run?

It is true that an inaccurate age may affect the child in other areas of his/her life. For example, health care, social service benefits or entitlements, community programs and services, voting, and driving are often determined by one's age. In addition, age determines selective service registration for males and when alcoholic beverages may be legally consumed.

For this reason, schools may provide refugee parents with the following information on how to get their child's age legally changed, so they can follow up if they choose. If U.S. Citizenship and Immigration Services (USCIS) has the wrong age for the child in their Central Index System (the central repository of information on all immigrants), the problem should be corrected as soon as possible. (It is not necessary or advisable that they wait until they apply for their Legal Permanent Residence.) The refugee child's parents can make an [INFOPASS](#) appointment online with USCIS to go to a local USCIS office. They can provide all of their documentation, explain the issue, and ask that the correct date of birth be reflected in the USCIS Central Index System. Depending on the complexity of the case, they may consider consulting with an immigration attorney.³

Are there any indirect consequences of changing a child's age?

There could be. It is also important to explain to families the potential indirect consequences of changing a child's age. For example, changing a child's age may:

- Shorten or lengthen that child's eligibility for certain school-based services, such as those terminating at age 18 or 21
- Impact the child's or family's eligibility for other age-related human services, such as state-sponsored children's health insurance, or the number of adults who can live in a public housing unit
- Raise a red flag for immigration authorities, who often place a high degree of importance on consistency of information. Inconsistencies between a child's school documents and their immigration documents could potentially be interpreted as fraud by immigration authorities, even if the discrepancy is benign or merely due to an absence of information. For this reason, families may want to consult an immigration professional before changing a child's age.

Still have questions? Need to consult on a case or help with locating resources? See our [Ask BRYCS page](#) for more information and call 1-888-572-6500 or email info@brycs.org.

¹ Benson, J. & Williams, W. (2008.) Age Determination in Refugee Children. *Australian Family Physician*, 37(10), 821-824. <http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=4396>

² Ibid, Note 2.

³ Communication with the Office of Refugee Resettlement, August 13, 2009.

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