



January 21, 2025

Dear County and District Superintendents and Charter School Administrators:

## **Reminder of Obligation to Protect Immigrant Families' Rights to Access Public Education**

All children in the United States, regardless of immigration or citizenship status, have a right to a free and appropriate public education.

In response to requests for information and support from local educational agencies (LEAs), the California Department of Education (CDE) is sharing resources to preserve access to education for students from immigrant families during times of increased fear of immigration enforcement.

According to data gathered by the Urban Institute, approximately half of California's students are members of immigrant families, in which one or more parents are immigrants. One in five children in California are members of mixed-status families, in which one or more parents are undocumented. Ninety-three percent of those students are United States citizens.

**Educators across California's diverse LEAs may benefit from reviewing the resources below**, which collect existing guidance about California state laws governing the protection of immigrant students and families.

- The Governor's Office has issued a new web resource that centralizes information about protecting immigrant families, especially California's many families who have mixed immigration status. This page includes relevant guidance about maintaining safe school environments, protecting student data, and providing access to mental health resources:  
<https://www.ca.gov/immigration/>.
- The U.S. Supreme Court has long guaranteed that all children have a right to a free public education, regardless of immigration status, per *Plyler v. Doe*, 457 U.S. 202 (1982). (See <https://tile.loc.gov/storage-services/service/ll/usrep/usrep457/usrep457202/usrep457202.pdf>.)
- Every student in California has the right to attend public school in the state free from discrimination, harassment, violence, intimidation, and bullying. (California *Education Code [EC] 220, 234, et seq.*)

- The threat of immigration enforcement can impair the ability of many students, including those who are undocumented and those who are United States citizens, to thrive in our schools. A 2020 Harvard report<sup>1</sup> found pervasive fear of immigration enforcement in schools, resulting in increases in emotional and behavioral problems among immigrant students, reduced commitment to school and the idea of going to college, and increased absenteeism. Surveys found the threat of immigration enforcement affected US citizen students as well, as students worried about the fate of family members, friends, and classmates.
- Per Assembly Bill 699 (2017), schools are not to collect information about families' immigration status unless required by law and LEAs must pass policies limiting assistance with immigration enforcement at public schools. (Access the bill at [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB699](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB699).)
- Many school districts throughout California have passed policies, procedures, and resolutions intended to make families and students feel safe at school and to communicate to staff, students, and their families that all students have a right to attend school regardless of their immigration status. Many examples of these local resolutions exist across our state, including in the San Diego Unified School District.
  - San Diego Unified School District Resolution (2024)  
<https://sandiegounified.diligent.community/document/4cd14e84-dd11-49ff-ad24-f10894c6ff46/>
- Pursuant to AB 699, in 2018, the California Attorney General's Office issued guidance to help schools promote a safe learning environment for all students and to help school officials and families respond to potential immigration enforcement:
  - Guidance for school officials, updated December 2024:  
<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>
  - Release: <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and>
  - Guidance for students and families:  
The complete Guide for Students and Families is available in [English](#) and [Spanish](#) at [oag.ca.gov/immigrant/resources](https://oag.ca.gov/immigrant/resources). Additional languages will be available in the coming days.
  - Guidance for school officials:  
The complete Quick Reference for School Officials guide is available in

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<sup>1</sup> [https://immigrationinitiative.harvard.edu/wp-content/uploads/2020/01/brief\\_2\\_english.pdf](https://immigrationinitiative.harvard.edu/wp-content/uploads/2020/01/brief_2_english.pdf).

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[English](#) and [Spanish](#) at [oag.ca.gov/immigrant/resources](http://oag.ca.gov/immigrant/resources). Additional languages will be available in the coming days.

**The CDE encourages all LEAs to review and update their policies, or to adopt policies if not yet adopted, in accordance with the guidance below to ensure that they are providing safe learning environments for all students.**

**Specifically, LEAs should review their student enrollment, residency, and data-collection policies and practices to ensure that they comply with federal and state laws** and to safeguard against inadvertently discouraging undocumented students or students from mixed-status families from enrolling in or attending school.

Staff should receive training on these policies and procedures. Staff should be advised that during the student enrollment process LEAs must verify students' ages and residency in the district. However, school districts need not and should not ask about the citizenship or immigration status of students or their parents or guardians for the purpose of establishing in-district residency.

California law further bars LEAs from collecting or soliciting Social Security numbers from students or their parents or guardians, unless otherwise required to do so by state or federal law. (*EC 49076.7[b]*)

Further, state law directs LEA governing boards to adopt policies that limit classroom interruptions. LEAs may adopt policies that limit access to school sites and questioning of students for immigration enforcement purposes because such activities, and threats of such activities, interfere with classroom learning (*EC 32212, 35160*).

Together, we will ensure that all families feel welcome on our campuses and that students feel supported to attend school. An appendix of statewide resources is attached at the end of this letter for use by educators as needed and appropriate.

For access to continuously updated resources about welcoming and supporting immigrant families, please see the CDE's Safe Havens web page:

<https://www.cde.ca.gov/eo/in/safehavens.asp>.

Sincerely,

*Signed by*

David Schapira  
Chief Deputy Superintendent  
California Department of Education

## Appendix: Statewide Resources

### Northern California

#### Social/Emotional Support

##### 1. Centro Legal de la Raza

- **Services Offered:** Provides mental health workshops for immigrant families, counseling referrals, and legal support.
- **Address:** 3400 E. 12th Street, Oakland, CA 94601
- **Phone:** (510) 437-1554
- **Website:** <https://www.centrolegal.org>

##### 2. La Clínica de La Raza

- **Services Offered:** Provides behavioral health services and counseling support for students and families dealing with trauma and stress.
- **Address:** Multiple locations in the Bay Area
- **Phone:** (510) 535-4000
- **Website:** <https://laclinica.org>

##### 3. Bay Area Community Resources (BACR)

- **Services Offered:** Offers mental health and case management services to students and families experiencing deportation fears.
- **Address:** 171 Carlos Drive, San Rafael, CA 94903
- **Phone:** (415) 444-5580
- **Website:** <https://www.bacr.org/>

##### 4. Catholic Charities of San Francisco

- **Services Offered:** Provides counseling services, family case management, and emotional support.
- **Address:** 990 Eddy Street, San Francisco, CA 94109
- **Phone:** (415) 972-1200
- **Website:** <https://catholiccharitiessf.org/>

#### Legal Services

##### 1. Asian Law Caucus

- **Services Offered:** Free immigration legal representation, deportation defense, and community workshops.
- **Address:** 55 Columbus Avenue, San Francisco, CA 94111
- **Phone:** (415) 896-1701
- **Website:** <https://www.advancingjustice-alc.org/>

## 2. Immigration Institute of the Bay Area (IIBA)

- **Services Offered:** Legal services, community outreach, and Know Your Rights workshops.
- **Address:** 657 Mission Street, Suite 301, San Francisco, CA 94105
- **Phone:** (415) 538-8100
- **Website:** <https://iibayarea.org/>

## Central California

### Social/Emotional Support

#### 1. Clinica Sierra Vista

- **Services Offered:** Behavioral health support, counseling, and trauma services for families.
- **Address:** Multiple locations in Bakersfield and Fresno
- **Phone:** (661) 635-3050
- **Website:** <https://www.clinicas ierravista.org/>

#### 2. Raices Cultura (Coachella Valley)

- **Services Offered:** Cultural and emotional support programs, including mental health support.
- **Address:** 1494 Sixth Street, Coachella, CA 92236
- **Phone:** (760) 398-3560
- **Website:** <https://www.raicescultura.org/>

#### 3. Central Valley Family Therapy

- **Services Offered:** Counseling and mental health support for families experiencing immigration stress.

- **Address:** 7170 N. Financial Dr., Fresno, CA 93720
- **Phone:** (559) 691-6840
- **Website:** <https://centralvalleyfamilytherapy.com/>

## Legal Services

### 1. California Rural Legal Assistance (CRLA)

- **Services Offered:** Free legal assistance to low-income families, including immigration-related issues.
- **Address:** Various locations across Central California
- **Phone:** (800) 337-0690
- **Website:** <https://www.crla.org/>

## Southern California

## Social/Emotional Support

### 1. Coalition for Humane Immigrant Rights (CHIRLA)

- **Services Offered:** Mental health workshops, counseling support, and community advocacy.
- **Address:** 2533 W. 3rd Street, Suite 101, Los Angeles, CA 90057
- **Phone:** (213) 353-1333
- **Email:** [info@chirla.org](mailto:info@chirla.org)
- **Website:** <https://chirla.org/>

### 2. The Los Angeles Trust for Children's Health

- **Services Offered:** Emotional health services for immigrant students through LAUSD schools.
- **Address:** 333 S. Beaudry Avenue, 18th Floor, Los Angeles, CA 90017
- **Phone:** (213) 241-3511
- **Website:** <https://thelatruster.org/>

### 3. San Diego Social Advocates for Youth (SAY)

- **Services Offered:** Convenes and facilitates community-based programs to support new arrival, immigrant, and refugee youth and adults; offers a dedicated family resource center.
- **Address:** 4775 Viewridge Avenue, San Diego, CA 92123
- **Phone:** (858) 565-4148
- **Website:** <https://www.saysandiego.org/who-we-serve/new-arrival-immigrant-refugee-youth-adults/>

## Legal Services

### 1. Public Counsel

- **Services Offered:** Free immigration legal aid, including asylum and deportation defense.
- **Address:** 610 S. Ardmore Avenue, Los Angeles, CA 90005
- **Phone:** (213) 385-2977
- **Website:** <https://publiccounsel.org>

### 2. Immigrant Defenders Law Center

- **Services Offered:** Deportation defense and legal aid for minors and families.
- **Address:** 634 S. Spring Street, 10th Floor, Los Angeles, CA 90014
- **Phone:** (213) 634-0999
- **Website:** <https://www.immdef.org>

### 3. San Diego Rapid Response Network

- **Services Offered:** Emergency legal support and deportation defense.
- **Phone:** (619) 536-0823
- **Website:** <https://rapidresponsesd.org>