

## **Educational Equity: Immigration and Citizenship Status Bill (AB 699)**

### Background

Assembly Bill (AB) No. 699 (O'Donnell and Chiu; 2017-2018 Regular Session) mandates that the Attorney General, by April 1, 2018, publish model policies “. . . limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents regardless of immigration status.” AB 699 further requires that by July 1, 2018, all local educational agencies in California, including all school districts, county offices of education, and charter schools, adopt these or equivalent policies.

### Implications

- Required to adopt Attorney General's model policies or equivalent policies by July 1, 2018
- Requires charter school principals to report to governing board in timely manner requests for information or access to a school site by a law enforcement agency for the purpose of enforcing immigration law.
- Requires governing board to ensure that schools provide information to parents/guardians regarding their children's rights to a free public education, regardless of immigration status or religious beliefs
- Requires governing board of charter to ensure that schools educate pupils about the negative impact of bullying based on actual or perceived immigration status or religious beliefs.

## **I. Gathering and handling student and family information.**

*Purpose: Provide school administrators with policies for collecting and retaining information to prevent unnecessary collection of information on the immigration status of students and their families.*

### **A. Policy: Gathering and Handling Student and Family Information (Collecting and Retaining Student Information Written and Publicly Available Policies; Training)**

Policies and procedures for gathering and handling sensitive student information during enrollment will be set out in writing. The School Director will ensure that staff designated receive training on these policies and procedures.

*Avoid seeking or collecting information regarding students' or families' immigration status. However, if required to collect national origin information because of federal reporting requirements, such information shall not be used to discriminate or prevent children from enrolling in or attending school; nor should parents' or guardians' decision to withhold such information be used to discriminate against students or prevent their enrollment. Moreover, the local educational agency shall not use such information to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.*

#### **Policies for Collecting and Retaining Student Information**

- The Director and school shall maintain in writing school policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.
- If WLC possesses information that could indicate immigration status, citizenship status, or national origin information, WLC shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.
- If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin information, WLC shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.
- WLC shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

### **B. Policy: Immigration Status, Citizenship Status, National Origin Information (Information on Immigration Status, Citizenship Status, and National Origin Generally).**

*Do not at any time seek information about a student's citizenship or immigration status specifically. Do not at any time seek or require, to the exclusion of other sufficient and permissible information, information regarding or probative of a student's or his/her parent's citizenship (U.S. citizenship or foreign citizenship) or immigration status (e.g., immigration number). While agencies may be required to collect and provide information related to a student's national origin (i.e., information regarding a student's birthplace, entry date into the United States, date of first enrollment in a U.S. school, or departure from the United States after entry) to satisfy certain federal reporting requirements for special programs, to avoid deterring initial school enrollment of immigrants or their children, agencies should collect this information*

*separately from the school enrollment process. Proof of Residency in Attendance Zone and Proof of Age Notify students and families of the full range of documents that will be accepted as proof of residency in the relevant attendance zone and as proof of age.*

*Under Education Code section 48204.1, the following documents establish proof of residency in an attendance zone:*

- ✓ Property tax payment receipts;
- ✓ Rental property contract, lease, or payment receipts;
- ✓ Utility service contract, statement, or payment receipts;
- ✓ Pay stubs;
- ✓ Voter registration;
- ✓ Correspondence from a government agency; or
- ✓ Declaration of residency executed by the parent or legal guardian of the pupil.

*Under Education Code section 48002, the following documents establish age:*

- ✓ Certified copy of a birth record;
- ✓ Statement by the local registrar or a county recorder certifying the date of birth;
- ✓ Baptism certificate;
- ✓ Passport; or
- ✓ Affidavit of the parent, guardian, or custodian of the minor.

*Under both Education Code section 48204.1 and Education Code section 48002, a school district can choose to accept other documents to show residency in a zone and show age. On those matters and other matters where an agency has the discretion to add permissible.*

#### Policies for Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information

- WLC personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.
- Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, WLC personnel shall solicit that documentation or information separately from the school enrollment process.
- Where permitted by law, the School Director of Watts Learning Center Charter Schools shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

- Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law and this policy, WLC procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized.

**C. Policy: Requests for Social Security Numbers or Other Personal Information.**

*Social Security Numbers or Cards. Solicit and collect the last four digits of an adult household member’s Social Security number only if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member’s Social Security number to establish eligibility for a federal benefit program, the local educational agency should explain the limited purpose for which this information is collected and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school. “Free and Reduced-Price Meals” Forms When a family is completing the “Free and Reduced-Price Meals” form, the local educational agency should notify parents or guardians that:*

- ✓ 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 Social Security number; and
- ✓ If no householder member of a student’s family participates in CalFresh, CalWORKs, or FDPIR, and no adult household member has a Social Security number, the student still can qualify for free or reduced price meals, if the family meets the income eligibility requirements. The “No SSN” box on the form must be checked for the application to be considered complete.

*Gathering Information from Parent Volunteers. To the extent permissible, the local educational agency should communicate to families the available volunteer positions and whether such positions require completion for live scan or other fingerprinting. The local educational agency should provide this notice to all students and families, regardless of immigration status.*

Policies for Inquiries about Social Security Numbers or Cards

- WLC personnel shall not solicit or collect entire Social Security numbers or cards.
- WLC personnel shall solicit and collect the last four digits of an adult household member’s Social Security number only if required to establish eligibility for federal benefit programs.
- When collecting the last four digits of an adult household member’s Social Security number to establish eligibility for a federal benefit program, WLC personnel shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.
- WLC personnel shall treat all students equitably in the receipt of all school services, including, but, not limited to, the gathering of student and family information for the free and reduced lunch program, transportation and educational instruction.

## **II. Sharing student and family information.**

Purpose: Provide administrators with categories of student information not subject to release by WLC and outlining policies instructing students and families on ways to protect against the release of student information, to the extent permitted under the law.

### **A. Policy: Information Sharing.**

WLC policies seek to avoid unauthorized disclosure of a student's or family's immigration information. WLC policies for notification of local educational agency officials and families when receiving inquiries regarding a student's or family's immigration or citizenship status. WLC will maintain policies regarding disclosure of information for individuals participating in programs serving immigrant families. WLC policies require written consent from the parent, guardian, or eligible student for release of student information, unless that information is relevant for a legitimate educational interest or includes directory information described below:

#### **Examples of information relevant to legitimate educational interests**

- Record of student's attendance
- Student transfers
- Audit of federally-supported educational programs
- Truancy mediation
- Criminal investigation

#### **Examples of directory information**

- Name
- Address
- Telephone number
- Date of birth
- E-mail address
- Dates of attendance
- Most recent previous school attended
- Participation in officially recognized activities
- Diploma and awards received

Requirements for Written Consent for Release of Student Information.

Parents/guardians are *not required* to provide written consent for the release of information. If they decline to give written consent, and the information is not otherwise subject to release (because it is not relevant to a legitimate educational purpose, directory information, or subject to a judicial order or lawfully issued and effective subpoena), *WLC shall not release the information.*

WLC policy for written consent of student information—excluding information relevant for a legitimate educational interest, directory information, or subject to a judicial order or lawfully issued and effective subpoena—must include the following requirements:

- The parent/guardian must sign and date consent form before disclosure of the information.
- *Consent form* must include the following:

- Description of the records to be disclosed;
  - Reason for disclosure;
  - Party or class of parties to whom disclosure may be made; and (If desired by the parents, guardian, or eligible student) a copy of the records to be released.
- The local educational agency must notify the recipient of the information that transmission to others without the written consent of the parent is prohibited.
  - The consent notice must be permanently kept in the record file.

#### Policies and Procedures Regarding Information Sharing

- WLC shall avoid disclosure of information that might indicate a student's or family's citizenship or immigration status if the disclosure is not authorized by Family Educational Rights and Privacy Act (FERPA).
- WLC personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status: Notify the School Director about the information request.
- Provide students and families with appropriate notice and a description of the immigration officer's request.
- Document any verbal or written request for information by immigration authorities.
- Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.
- Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the local educational agency prohibits disclosure, WLC shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.
- WLC shall require written parental or guardian consent for release of student information, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information to immigration authorities for immigration-enforcement purposes; no student information shall be disclosed to immigration authorities for immigration-enforcement purposes without a court order or judicial subpoena.
- WLC's request for written parental or guardian consent for release of student information includes the following information:
  1. Signature and date of the parent, guardian, or eligible student providing consent;
  2. Description of the records to be disclosed;
  3. Reason for release of information;
  4. List of parties or class of parties receiving the information;
  5. A copy of the records to be released is provided to parent/guardian upon request.
- WLC shall permanently keep the consent notice with the record file.
- The parent, guardian, or eligible student is not required to sign the consent form.
- If the parent, guardian or eligible student refuses to provide written consent for the release of student information that this not otherwise subject to release, WLC shall not release the information.

## **B. Annual Notice to Parents and Guardians Regarding Information Policy**

At the start of every school year, all local educational agencies must provide students and families a statement of the school's privacy policies regarding student information, including, but not limited to:

### Policies and procedures: General Information Policies

- WLC must provide an annual notice to parents and guardians of the school's general information policies that includes: Assurances that WLC will not release information to third parties for immigration-enforcement purposes, except as required by law or court order. Annual notice to include:
  - Description of the types of student records maintained by WLC.
  - List of the circumstances or conditions under which the school might release student information to outside people or entities.
  - Statement that, unless WLC is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, WLC shall notify parents or guardians and eligible students—and receive their written consent—before it releases a student's personally identifiable information.
  - Policies regarding the retention and destruction of personally identifiable information.

### *Directory Information.*

- The law does not require that LEA's release directory information. If the LEA decides not to release directory information, its policy need not include any statement on directory information.
- If LEA releases directory information, it must notify parents/guardians in its annual notification of the directory information policy that they can opt out of the release of directory information. The annual notification must clearly note the deadline for parent(s)/guardian(s) to submit their request to opt out.

### Policies and Procedures: Directory Information Policy

- If WLC decides to release directory information, WLC shall provide an annual notice to parents and guardians, and "eligible students" in attendance, of WLC directory information policy that includes: The categories of information that WLC has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
- A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where WLC receives consent as required under state law).
- The recipients of the directory information.
- A description of the parent's or guardian's abilities to refuse release of the student's directory information, and how to refuse release.
- The deadline in which the parent/guardian must notify the school in writing that he or she does not want the information designated as directory information.

### **III. Responding to requests for access to school grounds for immigration enforcement purposes**

Purpose: Provide school administrators with policies and practices for responding to immigration agents requesting access to school facilities, student information, or contact with a student.

#### **A. Policy: Responding to Requests for Access to School Grounds for Immigration-Enforcement Purposes.**

“Safe Haven” Policies for Students and Families including the following provisions:

- WLC shall provide a safe, secure, and peaceful learning environment for all students and staff.
- WLC defines sensitive or safe locations to include its schools, official activities of its schools, including those occurring in public places and adjacent areas, and all of the WLC property, including but not limited to, facilities owned, controlled by, or leased by Watts Learning Center.
- Where outside contractors or service providers (particularly school resource officers) are regularly present at sensitive or safe locations or have access to student information, WLC shall seek commitments from those parties not to facilitate immigration enforcement at any of Watts Learning Center sensitive or safe locations unless required by law.

#### **B. Policy: Monitoring and Receiving Visitors onto Campus**

- WLC policies for receiving visitors to the school campus applicable to immigration-enforcement officers as follows:
- No outsider—which would include immigration-enforcement officers—shall enter or remain on school grounds of the WLC during school hours without having registered with the principal or designee.
- If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:
  1. Name, address, occupation;
  2. Age, if less than 21;
  3. Purpose in entering school grounds;
  4. Proof of identity; and
  5. Any other information as required by law.
- WLC School Directors shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school’s activities, consistent with local circumstances and practices. School-based procedures developed and enacted by the Director will be in fulfillment of the WLC Visitor Policy, adapted from LAUSD visitor policy bulletin.
- WLC shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.
- WLC personnel shall immediately report entry by immigration-enforcement officers to School Director, designee, or on-site school police.

## C. Policy: Responding to Immigration Officer Presence on Campus.

### Policy and Procedures.

- As early as possible, WLC personnel shall notify the School Director of any request by an immigration-enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).
- The School Director is to e-mail the **Bureau of Children’s Justice in the California Department of Justice**, at **BCJ@doj.ca.gov** regarding any attempt by a law-enforcement agent to access a school site or a student for immigration-enforcement purposes.
- In addition to notifying the School Director, WLC personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration-enforcement purposes:
  1. Advise the officer that before proceeding with his or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the WLC Board President or WLC Board of Directors.
  2. Ask to see, and make a copy of or note, the officer’s credentials (name and badge number). Also ask for and copy or note the phone number of the officer’s supervisor.
  3. Ask the officer for his/her reason for being on school grounds and document it.
  4. Ask the officer to produce any documentation that authorizes school access.
  5. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
  6. If the officer declares that exigent circumstances exist (federal court order) and demands immediate access to the campus, WLC personnel should obtain verifiable evidence of such an order, comply with the officer’s orders and immediately contact the parents/guardians of students and Executive Director.
  7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer’s documentation. If the immigration-enforcement officer has:
    - *An ICE (Immigrations and Customs Enforcement) administrative warrant (see Appendix B, Becerra, Xavier (2018) Guidance and Model Policies to Assist California’s Schools in Responding to Immigration Issues).*  
WLC personnel shall inform the agent that he or she cannot consent to any request without first consulting with WLC Board of Directors and legal counsel for authorization.
    - *A federal judicial warrant (search-and-seizure warrant or arrest warrant; see Appendix C & D, Becerra, Xavier (2018) Guidance and Model Policies to Assist California’s Schools in Responding to Immigration Issues),* prompt compliance with such a warrant is usually legally required. If feasible, consult with WLC Board President or Board of Director’s legal counsel before providing the agent access to the person or materials specified in the warrant.
    - *A subpoena for production of documents or other evidence (see Appendix E & F, Becerra, Xavier (2018) Guidance and Model Policies to Assist California’s Schools in Responding to Immigration Issues),* immediate compliance is not required. Therefore, WLC personnel shall inform WLC Board and President for legal counsel and await further instructions on how to proceed.

8. While WLC personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, WLC personnel shall document his or her actions while on campus.
9. After the encounter with the officer, WLC personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
  - List or copy of the officer's credentials and contact information;
  - Identity of all school personnel who communicated with the officer;
  - Details of the officer's request;
  - Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
  - WLC personnel's response to the officer's request;
  - Any further action taken by the agent; and
  - Photo or copy of any documents presented by the agent.
10. WLC personnel shall provide a copy of those notes, and associated documents collected from the officer, to WLC Board of Directors for review by legal counsel.
11. Following, WLC Board of Directors and legal counsel shall submit a timely report to the [local educational agency's] governing board regarding the officer's requests and actions and school and Board response(s).

#### **D. Policy: Parental Notification of Immigration-Enforcement Actions**

- WLC personnel requires and must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge (*see, e.g., sample federal search and seizure warrant [Form AO 93], attached as Appendix C; see also sample federal arrest warrant [Form AO 442], attached as Appendix D*), or presents a valid, effective court order, *Becerra, Xavier (2018) Guidance and Model Policies to Assist California's Schools in Responding to Immigration Issues*.
- WLC personnel shall immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

#### **E. Policy: Provide Training for School Staff.**

- WLC shall establish training regarding immigration issues for teachers, school administrators, and school staff, including information on responding to a request from an officer enforcing immigration law to visit a school site or to have access to a student.
- The School Director facilitates training programs for staff, and Parent Coordinator provides non-legal advice to families, and assist in communications with the local educational agencies and other stakeholders in local and state government as appropriate.

#### **IV. Responding to detention or deportation of a student's family member**

Purpose: Provide school administrators with policies for responding to the detention or possible deportation of a member of a student's family.

##### A. Policies and procedures: Responding to the Detention or Deportation of a Student's Family Member.

- WLC shall encourage that families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.
- WLC shall permit students and families to update students' emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.
- WLC shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.
- WLC shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.
- In the event a student's parent/guardian has been detained or deported by federal immigration authorities, WLC shall use the student's emergency card contact information and release the student to the person(s) designated as emergency contacts.
- Alternatively, WLC shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student.
- WLC shall only contact Child Protective Services if personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

*\* Refer to Becerra, Xavier (2018) Guidance and Model Policies to Assist California's Schools in Responding to Immigration Issues for additional resources.*

#### **V. Responding to hate crimes and bullying related to national origin or ethnicity**

Purpose: Provide administrators with policies to prevent and respond to incidents of hate crimes and bullying related to victims' immigration status.

##### Policies and procedures.

##### A. Reaffirming/Publicizing Anti-Bullying and Anti-Harassment Policy ( on the basis of Immigration status).

- Reaffirming WLC Uniform Complaint Policies and Procedures, WLC maintains and publicizes annually policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, or immigration status.
- Said policies are translated in the student's primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.
- Annually, WLC shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include

information related to the “Know Your Rights” immigration enforcement established by the Attorney General (see Appendix).

- WLC shall inform students who are victims of hate crimes of their right to report such crimes.

#### B. Processing Complaints of Harassment and Bullying.

- Pursuant to WLC Bullying Policy and Uniform Complaint Procedures, WLC policy is to immediately ensure the safety of all students and immediately notify parents of the actions taken to ensure the safety of students. Pursuant to WLC Bullying Policy and Uniform Complaint Procedures, WLC staff will adhere to such policy and procedure for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics (and inclusive of the following):
  - The complaint process must include, but is not limited to, the following steps: A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so;
  - A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed; and
  - An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint
  - WLC shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
  - WLC shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.

#### C. Training Students, Teachers, and Staff on Anti-Bullying and Anti-Harassment Policy.

- Annually, the Director shall ensure the school educates all students about the negative impact of bullying other students based on actual or perceived immigration status or their religious beliefs or customs (Also reference WLC Bullying Policy).
- Annually, the Director ensures provision of training to teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above (Reference WLC Bullying Policy, UCP policies and procedures).

Such training should, at minimum, provide agency personnel with the skills to do the following:

  - Discuss the varying immigration experiences among members of the student body and school community;
  - Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
  - Identify the signs of bullying or harassing behavior;
  - Take immediate corrective action when bullying is observed; and
  - Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

## **Know Your Educational Rights**

### **Your Child has the Right to a Free Public Education**

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.
- In California: All children have the right to a free public education.
- All children ages 6 to 18 years must be enrolled in school.
- All students and staff have the right to attend safe, secure, and peaceful schools.
- All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
- All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

### **Information Required for School Enrollment**

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

### **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 they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse release of your child's information in the directory.

### **Family Safety Plans if You Are Detained or Deported**

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational/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 on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

**Source.**

*Becerra, Xavier (2018). Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's Schools in Responding to Immigration Issues. California Attorney General. Sacramento, California.*