

MEMBERS OF THE BOARD

STEVEN ZIMMER, PRESIDENT
MONICA GARCIA
DR. GEORGE J. MCKENNA III
MÓNICA RATLIFF
DR. REF RODRIGUEZ
SCOTT M. SCHMERELSON
DR. RICHARD A. VLADOVIC



ADMINISTRATIVE OFFICES

333 South Beaudry Avenue, 24th Floor
Los Angeles, California 90017
Telephone: (213) 241-7000 | Fax: (213) 241-8442

MICHELLE KING
Superintendent of Schools

December 9, 2016

RE: QUESTIONS ABOUT IMMIGRATION AND FREEDOM FROM DISCRIMINATION

Dear L.A. Unified Family,

One of the top priorities of the Los Angeles Unified School District (L.A. Unified) is to create safe spaces for learning, where all students – regardless of immigration status, religion, disability, nationality, race, ethnicity, gender, or sexual orientation – are respected and have access to a quality education.

Below are answers to questions many have raised concerning immigration status and freedom from discrimination and harassment.

Immigration Status

Question 1: Are public K-12 schools in the United States required to provide a free public education to all students, regardless of immigration status?

Answer 1: Yes. All children in the United States have a Constitutional right to equal access to a free public education regardless of their immigration status or that of their parents. That right was confirmed in the United States Supreme Court case *Plyer v. Doe*. Discrimination is also prohibited by federal laws, including Titles IV, VI, and IX of the Civil Rights Act of 1964.

Question 2: Does L.A. Unified ever ask for the immigration status of a student or family member?

Answer 2: No. L.A. Unified does not ask for the immigration status of a student or family member when enrolling or while enrolled. This includes applications for transportation, free/reduced-price meals, academic programs, extracurricular activities, and all other services.

Question 3: Does L.A. Unified ever share a student’s immigration status or confidential student records information with federal immigration officials?

Answer 3: L.A. Unified does not collect a student’s immigration status and information (unless a student or parent informs the District that he or she is enrolling under a foreign student or business visa). Therefore, L.A. Unified would not have this information to provide to federal immigration officials. If L.A. Unified inadvertently becomes aware of a student’s status, that information is not retained.

The Family Educational Rights and Privacy Act (FERPA) generally prohibits school districts from providing third parties with student education records. However, there may be exceptional circumstances under which the District could be *required* to provide pupil records information to federal immigration officials, including the following: 1) if there is a valid subpoena, warrant, or court order; and 2) if there are emergency circumstances, such as a confirmed danger to public safety.

Question 4: Does the Los Angeles School Police Department (LASPD) play a role in federal immigration investigations?

Answer 4: The LASPD's primary mission is to promote a safe learning environment at schools. Members of the LASPD do not inquire about immigration status. Additionally, the LASPD does not interact with immigration officials, unless there is an emergency situation concerning the immediate safety of students or employees.

Question 5: How may the 2016 presidential election impact family members who do not have lawful immigration status?

Answer 5: United States immigration laws and policies are formed by acts of Congress and/or Executive Orders of the president. No changes in law or policy are expected before the next Congress meets on January 3, 2017, or before the next president is sworn in on January 20, 2017. It is uncertain at this time whether there will be changes after January 2017. Regardless of any changes that may be made or proposed, L.A. Unified will continue to advocate for the constitutional right of all students to receive a public education.

Question 6: Can federal immigration officials come onto L.A. Unified campuses?

Answer 6: Federal immigration officials have a current policy restricting enforcement actions at "sensitive locations," including schools, hospitals, and institutions of worship. However, as with other law enforcement agencies, federal immigration officials may come onto campuses under exceptional circumstances, such as immediate public safety issues, or when there is a valid search warrant, subpoena, or court order.

Question 7: What could happen if I am a recipient of DACA?

Answer 7: Deferred Action for Childhood Arrivals ([DACA](https://www.nilc.org/issues/daca/)) is a policy implemented under the Obama Administration in June 2012. The new presidential administration may choose to keep the policy as is, modify the policy, or remove the policy altogether. Information about DACA can be found on the National Immigration Law Center webpage at <https://www.nilc.org/issues/daca/>.

Question 8: What resources are available to help students and families who are newcomers to the country and are seeking to enroll in the District?

Answer 8: The District's School Enrollment Placement and Assessment (S.E.P.A.) Center connects students and families with resources to support academic, social and emotional success. The S.E.P.A. Center also provides referrals to other social services and legal assistance programs that are not affiliated with the District, but are available at the discretion of families.

The main S.E.P.A. Center is open from 8:00 a.m. to 4:30 p.m., Monday through Friday, at 1339 Angelina St., Los Angeles, and can be contacted at (213) 482-3954. In addition, at each local district office, the District has opened temporary extended support sites that provide similar resources to the S.E.P.A. Center. To find an extended support site near you, or to access resources, please visit the District's homepage at achieve.lausd.net.

Question 9: What should I do if I have more questions about immigration laws and procedures?

Answer 9: District personnel cannot give legal advice concerning specific immigration matters. However, it is the District’s opinion that licensed immigration attorneys are the most likely to provide reliable legal advice on immigration matters. For your protection, the District does not recommend seeking legal advice from non-attorney “notarios.” A directory of free or low-cost nonprofit immigration legal services providers can be found at <https://www.immigrationlawhelp.org>. Please note that the advice provided by people found on this website do not necessarily reflect the opinions of the District.

It is recommended that families with immigration questions contact an immigration legal services provider as soon as possible, because it is anticipated that such providers will become very busy in the months ahead.

For additional questions regarding enrollment or access to resources, please contact the S.E.P.A. Center at (213) 482-3954.

Freedom from Discrimination and Harassment

Question 10: What is L.A. Unified’s policy on discrimination and harassment?

Answer 10: The District is committed to educational excellence, equity and access. Our policies prohibit discrimination against or harassment of our students, families or employees on the basis of actual or perceived religion, disability, nationality, race, ethnicity, gender, sexual orientation, or other protected classes.

To learn more about the District’s nondiscrimination policies, please visit the Educational Equity Compliance Office website at <http://achieve.lausd.net/eeco>.

Question 11: What should I do if I believe my child or I have been the victim of discrimination or harassment?

Answer 11: The District takes allegations of discrimination and/or harassment very seriously. Please immediately report the behavior to a school leader, supervisor, office of the Superintendent, or your local law enforcement agency. For information about school-based discrimination, please contact the Educational Equity Compliance Office at (213) 241-7682 or visit their website at <http://achieve.lausd.net/eeco>.

If you are the victim of a crime, or need medical attention, do not hesitate to get help from law enforcement or medical professionals.

For updated information, please visit the District’s homepage at achieve.lausd.net.

Sincerely,

Michelle King
Superintendent