

Ensuring Student Safety and Privacy for All Families

Student and Family Information

SMJUHSD is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.



- SMJUHSD is committed to **Safe and Inclusive Schools** for all students and families.
- SMJUHSD has policies in place to ensure the **Privacy of Student/Family Information**.
- SMJUHSD will **notify parents immediately** if request for information or access to a student on school grounds is made by an immigration officer. The information contained within these requests will be provided to parents.
- SMJUHSD will provide **family support and planning resources** to ensure students continue to attend school and have access to all school programs.
- SMJUHSD Board Policy 5145.13 reflects our **dedication to providing a supportive, inclusive environment** where all students and families feel safe and welcome.

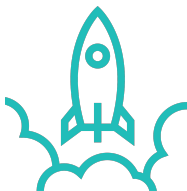
Families are encouraged to:



Know Your Rights and available Resources



Create a **Family Safety Plan** including a Caregiver Authorization Affidavit (CAA)



Keep **School Emergency Contact Information** Updated/Accurate



Contact your child's school to request **social emotional support** for your child if needed

If additional Family Resources are needed, contact the **SMJUHSD Family Resource Center** at 805-922-4573 ext. 1918



Santa Maria Joint Union
HIGH SCHOOL DISTRICT

SMJUHSD.ORG

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Student Rights

What rights do undocumented students have?

Undocumented students between the ages of 6-18 not only have **a right to attend school in California**, but are mandated to attend school pursuant to the compulsory attendance laws. (Educ. Code § 48200.) The U.S. Supreme Court has held that **no state may deny access** to a basic public education to any child residing within the state, whether residing in the U.S. legally or not. (Plyler v. Doe, 457 U.S. 202 (1982).) Further, all students have a right to be in a public school **learning environment free from discrimination, harassment, bullying, violence, and intimidation**. (Educ. Code §§ 220, 234 et seq.)

What student information do schools currently collect, and would it provide insight into immigration status?

School districts are not required to collect information regarding a student's immigration or legal status, aside from the statuses of nonimmigrant, international students enrolled in an educational program under an F-1 or M-1 visa. Schools are only required to collect information to satisfy certain admission requirements, such as proof of residency, none which require the provision of proof of legal immigration status or social security numbers. (Educ. Code § 48204.1.) In addition, CDE collects information from school districts regarding their **students' country of birth** through CALPADS in order to calculate the number of immigrant and English learner students in the state and **to ensure compliance** with the Title III provisions of the federal Every Student Succeeds Act. (Educ. Code § 60900.)

If we receive a Public Records Act request for student data, what information are we obligated to share and protect?

FERPA supersedes the Public Records Act and requires that **the school district maintain the confidentiality** of all personally identifiable information in education records related to students. (20 U.S.C. §1232g; 34 CFR § Part 99.) Any and all records, including emails, student files, and personnel information, are generally exempt from disclosure. All student records, including emails and cumulative **student files, are generally exempt from disclosure or subject to redaction to prevent disclosure of personally identifiable information.**

Parent Rights

All parents, irrespective of their legal status, have **a right to participate in their children's education** and are encouraged to do so. Proof of legal residency is not a prerequisite to the enrollment of their children in school.

If a parent is in custody as the result of an immigration enforcement, are districts required to release the student to ICE or other immigration officials?

No. School districts are not required to release students into the custody of ICE if their parent is in custody as the result of an immigration enforcement action. Parents with such concerns should make advance arrangements with relatives or friends to ensure that their children are released to an authorized caregiver or adult, and should ensure that school districts are aware of this arrangement in the emergency information card submitted to schools.

Adapted from ACSA "undocumented Students and Families: The Facts" 12/2024

