



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 6130

PAGE: 1 OF 2

CATEGORY: **Students, Admission/Withdrawal**

EFFECTIVE: **1-29-62**

SUBJECT: **Nonimmigrant Aliens, Registration**

REVISED: **9-22-99**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing the enrollment of nonimmigrant students in elementary and secondary schools.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-2110, F-2915, H-2220; Board minutes, 1-23-79; Education Code Sections 42900-42911; Documentary Requirements for Aliens in the United States M97.
2. **Board Policy Governing Noncitizen, Nonimmigrant Aliens.** Since January 23, 1979, it has been district practice *not* to issue I-20 forms. Inquiries may be directed to the Placement, Enrollment, and Appeal Office, Legal Services.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Placement, Enrollment, and Appeal Office, Legal Services.
2. **Enrollment of Nonimmigrant Students.** The Education Code makes no distinction between aliens and citizens, or between legal and illegal aliens. Section 48200 of the code states that "Each person between the ages of 6 and 18 years . . . is subject to compulsory full-time education." California legislative counsel's opinion of May 2, 1974, is hereby quoted:

A school district is required to provide a full-time education to the children of aliens who have been lawfully or unlawfully admitted into the United States if the alien children are of compulsory school attendance age and live within the school district.

Consequently, a child who is presented at a school for enrollment must be enrolled if he/she (a) is of appropriate school age and (b) resides in the school's attendance area.

3. **Limitation on Inquiries Concerning a Child's Status.** Administration and enforcement of immigration laws and procedures is the province of the United States Immigration and Naturalization Service. It is district practice *not* to request documentation of a child's status in the United States. If a parent does not *offer* such information, the school may not withhold enrollment.

4. **Release of Student Information.** A release of information form signed by both student and parent is an integral part of the I-20 form and must be signed as a prerequisite for obtaining a visa to enter the United States. In such cases, school information may be released to the Immigration and Naturalization Service when appropriate. The San Diego Unified School District does not issue I-20 forms.
5. **Regulations Concerning Student Visa Students (F-1 Category.** (Includes Foreign Exchange Students.)
 - a. **Student visa** students who live in the United States, but not necessarily in the district, are handled according to the interdistrict attendance agreement (see Procedure 6125).
 - b. **All students** attending under these regulations must be enrolled in a full-time course of study (Kindergarten through Grade 12, a minimum of twenty hours per week).
 - c. **District policy** holds that all students residing within the San Diego Unified School District attendance area can enroll in their school of residence.

D. IMPLEMENTATION (See Section C)

E. FORMS AND AUXILIARY REFERENCES

F. REPORTS AND RECORDS

G. APPROVED BY



Chief of Staff, Terrance L. Smith
For the Superintendent of Public Education