



Advocates for Children of New York  
Protecting every child's right to learn



# RIGHTS OF IMMIGRANT FAMILIES IN NYC PUBLIC SCHOOLS



# Today's Training



Return to School

Who Can Enroll in School

The Right to Translation and Interpretation

Rights of English Language Learners: ELLs

English Language Learners with Disabilities

Who to Speak to with Questions or Concerns





# What is Advocates for Children (AFC)?



AFC is an independent agency that protects the rights of all NYC students

## Our Services:

- Helpline: **1-866-427-6033** (Mon-Thurs, 10am – 4pm)
- Free legal services to low-income families
- Guides and resources: [www.advocatesforchildren.org](http://www.advocatesforchildren.org)
- Workshops and trainings
- Policy Advocacy and Impact Litigation



# Poll

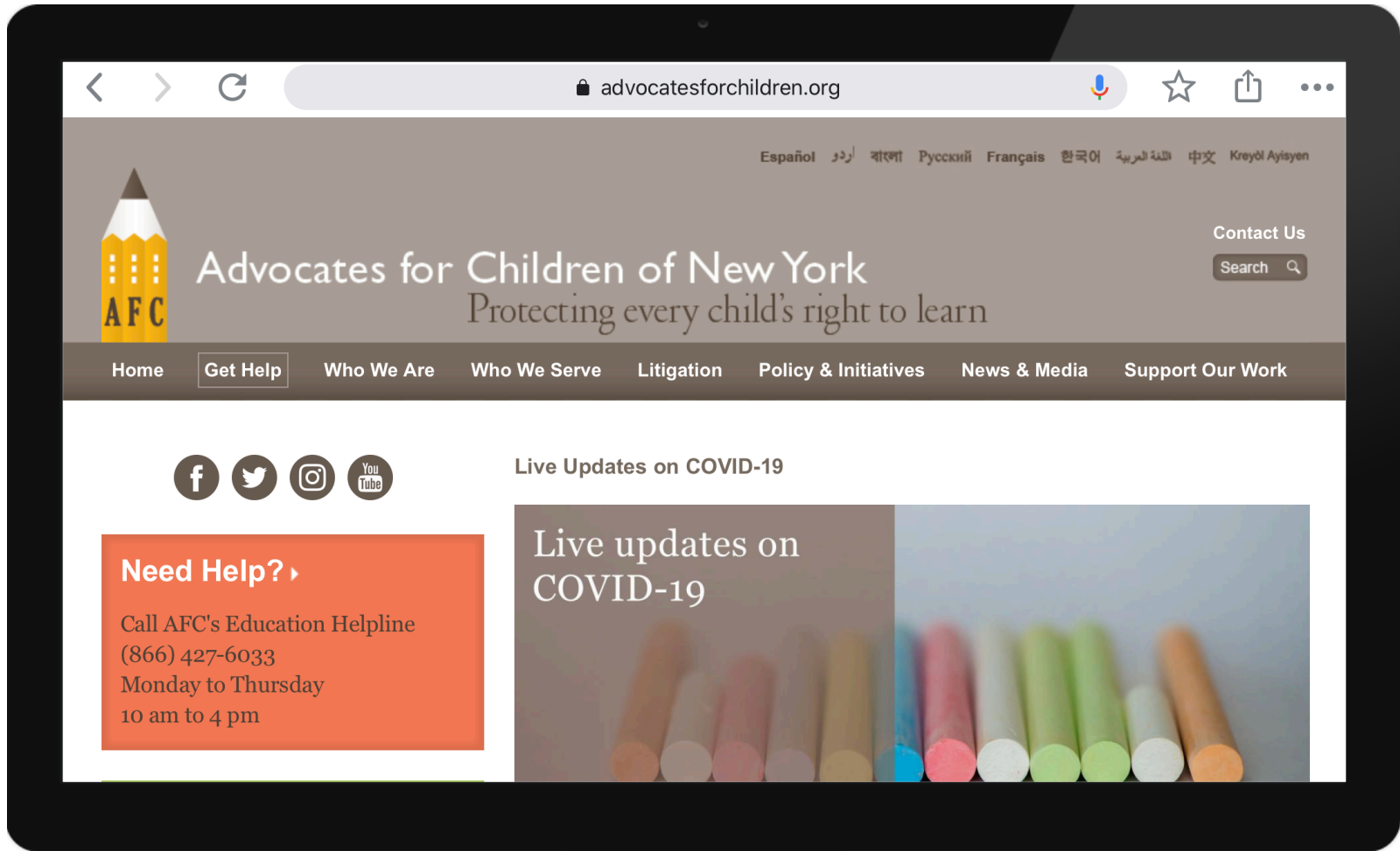


Who are  
you?

Where are  
you in NYC?



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# More Trainings on our YouTube page



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[bit.ly/AFCwebinars](https://bit.ly/AFCwebinars)



# Return to School Options

## Blended learning

- Combination of in-person and remote learning every week.
- Can opt into blended learning at set times during the year.

## Want to choose fully remote learning?

- Fill out survey here:  
<https://www.nycenet.edu/surveys/learningpreference>
- Can opt into fully remote learning at any time.

## Pick up free meals for students on remote days

- Available on school days 9:00 am – 12:00 pm
- Register here <https://www.opt-osfns.org/osfns/Resources/takeoutmeals/entry>



# More on Remote Instruction

Live video instruction on all remote days

- Length depends on age and grade level

Schedules to be posted before school starts

- So that parents can plan their work and family schedules

One-on-One Teacher Support

- Teachers have 20 minutes of daily office hours via video or phone

Still need an iPad?

- Request one here:

<https://coronavirus.schools.nyc/RemoteLearningDevices>





# Free Childcare Options

For children from 3-K - 8th grade on remote days.

Provided by community-based organizations and other partners.

Engage in remote learning as well as art, recreation, and more...

If interested, fill out survey here:  
<https://www.schools.nyc.gov/enrollment/enrollment-help/learning-bridges>



# Who Can Enroll in School



Between what ages does a child have the *right* to attend school in NYC?



Children between the ages of **5 and 21** have the right to attend a public school. They can stay in school until they graduate or until the year they turn 21, whichever occurs first.

Between what ages is it *mandatory* for children to be in school?



6 to 17 years

Does immigration status of the child or the parents matter?



**No.** Your child has the right to go to school regardless of his or her immigration status, or your family's status.



# Does Immigration Status of Family Matter?



- **No.** Your child has the right to go to school regardless of his or her immigration status, or your family's immigration status.
- No one can ask you about your immigration status. If someone knows, they must keep it confidential.
- If a document asks for a social security number, simply leave it blank.
- Students are entitled to receive **all school services, including free lunch, free breakfast, transportation, and educational services**, even if they or their family are undocumented.





# Undocumented Immigrant Families



Federal agents, including Immigration and Customs Enforcement (ICE) are not allowed to enter schools, except if required by law.

DOE and school staff cannot share information about you or your child, except if required by law.

You should update the emergency contact information at your child's school to add adults who can pick up your child in your absence.



# Enrollment



Where do families go to enroll children in school?

- Zoned schools
- Family Welcome Centers

What types of documents are required for enrollment?

- Proof of residency (address), proof of age, immunization record, transcript from previous school (if available)
- The DOE cannot ask you for information that shows your immigration status



# The Right to Choose a School



- You have the right to apply to schools you choose for your children.
- There are different timelines and application processes for pre-K, kindergarten, middle school, and high school.
- You can attend information sessions and open houses to get to know programs and decide where to apply.
- All schools provide support for students who are learning to speak English.







# Language Access Rights



**You have the right to receive translation and interpretation services.**

Spanish

French

Arabic

Chinese

Bengali

Urdu

Russian

Korean

Haitian-  
Creole

DOE language access complaints:  
(718) 935-2013 or [Hello@schools.nyc.gov](mailto>Hello@schools.nyc.gov)





# Language Access Rights

## Translation

- Letters
- Forms
- Meeting notices
- Report cards
- Special education documents

## Interpretation

- Parent-teacher conferences
- IEP meetings
- Suspension hearings
- Special education hearings
- At any DOE office



# Translation of Special Education Documents



- Starting in September, the DOE will be responsible for translating all special education documents in the top nine languages when parents request it.
  - Ask for a translation from your child's school
  - Special education documents include IEPs, evaluations, notices, and 504 Plans
- The DOE is also running a pilot program for translating IEPs in Districts 9, 24, and 75.
  - Ask for a translation at your child's school, online at [www.schools.nyc.gov/IEPhello](http://www.schools.nyc.gov/IEPhello), or by phone: (718) 935-2013



# Parent-Teacher Conferences



- You have the right to attend Parent-Teacher conferences with interpretation/translation provided by the DOE.
  - If you need an interpreter, let your child's teacher know before the day of the conference.
- 4 conferences per school year:
  - September
  - November
  - March
  - May
- Prepare questions ahead of time.







# Rights of English Language Learners (ELLs)



- Students who speak a language other than English at home and who need support in school to learn English are called **English Language Learners (ELLs)**.
- You have the right to participate in the process of identifying your child as an ELL.
- This process starts as soon as you enroll your child in school.
- Students who are ELLs must receive support until they can read, write, and speak in English.



# Is a Child an English Language Learner (ELL)?



Home Language Identification Survey (HLIS)  
Asks what language child speaks at home.

Not English

English

New York State Identification Test for English  
Language Learners (NYSITELL)  
Tests Students in reading, writing, speaking,  
and listening in English

Passes

Does not Pass

Not ELL

ELL



# Your Child is an ELL. What next?



- If your child is an ELL, schools must offer you information about next steps.
- You will watch an **orientation video**. The video talks about the different programs available for ELLs.
- You have 5 days after the orientation session to fill out and return the **Parent Survey and Program Selection Form**. The Survey asks a series of questions. On the second page of the form, **you make your ELL program selection**.



## Helpful Tips

The ELL program you choose should be based on what you believe will best serve your child – not on what the school says it has available.



# ELL Programs



## English as a New Language (ENL)

- English Only
- Goal is to learn English
- Teacher does not have to speak native language

## Transitional Bilingual Education (TBE)

- Classes taught in English and native language
- Goal is to learn English
- At first, use native language to learn English
- Then eventually no longer use native language

## Dual Language (DL)

- Bilingual
- Classes taught in both English and native language
- Goal is for student to be bilingual







# ELL Programs, continued



- If your child's school does not offer a bilingual program in your child's home language, your child can transfer to another school in the district that offers it.
  - Your child can qualify for a bus if needed.
- Request a transfer either through your child's current school or by visiting Family Welcome Center.
- If there are enough students in the same grade or two consecutive grades who speak the same language, your child's school might create a new bilingual program.







# NYSITELL v. NYSESLAT?

## NYSITELL

- **New York State Identification Test for English Language Learners**
- Test given to students within 10 school days of enrolling in school
- Determines if the child is an ELL

## NYSESLAT

- **New York State English as a Second Language Achievement Test**
- ELLs must take this test once every spring to determine what ELL services they will receive during the next school year



# Testing Accommodations for ELLs



Time Extension

Separate Location

Third Reading of Listening Section of English Language Arts Exam

Bilingual Dictionaries and/or Glossaries

Written Translations of Tests (other than English Language Arts)

Oral Translation of Tests for Low Incidence Languages (other than English Language Arts)

NOTE: Language accommodations are not provided during NYSESLAT exam.



# Meeting for Parents of ELLs



- School staff familiar with your child's work must meet with you at least once a year.
  - Parents can request interpretation/translation services for this meeting.
- School will address student's English language progress and needs.

This meeting is in addition to parent-teacher conferences and other scheduled meetings at the child's school!





# Rights of ELLs who are Struggling in School



If your child is at risk for repeating a grade, the school should tell you this at the parent-teacher conference, but not later than February 15.

These students have the right to receive reading and math help, called “Academic Intervention Services.”

Summer school is offered to students starting in 3<sup>rd</sup> grade who are at risk of repeating a grade.



# ELLs with Disabilities



- IDEA: law that protects students with disabilities
- Schools must give students with disabilities a free education that is appropriate
- ELL Students with disabilities have the right an appropriate education **and** to ELL academic services
- ELL students with disabilities have the right to receive bilingual special education





# What is bilingual special education?



Services provided to students who are ELLs and also have disabilities

Bilingual  
evaluations

Bilingual special  
education  
classrooms

Bilingual  
related  
services





# Resolving Problems At School



**Teacher**



**Language Access Coordinator**



**Parent Coordinator**



**Principal or Assistant Principal**

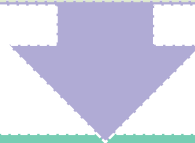


# Resolving Problems – Outside of School



Superintendent's Office

Family Support Coordinator or District Family Advocate



Borough Offices

Director of English Language Learners



Translation and Interpretation

(718) 935-2013 or [Hello@schools.nyc.gov](mailto:Hello@schools.nyc.gov)



# Advocates for Children of New York

Protecting every child's right to learn

Call us with questions! We speak your language.



**Helpline: 866-427-6033 (toll free)**  
**Monday-Thursday, 10am-4pm**

[info@advocatesforchildren.org](mailto:info@advocatesforchildren.org)



# Thank you!



Please take a minute to fill  
out our survey!

