

Members of Metropolitan Area Foreign Student Advisors (MAFSA) are professionals who work with immigrant and language minority students in the Washington, D.C. metropolitan area (including Maryland and Virginia). Our roles include the registration, transcript evaluation, and support services for international students, and therefore follow all federal, state, and local guidelines pertaining to immigrant students in our districts. There are several school practices that we as educational professionals vigilantly observe, particularly those related to the 1982 Supreme Court ruling of *Plyler v. Doe*, 457 U.S. 202. In *Plyler v. Doe*, it is mandated that public schools are prohibited from denying immigrant students access to a public education, K-12, on the basis of their immigration status. Public schools are prohibited from adopting policies or procedures that may expose the immigration status of its students or families and therefore deny right of access to a public education.

Some school practices that are specifically prohibited include:

1. Requiring children or parents to prove that they are in the country legally (i.e. asking for passports, visas, 'green cards', etc.).
2. Requiring Social Security numbers of all students.
3. Recording of alien registration numbers or other specific immigration status information (such as visa status).
4. Disclosing personally identifiable information from student records without first getting permission from the parent (FERPA). However, even the request for permission can have a 'chilling' effect on the student's right of access, and is therefore prohibited.

In order to ensure the all of our students receive equal educational opportunities and to protect the rights of immigrant students in our communities, MAFSA members advocate for proper and legal policies in our districts. For example:

School personnel should refrain from making inquiries from students or their parents concerning their immigration status, including if they are in the U.S. legally or on a nonimmigrant visa (such as B-2, F-2, J-2, K-2, etc.).

Schools that receive supplemental federal funding to provide services to immigrant students under the Emergency Immigrant Education Program may require documentation of students' country of origin, which can be obtained with a birth certificate.

Schools receiving federal funds for the Transitional Program for Refugee Children are allowed to collect documentation of refugee status, country of origin, and date of arrival.

Public schools that have been approved by Immigration to issue I-20A-B's (for the F-1 student visa classification) are responsible for reporting information only for those students, and not for any other nonimmigrant students in the district.

Please see the attached list of MAFSA members. It is our hope that all districts represented advocate for and support our international student populations.

Reference: *Immigrant Students: Their Legal Rights of Access to Public Schools*, National Coalition of Advocates for Students, Boston, 1989

(Letter composed by Silvia Hoke, Secretary, on 10/17/2012. Approved by MAFSA membership on: 10/22/2012)