



## KNOW YOUR EDUCATIONAL RIGHTS

### **YOUR CHILD HAS THE RIGHT TO A FREE PUBLIC EDUCATION**

- All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status.
- All children in California:
  - Have the right to a free public education.
  - Must be enrolled in school if they are between 6 and 18 years old.
  - Have the right to attend safe, secure, and peaceful schools.
  - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

### **INFORMATION REQUIRED FOR SCHOOL ENROLLMENT**

- Schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency and schools are not required to keep a copy of the document used as proof of a child's age.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

### **CONFIDENTIALITY OF PERSONAL INFORMATION**

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If so, the school district must provide parents/ guardians with written notice of the directory information policy, and provide the option to refuse release of your child's information.

### **FAMILY SAFETY PLANS IF YOU ARE DETAINED OR DEPORTED**

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

### **RIGHT TO FILE A COMPLAINT**

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated or bullied because of his or her actual or perceived nationality, ethnicity, or immigration status.

*For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:*

Bureau of Children's Justice  
California Attorney General's Office  
P.O. Box 944255  
Sacramento, CA 94244-2550

Phone: (800) 952-5225  
E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>



# CHECKLIST FOR IMMIGRANT STUDENTS AND FAMILIES ATTENDING PUBLIC SCHOOLS

## 1. YOU DO NOT HAVE TO SHARE THE FOLLOWING INFORMATION WITH SCHOOL OFFICIALS:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
- When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
- If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
- If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of his or her SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

## 2. TAKE STEPS TO PROTECT STUDENT INFORMATION:

- Ask for the school’s written privacy policies regarding student information.
- Review the school’s policy for “directory information”—which allows for public release of basic student information—and consider whether to opt out of releasing of that information.

## 3. TAKE STEPS TO PREPARE FOR SITUATIONS WHERE ONE OR MORE PARENTS OR GUARDIANS ARE DETAINED OR DEPORTED:

- Develop and keep in a safe place a “Family Safety Plan” (example: [https://www.ilrc.org/sites/default/files/resources/family\\_preparedness\\_plan.pdf](https://www.ilrc.org/sites/default/files/resources/family_preparedness_plan.pdf)) that includes the following information:
- Name of a trusted adult to care for your child if no parent or guardian can.
- Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.)
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent or guardian is available.

## RESOURCES

The following resources are available to immigrant families responding to detentions or deportations:

- The Immigration and Customs Enforcement (ICE) detainee locator: <https://locator.ice.gov/odls/homePage.do>. Please Note: This site is intended only for locating individuals who are already detained, and not for general immigration status inquiries.
- Immigration lawyers in private practice, accredited representatives (who assist immigrants in immigration proceedings), or legal-aid organizations:
  - State Bar of California Attorney Search: <http://www.calbar.ca.gov/Attorneys>
  - California organizations accredited by Board of Immigration Appeals (BIA) to represent immigrants before the Department of Homeland Security (DHS) and Executive Office of Immigration Review (EOIR): <https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - California Courts Self-Help Centers: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Legal-aid offices and lawyer-referral services: <http://www.courts.ca.gov/getting-legal-help>.
  - The consulate or embassy of the parent’s or guardian’s country of origin.