



FARMWORKER & LANDSCAPER ADVOCACY PROJECT

*ABOGADOS PARA CAMPESINOS Y
JARDINEROS*

Public Education

*Advocating and Litigating on Behalf
of Farmworkers and Landscapers
since 1999.*

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All children, regardless of their immigration status, have the right to attend a free public school.

The United States Supreme Court has ruled that public schools may not:

- *Deny admission to a student during initial enrollment or any other time on the basis of undocumented status*
- *Treat a student differently to verify residence*
- *Engage in practices that discourage the right of access to school*

Social Security numbers are not required for enrollment in a public school.

While schools may ask for a Social Security number, they must explain at the same time that students may enroll without providing a number. Schools can assign a unique number to any student who does not have a Social Security number.

The Free and Reduced School Lunch or Breakfast programs are available to low income children regardless of their status.

While the application for free lunch has a space to write in a Social Security number, parents who do not have a number should write “None” or “Not Applicable.”

Migrant students are entitled to receive help in learning English.

Under federal law, migrant students who cannot speak English have the right to receive special assistance with learning English, so that they can participate in school lessons.

Migrant students are entitled to receive special education services if they have learning, physical or mental disabilities.

Under federal law, students must be tested for learning difficulties in their own native language. Because migrant students can change schools often, the tests should be carried out quickly. Schools should tell parents, in their native language, about the tests and their results. When a migrant family changes schools, parents should ask for a copy of their child’s school records, so that the next school can immediately provide the same services and keep the student from falling behind.

Parents have the right to be kept informed about their children’s progress.

Schools have the responsibility to adequately notify migrant parents, in their native language, about what is happening at school. Migrant parents should be well-informed about school events, so that they can make the right decisions for their children.

Parents have the right to ask for the records of their children.

Under federal law, parents have the right to ask for their children’s school records. In addition, schools cannot release any personal information about the children without the written permission of the parents. As a result, schools cannot give information about the students or their families to the Immigration Service without the family’s consent.

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