



March 21, 2017

Dear Students and Families,

We are writing with an update to our letter from January 30, 2017, to reaffirm our commitment to protecting the right of every student in New York City to attend public school, regardless of immigration status. Your child is our top priority, and we will do everything in our power to protect your child and ensure all students get a high-quality education.

To help ensure that all children continue to learn in safe, nurturing environments, we are providing the following **additional direction** to staff members in our schools:

Federal agents, including Immigration and Customs Enforcement (ICE) will not be permitted to enter schools, except when absolutely required by law.

Current federal policy limits immigration-related arrests, interviews, searches, and surveillance at sensitive locations, which include schools. Federal law enforcement officers, including immigration officers, will only be permitted to enter DOE schools when absolutely required by law, and only after a school has consulted with DOE lawyers. If an ICE officer goes to a school for immigration enforcement purposes, the School Safety Agent will call the principal, who will meet the ICE officer at the safety desk. The principal will advise the officer that he/she must wait outside of the school building while the principal consults with DOE lawyers. The principal will also notify the parent or guardian after consulting with DOE lawyers. Generally speaking, federal law enforcement officers will only be permitted to enter when they have proper judicial warrants or in the very rare situation where certain types of emergencies exist and require urgent action.

DOE staff will not release student information unless absolutely required to by law.

If any law enforcement officer, including an ICE officer, seeks access to student records, the principal will obtain any documentation the officer has, send it to DOE lawyers and wait for further instructions. The principal will also notify the parent or guardian after consulting with DOE lawyers.

DOE and the Mayor's Office of Immigrant Affairs (MOIA) are expanding Know Your Rights workshops for students, parents and community members.

In partnership with the Fordham Law Immigrant Preparedness Project, Catholic Charities and other legal services providers, we are offering 100 Know Your Rights workshops for students that will be available during school hours, after school, and before school across the city. The 100 forums will be held at schools, including community schools and international schools, across the City. The trainings educate students on the rights of immigrant New Yorkers and provide information on City services, safety planning and fraud prevention. Many workshops will connect participants to legal services through ActionNYC at Schools.

We are also offering free, borough-based trainings to families through our Field Support Centers. We will continue to expand these trainings and partner with community-based organizations to offer additional sessions in the coming weeks.

DOE is also providing schools with additional curriculum resources and social-emotional supports.

We are dedicated to providing a safe, supportive and inclusive learning environment in every school building. Schools are receiving guidance on how to facilitate discussions with staff and students that promote respectful conversations about diversity and inclusivity.

Families should update school records.

As a reminder, the DOE does not request information about students' immigration status. We ask all parents and families to update school records to ensure that we have up-to-date information on file, including contact information for the parent or guardian and at least two additional names and contact numbers for every student. In the event that a parent or guardian is unable to pick up a child from school, the school will use this information to locate a trusted adult who can pick up the child in their absence.

All New Yorkers, regardless of immigration status, can continue to access City services.

Call 311. If you have any questions, visit <http://schools.nyc.gov/supportingallstudents> to learn more about the DOE's immigration guidance and to access resources to support you and your family.

Additionally, we have updated the FAQ document to address additional questions you may have. You can also call 311 or visit nyc.gov/immigrants for more information from the Mayor's Office of Immigrant Affairs.

In New York City we are committed to the ideals embodied in the Statue of Liberty. We are a nation of immigrants, and we are a city of immigrants. We are stronger because of our differences. Today, alongside all New Yorkers, we reaffirm our commitment to stand with you.

Sincerely,



Carmen Fariña
Chancellor
NYC Department of Education



Nisha Agarwal
Commissioner
Mayor's Office of Immigrant Affairs



Frequently asked questions

Can undocumented children go to school in NYC?

Yes. Every child in New York City has a right to a public school education, regardless of immigration status. Children age 4 or turning 4 are eligible for Pre-K and all residents have the right to attend public school from age 5 until graduation or until the end of the school year when they turn 21. DOE employees will not ask about immigration status. If they do learn about immigration status, they must keep it confidential.

Can I visit my child's school if I am undocumented?

Yes. To visit a DOE school, you need to have an official form of photo identification. The DOE accepts IDNYC, the free municipal ID card issued by New York City to all New Yorkers. IDNYC does not collect immigration status information. You can sign up for a free IDNYC card at www.nyc.gov/idnyc.

I am not a U.S. citizen. Should I be worried about deportation?

Immigration law can be very complicated and every individual's case is different. If you are not sure about how recent immigration announcements affect your ability to stay and work lawfully in the U.S., you should speak to an immigration attorney to understand your options. Call 311 and say "immigration legal help" for an appointment for free, safe immigration legal help.

My family is from Syria, Iran, Sudan, Somalia, Libya, or Yemen. Should I be concerned about the President's ban on immigration from these countries?

Every child in New York City has a right to a public school education, regardless of national origin. The President's order does not change this. If you are concerned about how the President's order may affect your or your family members' ability to remain in the U.S. or travel, call 311 and say "immigration legal help" for an appointment for free, safe immigration legal help.

If you have a family member who is currently being detained at the airport or you know someone who is currently being detained and you need emergency help only, call 844-326-4940 to speak to a volunteer attorney now at JFK International Airport.

Does the City participate in immigration enforcement?

The City does not conduct immigration enforcement actions. The federal government handles immigration enforcement. The City's confidentiality policy, which protects immigration status and other confidential information, is meant to keep the City a safe and welcoming place for all residents, including undocumented immigrants.

Can I feel safe calling the police for help?

Yes. The NYPD does not ask about the immigration status of crime victims, witnesses, or other people who ask for help. Anyone who has been the victim of a crime, including a hate crime, should contact the NYPD at 911 or to contact the NYPD Hate Crimes Task Force directly, call (646) 610-5267.



What are my rights with Immigration and Custom Enforcement (ICE)?

If you have concerns about ICE or would like more information on your rights or what you can do to prepare, talk to an immigration attorney. A number of non-profit organizations offer high quality, free or low-cost legal screenings for immigrants in New York City seeking immigration law help, including through the ActionNYC program. Call 311 and say "immigration legal help" for an appointment for free, safe immigration legal help.

Are federal law enforcement officers, including immigration officers, allowed to enter NYC public schools?

Current federal policy limits immigration-related arrests, interviews, searches, and surveillance at sensitive locations, which include schools. Federal law enforcement officers, including immigration officers, will only be permitted to enter DOE schools when absolutely required by law, and only after a school has consulted with DOE lawyers. If an ICE officer goes to a school for immigration enforcement purposes, the School Safety Agent will call the principal, who will meet the ICE officer at the safety desk. The principal will advise the officer that he/she must wait outside of the school building while the principal consults with DOE lawyers. The principal will also notify the parent or guardian after consulting with DOE lawyers. Generally speaking, federal law enforcement officers will only be permitted to enter when they have proper judicial warrants or in the very rare situation where certain types of emergencies exist and require urgent action.

What happens if a child is not picked up from school because the parent/guardian is arrested/deported?

If a child is not picked up from school, schools will follow regular protocols and the principal or designee will call the names listed on the emergency contact information card. If the school cannot reach any of the contacts during a reasonable time period, most schools will contact their local police precinct, who will take appropriate follow up action, which may include a wellness visit at the child's home. If still no one has been reached, the precinct will take the child into their care and continue to try to reach an emergency contact, or may contact the Administration for Children's Service (ACS).

Is there something I can do to make sure my children are protected?

Take the time to update the emergency contact information at your child's school to add names and telephone numbers of adults (for example, family members, friends, babysitters, neighbors, or other school parents) who can pick up your child in your absence. Do this for your school, pre-k, childcare program and any after-school program your child participates in.

Where can I get legal help about immigration?

Immigration law is complicated. You can find a trustworthy, qualified immigration attorney to help you with your immigration matters. Avoid immigration fraud: anyone who is not a lawyer may not provide legal help. A number of non-profit organizations offer high quality, free or low-cost legal screenings for immigrants in New York City, including through the ActionNYC program.

This free screening can connect you to a qualified immigration lawyer and can help you avoid fraud. Call 311 and say "immigration legal help."



What kinds of city services are available to me and my family?

Most City services are available to all New Yorkers, including undocumented immigrants, like going to school or using the health care system or other services. City employees will not ask immigration status unless it is necessary to do their jobs. They must keep immigration status confidential.

- **IDNYC** – IDNYC is the City's identification card for all New Yorkers. IDNYC does not collect immigration status information. Make an appointment at www.nyc.gov/idnyc.
- **Health care**
 - Low-cost emergency and non-emergency health care is available to all at public hospitals and clinics and at other affordable clinics. Call 311 for more information.
 - NYC Well is a free, confidential connection to mental health care in more than 200 languages, any time of day. Call 1-888-NYC-Well, text WELL to 65173, or go to www.nyc.gov/nycwell
- **Child care** – Low-income families with children age 6 weeks through 12 years old can get free or low-cost child care. Call 311 for more information.
- **Emergency food and shelter** – Locations across NYC provide free food to people in need. The Homebase program can help residents avoid entering the shelter system. Call 311 for more information.

What should I do if I feel like my child or I have been the victim of discrimination or harassment?

New Yorkers have the right to be free from unlawful discrimination, retaliation, and harassment, in the workplace, housing and public places, including public schools. For more information or to report an incident, contact the Respect for All (RFA) liaison in a school, call 311, or call the NYC Commission on Human Rights hotline at (718) 722-3131.