

# Fact Sheet

## Information on the Rights of All Children to Enroll in School

All children in the United States are entitled to a basic public elementary and secondary education regardless of their race, color, national origin, citizenship, immigration status, or the status of their parents/guardians. School districts that either prohibit or discourage children from enrolling in schools because they or their parents/guardians are not U.S. citizens or are undocumented may be in violation of Federal law.

Below are some examples of acceptable enrollment policies — including proof of residency in the school district — as well as policies that may not be used by schools to deny enrollment to your child.

- **Proof of Residency in the School District.**
  - School officials may require you to provide proof that you live within the boundaries of the school district. Copies of phone and water bills, lease agreements, or other documents may be requested for this purpose. A school district's requirements to establish residency must be applied in the same way for all children.
  - However, a school district may not ask about your or your child's citizenship or immigration status to establish residency within the district, nor may a school district deny a homeless child (including a homeless child who is undocumented) enrollment because he or she cannot provide the required documents to establish residency.
- **Birth Certificates.**
  - In order to show that a student falls within the school district's minimum and maximum age requirements, school officials may request a copy of your child's birth certificate.
  - However, a school district may not prevent your child from enrolling in school because he or she has a foreign birth certificate.
- **Social Security Numbers.**
  - Some school districts request a student's social security number during enrollment in order to use it as a student identification number. A school district may request a student's social security number, but only if it (1) informs the student and parent

that providing it is voluntary and (2) explains for what purpose the number will be used.

- o However, a school district may not prevent your child from enrolling in school if you choose not to provide a social security number.

- **Race or Ethnicity Data.**

- o School districts have some Federal and state obligations to report race and ethnicity data about the students in their schools. A school district may request that you provide your child's race or ethnicity for this purpose.
- o However, a school district may not bar your child from enrolling if you choose not to provide your child's race or ethnicity.

If you want to learn more about your rights and the rights of your child when enrolling in public school, or if you believe that a school district is violating Federal law, you may contact the following government agencies:

- Department of Justice, Civil Rights Division, Educational Opportunities Section  
Telephone: (877) 292-3804 (toll-free)  
Fax: (202) 514-8337  
Email: [education@usdoj.gov](mailto:education@usdoj.gov)

- Department of Education, Office for Civil Rights  
Telephone: (800) 421-3481  
Email: [ocr@ed.gov](mailto:ocr@ed.gov)

If you wish to fill out a complaint form online with the Department of Education, you may do so at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

