



Newcomer Student Education Rights

Tools to Advocate for Newcomer Students
in K-12 Educational Settings

Acknowledgements

We would like to thank everyone who has made the creation of this toolkit possible.

It was informed and inspired by the young people we serve, their families, and the service providers who support them.

Contributors

Stacy Nuñez
Karen Martinez-Chung
Mayra Lira
Vivian Wong
Beck De Jesus
Zarifa Ahmed
Albert Peña

Design

Jessy V. Castillo, Rara Matter

Table of Contents

10

Section 1: School Enrollment

Right to Enroll
Documentation
Age Specifications
Partial Credits
Best Practice Tips

15

Section 2: Requesting Records from the Office of Refugee Resettlement (ORR)

What May Be Included in an ORR Case File?
Who Can Request a Youth's ORR Case File?
Best Practice Tips

19

Section 3: English Language Learners

English Learner (EL) Designation
Reclassification of ELs
Best Practice Tips

22

Section 4: Special Education and 504 Plans

Individuals With Disabilities Education Act
What is an Individualized Education Plan (IEP)?
Who qualifies for an IEP?
Identifying and Addressing Multiple Disability Related Needs
What Does Adverse Impact Mean?
How Does A Student Get an IEP?
What May Indicate Disability-Related Needs?
The Assessment Process
Related Services Section
504 Plans
Best Practice Tips

35

Section 5: School Discipline

Suspensions

Expulsions

39

Section 6: Graduation Requirements

Who Determines Eligibility for the Reduced Credit Requirement?

The School District's Responsibility

Best Practice Tips

43

Section 7: Bullying and Discrimination

Advocacy Steps

Uniform Complaint Procedures (UCP) Complaint

Best Practice Tips

49

Appendix & Resource List

Appendix I: Affidavit of Residency

Appendix II: Sample Email Post Enrollment Denial

Appendix III: ORR's *Authorization for Release of Records*

Appendix IV: Sample Assessment Request

Appendix V: Reduced Credit Requirements for Graduation

Appendix VI: Gebser Letter Template

Appendix VII: Sample UCP Form from LAUSD

Introduction

This toolkit is designed to inform advocates (attorneys and non-attorneys) about the education-related rights of newcomer and undocumented immigrant children, how to assert those rights, and what to do if the school/district pushes back. This toolkit is for informational purposes only. It is not legal advice and does not create an attorney-client relationship. This manual should not replace an individualized legal assessment of a case.

For purposes of this toolkit, we focus on newcomer youth and the educational barriers they most commonly face. We recognize that many newcomer students hold intersecting experiences—such as involvement in the child welfare system, juvenile detention, or immigration detention—that may require additional support beyond the scope of this resource. While we aim to provide thorough and practical guidance, we encourage advocates to consult additional resources or contact the authors for further questions or support.

Federal case law¹ provides undocumented immigrant children with the right to attend a comprehensive school regardless of their immigration status. In California, there are additional state laws that explicitly protect immigrant children and their right to access a free public education². Throughout the toolkit we will refer to the California Education Code and other relevant California laws. Although some of the laws and advocacy tips are applicable in other states (such as the IDEA-related advocacy), please refer to your state's laws to determine which legal rights and remedies are available to your client.

This toolkit is meant to be accessible for any advocate, including social workers, teachers, case managers, youth advocates, etc. Legal citations and certain legal language in templates are included for reference purposes only.

1 *Plyler v. Doe*, 457 U.S. 202 (1982)

2 California Constitution, Article IX, Section 5; Cal. Educ. Code § 220

Glossary

Comprehensive School:

The school district, county office of education, or charter school that has oversees schools in a local area.

Education Rights Holder (ERH):

The person 18 years and older who has the power to make educational decisions for a minor. Biological parents are the default ERH, but decision-making power can be transferred to others through a court order. ERHs can include: adoptive parents, legal guardians, a Court Appointed Special Advocate (CASA). A youth becomes their own ERH when they turn 18 years old.

English Learner (EL):

A student who enrolls in a California school beginning in any grade level, transitional kindergarten through grade twelve; has a language other than English identified on the Home Language Survey as their primary language and upon assessment, obtains a level of English proficiency that indicates programs and services are necessary.³

Ever-ELs:

Current English Learner (EL) students and Reclassified Fluent English Proficient Student (RFEP).

Local Education Agency (LEA):

A regular, public school that serves students within its local area. Not a community day school, continuations school or other school that serves a specific population.

Long-Term English Learner:

An English Learner (EL) student who has not attained English language proficiency within seven years of initial classification.

Newcomer Youth:

Defined by the California Education Code as immigrant children and youth who are aged 3-21; were not born in any state (each of the 50 states, the District of Columbia, and the Commonwealth of Puerto Rico); and have not attended one or more schools in the United States for more than three full academic years. Newcomer youth can also be English learners, asylees, refugees, unaccompanied children, undocumented youth, migratory students, and those with interrupted or limited formal education.⁴

Reclassified Fluent English Proficient Student (RFEP):

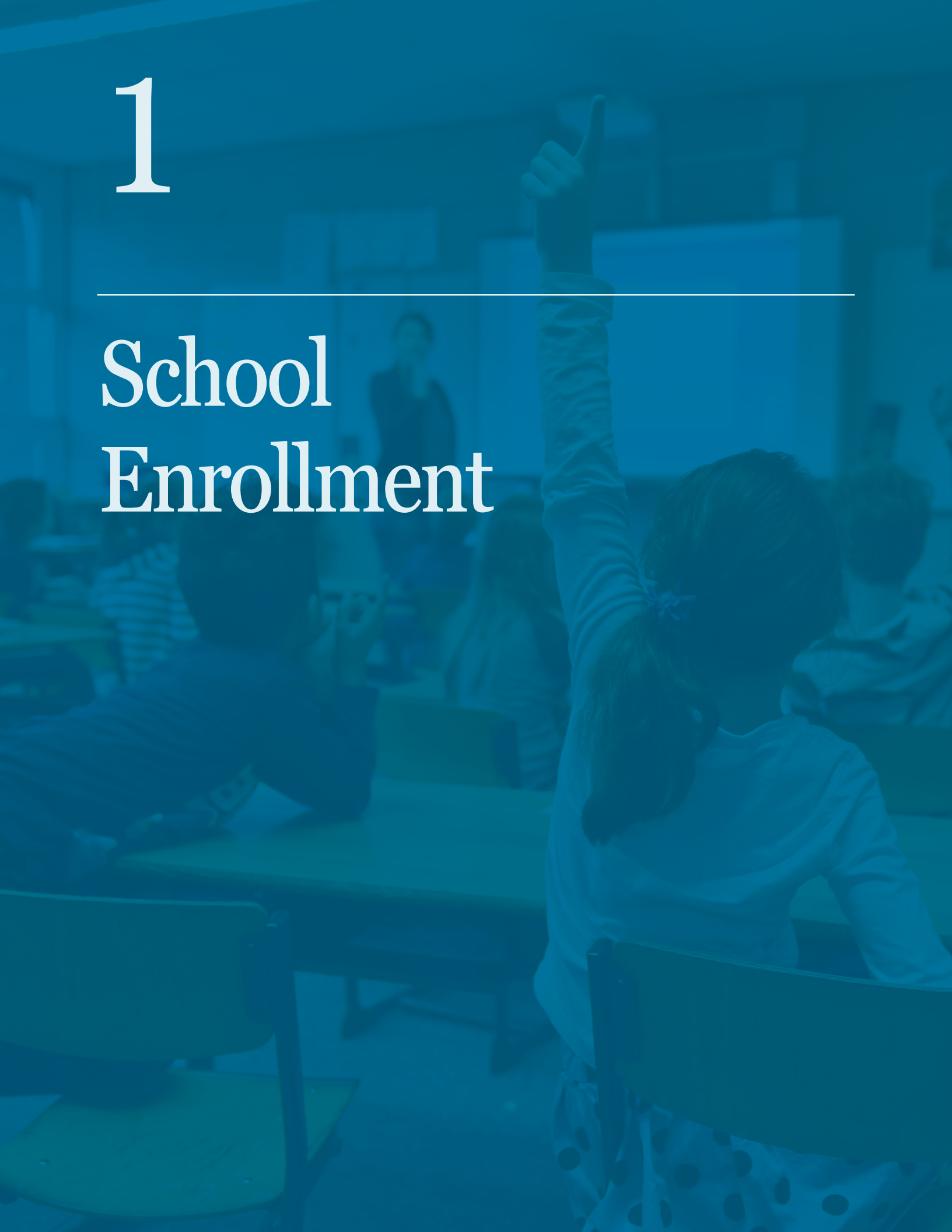
A former EL student who has met the four criteria listed in the reclassification section.

3 Students identified as English learners receive programs and services until they meet the reclassification criteria pursuant to Cal. Ed. Code §§ 430(b), 440.

4 Throughout this toolkit we will use the term newcomer youth as it is defined by the California Education Code § 54450 and 20 U.S.C.A. § 7011.

1

School Enrollment



School Enrollment

Right to enroll in a public school regardless of immigration status

Students who want to attend their local comprehensive school, or home school, must provide specific paperwork to show that they reside within the school district boundaries to enroll. While in most situations proof of residence is required to enroll in school, there are exceptions. Under these exceptions, students may enroll even if they do not have the necessary paperwork at the time of enrollment. Below, we will go through examples of documents that may be requested upon enrollment. We also detail which exceptions apply, whether a school is legally allowed to request the document, and what you may do if you do not have a specific document.

Documentation

Proof of Residency

Schools are allowed to ask families for proof that they live within the school district, as long as the documents requested to establish residency would not unlawfully prevent or discourage an undocumented student from enrolling in or attending school. School districts will usually request documents that include the name and address (address should be within the boundaries of the school district) of the student's ERH, to prove residency.

Documents that schools may ask for as proof of residence include:



Mortgage
bill / lease
agreements



Utility bill
(water, gas)



Check /
pay stub



Bank
Statement



Exceptions:

If you do not have any of the above documents, you can provide the school with what is referred to as a *Proof of Address letter* or *Affidavit of Residency* (see [Appendix I](#)).⁵ This is a sworn statement by a person in which they state that you live at the address that is within the boundaries of the school district. This document can be notarized, but that may not be necessary if the person can be present during enrollment or depending on the school.

Birth Certificate

School districts may NOT bar a student from enrolling in school simply because they do not have a birth certificate, or if they provide records that indicate a foreign place of birth, such as a foreign birth certificate.

Social Security Number

A school district is allowed to ask for a student's social security number as long as 1) the student submits it voluntarily; 2) the school provides a legally valid reason for asking for the number; and 3) the school explains what it will be used for. The student's enrollment cannot be denied if the student or ERH refuses to provide the number. Schools must uniformly apply the request to all students.



Tip:

If a school asks the student to provide a Social Security Number or asks about their legal status, we recommend that the student speak to an immigration attorney before submitting this information.

Legal Status Documentation

Schools and school districts are NOT allowed to ask students or their ERH for documents related to their immigration status.

Age Specifications

Students who are 18 years or older

In California, compulsory attendance laws do not apply to youth over 18. Therefore, enrollment over 18 is largely at the discretion of School Districts (or the Local Education Agency (LEA) with administrative control over public schools).

If a student is in special education they may be able to enroll and remain in school until they turn 22, depending on whether they continue to be eligible for special education.

Students who are 17 years old and younger

School districts are supposed to enroll students under the age of 18 in their comprehensive school, especially if they assess that the student can meet the state credit requirements within a fifth year of high school. We discuss the opportunity for graduation under a reduced credit requirement more in depth under the "Graduation" section later in this toolkit.

If a school is refusing to enroll a student, even though they have not yet turned 18 years old, then the ERH and/or anyone supporting the student and family with enrollment (like an advocate or service provider) should request that the school put their reason for denying enrollment in writing.

If school staff refuse to put their denial of enrollment in writing, the ERH should send an email (see [Appendix II](#)) to the school principal detailing the following (if the ERH is unable to do this on their own, an advocate or service provider may assist in drafting this email):

1. When the ERH went to the school to attempt to enroll their student,
2. Who they spoke to and what they were told,
3. Ask the school to confirm that:
 - they understood what happened, and
 - they are denying enrollment without explicitly providing a reason or to clarify that ERH misunderstood the denial to enroll and to provide information to complete enrollment; and
4. Ask that the school clarify whether the ERH misunderstood and enrollment has not been denied. If that is the case, the school should clarify what information is needed to complete enrollment.

Partial Credits for High School Students

Newcomer students have a right to receive partial credits for work completed, based on days of enrollment and days of attendance, including any credits earned in schools in other countries.

Schools must accept all credits for full or partial coursework satisfactorily completed at another public school, a juvenile court school, or a nonpublic, non-sectarian school.⁶

When students move, their previous school must issue partial credits on a transcript and send them to the new school. The transcript must include:



All full or partial credits earned at each school of attendance



Dates of enrollment and seat time at each school of attendance

If the new school (the school where a newcomer student enrolls) discovers that the prior school(s) the student attended did not include certain credits or grades earned, the current school must notify the prior school(s) within 2 business days of noting the missing credits or grades. The prior schools must then issue appropriate credits and provide all academic and other records to the new local educational agency within 2 business days of the request.

Best Practice Tips



Request Written Documentation of Any Denials

If the school denies enrollment, ask the staff person to put the specific reason for denial in writing that same day.

Push Back on Immigration-Status Based Requests

If the school is requesting that the student or ERH provide a document showing legal status:

- Ask why they need the document
- Ask if it is district policy to request the document
- If they say it is based on policy, request a copy of the policy

Document Everything For Your Own Records

Write down the names and roles of people you spoke to any time you visit the school. Include the date, time, and method of communication as well as a brief summary of what they said.

If the School Refuses to Provide a Denial in Writing

If the staff person does not provide the reason for denial in writing:

- Write an email to the principal documenting what happened
- Include who you spoke to, what was said, and when it took place
- Request written confirmation that the school is denying enrollment and the reason

2





Requesting Records from the Office of Refugee Resettlement (ORR)

Requesting Records from the Office of Refugee Resettlement (ORR)

Newcomer youth upon entering the United States are sometimes placed in detention centers run by the Office of Refugee Resettlement (ORR). If a youth was held in a detention center run by ORR they are likely to have a case file that includes educational, medical and mental health records. Reviewing a youth’s ORR case file can be helpful when preparing to request special education assessments, defending at a disciplinary meeting or hearing and planning for graduation.

What may be included in an ORR case file?

The ORR case file may include:

-  Information about vaccines administered while detained
-  Educational or mental health assessments
-  Service plans or 504 plans
-  Attendance records

Who can request a youth’s ORR case file?

The ORR case file may be requested by the youth themselves or by the youth’s caregiver. The youth’s case worker may also request the youth’s ORR case file, but they will need to submit a statement on letterhead confirming that they are providing services to the youth. Therefore, we recommend service providers support the youth and/or caregiver in requesting the youth’s records themselves instead of requesting it on their behalf.

To request a youth's ORR file:

- 1** Complete the *Authorization For Release of Records* (see [Appendix III](#)) with information gathered from the youth and caregiver.
 - 2** Ensure the *Authorization for Release of Records* is signed by the caregiver AND the youth, if the youth is 14 years old or older.
 - 3** If you are a service provider and will be requesting the records yourself, submit a statement on your agency's letterhead verifying that you are providing medical (including mental health) support to the youth.
 - 4** Email the completed *Authorization For Release of Records* and statement to UCRecords@acf.hhs.gov.
- Your email should have the following subject line:
- 5**
 - a. *ORR Records Request for UC* First/Middle/Last Name initials, XXX-XXX-last 3 digits of the alien number
 - b. For example: for someone named Maria Ana Smith with alien number 123-456-789 the subject line would say: **ORR Records Request for UC MAS XXX-XXX-789**
 - 6** If you are a service provider requesting records, your request may be rejected by ORR. ORR does not have an appeal process if a request is denied. They have complete discretion when deciding which requests to fulfill, we recommend that the youth or caregivers directly submit the request for the ORR case file with the support of the service provider.

Best Practice Tips



Support the ERH and Youth in Self-Advocacy

It is best for the youth or the youth's ERH to directly request their ORR file.



Keep a Copy of Requests and Records

As the service provider you can support the family by keeping a copy of the request form they send to ORR requesting the records and also encouraging them to keep their own records.



Review Records Carefully

Once you receive the file, thoroughly review it, paying close attention to whether there are any records missing.

3

English Language Learners



English Language Learners

Local Education Agencies, such as a school district, must identify all English Learner (EL) students in need of language assistance services in a timely manner. School districts give families a survey, such as the Home Language Survey. The Home Language Survey asks the ERH to indicate the primary language used in the home, the language most often spoken by the student, the language the student first learned, and other similar questions.

If the ERH indicates that the student speaks a language other than English, even if they also speak English, then the school is required to test the child's English proficiency to help determine if the child should be designated as an English Learner.

EL Designation

In California, school districts use the English Language Proficiency Assessments for California, or ELPAC, to assess whether a student should be designated as an EL. The ELPAC will test a student's proficiency in reading, writing, speaking and listening in English. If the student's results show that they are proficient in these areas they are designated as "Initially Fluent English Proficient" and do not have to take the ELPAC again. However, if the test results show that the student is not proficient in English, they are designated as an EL and will retake the ELPAC every spring until they are reclassified as "fluent English proficient."

Reclassification Criteria for ELs

Every spring, school districts should be reviewing whether an EL student is ready to be reclassified as "fluent English proficient". School districts should be looking at the following four criteria when determining if an EL student should be reclassified:

- ELPAC results,
- Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery,
- ERH opinion and consultation, and
- EL student performance in basic skills and how it compares to students of the same age who are English proficient.



For example:

"Basic skills" can be evaluated through state tests, or other assessments that measure progress in English Language Arts, which are administered to all students.

School districts should not prevent an EL student from reclassification if the student is struggling academically but has shown English proficiency. The school district should provide ongoing academic support, and any other necessary support, that are designed to help the student address any areas of deficit before reclassification.

Best Practice Tips



Do not wait for the school to designate student as English Learner

If the school does not initiate identification of a potential English Learner, check whether the student may meet the requirements. You can also request in writing that the school assess the student.

Request Documentation

If the school refuses to assess the student, request their reason for denial in writing.

Provide Documentation

Put any requests to assess for reclassification in writing, and include your reasons for requesting reclassification. You can request the assessment results and ask the school to discuss progress.

- This could help gauge whether the student is making progress with learning English.
- This can help determine if there are underlying needs that are not being addressed.

4

Special Education and Section 504 Plans

A photograph of a teacher sitting on the floor in a classroom, surrounded by several young students. The teacher is looking down at something in her hands, and the students are looking towards her. The background shows classroom furniture like tables and chairs. The entire image has a blue tint.

Special Education and Section 504 Plans

The Individuals with Disabilities Education Act (IDEA)

The IDEA establishes requirements for school districts to identify and assess students who may have disability-related needs. If a student is found to have disability-related needs which impact their access to their education, then the school district must help create an Individualized Education Plan or Program (“IEP”). The IEP provides special education and related services (including but not limited to only accommodations) to eligible students.

To be eligible for special education services, the IDEA requires that a student⁷:



Meet one of the qualifying conditions



The condition adversely affects educational performance, and



Condition creates a need for special education and related services

What is an IEP?

An IEP is a legally binding document, a contract, developed for students with disabilities who require specialized educational services.⁸ It outlines the student’s unique learning needs, academic and socio-emotional goals, and the services and accommodations necessary to meet the “unique needs” of the individual student.⁹ The IEP is created collaboratively by educators, ERHs, and often the students themselves, and it serves as a roadmap for providing tailored instruction and support to ensure the student’s needs are met.

⁷ 34 C.F.R. § 300.8., Cal.Ed.Code §56026

⁸ Cal. Ed. Code § 56345.

⁹ 34 C.F.R. § 300.39 & 300.324(a).

Who Qualifies for an IEP?

One of the requirements a student must meet to be found eligible for special education is to have at least one of the following¹⁰:

- Intellectual disability
- Hearing impairment (including deafness)
- Speech or language impairment
- Visual impairment (including blindness)
- Emotional disability
- Orthopedic impairment
- Autism
- Traumatic brain injury
- Other health impairments (any medical condition that limits strength, vitality, or alertness)
- Specific learning disabilities



For example:

Students with ADHD or PTSD can qualify for OHI

Identifying and Addressing Multiple Disability-Related Needs

When assessing a student, the school district evaluator should assess in “all areas of suspected need.” This is important because some students may have more than one disability impacting their access to education, and each disability could be impacting them in different ways. Each disability-related need will require its own specific intervention to help support the student.

For example, an evaluator may find that a student has Attention Deficit/Hyperactivity Disorder (“ADHD”)-like symptoms and also struggles with processing information in subjects like math and reading. The district evaluator could recommend that the student’s IEP address both the ADHD-like symptoms under the category of Other Health Impairment (OHI) and Specific Learning Disability (SLD) for the processing related needs.

ADHD-like symptoms could impact a student’s attention in class. One way to address that area of need is to seat them in an area or section of the classroom with less distractions. But if a student also has processing-related needs, then seating them somewhere different may not be helpful. Instead, a student with processing-related needs could find it helpful to have instructions written out in simpler terms and have the teacher check in with them to make sure they understand what they need to do for an assignment. If a student has both needs, then both related services or supports should be implemented to address each need.

For example, a student may have all of the following disability-related needs, stemming from different disabilities, and could request a related service and support to help address each area:

Disability-Related Need	Example of Support/Service
Struggles to focus in class	<ul style="list-style-type: none"> • Seat student in an area with less distractions around them (maybe not next to a window, closer to the teacher)
Struggles to follow along with word problems in math	<ul style="list-style-type: none"> • One-on-one support from a resource specialist in math class • Provide written instructions on how to break down the problem • Have the teacher check in to make sure the student is following along and understanding
Struggles when starting to write responses to essay questions or starting on longer papers	<ul style="list-style-type: none"> • Occupational Therapy to help the student feel more comfortable writing by hand or typing • Speech-to-text program that helps the student start written assignments

Note on eligibility under IDEA

An official, or medical, diagnosis is NOT required to be eligible for special education. While school psychologists cannot diagnose a student with any of the disabilities listed, they may find that a student exhibits “like symptoms” – or symptoms similar to those that someone with a diagnosis may display.

If the student or ERH would like to know if a medical diagnosis is appropriate, they should consult with a medical professional.



For example:

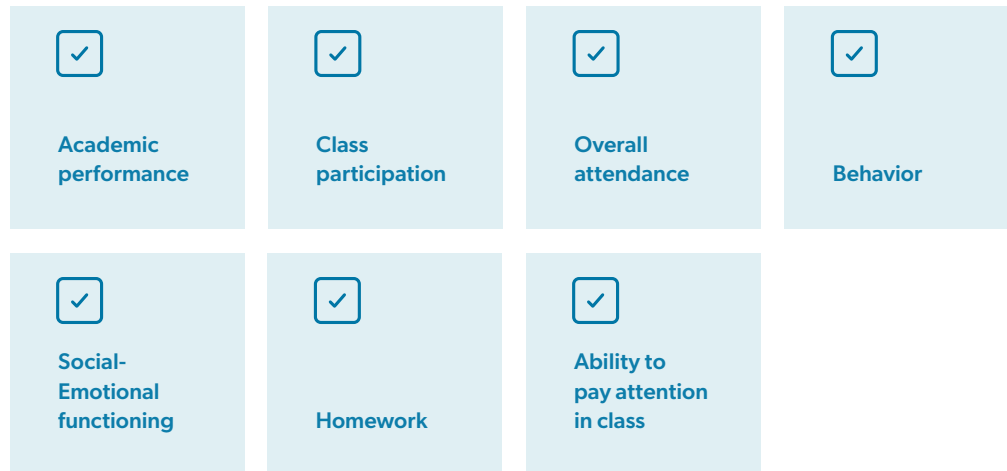
A school psychologist may state in their assessment report that the student displays “ADHD-like symptoms.” The school psychologist may frame the student’s need this way because there is no medical diagnosis of ADHD.

What does “Adverse Impact” Mean?

To be eligible for special education, a student’s disability-related needs must impact their access to education in some manner. Having a diagnosis or having similar symptoms does not automatically make a student eligible for an IEP.

The assessor and IEP team must consider the impact of the disability on the student as a whole.

This means that the team should look at how the disability-related needs impact the student in the following areas:



Academic performance, what grades a student gets in their classes, is only one of many indicators of possible disability-related needs. It is important to review and discuss all aspects of a student's education when advocating at the IEP meeting.

How does a student get an IEP?

A young person must be assessed, and an evaluation conducted to determine if the young person is eligible for Special Education services.

ANYONE can request an assessment (see [Appendix IV](#)). The legal standard for assessment is low: "reasonable suspicion" that the child has a disability.

An ERH, advocate, or service provider can show that there is a reasonable suspicion by referencing things like:

- Consistently low grades
- Difficulty paying attention in class
- Difficulty sitting still for long periods of time
- Struggles with peer interactions
- Lengthy discipline incident logs or being disciplined frequently and for similar incidents (ex. Fights with peers, struggling to regulate emotions, etc.)
- Attendance struggles

What May Indicate Disability-Related Needs?

There are many ways to show that a student may have a disability or disability-related needs and should be assessed. Many people may look at consistently low grades, or a sudden dip in grades, as a possible indicator of an unaddressed need. Some other things to look for include:

- Often forgets directions or needs further explanation, difficulty understanding instructions
- Consistently takes a longer period of time to respond
- Difficulty retelling a story or event
- Consistently confuses letters/words that look alike, letter reversals, substitutions
- Difficulty remembering previously learned information
- Avoids writing or doing work by hand
- Inattentive across environments (home, school, social settings)
- Difficulty completing assignments even when offered time and assistance
- Forgetting the sounds that certain letters make, the names of the letters
- Struggles with matching sounds to letters, hearing rhymes, replacing one sound with another, breaking a word into several smaller sounds, blending sounds together
- Sentences do not become more complex over time, despite being exposed to simple and complex sentences and advanced vocabulary

**Tip:**

Look for these needs in BOTH languages – the native language and English (or all languages, if the student speaks more than two languages).

The Assessment Process

California Education Code requires that assessments and reassessments be conducted by individuals who are competent in the oral, sign, or written language skills of the student being assessed, and who have knowledge and understanding of the student's cultural and ethnic background.

Language Access

You can ask for an interpreter if the assessor does not speak the student's native language. Testing and assessment materials and procedures can, and should be provided in the student's primary language, not just in English.

Culturally Competent

In alignment with these legal requirements for cultural competence, assessments should also be grounded in cultural humility. This involves interpreting information in light of the student's and ERH's cultural background, engaging families as experts in their own context, and adapting communication accordingly.

Because mental health needs may not be openly discussed in some families or communities, assessors should approach these conversations with care. Concepts such as "anxiety" or "depression" should be explained in accessible, culturally relevant terms and clarified in collaboration with the student and family. This approach supports shared understanding, builds trust, and ensures that the assessment process is both legally compliant and responsive to the student's lived experience.

Cultural Concepts of Distress

Students and families may describe emotional or behavioral distress in culturally specific ways that do not neatly align with Western diagnostic categories. Assessors should remain open, curious, and collaborative when discussing these terms.

The following are some examples that can be found in the Diagnostic and Statistical Manual of Mental Disorders (DSM 5-TR):



Ataque de nervios ("attack of nerves")

A cultural syndrome common in Caribbean and Latin American communities, typically involving intense emotional upset, screaming, crying, trembling, or a sense of being out of control. It may be misunderstood as a panic attack or behavioral outburst if the cultural context is not considered.



Susto ("fright")

A condition often described in Latin American cultures in which symptoms such as sadness, fatigue, sleep disturbance, or appetite changes follow a frightening or startling event. These symptoms may resemble depression or anxiety but arise from a culturally specific understanding of illness.



Shenjing shuairuo ("weakness of the nervous system")

A term used in Chinese cultural contexts referring to fatigue, weakness, irritability, bodily discomfort, and difficulty concentrating. Without cultural awareness, it might be misinterpreted as somatic symptom disorder or generalized anxiety.

Understanding cultural concepts of distress helps prevent misdiagnosis, avoids pathologizing culturally normative expressions of suffering, and strengthens rapport with newcomer youth and their families.

Multimodal

Ask for assessments to be administered in the language and form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally.

Assessments should not only be conducted orally or by writing, but should instead use several methods of testing capability. Examples include, using pictures, giving opportunities to read (visual) and then write, opportunities to hear (auditory) a prompt and then write, physically move objects, pair images together by memory, etc.

Related Services

Lastly, the student's disability-related needs must create a need for special education and related services.

Some examples of related services include:



Below we have included additional descriptions of some of the more common related services we see provided to students through the IEP.

Resource Support Program (RSP)

A student with identified academic needs - such as difficulty with processing information, like reading comprehension or understanding math problems - may require additional, targeted support in certain subjects. RSP is a related service that school districts can offer in order to provide a student with additional support in subjects like math, reading, and writing. The student can either go to a different classroom (pull-out) during their math or English class time to receive support from an education specialist, or the education specialist can go into the student's classroom (push-in) and work directly with the student on the areas of need.

RSP can be provided on an individual basis or it may be provided in a smaller group setting. This service is intended to provide the student with a more individualized support, because of this, group RSP should not include too many students at once. A smaller group ensures each student can receive the additional individualized support they need to access their education.

Speech and Language Services

Speech and language services under IDEA are designed to identify, assess, and treat students with communication difficulties that impact their learning.

These services include:



Diagnosing speech or language impairments



Offering guidance to families and educators on how to support a child's communication needs



Providing therapy to improve articulation, fluency, or language comprehension

Speech-language pathologists also refer students for additional medical or professional evaluations when necessary.

Counseling

School-based counseling is different from therapy provided through a medical provider or agency outside of school, therefore, a student can receive both services at once. School-based counseling focuses on addressing social emotional barriers impacting the student at school.

Counseling services are services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.¹¹

Counseling services are intended to help students in the areas of academic achievement, personal and social development, and career development. This can include helping students learn strategies and coping skills in test taking, organizational, study skills, self-advocacy, social skills/anxiety management, depression, and motivation. Counselors may also help students with future planning related to setting and reaching academic goals, developing a positive attitude toward learning, and recognizing and utilizing academic strengths.

Students who may require counseling services to help them access their education may show signs of emotional distress, such as persistent sadness, anxiety, sudden mood swings, or frequent tearfulness in class. The students may struggle with peer relationships, exhibit social withdrawal, or demonstrate difficulty managing frustration, often leading to outbursts or conflict with classmates. Teachers, service providers, and ERHs might also notice a decline in academic performance, frequent absences, or avoidance of classroom participation.

School districts may provide more basic counseling services, which may be referred to as **Designated Instructional Services (“DIS”) counseling**. However, a more intensive form of counseling is available and may be appropriate for students whose social-emotional and behavioral needs are documented to be more significant in frequency, duration, or intensity. The more intensive service can be known as either **Educationally Related Intensive Counseling Services (ERICS)** or **Educationally Related Mental Health Services (ERMHS)**. Both terms refer to the same service but may vary between school districts. ERICS/ERMHS may be appropriate when a student’s level of need affects their ability to benefit from their special education program and are manifested at school, at home, and in the community.



For example:

Counseling may address a student’s difficulty paying attention in class, difficulty establishing or maintaining relationships with their peers, or feelings of safety at school. An outside therapy provider might focus on addressing childhood trauma, relationships at home, or the need for referrals to a psychiatrist.

11 34 C.F.R. § 300.34(c)(2).

Section 504 Plan¹²

A Section 504 Plan is a document that requires classroom teachers and other school staff to provide accommodations and/or services necessary for Section 504 eligible students to participate in and benefit from public education programs and activities. A 504 Plan could provide additional supports for a student who is not eligible for an IEP under the IDEA but still has a disability for which they need accommodations.

What Makes a Student Eligible?

When determining whether a student may be eligible for accommodations under a 504 Plan:

- The student must have a physical or mental impairment that substantially limits one or more major life activities, such as learning, walking, hearing, seeing, speaking, breathing, or caring for oneself.
- The impairment must affect the student's ability to access learning in the school environment and necessitate accommodations or modifications to ensure equal educational opportunities.
- Eligibility is determined through a formal evaluation process involving ERHs, teachers, and other relevant school personnel.
- You can request a 504 plan pending a special education assessment (see [Appendix IV](#)).



For example:

ADHD, diabetes, asthma, and other medical, psychological, or behavioral disorders.

Mental Health Considerations

Newcomer students may have experienced trauma in their home country, during their journey to the U.S., or due to other life circumstances.

When discussing whether a 504 plan may be appropriate for a student, consider the following:

- How has the student's experience of stress or trauma shown up in their emotions, behaviors, or ability to participate in school?
- What support may the student need to feel safe and comfortable reaching out to teachers or staff for help?
- How does the student feel when asked to participate in class in front of peers, and what strategies help them feel more supported?
- What supports might help the student feel safe and connected in their relationships with peers and adults at school?

Accommodations to Consider

There is no set list of accommodations that a school can provide under a 504 plan, so it is a great opportunity to get creative and advocate for support that will be most helpful to the individual student. If ERH, student, and/or an advocate can tie the accommodation they are requesting to an identified need, then it is worth requesting.

Some examples of accommodations include, but are not limited to:



Teachers and school staff use reassuring non-verbal communication (facial expressions, body language)



Provide visual supports (flashcards, written instructions)



All instructional materials be provided in both English and the student's native language



Have materials prepared and translated in advance so student can focus on understanding lessons



Designate an area where the student can take a break (wellness center, counselor's office)



Check-ins with a trusted teacher or staff person at the start/end of the school day



Student should not be expected to work on the board, answer questions aloud, or read in front of the class



Being placed in self-selected collaborative groups in class to help enhance learning



Tutoring services provided by a bilingual, credentialed teacher

Best Practice Tips



Document Requests for Assessments

When requesting special education or 504 assessments, make sure to make the request in writing. Keep in mind that a request for special assessments cannot be denied solely because the student has limited English language skills or limited schooling, and the student should be assessed to determine eligibility first.

Request Information on Assessments and Assessors

Once the district agrees to complete assessments, ask about how the assessments will meet the student's language needs. Is the assessor bilingual? Will an interpreter be used? What type of training or credentials does the interpreter have?

Center the Student's Individual Needs

IEPs should be drafted with the student's individualized needs in mind and not dependent on what the district has available in terms of supports or services.

5

School Discipline

A photograph of a classroom scene, overlaid with a blue tint. A female teacher stands in the center, pointing towards a whiteboard. Several students are seated at desks in the foreground and middle ground, looking towards the teacher. The whiteboard in the background has two columns of text, each with a numbered list from 1 to 10. The overall atmosphere is that of a typical classroom setting.

School Discipline

Suspensions

A suspension is a form of removing a student from the classroom or school setting entirely. There are **two types of formal suspensions**: (1) **in-school suspensions**, in which a student is sent to an administrator's office or supervised classroom, and (2) **out-of-school suspensions** which occur when a student is sent home for at least the rest of the school day and can last for additional school days.

Before most suspensions, school personnel must try "other means of correction" for the behavior at issue.¹³ Examples of other means of correction include, but are not limited to:

- Referral to school counselor,
- Positive Behavior Intervention Program,
- Referrals to anger management, counseling, etc.,
- Referral for a special education assessment, or
- Community service.

If the school principal or other school administrator does suspend a student, the student has the right to an informal conference before the suspension goes into effect, unless there is an emergency.¹⁴ At this conference, students have the right to tell their own side of the story and present their own evidence. However, the student is not required to provide their side of the story if they do not want to (or if it might incriminate them in some way).

It is important to know that students also have the right to receive written notice of the suspension and the notice must cite the specific education code that the school is alleging the student violated and which is the basis for the suspension. If the students' and/or their ERH's native language is not English, the school should translate the suspension notice so that the student and ERH understand the circumstances surrounding the suspension and what evidence the school is basing its decision on.

If a school does not provide a translated notice at the time of suspension, an ERH may request that the school translate the document. While the document is translated, the ERH may also request that someone interpret the notice to them so that they have the opportunity to ask clarifying questions. Access to a notice that is in the students' and ERH's native language helps ensure that their due process rights are being protected.

¹³ Cal. Educ. Code § 48900.5-6.

¹⁴ If it is shown that the student is a "clear and present danger" to health and safety, the conference may be held within 2 days instead of before the suspension goes into effect. Cal.Ed.Code §48911(c)

Suspension Appeals

A student and their ERH may be able to appeal a school suspension based on lack of proper interpretation. For example, if a student and their ERH did not have proper interpretation services and/or did not receive the translated notice until after the suspension, then they may have missed any violations that occurred during the suspension process. Similarly, they may have missed an error in the school's documentation of the incident that led to suspension, or they may not have noticed if the school misunderstood what the student was trying to explain when giving their side of the story.

If upon reviewing the notice the student feels there are inaccuracies, or finds that the incident the school is alleging occurred did not actually happen or that they did not actually present any evidence against the student, then the ERH can request that the suspension be removed.

An ERH, or a service provider helping the student and ERH, may write a letter explaining their basis for appealing the suspension and explicitly request that the record be corrected to reflect what happened more accurately, or to remove the suspension from the student's record altogether.

Once submitted to the school district, it has **30 days to provide a response.**



Education Code section 49070 authorizes the school principal to remove or correct student records that a parent or guardian alleges to be any of the following:

1. Inaccurate;
2. An unsubstantiated personal conclusion or inference;
3. A conclusion or inference outside of the observer's area of competence;
4. Not based on personal observation of a named person with the time and place of the observation noted;
5. Misleading; or
6. In violation of the rights of the student.

Expulsion Process

An expulsion is a long-term removal from an entire school district. A student must commit an act that is prohibited by the education code AND which occurs on school grounds or relates to school activities.

"School related"¹⁵ includes but is not limited to acts committed:

- On school grounds,
- While going to or coming from school,
- During the lunch period (on or off campus), or
- During or while going to or coming from a school-sponsored activity.

15 Cal. Educ. Code §48900(s).

The recommendation for expulsion must be made by the school principal in writing and the notice must be provided to the student/ERH.

The notice for expulsion must include:

- Date and place of hearing,
- Charges, including the specific education code allegedly violated,
- Copy of the district’s disciplinary rules,
- An explanation of the student and ERH’s right to appear in person or employ and be represented by an attorney. ERH may also designate a representative (a relative, friend, or community agency personnel) to be present at the hearing to advocate on their behalf,
- The right to inspect and obtain copies of all documents to be used at the hearing,
- The right to confront and question all witnesses who testify at the hearing and to question all evidence presented,
- That the student may present oral and written evidence, including witnesses, and
- Inform the student and ERH of their obligation to notify future school districts of an expulsion.¹⁶

Once the recommendation is made, the school district must hold the hearing within **30 days**.¹⁷ One continuance, or extension, must be granted at the student’s request (additional ones can be granted at the district’s discretion).¹⁸ This means that the student and their ERH must first know that they have the right to ask for an extension and be represented by an attorney at the hearing.

It is critical that the ERH make a request to have the expulsion recommendation notice and additional materials that will be reviewed at the hearing translated and provided within a timely manner. If the school district delays, and the ERH and student are unaware of their rights in an expulsion hearing process, the student will not have a fair opportunity to defend themselves at the hearing which would violate their due process rights.

¹⁶ Cal.Ed.Code §§ 48911(c), 48918(b)

¹⁷ Cal. Educ. Code §48918 (a)(1).

¹⁸ Cal. Educ. Code §48918 (a)(1).

6

Graduation Requirements

A blue-tinted photograph of two young women sitting at a desk, looking at a document together. One woman is pointing at the document while the other looks on. There are several papers and a spiral notebook on the desk in front of them.

Graduation Requirements

A school cannot legally refuse to enroll a student under 18 simply because they think the student won't graduate in four years. Students close to 18, have the right to enroll and to explore alternative graduation options. The school should support the student and their family in exploring reduced-credit graduation options available to them.

In California, newcomer students may graduate under the state's minimum graduation requirements if they are in their third or fourth year of high school, and it is clear they will not finish all the local district requirements in four years. This means a student should not be required to complete all of the credits required by their school district if they can meet the minimum requirements set by the state.¹⁹

School districts in California require around 220 to 230 credits for a student to graduate from their high schools. However, the state of California only requires the completion of 130 credits to earn a high school diploma. So, if a student cannot complete all of the credits required by the school district, and they meet the criteria listed above, they are eligible to graduate under the reduced credit requirement set by the state.

Alternatively, if the student is able to reasonably complete all of the credits required by the school district by completing a fifth year of high school, the school district must allow the student to remain for a fifth year.²⁰

Who Determines Eligibility for the Reduced Credit Requirement?

School districts are responsible for determining eligibility for reduced credit requirements. Under the education code, school districts must be proactive in identifying and informing students who may qualify for the reduced credit requirement. However if the school is raising concerns about the newcomer student meeting graduation requirements, the student, or their ERH, should ask about the reduced credit requirement to make sure that the school is complying with this requirement.

The School District's Responsibility

Within 30 days of enrolling, the new school district must tell a student:

- Whether they are eligible to graduate under the reduced credit requirement, and
- The impact of graduating with 130 credits on their admissions to a four-year university.

¹⁹ Cal. Educ. Code § 51225.1

²⁰ Cal. Educ. Code § 51225.1(b)

School districts must provide this information in writing to the student and their education rights holder. The school district continues to have the legal duty to determine a student's eligibility and provide notification, even if a school district misses the 30 day notification timeline. The ERH can request that the school hold a meeting to help determine whether the student is eligible for reduced credit graduation (see [Appendix V](#)).

The student and the education rights holders are ultimately the ones to make the decision about whether they would like to move forward with the reduced credit requirements.

Comparison of California Graduation Requirements

Reduced Credit Graduation Requirements	Example of a Local School District Graduation Requirements
English (30 credits)	English (40 credits) <ul style="list-style-type: none"> • English 9 (10 credits) • English 10 (10 credits) • American Literature (10 credits) • Composition Lit (10 credits)
Math (20 credits) <ul style="list-style-type: none"> • Algebra 1 (10 credits) • Other math (10 credits) 	Math (30 credits) <ul style="list-style-type: none"> • Algebra 1 (10 credits) • Geometry (10 credits) • Algebra 2 (10 credits)
Science (20 credits) <ul style="list-style-type: none"> • Biological Science (10 credits) • Physical Science (10 credits) 	Science (20 credits) <ul style="list-style-type: none"> • Biological Science (10 credits) • Physical Science (10 credits) • Lab Science (10 credits)
Social Studies (30 credits) <ul style="list-style-type: none"> • World History (10 credits) • US History (10 credits) • American Government (5 credits) • Economics (5 credits) 	Social Studies (30 credits) <ul style="list-style-type: none"> • World History (10 credits) • US History (10 credits) • American Government (5 credits) • Economics (5 credits)
Visual or Performing Arts, Foreign Language, or Career Technical Education (10 credits)	<ul style="list-style-type: none"> • Foreign Language (20 credits) • Visual and Performing Arts (10 credits)
Physical Education (20 credits)	Physical Education (20 credits)
Electives (0 credits)	Electives (50 credits)
TOTAL: 130 CREDITS	TOTAL: 230 CREDITS

Best Practice Tips



Request Records and Review Requirements

Contact the school's registrar office as early as possible to request a copy of the student's transcript and confirm whether the student is behind in graduation credits. Ask the counselor to verify which classes the student needs to complete to graduate. If the student's goal is to graduate as soon as possible, then they should make sure they are taking classes that fulfill graduation requirements.



Communicate With the School

Ensure that the school certifies whether the student is eligible to graduate with the reduced credit requirement or if they need to stay for a 5th year.



Hold the School Accountable

Ensure the school counsels the student regarding the impact of graduating with reduced requirements for college admissions.

7

Bullying & Discrimination

A woman with long dark hair is sitting at a desk, looking down at a laptop. On the desk, there is a pen holder with several pens and a small potted plant. The background is a blurred office setting. The entire image has a blue tint.

Bullying & Discrimination

Bullying is defined as any severe or pervasive physical or verbal acts or conduct, including electronic communication that can:

1	place a student in fear of harm,
2	cause the student to experience a substantially detrimental effect on their physical or mental health,
3	cause them to experience interference with their academic performance, or
4	cause the student to experience substantial interruption with their ability to participate in the services, activities or privileges provided by the school. ²¹

Newcomer youth may be subjected to bullying based on their country of origin, differences in language, culture, etc. The harmful effects of bullying in students can range from difficulty with academics, mental health and their emotional well-being. Bullying in schools may rise to the level of discriminatory harassment which can be addressed through federal complaint mechanisms.

School districts have the responsibility to prevent bullying incidents, address bullying concerns and reduce the harm caused by bullying. Under California law, each school district is responsible for 1) adopting a strong anti-bullying policy; 2) adopting a process for receiving and investigating bullying complaints; 2) publicizing the anti-bullying policy and complaint process; and 4) posting on their district website resources for bullying victims. School staff are also responsible for intervening if they witness any bullying incidents.²²

²¹ Cal. Educ. Code § 48900(r)(1).

²² Additional anti-bullying resources available at [StopBullying.gov](https://www.stopbullying.gov) and on the California Department of Education's Website at <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>

Advocacy Steps

When a family suspects their student may be the victim of bullying, families can take the following steps to ensure the district is addressing the situation.

Inform school staff about the situation

Schools and districts may attempt to avoid responsibility for bullying incidents, by claiming they were not aware of the situation. Families should always inform schools/districts **in writing (including via email)**, with specific information about the bullying incident(s) including:

- Who is doing the bullying,
- A description of the bullying incidents including, when they occurred, and whether they were physical or verbal acts,
- The names of anyone who witnessed the incidents, if any,
- The impact of the bullying on the student, including:
 - physical, mental or emotional harm,
 - continuing fear that they may be harmed again,
 - how it impacted the student in school, academically and socially, and
- Does the bullying involve acts of a discriminatory nature because of the student's gender, disability, or national origin.

Research the school district's anti-bullying policies

School districts are required to post their anti-bullying policies including how they receive bullying complaints, and a description of their investigation process. They also need to assign a staff person to receive complaints. You can support a family by looking up the district's anti-bullying policy online or by contacting the person responsible for receiving complaints to ask for the policy.

Follow the district's policy

Once you understand the district's process for submitting complaints and investigating incidents of bullying you should follow those steps to submit the complaint. You should also keep an eye on the district's timeline to investigate complaints.

Send the district a letter

If after supporting the family with all these efforts, they are unable to get a resolution from the district, then they may consider filing a formal complaint against the district with the State Department of Education. Before filing the complaint, you will want to send the district a letter that informs the district that you will be filing a complaint to resolve the matter because of the district's inaction or insufficient efforts to resolve the bullying. (see [Appendix VI](#)).

File the complaint

A student who is a victim of bullying has the option to file either a Uniform Compliance Procedures (UCP) Complaint with their school district or a complaint with the federal Office of Civil Rights within the Department of Education. This manual will only provide information about the UCP Complaint Procedures.

Uniform Complaint Procedures (UCP) Complaint

A UCP complaint is a written and signed statement alleging a violation of select federal or state laws, which may include an allegation of unlawful discrimination, harassment, intimidation, or bullying. A complaint prepared on behalf of a student may only be filed by that student or that student's ERH. However, the student can file the complaint anonymously by submitting it without their name or identifying information. If the complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the school district, or local education agency, shall assist the complainant in the filing of the complaint.

Although the student and ERH may ask the school district for support in writing the complaint, the better option may be for advocates or service providers to help students and their guardians write and file a UCP complaint.

How long do I have to file a UCP complaint?

If the complaint is alleging bullying or discrimination, then it must be filed within **six (6) months** of the date of the alleged violation.

Where Do I File the Complaint?

Where a student and their ERH files a complaint depends on the reason for the complaint. If the complaint alleges discrimination of the student, the complaint should be filed with the California Department of Education.

For complaints alleging bullying, the complaint should be filed with the school district's UCP complaint office or point person. Each school district will have its own UCP complaint procedures. You should research what the specific district the newcomer student attends and the requirements for that district.



For example, LAUSD provides a fillable form of the complaint on its UCP webpage.²³ The form is available in several languages and indicates what information must be provided to open an investigation of the alleged incident(s) (see **Appendix VII**).

23 See https://generalcounsel.lausd.org/apps/pages/index.jsp?uREC_ID=4428912&type=d&pREC_ID=2666696

How long will it take to get a decision on my complaint?

After receiving the written complaint, a school district has **sixty (60) days** to investigate and respond to the complaint, in writing, unless the complainant agrees to extend the timeline.

Can the school district's decision be appealed?

Yes! An appeal related to bullying, harassment, or discrimination must be filed with the California Department of Education within **fifteen (15) days** of receiving the school districts' investigation report.

What should be included in the appeal?

The appeal packet must contain a copy of the original complaint to the school district and a copy of the school district's investigation report. The complainant must specify and explain the basis for the appeal, including at least **one** of the following:

- The school district failed to follow its complaint procedures, and/or
- The school district investigation report lacks material findings of fact necessary to reach a conclusion of law, and/or
- The material findings of fact in the school district's investigation report are not supported by substantial evidence, and/or
- The legal conclusion in the school district's investigation report is inconsistent with the law, and/or
- In a case in which the school district's found noncompliance, the corrective actions fail to provide a proper remedy.

The California Department of Education ("CDE") must provide its decision within **sixty (60) days** of receiving the appeal. If the ERH disagrees with the CDE's decision, they can request reconsideration within 30 days of the date of the CDE's Investigation Report. We recommend seeking legal assistance to request a reconsideration.

Best Practice Tips



Document Concerns

Inform the school as early as possible of the bullying concerns. Remember to inform them in writing.



Request a Safety Plan

Request that the school implement a safety plan for the student. If the student is in special education, consider requesting an IEP meeting to discuss the safety plan, and also whether the student requires counseling/mental health services or academic support services to mitigate the impact of the bullying.



Understanding Rights

Service providers can help students and families understand their rights, connect them with advocates, and ensure schools meet their duty to assist with filing when needed.

Appendix & Resource List

Appendix I

Affidavit for Residency Verification

DATE

YOUR NAME

YOUR ADDRESS

RE: STUDENT NAME Affidavit for Residency Verification

Dear NAME OF SCHOOL PRINCIPAL,

I am writing to ascertain that your student, NAME OF STUDENT, resides with me at my property located at ADDRESS. I have lived at this residence for TIMEFRAME. We live together with NAME OF ERH.

I have attached copies of UTILITY BILL/BANK STATEMENTS/LEASE AGREEMENT issued to my name.

I confirm that all the information provided is accurate and true, to the best of my knowledge. Please contact me at PHONE NUMBER/EMAIL if you have further questions.

Sincerely,

SIGNATURE

PRINT NAME

Appendix II**Sample Email Post Enrollment Denial****Subject line: STUDENT NAME; Follow Up on Denial of Enrollment**

Dear NAME OF PRINCIPAL:

My name is NAME OF ERH and I am the parent/guardian of STUDENT NAME. On DATE OF ATTEMPTED ENROLLMENT I went to NAME OF SCHOOL and tried to enroll STUDENT NAME. The front office staff, [NAME OF STAFF PERSON ERH SPOKE WITH], stated that they could not enroll STUDENT NAME at the school. [Explain what reason for denial you were given] OR [explain that you tried to ask why but were not given a specific or clear reason].

[If the school denied enrollment due to the student being behind on credits, include language on alternative graduation pathway and requesting that the school verify if the student is eligible for reduced credits under AB 2121].

[If you were asked to provide proof of US residency or citizenship include whether the staff person gave a reason for why they would need that information, or if they did not provide a specific or clear reason].

It is important that STUDENT NAME start school immediately so that there is no further delay in their education [and implementation of their IEP services]. Please provide a response as to whether STUDENT NAME can enroll at SCHOOL by DATE.

Sincerely,

CAREGIVER NAME
PHONE NUMBER/ EMAIL

Appendix III***ORR's Authorization for Release of
Records***



Administration for Children & Families

Office of Refugee Resettlement

Authorization for Release of Records

Individuals seeking unaccompanied children (UC) case file information must submit a completed copy of this form and any required supporting documentation to the Office of Refugee Resettlement (ORR) following the instructions found on pages 5-8 of this form. ORR, in its discretion, may reject requests for case file information if the request is incomplete, does not follow the attached instructions, for safety reasons, or for other reasons, as necessary.

Section A: Subject of Request

Subject of Request	<input type="text"/>	Relationship to UC	<input type="text"/>		
UC Name	<input type="text"/>	A# [no spaces]	<input type="text"/>		
UC Alias	<input type="text"/>	Date of Birth	<input type="text"/>	Age	<input type="text"/>

Is the UC 14 years or older and unable to consent due to a diagnosed developmental disability? Yes No

Is the UC currently in ORR custody?

Yes, the UC is in care at: Care Provider Name

No, the UC lives at: Address

City State Zip Code

Section B: Reason for Request

I am requesting records for the purpose of:

- Representing the UC in immigration proceedings
- Representing the UC in a *Flores* bond hearing or matters related to ORR adjudications including placement in a restrictive setting or release from ORR custody
- Conducting an investigation involving the subject of the request
- Enrollment or continued enrollment in school
- Provision of medical services
- Other, specify:

THE PAPERWORK REDUCTION ACT OF 1995 (Pub. L. 104-13) STATEMENT OF PUBLIC BURDEN: The purpose of this information collection is to allow attorneys, legal service providers, child advocates, government agencies, and other stakeholders to request UC case file records. Public reporting burden for this collection of information is estimated to average 0.25 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. This is a voluntary collection of information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information subject to the requirements of the Paperwork Reduction Act of 1995, unless it displays a currently valid OMB control number. If you have any comments on this collection of information please contact UCPolicy@acf.hhs.gov.

Authorization for Release of Records

Office of Refugee Resettlement

Section C: Type of Request

- This is a standard request.
- This is an URGENT request and I am requesting expedited processing because:
- UC has a court or administrative hearing scheduled within 30 days
 - UC is turning 18 years old in less than 30 day
 - Records are needed for a CPS, law enforcement, or missing persons investigation related to the subject of the request
 - Records are needed for the UC's enrollment or continued enrollment in school
 - Records are needed for the provision of medical services to the UC
 - Other, specify:

Section D: Requesting Party

Name and Title

Organization

Email

Mailing Address

Address

City State Zip Code

Type of Requesting Party

- ORR-funded legal service provider (includes legal service providers, pro bono attorneys, volunteer attorneys, or other staff)
- Representative of a Federal/State government agency or the National Center for Missing and Exploited Children
- UC, Former UC, sponsor, or parent/legal guardian of a UC
- Other, specify:
- Attorney or Board of Immigration Appeals (BIA) accredited representative not funded by ORR
- Educational Institution
- Medical Provider

Section E: Records Requested

Check the boxes for each category of records you are requesting.

- UC Information
- Placement Documents
- Legal Information
- Medical Records
 - Immunization Records Only
- Educational Services
- Other, specify:
- Case Management Records
 - Include Home Study Report
- Clinical/Mental Health Records
- Incident Reports
- Discharge/Release Information
- Post-Release Service Records

Authorization for Release of Records

Office of Refugee Resettlement

Section F: Supporting Documentation

Check the boxes for the type of supporting documentation you are submitting with your request.

- | | |
|--|---|
| <input type="checkbox"/> Notice of Attorney Representation | <input type="checkbox"/> A statement on the organization's official letterhead that verifies that the requesting party is providing educational or medical services the subject of the record request |
| <input type="checkbox"/> A lawfully-issued subpoena or court order | |
| <input type="checkbox"/> Photo identification | <input type="checkbox"/> A statement on the agency's official letterhead verifying the requesting party's affiliation, specifies the scope of their investigation, and includes a case reference number |
| <input type="checkbox"/> Verification of Release | |
| <input type="checkbox"/> Notice of Hearing | |

If you are unable to provide the required supporting documents, provide a brief explanation why.

Section G: Authorization

For Release of UC Information

I hereby authorize ORR to provide copies of the records requested in Section E to the organization entered in Section D or any of its duly authorized representatives, including the individual named in Section D. I further authorize ORR to provide the organization entered in Section D with records created after submission of this initial request that fall into the categories of records requested in Section E upon receipt of a request for updated records. I understand that this information cannot be disclosed without my authorization and the law requires this notice. I understand that I have a legal right to refuse to sign this request and refusing to sign will not affect my placement in the ORR care provider facility, services provided to me by ORR, or ORR's decision to release me to my sponsor. I further understand that this consent expires one year from the date of my (or my caregiver's) signing and I may withdraw my consent at any time.

AUTHORIZING SIGNATURE:

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Name

Date

WITNESS SIGNATURE:

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Name

Date

For Release of Sponsor Information

I hereby authorize ORR to provide copies of the records requested in Section E to the organization entered in Section D or any of its duly authorized representatives, including the individual named in Section D without redacting any of my information. I further authorize ORR to provide the organization entered in Section D with records created after submission of this initial request that fall into the categories of records requested in Section E upon receipt of a request for updated records without redacting my information. I understand that this information cannot be disclosed without my authorization and the law requires this notice. I understand that I have a legal right to refuse to sign this request and refusing to sign will not affect ORR's decision to release the UC into my care. I further understand that this consent expires one year from the date of my signing and I may withdraw my consent at any time.

AUTHORIZING SIGNATURE:

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Name

Date

WITNESS SIGNATURE:

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Name

Date

Authorization for Release of Records Office of Refugee Resettlement

ORR STAFF ONLY

Notes

Request completed by:

Name

Date

Is ORR management approval required? Yes No

Name

Date

Instructions

How to Complete the Authorization for Release of Records

Section A: Subject of the Request

Enter information about the person whose records you are requesting. This is usually a UC or the sponsor of a UC. If you are requesting records for someone other than the UC, enter information for the UC to whom that person's information would be connected. All fields, with the exception of UC Alias, are required in order for ORR to locate the correct case file. Note that the term UC is used throughout this form, however, this individual may have been released from ORR custody, may no longer be a UC, or may have become an adult. For the purposes of this form, the term UC is synonymous with released child, former UC, and released child who has become an adult.

Section B: Reason for Request

Indicate the reason you are requesting UC records.

Section C: Type of Request

Indicate whether your request is a standard or urgent request. Requests marked urgent for reasons other than those specified in this section are subject to approval at ORR's discretion after consideration of exigent circumstances.

Section D: Requesting Party

Enter information about you and your organization. Be sure to provide both an email and mailing address. ORR generally fulfills record requests via email. ORR will send files too large to be sent via email to your mailing address. ORR uses express delivery services when mailing records, therefore, the address provided must be a street address, not a post office box.

Section E: Records Requested

Check the boxes for each category of records you are requesting. See the table below for examples of the types of documents that fall under each category. Note that not all the example documents apply to every UC. If you do not need all the documents that fall under a category, you may request a specific document(s) by checking "Other" and specifying which document(s) you are requesting.

RECORD CATEGORY	EXAMPLES OF DOCUMENTS IN CATEGORY
UC Information	Name and A number, birth certificate, photograph
Placement Documents	<i>Placement Authorization, Intakes Placement Checklist</i> , inventory of property and cash, list of clothing and supplies distributed to UC, <i>Notice of Placement in a Restrictive Setting</i> , acknowledgement of receipt of orientation, acknowledgement of receipt of information regarding service providers
Legal Information	Acknowledgement of receipt of <i>Legal Resource Guide, G-28, Notice of Attorney Representation, Request for Specific Consent to Juvenile Court Jurisdiction, Specific Consent Request Case Summary, Motion for Change of Venue, Request for a Flores Bond Hearing, Motion to Request a Bond Hearing, Post Legal Status Plan</i> , EOIR documents, court documents, juvenile delinquency/criminal history records
Medical Records	<i>Authorization for Medical, Dental, and Mental Health Care, Initial Medical Exam, Supplemental TB Screening, Initial Dental Exam, Medical Complaint, Public Health Investigation, Serious Medical Procedure Request</i> , referral for medical services, medical diagnoses, documentation of communicable diseases, prescription and over-the-counter medication logs, record of dental exam, TB screening results, records of office and hospital visits, progress notes, immunization records, HIV/STI/STD testing results
Educational Services	Summary of educational assessments, individualized education program, education plan
Case Management Records	Case manager progress notes, recreation/activity log, telephone/visitor log, religious services log, stipend log, <i>30 Day Restrictive Placement Case Review</i> summaries, <i>Individual Service Plan, Home Study Report, Long-Term Foster Care Travel Request, Child Advocate Recommendation and Appointment, Home Study/Post-Release Service Referral</i>

Authorization for Release of Records

Office of Refugee Resettlement

RECORD CATEGORY	EXAMPLES OF DOCUMENTS IN CATEGORY
Clinical/Mental Health Services	Progress notes from individual counseling sessions, group counseling notes or records, mental health services progress notes, mental health assessments, records of mental health office visits or hospitalizations, <i>Initial Intakes Assessment, Assessment for Risk, UC Assessment, UC Case Review, Disclosure Notice for Counseling Services, 30-Day Restrictive Placement Case Review</i>
Incident Reports	<i>Significant Incident Reports, Notification of Concern</i> , grievances/grievance reports
Discharge/Release Information	<i>Verification of Release, Discharge Notification, Release Request, Transfer Request, Transfer Summary and Tracking, Medical Checklist for Transfers, ORR Transfer Notification, ORR Release Notification, Care Provider Checklist for Transfers to Influx Care Facilities, Long-Term Foster Care Placement Memo</i> , log of documents provided to UC as discharge, log of property returned/disbursed at discharge, discharge checklist for medical records, Order of Removal, Trafficking Eligibility Letter
Post-Release Service Records	Records generated by post-release service providers

- In order to protect the safety and privacy of UC and sponsors, ORR will not release the following categories of information without a lawfully-issued subpoena or court order. ORR may also redact law enforcement-sensitive information, as well as information protected by privacy considerations.
- Internal communications, such as memoranda and emails by care provider staff or ORR, to the extent they are included in the case file (not all such emails and memos memoranda are considered case file information)
- Internal care provider incident reports
- *Sponsor Assessments*
- Family Reunification Packets
- Background check results
- Foster parent information
- Information pertaining to other UC who are not the subject of the information request, unless they are siblings of the child whose information is being requested
-
- **Section F: Supporting Documentation**
- Use the table below to determine if you are required to provide supporting documentation.
-
- Additionally, requesting parties who mark their request urgent because the UC has a hearing or proceeding within 30 days must submit a **Notice of Hearing**.
-
-

TYPE OF REQUESTER	REQUIRED SUPPORTING DOCUMENTATION
Attorney or BIA accredited representative representing the child before an immigration court	<i>Notice of Attorney Representation</i>
Attorney representing the child in an ORR bond hearing or other individual matter related to transfer to a restrictive placement or release from ORR custody	<i>Notice of Attorney Representation</i>
Attorney representing the child on other individual matters	<i>Notice of Attorney Representation</i>
ORR-funded legal service provider (includes legal providers, pro bono attorneys, volunteer attorneys, or other staff)	<i>Notice of Attorney Representation</i>
Representative of a Federal/State government agency or the National Center for Missing and Exploited Children	A statement on the agency's official letterhead that verifies the requesting party's affiliation, specifies the scope of their investigation, and includes a case reference number OR A lawfully-issued subpoena or court order

Authorization for Release of Records

Office of Refugee Resettlement

TYPE OF REQUESTER	REQUIRED SUPPORTING DOCUMENTATION
Current UC	None
Former UC	ORR <i>Verification of Release</i> form or government-issued photo identification (see UC Policy Guide Section 2.2.4 Required Documents for Submission with the Application for Release for a list of acceptable proof of identity documents)
Sponsor or parent/legal guardian	Government-issued photo identification (see UC Policy Guide Section 2.2.4 Required Documents for Submission with the Application for Release for a list of acceptable proof of identity documents)
Educational institution or medical provider	A statement on the organization's official letterhead verifying that the requesting party is providing educational or medical services the subject of the record request

Section G: Authorization

Use the tables below to determine who must provide an authorizing signature. All authorizing signatures must be accompanied by a witness signature.

Signature Requirements for Release of UC Records

IS THE UC IN ORR CUSTODY?	UC'S AGE	SIGNATURE REQUIREMENTS
Yes	14 Years Old or Older	UC and a witness
	14 Years Old or Older with a Diagnosed Developmental Disability OR Under 14 Years Old	None. ORR may release information in its discretion in the best interest of the child.
No	14 Years Old or Older	UC and a witness
	14 Years Old or Older with a Diagnosed Developmental Disability OR Under 14 Years Old	UC's caregiver (typically the sponsor) or a parent/legal guardian and a witness
		Note: If the child's caregiver refuses to sign, ORR will release case file information when legally required if the child's caregiver is the subject of a legal proceeding related to their care of the child.

Signature Requirements for Release of Sensitive Information

RECORD CATEGORY	SIGNATURE REQUIREMENTS
Medical Records	Child, the child's caregiver (typically the sponsor), or the child's parent/legal guardian
Clinical/Mental Health Records	Child, the child's caregiver (typically the sponsor), or the child's parent/legal guardian
Home Study Reports and Post-Release Service Records	Sponsor or potential sponsor

In cases where ORR would require the child's consent to share mental or medical health records, but the child in ORR custody is unable to consent due to age, a diagnosed developmental disability, or other medical or mental health condition, ORR generally presumes consent when the information is needed for the provision of services in accordance with Section 3.3 Care Provider Required

Authorization for Release of Records

Office of Refugee Resettlement

Services.

Home Study Reports and Post-Release Service Records will not be provided without the signature of the sponsor or potential sponsor. In addition, if you do not provide the signature of the sponsor, potential sponsor, or sponsor household member, ORR will redact all information pertaining to those individuals found in other types of UC case file records.

Signature Requirements for Requests from Government Agencies

ORR prefers government agencies to obtain the authorizing signature of the subject of the request as outlined above. However, ORR in its discretion may release the following limited categories of records to the government agency without an authorizing signature:

- UC information (name and A number)
- Placement documents
- Legal information (name and contact information of UC's legal representative only)
- Educational services
- Case management records (telephone/visitor logs only)
- The following discharge/release information:
 - *Verification of Release*
 - *Discharge Notification*
 - *Notice of Transfer to ICE Chief Counsel - Change of Address/Change of Venue* (if applicable)
 - Copy of the Trafficking Eligibility Letter (if applicable)
 - Basic information on the Post-18 plan (name, relationship type, address and individual on Post-18 plan)

Despite the above exception, ORR will not release any records of the child or sponsor to a government agency if the records requested are clearly outside of the scope of the agency's authority or if the request appears to be for immigration enforcement purposes (even in cases where an authorizing signature is provided) absent a lawfully-issued subpoena or court order. Under no circumstances will ORR release any records when immigration enforcement is expressly identified as the purpose for the request.

How to Submit Your Request

How to Submit Your Initial Request

Submit a fully complete and signed (if required) copy of the *Authorization for Release of Records (ARR)* and all required supporting documents to UCRecords@acf.hhs.gov. The subject line of the email must read "ORR Records Request for UC First/Middle/Last Name Initials, XXX-XXX-last three digits of the alien number" (e.g., "ORR Records Request for UC ABCD, XXX-XXX-123").

If you are submitting an urgent request, you must mark the request as "URGENT" in the subject line of the email.

If you are resubmitting a previously rejected request, you must mark the request as a "RESUBMISSION" in the subject line of the email for faster processing.

Do not include personally identifiable information (PII) in the subject line or body of the email.

How to Request Additional Case File Documents

To request records created after your initial request was fulfilled, resubmit your *ARR* and supporting documents to UCRecords@acf.hhs.gov, indicate the category of records or specific document(s) you are requesting in the body of the email, and mark the request as an "UPDATE" in the subject line.

ORR will only provide updates for categories authorized in your initial submission. If you are requesting documents that fall under a category that was not checked in Section E of your initial submission, you must submit a new *ARR* and supporting documents.

Appendix IV**Sample IEP Assessment and 504 Plan Request Pending IEP**

DATE

PRINCIPAL

SCHOOL/DISTRICT

ADDRESS

Re: STUDENT NAME (D.O.B.); Request for Special Education Assessments and 504 Plan

Dear Principal _____:

Introduction to client and purpose of letter. My name is NAME OF ERH and I am the parent/guardian of STUDENT NAME. STUDENT NAME is a GRADE at NAME OF SCHOOL. The purpose of this letter is to formally request that the district conduct a comprehensive special education assessment to determine STUDENT NAME's eligibility for an Individualized Education Program (IEP) and any related services necessary to support his/her educational needs.

Briefly explain why you believe the student should be assessed for special education.

Examples of helpful information to include:

- Difficulty focusing in class, gets distracted by noise or surroundings
- Struggles with following instructions or remembering multiple steps
- Consistent low grades with little improvement or progress
- Struggles with peer interactions, withdrawn

Pending the initial special education assessment, I am requesting that [STUDENT NAME] receive a 504 Plan. [STUDENT NAME] qualifies as a person with a disability under Section 504 of the Rehabilitation Act of 1973, as he/she/they [include a brief description of their disability-related needs that fall under Section 504].

Conclusion including relevant timelines.

I trust that you will comply with federal and state mandates and provide me with an assessment plan no later than 15 DAYS FROM SUBMITTING REQUEST.

Sincerely,

CAREGIVER NAME

PHONE NUMBER/ EMAIL

Appendix V

Reduced Credit Requirements for Graduation

Reduced Credit Graduation Requirements	Credits Earned
English (30 credits)	English <ul style="list-style-type: none"> • • •
Math (20 credits) <ul style="list-style-type: none"> • Algebra 1 (10 credits) • Other math (10 credits) 	Math (20 credits) <ul style="list-style-type: none"> • Algebra 1: • •
Science (20 credits) <ul style="list-style-type: none"> • Biological Science (10 credits) • Physical Science (10 credits) 	Science (20 credits) <ul style="list-style-type: none"> • Biological Science: • Physical Science:
Social Studies (30 credits) <ul style="list-style-type: none"> • World History (10 credits) • US History (10 credits) • American Government (5 credits) • Economics (5 credits) 	Social Studies (30 credits) <ul style="list-style-type: none"> • World History: • US History: • American Government: • Economics:
Visual or Performing Arts, Foreign Language, or Career Technical Education (10 credits)	<ul style="list-style-type: none"> • •
Physical Education (20 credits)	Physical Education:
Electives (0 credits)	Electives:
TOTAL: 130 CREDITS	TOTAL:

Appendix VI

Bullying Letter Template

SCHOOL DISTRICT REPRESENTATIVE

SCHOOL DISTRICT ADDRESS

SCHOOL DISTRICT ADDRESS

Re: STUDENT'S NAME, (DATE OF BIRTH)

Dear SCHOOL REPRESENTATIVE:

My child, NAME, is a student at SCHOOL NAME within the SCHOOL DISTRICT NAME. They are PROTECTED CLASS (EX. a student with a disability, a newcomer youth, gender-non conforming youth, etc.) (He/she/they) is being discriminated against and has been bullied by (student, students, teacher, etc) for X number of school days.

DESCRIBE THE INCIDENT(S).

DESCRIBE HOW THE BULLYING HAS IMPACTED THE STUDENT'S ACCESS TO THEIR EDUCATION.

DESCRIBE THE WAYS YOU HAVE CONTACTED THE SCHOOL TO MAKE THEM AWARE OF THE SITUATION.

DESCRIBE THE DISTRICT'S ANTI-BULLYING POLICY AND HOW THE SCHOOL HAS NOT BEEN FOLLOWING IT.

Please note that, if the district fails to investigate the incidents in this letter or take corrective action I will be forced to file a complaint with (the California Department of Education OR The Office of Civil Rights). I look forward to your response by DATE.

Sincerely,

CAREGIVER NAME

PHONE NUMBER/ EMAIL

Appendix VII**UCP Form Sample for LAUSD:
English Version**

Los Angeles Unified School District Uniform Complaint Procedures Form

Complainant Last Name _____ Complainant First Name _____

Student Name (if applicable) _____ Grade _____ Date of Birth _____

Address _____ Apt./Suite # _____

City _____ State _____ Zip Code _____

Home Phone _____ Cell Phone _____ Work Phone _____

Email Address _____ Date(s) of Alleged Violation(s) _____

School/Office of Alleged Violation(s) _____

For allegations of noncompliance, check the program or activity referred to in your complaint if applicable:

<input type="checkbox"/> Accommodations for pregnant and parenting pupils, including reasonable accommodations for lactating pupils (§§ 46015, 222)	<input type="checkbox"/> Adult education programs (§§ 8500–8538, 52334.7, 52500, 52616.18)	<input type="checkbox"/> After-school education and safety (§§ 8482-8484.65)	<input type="checkbox"/> Agricultural career technical education (§§ 52460-52462)	<input type="checkbox"/> Career technical and technical education and career technical and technical training programs (§§ 52300-52462)
<input type="checkbox"/> Child care and development programs (§§ 8200-8498)	<input type="checkbox"/> Compensatory education (§ 54400)	<input type="checkbox"/> Consolidated categorical aid programs (34 CFR sections 299.13–299.15, EC Section 33315)	<input type="checkbox"/> Courses periods without educational content (§§ 51228.1-51228.3)	<input type="checkbox"/> Educational and graduation rights of foster youth, homeless youth, and other youth (e.g., former juvenile court school pupils, pupils from military families, newcomers, and migratory education students) (§§ 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
<input type="checkbox"/> Every Student Succeeds Act (20 United States Code §6301 et seq.; EC §52059)	<input type="checkbox"/> Local control and accountability plans (§52075)	<input type="checkbox"/> Migrant child education (§§ 54440-54445)	<input type="checkbox"/> Physical education instructional minutes (§ 51223)	<input type="checkbox"/> Pupil Fees (§§ 49010-49013)
<input type="checkbox"/> Regional occupational centers and programs (§§ 52300-52334.7)	<input type="checkbox"/> School plans for student achievement (§ 64001) <input type="checkbox"/> School or athletic team names, mascots, or nicknames (EC §§ 221.3, 33315)	<input type="checkbox"/> Instructional Materials and Curriculum Content (EC § 243) (The processing of complaints under this statute will be processed under applicable statutory timelines per AB 1078)	<input type="checkbox"/> School site councils (§ 65000)	<input type="checkbox"/> State preschools (§§ 8235-8239.1)
<input type="checkbox"/> Deficiencies related to preschool health and safety issues for a California state preschool program licensing-exempt (5 CCR §1596.7925, EC § 8235.5); per public notices posted for applicable classrooms. Complaint forms can be obtained in those schools or at https://www.lausd.org/oscr .			<input type="checkbox"/> Any other state or federal educational program the State Superintendent of Public Instruction or designee deems appropriate	

For complaints of unlawful discrimination, harassment, intimidation, or bullying of protected groups (employee-to-student, student-to-student, student-to-employee, third party to a student, employee-to-third party) filed no later than six months from the date it occurred or when knowledge was obtained that it occurred, check which actual or perceived protected groups upon which the alleged conduct was based:

- | | | |
|--|--|---|
| <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Race or Ethnicity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Nationality | <input type="checkbox"/> National Origin | <input type="checkbox"/> Immigration Status |
| <input type="checkbox"/> Color | <input type="checkbox"/> Mental or Physical Disability | <input type="checkbox"/> Lactating Student |
| <input type="checkbox"/> Association with a person or group with one or more of the actual or perceived groups listed here | | |
| <input type="checkbox"/> Age | | |

Fax: (213) 241-3312
EquityCompliance@lausd.net

Complaints regarding Instructional Materials and Curriculum Content may also be filed directly with the State Superintendent of Instruction at:

State Superintendent of Public Instruction
1430 N Street, Suite 5602
Sacramento, CA 95814-5901

For more information, please contact Dr. Joseph Green, Administrative Coordinator, at (213) 241-7682.

Appendix VII (Continued)**UCP Form Sample for LAUSD:
Spanish Version**

Distrito Escolar Unificado de Los Angeles

Formulario del Procedimiento Uniforme de Quejas

Apellido de Denunciante _____ Nombre de Denunciante _____

Nombre del Estudiante (si aplica) _____ Grado _____ Fecha de Nacimiento _____

Domicilio _____ # de Apt./Suite _____

Ciudad _____ Estado _____ Zona Postal _____

Teléfono de Casa _____ Teléfono Celular _____ Teléfono del Trabajo _____

Correo Electrónico _____ Fecha(s) de Supuesta Violación(es) _____

Escuela/Oficina de Supuesta Violación(es) _____

Para quejas de incumplimiento, favor de marcar el programa o actividad referente a su queja, si aplica:

<input type="checkbox"/> Adaptaciones para estudiantes embarazadas y padres, incluyendo adaptaciones razonables para estudiantes lactantes (§§ 46015, 222)	<input type="checkbox"/> Educación de adultos (§§ 8500-8538, 52334,7, 52500-52616.18)	<input type="checkbox"/> Educación y seguridad después de escuela (§§ 8482-8484.65)	<input type="checkbox"/> Educación profesional técnica en agricultura (§§ 52460-52462)	<input type="checkbox"/> Educación técnica y profesional y de programas de capacitación técnica y profesional (§§ 52300-52462)
<input type="checkbox"/> Programas de cuidado y desarrollo infantil (§§ 8200-8498)	<input type="checkbox"/> Educación compensatoria (§ 54400)	<input type="checkbox"/> Programas de ayuda categórica consolidada (34 CFR sections 299.13–299.15, EC Section 33315)	<input type="checkbox"/> Períodos de cursos sin contenido educativo (§§ 51228.1-51228.3)	<input type="checkbox"/> Derechos educativos y de graduación de los menores en adopción temporal, los jóvenes sin hogar y otros jóvenes (por ejemplo, ex estudiantes de la escuela del tribunal de menores, estudiante de familias militares, recién llegados y estudiantes de educación migratoria) (§§ 48645,7, 48853, 48853,5, 49069.5, 51225.1, 51225.2)
<input type="checkbox"/> Ley de Éxito para Todos los Estudiantes (20 Código de los Estados Unidos, § 6301 y siguientes; Sección 52059 de EC)	<input type="checkbox"/> Planes de control local para rendir cuentas (§52075)	<input type="checkbox"/> Educación de niños migrantes (§§54440-54445)	<input type="checkbox"/> Minutos de instrucción de educación física (§51223)	<input type="checkbox"/> Cobros a los estudiantes (§§ 49010-49013)
<input type="checkbox"/> Centros y programas ocupacionales regionales (§ 52075)52300-52334.7)	<input type="checkbox"/> Plan escolar para el rendimiento académico estudiantil (§64001) <input type="checkbox"/> Nombres de escuelas o deportivos, mascotas o apodos (Secciones 221.3 y 33315 del Código de Educación)	<input type="checkbox"/> Materiales Instruccionales y Contenido del Currículo (§ 243)	<input type="checkbox"/> Consejos de los Planteles Escolares (§ 65000)	<input type="checkbox"/> Preescolares estatales (§§ 8235-8239.1)
<input type="checkbox"/> Deficiencias relacionadas con temas de salud y seguridad preescolar para un programa preescolar del estado de California exento de licencia (5 CCR § 1596.7925, §8235.5 de EC), según avisos públicos publicados para salones de clase aplicables. Los formularios de quejas pueden obtenerse en esas escuelas o en línea por medio de https://www.lausd.org/oscr .			<input type="checkbox"/> Cualquier otro programa educativo estatal o federal que el Superintendente Estatal de Instrucción Pública o su designado considere apropiado	

Para quejas de discriminación ilegal, hostigamiento, intimidación o *bullying* de grupos protegidos (empleado a estudiante, estudiante a estudiante, estudiante a empleado, tercero a estudiante, empleado a tercero) presentadas a más tardar seis meses a partir de la fecha en que ocurrió o cuando se obtuvo conocimiento de que ocurrió, comprobar qué grupos protegidos reales o percibidos se basaron en la supuesta conducta:

- | | | |
|---|---|--|
| <input type="checkbox"/> Sexo | <input type="checkbox"/> Orientación Sexual | <input type="checkbox"/> Género |
| <input type="checkbox"/> Identidad de Género | <input type="checkbox"/> Expresión de Género | <input type="checkbox"/> Ascendencia |
| <input type="checkbox"/> Identificación de Grupo Étnico | <input type="checkbox"/> Raza o Grupo Étnico | <input type="checkbox"/> Religión |
| <input type="checkbox"/> Nacionalidad | <input type="checkbox"/> Origen Nacional | <input type="checkbox"/> Estado Migratorio |
| <input type="checkbox"/> Color | <input type="checkbox"/> Discapacidad Mental o Física | <input type="checkbox"/> Estudiante Lactante |
| | | <input type="checkbox"/> Edad |

Fax: (213) 241-3312
EquityCompliance@lausd.net

Las quejas con respecto a los materiales de instrucción y el contenido del plan de estudios también se pueden presentar directamente ante el Superintendente de Instrucción del Estado en:

State Superintendent of Public Instruction
1430 N Street, Suite 5602
Sacramento, CA 95814-5901

Para más información, por favor comuníquese con el Dr. Joseph Green, Coordinador Administrativo llamando al (213) 241-7682.

Contact

For more specific inquiries or questions,
please contact:

Stacy Nuñez, at

stacy.nunez@lls.edu

or

Karen Martinez-Chung, at

kmartinez-chung@publiccounsel.org



Loyola Law School
Loyola Marymount University
Youth Justice Education Clinic

**Public
Counsel**