

## Undocumented Students Attending Public Schools

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### Issue

Do local school districts track how many undocumented students attend Connecticut public schools?

### Ban on Asking Public School Students for Citizenship Documentation

The U.S. Supreme Court has held that public schools cannot deny access to education based on whether the student is a legal resident of the United States. School districts are prohibited from gathering such information or using it to determine whether a child may enroll in a school. Therefore, there is no data on the number of undocumented students attending Connecticut public schools.

In [Plyler v. Doe, 457 U.S. 202 \(1982\)](#), the U.S. Supreme Court ruled that children are entitled to a free public K-12 education in the United States regardless of their immigration status. Additionally, federal law prohibit public schools from discriminating based on race, color, or national origin, among other factors ([42 USC § 2000d. et seq.](#)).

School districts can ask for reasonable proof to determine whether a child resides in the district, but this may not become an inquiry into the student's legal status in the country. Federal guidance to the states indicates that districts should not ask about citizenship status and such status is not relevant to establishing residency in a school district (see "[U.S. Department of Education Colleague Letter](#)").

In addition to the federal guidance, the Connecticut State Department of Education has issued guidance documents designed to help public school districts distinguish between establishing local residency and legal immigration status. One document in part states “...school districts should, during the enrollment process, refrain from asking for information concerning citizenship and immigration status” (see “[Enrollment Guidance, Commissioner’s Memo 8-22-17](#)”).

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