

STUDENTS' CIVIL RIGHTS ENFORCEMENT INITIATIVE

The Students' Civil Rights Act

ADVOCATE'S TOOLKIT

**PART 4: PROTECTIONS FOR IMMIGRANT
STUDENTS & THEIR FAMILIES**

Part 4: Protections for Immigrant Students & Their Families

About the Section

The *Protections for Immigrant Students & Their Families* section provides clear state protections for students who are immigrants or have family members who are immigrants. These protections include making it illegal to deny students from enrolling in school or participating in school programs because of their immigration status. The section also gives schools directions on how to respond if federal immigration enforcement officers show up at a school site and what additional policies they should develop for those situations.

Drafting Considerations

Under subsection (c)(3), you may notice language about a “person associated with the student” or an “associated person,” but those phrases are not defined. These phrases were included to capture the notion that there are special people in students’ lives (not just their parents) who may be immigrants who are intimidated by federal immigration enforcement actions. These special people can be family members, like siblings, aunts, and uncles, or close friends who may take part in caring for a student on a day-to-day basis. This might look like an aunt who walks a student to school.

The model language tries to protect those special people from being targeted for immigration enforcement by prohibiting schools from sharing or threatening to share information about them to an immigration or law enforcement agency. The language also helps to ensure that students, like the one who walks to school with her aunt, will not skip school in order to protect those who are special to them.

Share this explanation with your community and decide whether it makes sense to add a formal definition for “person associated with the student” or “associated person” under subsection (b) in your draft.