

# THE RIGHTS OF IMMIGRANT FAMILIES IN NYC PUBLIC SCHOOLS



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Protecting every child's right to learn



# Today's Agenda



- Who We Are
- Parent and Student Rights in NYC Public Schools
- The Rights of English Language Learners (“ELLs”)
- The Rights of ELLs with Disabilities
- Testing and Promotion
- Who to Speak with Questions or Concerns
- How to Create a New York City Schools Account (“NYCSA”)





# What is Advocates for Children (AFC)?



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

## 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



# Parents' and Students' Rights in NYC Public Schools



# Who Can Enroll in School



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



Children between the ages of **4 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 their 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.





# Language Access Rights



You have the right to receive translation and interpretation services in NYC Public Schools

## 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

If you need assistance with T&I services, ask your child's school for assistance or call 718-935-2200.



# 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.
- Parent conferences start this week!

Schedule an appointment with your child's school if no one has reached out.

Prepare questions ahead of time.







# NYC Public School System



## Pre-School

Grades 3K +  
PreK



## Elementary School

Grades K-5



## Middle School

Grades 6-8



## High School

Grades 9-12



# The Right to Choose a School



## 3K

If your child is accepted, they can start 3K in September of the year they turn three.

- To apply:
  - Online: [www.myschools.nyc](http://www.myschools.nyc)
  - Email: [ESEnrollment@schools.nyc.gov](mailto:ESEnrollment@schools.nyc.gov)
  - Call: (718) 935-2009
  - Applications open 1/14/2026
  - Applications close: 2/27/2026
  - 3K Offer Release: 05/19/2026

## Pre-K

Your child can start Pre-K in September of the year they turn four.

- To apply:
  - Online: [www.myschools.nyc/](http://www.myschools.nyc/)
  - Email: [ESEnrollment@schools.nyc.gov](mailto:ESEnrollment@schools.nyc.gov)
  - Call: (718) 935-2009
  - Contact the Family Welcome Center
  - Applications open 1/14/2026
  - Applications close: 2/27/2026
  - PreK Offer Release: 05/12/2026



# The Right to Choose a School



## Kindergarten:

- If a child is eligible to begin Kindergarten in September, can apply to schools from **November – January** of the preceding school year.

## Middle School:

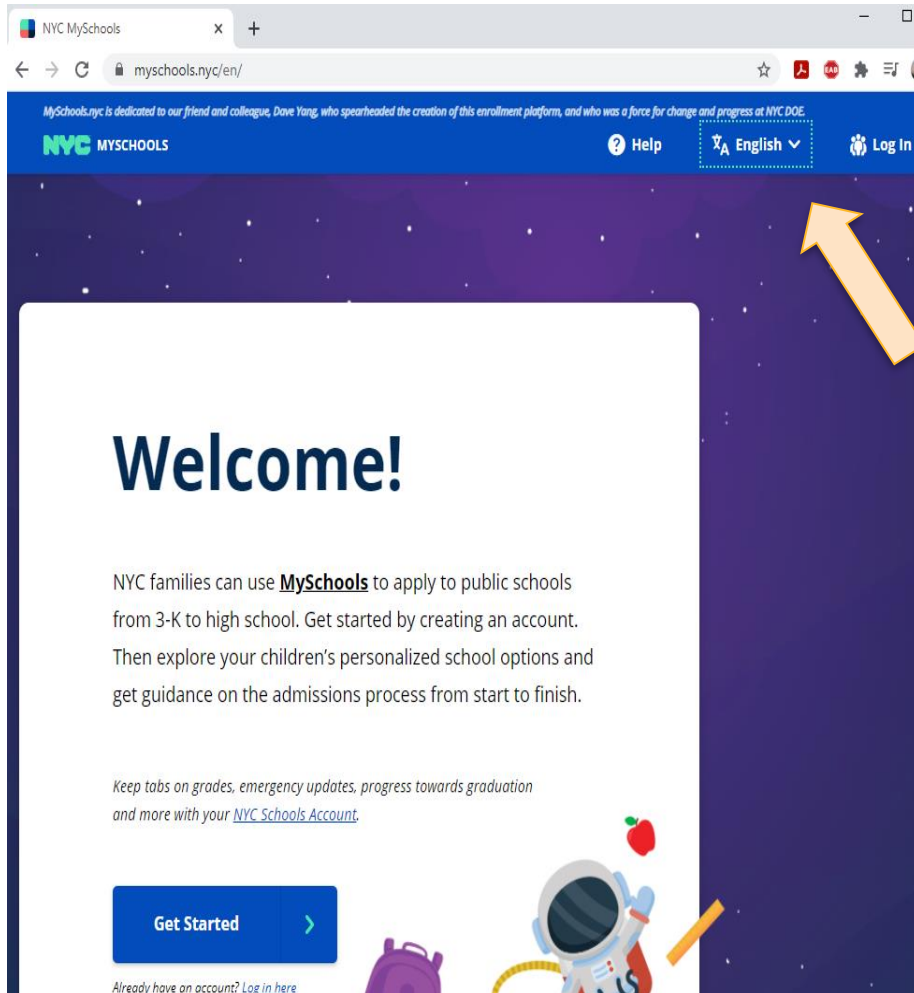
- Middle schools (grades 6-8) may have virtual visits and fairs so that parents can learn about the different options available. The middle school application process usually begins late fall/winter of your child's fifth grade school year.

## High School:

- Every fall, the DOE hosted high school fairs for students and parents. Families can visit, virtually for now, high schools that interest them. The high school application process usually begins late fall/winter of your child's eighth grade school year.



# What is MySchools?



MySchools is a DOE website where you can explore schools/programs and APPLY online to Middle School and High School!

Click on the English tab to change language

Create an account by providing:

- your name, email address, phone number and address

**[www.myschools.nyc](http://www.myschools.nyc)**



# MySchools Cont'd

## Student ID and Account Creation Code

Enter your child's Student ID Number and Account Creation Code below.

Student ID Number

Student ID Number (required)

The student identification (ID) is a nine-digit number printed on your child's report card.

Account Creation Code

Account Creation Code (required)

The Account Creation Code is a six-letter code that can be found on the MySchools invitation letter you should have received in the mail or from your child's school. If you do not know it, please contact your school to obtain it.

Next

[Forget your ID or Code?](#)

You can add a student by clicking on the + sign

If you have not received your child's MySchools account access code, ask your child's teacher or the parent coordinator



# Important Dates



Middle School

From  
October 15

Applications  
due Dec. 12

Offers: April  
15, 2026

High Schools

From  
October 1

Applications  
due Dec. 3

Offers: March  
5, 2026

SHSAT

Registration  
ended

Testing Nov.

Offers:  
March 5,  
2026

Charter Schools

Apply by  
April



# What happens if you do not apply to schools?



For Middle Schools, parents who do not participate in the application process must enroll their children in their zoned school.

To find your zoned school, call 311, visit the DOE website, or contact your local Family Welcome Center (“FWC”).

For students entering High School, they must contact the Family Welcome Center.

- 2<sup>nd</sup> Step → must go to the assigned school to complete registration



# The Rights of English Language Learners ("ELLs")





# 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.

If your child needs help learning English, you have the right to choose a bilingual or ENL (English as New Language) program.

Students who are ELLs must receive support until they can read, write, and speak in English.



# ELL Programs



## English as a New Language (ENL)

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

## Transitional Bilingual Education (TBE)

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

## Dual Language (DL)

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





## ELL Programs, Cont'd

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What happens if my child's school does not have a bilingual program available?

- If your child's school does not offer a bilingual program in your child's home language, your child is entitled to transfer to another school in the district that offers it.

Parents can ask for a school transfer by reaching out directly to the school or visiting the nearest FWC.



# NYSITELL v. NYSESLAT



## NYSITELL

- **N**ew **Y**ork **S**tate **I**dentification **T**est for **E**nglish **L**anguage **L**earners
- Test given to students within 10 school days of enrolling in school
- Determines the level of child's English abilities

## NYSESLAT

- **N**ew **Y**ork **S**tate **E**nglish as a **S**econd **L**anguage **A**chievement **T**est
- Students placed in bilingual or ESL classes must take this test once every year in the spring to determine if they are still considered ELLs



# 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.**



# The Rights of ELLs With Disabilities



# 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 have disabilities

Bilingual  
evaluations

Bilingual special  
education  
classrooms

Bilingual  
related  
services






# 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.



# Testing and Promotion Criteria



# Promotion Criteria



**K-2<sup>nd</sup> grade:** The decision to promote the student to the next grade is made with the school principal, the child's teacher, and the student's parents.

**Grades 3-8:** Promotion is based on a variety of factors including: student's classwork, grades, and statewide testing results.



# High School Graduation Requirements



**Grades 9 to 12:** For grades 9-12, promotion is based on the credits your child earns. To move on to the next grade, your child needs to earn:

- Grade 9 – 8 credits
- Grade 10 – 20 credits
- Grade 11 – 30 credits
- Grade 12 – 44 credits (total for graduation)

For graduation, students also need 90% attendance

HS Diploma: Need to pass **4 Regents + 1 State-approved exam of your choice to graduate.**



Who to Speak to with  
Questions or Concerns?



# 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



Translation and Interpretation

Call 718-935-2200

<https://supporthub.schools.nyc/>



**311 or AFC!**



# NYC Schools Account (NYCSA)



An online account where you can view important academic information about your child.

Grades and  
Transcript

Schedule

Transportation

Reading Level

Attendance

IEP  
Information

La información  
está en  
español!

<https://www.schoolsaccount.nyc/>





# How to Create Your NYCSA



Online

- Visit <https://www.schoolsaccount.nyc>
- Enter your email address and password

How to obtain  
your child's  
creation code?

- Visit your child's school
- Call your child's school
- Ask for a letter from school

Need help?

- Talk to your child's school
- Call 311



# Tips!



Keep your child's school records and all letters and notices in a file

Put everything in writing.

Send all important information by certified mail, requesting confirmation of delivery; or by fax with confirmation. Keep proof that it was sent.

Talk to staff who works with your child. Talk to teachers when things are going well and not going well. Show that you are a concerned and involved parent.

Be persistent. If someone says that there is nothing you can do for your child, get a second opinion.



# THANK YOU!



## Call us with questions!

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

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



Please complete the brief survey  
below!

[https://forms.office.com/r/M0a309bV  
RS](https://forms.office.com/r/M0a309bVRS)