

Schools plan to change policies

Immigrant rules will be revised

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ALBANY — Five Monroe County suburban school districts have agreed to new student enrollment policies after a state investigation concerning immigrants, Attorney General Eric Schneiderman announced Thursday.

The five school districts — Gates Chili, Hilton, Penfield, Pittsford and Spencerport — all had questions on their enrollment forms asking about students' citizenship or nationality. That infringes upon the right of all children to an education regardless of immigration status because the questions could "potentially chill or discourage undocumented students from registering or enrolling."

Fifteen other districts across New York also were cited. The agreement with Schneiderman and the state Education Department will require the districts to remove inquiries into citizenship and immigration status from their enrollment materials and develop new procedures to ensure immigrant students aren't facing obstacles when they or their parents seek to enroll them in school, Schneiderman said.

Other districts include: Manchester- Shortsville in Ontario County; Williamson in Wayne County; Cuba Rushford in Allegany County; and Amherst and Cheektowaga in Erie County.

"Schoolhouse doors must be open to all students in our diverse state, re

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ardless of their immigration status," Schneiderman said in a statement. "More than 30 years after the Supreme Court guaranteed a free public education for undocumented children, we must do everything we can to uphold the law and ensure equal access for all our students."

Local school districts said there was no indication that any students were denied enrollment. Pittsford, Gates Chili and Spencerport all provided identical written statements in response to a request for comment; Penfield did not respond at all; and a Hilton spokeswoman said no one was available.

The state did not review every single district, and it appears many others are also out of compliance. For instance, Greece seems to have copied Gates Chili's form directly — the title of the file on its website shows up in a Internet browser window as "Gates Chili Central School District Registration Form" — and the Rochester School District has an entire form about students' immigration status. Webster also asks about a student's citizenship status. Schneiderman's office and the state Education Department started last October to conduct a review of districts' policies, starting on Long Island and Rockland and Westchester counties because they had an influx of unaccompanied students from Central and South America.

Now, he said, the effort has expanded to other parts of the state. A preliminary review found that the 20 districts had used enrollment materials that included unlawful inquiries, such as asking for copies of Social Security cards, visa status and status as a U.S. citizen or non-citizen.

The state officials contended that the questions were in opposition to a U.S. Supreme Court ruling in 1982 that found the U.S. Constitution guarantees equal protection for undocumented children. To deny them an education would "deny them the ability to live within the structure of our civic institutions," the ruling said.

So the districts have agreed to modify their enrollment materials, Schneiderman said, including to remove inquiries into citizenship or immigration status. They will also have to report districts' denials of student enrollment to the Attorney General's Office through June 2018.

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'Schoolhouse doors must be open to all students in our diverse state.'

ATTORNEY GENERAL ERIC SCHNEIDERMAN

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