



Safe Haven

Parent and Community Manual

Stockton Unified School District is a Safe Haven for All Students and Families

Stockton Unified School District

701 N. Madison Street

Stockton, Ca. 95202

(209)933-7000

www.stocktonusd.net

Letter From the Superintendent

Dear Stockton Unified Community,

Stockton, like many cities in the State of California, is the home and workplace of diverse communities, including persons with both documented and undocumented immigration status. In response to the increase of reported activity associated with Immigration and Customs Enforcement (ICE) across the nation, and in recognition of the need for consistent and accurate information on citizenship rights, we offer the **Safe Haven Parent and Community Manual**.

The SUSD Safe Haven Parent and Community Manual is a tool for families to understand our Safe Haven designation, as well as the law. The manual was developed to promote understanding, transparency, and awareness of your citizenship rights and protections. We hope that this tool will provide a small amount of comfort and clarity.

Stockton Unified School District believes that all of our students and their families feel safe on our campuses and in the community. On January 24, 2017, the Board of Trustees unanimously approved Resolution NO. 16-29 In Support of a Safe Haven For ALL Students and Families in the Stockton Unified School District. This resolution is one step in assuring that students and families can learn, grow, thrive, and be supported in their educational pathway.

Stockton Unified invites parents, neighbors, and all those committed to supporting our community's children to work collaboratively with us as we continue to empower them to reach their full potential as responsible, ethical and productive citizens in a diverse and changing world.

Dr. John E. Deasy Ed.D
Superintendent of Schools
Stockton Unified School District

Introduction of the Safe Haven Manual

The Safe Haven manual was created by Stockton Unified School District to:

- provide consistent and accurate information to families and stakeholders
- promote understanding, transparency and awareness of citizenship rights
- reduce the stress, fear and anxiety of undocumented families and communities
- engage the greater community



What is in the Manual

- **Safe Haven Initiative**
 - **Equal Access to Education**
 - **Deferred Action for Childhood Arrivals (DACA)**
 - **Know Your Rights**
 - **Resources**
 - **Key Immigration Terms**
-

Safe Haven Initiative

"Safe Haven Initiative, provided by California Department of Education, www.cde.ca.gov/eo/in/safehavens.asp"

What is the Safe Haven Initiative?

Safe Havens are local educational agencies (LEAs), which include school districts, county offices of education, and direct-funded charter schools that have committed themselves to reassuring students, parents and educators that everyone is welcome on school sites, regardless of immigration status. Safe Havens also provide helpful resources, such as information about immigration laws, and ways to be prepared in case a student or family member is deported.

What is the purpose behind being a Safe Haven district?

Fears, anxiety, uncertainty have been widely reported in California schools because of the current federal administration vowing to increase deportations of undocumented immigrants.

California has an estimated 300,000 students who are undocumented as well as about one million students who live with a parent or guardian who is undocumented. The California Department of Education is encouraging districts to pass these resolutions to lessen fears and uncertainty surrounding immigration activities and directives issued by a new federal administration in Washington, D.C.

Districts and county offices are encouraged to make powerful and reassuring statements to their students and families and to provide accurate information about relevant laws. On January, 24, 2017, the Stockton Unified Board of Trustees unanimously approved Resolution NO. 16-29 in Support of a Save Haven for ALL Students and Families in the Stockton Unified School District. It is important that parents and guardians feel safe on their school campuses so they will fully participate in their school communities. Engaged parents play a key role in helping students succeed on their way to 21st-century careers and college.

How many Safe Haven school districts are there in California?

As of September 2017, 118 school districts and county offices of education have declared themselves Safe Havens. These schools and districts serve more than 2.7 million students and include large and small districts, urban and rural districts and represent a wide variety of geographic regions—stretching from north to south, coastal to inland, and mountain to desert communities. There are likely to be more districts that have passed similar resolutions, but have not used the term Safe Haven.

What are the laws protecting schools and students with regard to student records and immigration status?

There are several legal protections in place, including:

The 1984 Supreme Court decision *Plyler v. Doe* which requires schools to enroll all eligible children regardless of their citizenship or immigration status. State and federal laws prohibit educational agencies from disclosing personally identifiable student information to law enforcement, without the consent of a parent or guardian, a court order or lawful subpoena, or in the case of a health emergency.

Districts must verify a student's age and residency, but have flexibility in what documents or supporting papers they use. They do not have to use documents pertaining to immigration status.

To determine age, for example, LEAs can rely on a statement from a local registrar, baptismal records, or an affidavit from a parent guardian or custodian. To determine residency, an LEA can rely on property tax receipts, pay stubs, or correspondence from a government agency.

Namaste مرحبا Willkommen Bem Vindo Selamat Datang
Bienvenidos Croeso Bienvenue Welcome Bienvenidos أهلا وسهلا
Benvenuti Welkom Bienvenue Bem Vindo
Bienvenidos مرحبا Welcome Welkom Croeso
Selamat Datang أهلا وسهلا مرحبا أهلا وسهلا
Welcome Bienvenue Bem Vindo
Willkommen Kállwçs ήλθote Benvenuti Willkommen

Equal Access to Education

All children in the United States are entitled to equal access to a basic public elementary and secondary education regardless of their actual or perceived race, color, national origin, citizenship, immigration status, or the status of their parents/guardians.

Steps for Enrollment:

1) Discover which schools are nearest to you using our School Site Locator

2) Gather documents needed for enrollment

- Birth certificate - Official document/not a hospital certificate
- Proof of address - Current utility bill with parent or guardian name on it
- Current shot record - Must have TDAP to enter the 7th grade or higher before starting school
- Physical - Required for Kindergarten and first grade
- Dental- Copy of recent dental checkup
- ID - Photo ID of parent or guardian
- The current report card, withdraw grades or transcript
- Individualized education plan (IEP) if your child is receiving special education services
- Guardianship/Custody papers (if applicable)

3) Take documents and student to the nearest school for enrollment. *Please note that after March 1, 2018 all students will be enrolled at our Centralized Enrollment Office at Edison High School.*

**Due to overcrowding, the nearest school may not be the school your student is assigned to. If you have any questions, please contact our Educational Services Division at (209) 933-7040.*

Deferred Action for Childhood Arrivals (DACA)

"Deferred Action for Childhood Arrivals, provided by East Bay Community Law Center, www.ebclc.org"

What is DACA?

Deferred Action for Childhood Arrivals (DACA) is a kind of administrative relief from deportation. The purpose of DACA is to protect eligible immigrant youth who came to the United States when they were children from deportation. DACA gives young undocumented immigrants: 1) protection from deportation, and 2) a work permit. The program expires after two years, subject to renewal.

What are the requirements for DACA?

1. You were under 31 years old as of June 15, 2012;
2. You first came to the United States before your 16th birthday;
3. You have lived continuously in the United States from June 15, 2007 until the present;
4. You were physically present in the United States on June 15, 2012 and at the time you apply;
5. You came to the United States without documents before June 15, 2012, or your lawful status expired as of June 15, 2012;
6. You are currently studying, or you graduated from high school or earned a certificate of completion of high school or GED, or have been honorably discharged from the Coast Guard or military (technical and trade school completion also qualifies); and
7. You have NOT been convicted of a felony, certain significant misdemeanors (including a single DUI), or three or more misdemeanors of any kind.

Important information about DACA requests: The DACA program is being reviewed in the court system. Individuals who have not previously applied for DACA status, should consult updated guidance from the United States Citizenship and Immigration Services. For more information, visit [Deferred Action for Childhood Arrivals: Response to January 2018 Preliminary Injunction](#)

What's the process to renew my DACA?

DACA *renewals* are being accepted by USCIS. Consult a qualified attorney before submitting any application to immigration authorities, particularly if you have had any contact with police or any unauthorized absences from the U.S.:

1. **Consult a qualified attorney before submitting your application:**
2. **Complete Applications:**
 1. Form I-821D – Consideration of Deferred Action for Childhood Arrivals;
 2. Form I-765 – Application for a Work Permit;
 3. Form I-765WS – Worksheet explaining your economic need to work; and
 4. Copy of front/back of current Work Permit.
3. **Submit Applications:** Include all supporting documents, two photos and fees. The fee is \$495.00 (pay using a check or money order payable to Department of Homeland Security). *Mail to:* USCIS Phoenix Lockbox, PO Box 20700, Phoenix, Arizona 85036-0700
4. **Background Check and Fingerprints:** You will receive a receipt by mail that contains your receipt number *and* an appointment notice to get your fingerprints taken for a background check.
5. **Final Steps:** Once you have been fingerprinted, you will receive either a letter asking for additional information (called a Request for Evidence) or a final decision. Approvals of DACA renewals are sometimes received as quickly as five weeks, but often take a few months from the date of application.

How do I apply for DACA if it's my first time?

Initial DACA applications are **not currently** being accepted by USCIS.

Who can apply for DACA renewal?

You can apply to renew your DACA if you currently have DACA, if you previously had DACA but it's expired, or if you had DACA and it was terminated.

You are still eligible for DACA renewal even if:

- You are now over 31. You cannot age out of the program.
- You have graduated or are studying at a different school or program.

When to apply for DACA renewal?

Apply at least 150 days before your DACA and work permit expire. **However, USCIS is now accepting applications more than 150 days prior to the expiration date and up to 364 days prior to the expiration date, so you can apply if your DACA will expire in less than 1 year.** If you apply for renewal in this time range, you should receive an approval notice and new work permit before your current one expires. It is important to apply for renewal on time to avoid losing protection from deportation, being without valid work authorization, and accruing unlawful presence once your Deferred Action relief expires.

Know Your Rights

“Know Your Rights, provided by Immigration Legal Resource Center,
www.ilrc.org/sites/default/files/resources/kyr_two_pager_v2.pdf”

If you find you have to deal with Immigration and Customs Enforcement (ICE) or other law enforcement officers at home, on the street, or anywhere else, remember that you have the rights described in this factsheet. The factsheet also provides suggestions for what you should do to assert your rights.

➤ **Talk to an immigration services provider about your immigration options**

Find immigration legal help on the Immigration Advocates Network's national directory for free or lowcost at www.immigrationlawhelp.org

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a visa or work permit.
- If you have a criminal arrest or conviction, find out how it might affect your case, or if there is a way to erase it from your record.

➤ **Make a child family preparedness plan www.ilrc.org/familypreparedness-plan**

- Make sure all information and emergency contacts are up to date at your children's school(s) including who can and cannot pick up your children.
- Create a sheet of emergency numbers and contact information and a file of important documents so that you, your family or your emergency contact person can easily access them.
- Complete a caregiver's authorization affidavit so another adult can care for your children temporarily (available in California).

- Register your child's birth with your country's government (for example, with your country's consulate) if your child was born in the United States.

➤ **Make sure you and others know what to do if approached by ICE officers.**

- Inform your family members (even children), housemates, neighbors and co-workers, regardless of their immigration status, of their right to remain silent and all of these rights if ICE or the police comes to your home, neighborhood or workplace.

➤ **You have the right to remain silent. You may refuse to speak to immigration officers.**

- Don't answer any questions. You may also say that you want to remain silent.
- Don't say anything about where you were born or how you entered the U.S.

➤ **Carry a know-your-rights card and show it if an immigration officer stops you.**

- The card explains that you will remain silent and that you wish to speak with an attorney.

➤ **Do not open your door.**

- To be allowed to enter your home, ICE must have a warrant signed by a judge. Do not open your door unless an ICE agent shows you a warrant. (They almost never have one.) If an ICE agent wants to show you a warrant, they can hold it against a window or slide it under the door. To be valid, the warrant must have your correct name and address on it.
- You do not need to open the door to talk with an ICE agent. Once you open the door, it is much harder to refuse to answer questions.

➤ **You have the right to speak to a lawyer.**

- You can simply say, “I need to speak to my attorney.”
- You may have your lawyer with you if ICE or other law enforcement questions you.

➤ **Before you sign anything, talk to a lawyer.**

- ICE may try to get you to sign away your right to see a lawyer or a judge. Be sure you understand what a document actually says before you sign it.

➤ **Always carry with you any valid immigration document you have.**

- For example, if you have a valid work permit or green card, be sure to have it with you in case you need to show it for identification purposes.
- Do not carry papers from another country with you, such as a foreign passport. Such papers could be used against you in the deportation process.

➤ **If you are worried ICE will arrest you, let the officer know if you have children.**

- If you are the parent or primary caregiver of a U.S. citizen or permanent resident who is under age 18, ICE may “exercise discretion” and let you go.
- If ICE detains you or you are concerned that they will conduct raids in your area, this is what you can do:
 1. Make sure a friend or family member can access important documents, such as birth certificates and immigration documents.
 2. Make sure your loved ones know how to find you if you are detained by ICE. They can use ICE’s online detainee locator (<https://locator.ice.gov/odls/homePage.do>)
 3. Make sure they have your alien registration number written down, if you have one.

4. You can call the Executive Office for Immigration Review (EOIR) hotline number at 240-314-1500 or 1-800-898-7180 (toll-free) 24 hours a day, 7 days a week to get information on your case's status.

Red Cards

"Know Your Rights, provided by Immigration Legal Resource Center,
www.ilrc.org/sites/default/files/resources/kyr_two_pager_v2.pdf"

Red Cards

All people in the United States, regardless of immigration status, have certain rights and protections under the U.S. Constitution. The ILRC's Red Cards help people assert their rights and defend themselves in many situations, such as when ICE agents go to a home.

To print at home, use heavy weight paper, or card stock. Cut out the cards along the dotted lines.

If you're unable to print on both sides, you can simply fold on the center line to make a 2-sided card.

Spanish:

Usted tiene derechos constitucionales:

- **NO ABRA LA PUERTA** si un agente de inmigración está tocando la puerta.
- **NO CONTESTE NINGUNA PREGUNTA** de un agente de inmigración si el trata de hablar con usted. Usted tiene el derecho de mantenerse callado.
- **NO FIRME NADA** sin antes hablar con un abogado. Usted tiene el derecho de hablar con un abogado.
- Si usted está afuera de su casa, pregunte al agente si es libre para irse y si dice que sí, váyase con tranquilidad.
- **ENTREGUE ESTA TARJETA AL AGENTE.** Si usted está dentro de su casa, muestre la tarjeta por la ventana o pásela debajo de la puerta.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

Hmong:

Koj muaj cai los ntawm tug txhoj cai lij choj:

- **TSIS TXHOB QHIB QHOV ROOJ NAWB** yog thaum muaj ib tus neeg tsoom fvw immigration tuaj khob qhov rooj.
- **TSIS TXHOB TEB IB NQI LUS NUG LI** los ntawm ib tug neeg tsoom fvw immigration uas xav nrog koj tham. Koj yeej muaj cai tsis hais lus li.
- **TSIS TXHOB KOS NPE RAU DAB TSI LI** uas yog thaum koj tsis tau nrog ib tug kws lij choj tham. Koj yeej muaj cai nrog ib tug kws lij choj tham.
- Yog tias koj nyob nraum zoov ntawm koj lub tsev, nug tus neeg tsoom fvw immigration ntawd seb koj mus puas tau. Yog nws teb tias mus tau, ces maj mam mus.
- **MUAB DAIM NPAV NO RAU TUS NEEG TSOOM FWV.** Yog tias koj nyob hauv tsev, muab daim npav no tsa ntawm lub qhov rais kom nws pom los yog muab tso rau hauv qab qhov rooj mus.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

Red Cards

Arabic:

<p>لديك حقوق دستورية:</p> <ul style="list-style-type: none">• لا تفتح الباب إذا كان شرطي الهجرة يطرق الباب.• لا تجيب على أي أسئلة يستلها شرطة الهجرة إذا حاولوا التحدث إليك. لديك الحق في التزام الصمت.• لا توقع أي شيء دون التحدث أولاً إلى محامي. لك الحق في التحدث إلى محامي.• إذا كنت خارج بيتك، اسأل الشرطي إذا كان لديك حرية المغادرة، وإذا قال نعم، غادر بهدوء.• أعطي هذه البطاقة للشرطي. إذا كنت داخل منزلك، اعرض البطاقة من خلال النافذة أو مررها من تحت الباب.	<p>I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.</p> <p>I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.</p> <p>I do not give you permission to search any of my belongings based on my 4th Amendment rights.</p> <p>I choose to exercise my constitutional rights.</p> <p><i>These cards are available to citizens and noncitizens alike.</i></p>
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Vietnamese:

<ul style="list-style-type: none">• Tôi không muốn nói chuyện với quý vị, trả lời các câu hỏi của quý vị, hoặc ký tên hay đưa cho quý vị bất cứ tài liệu nào dựa trên các quyền trong Tu Chính Án thứ 5 của tôi theo Hiến Pháp Hoa Kỳ.• Tôi không cho phép quý vị vào nhà tôi dựa trên các quyền trong Tu Chính Án thứ 4 của tôi theo Hiến Pháp Hoa Kỳ trừ khi quý vị có trát lệnh xét nhà, được ký bởi một thẩm phán hoặc quan tòa với tên của tôi trên đó mà quý vị luôn vào bên dưới cánh cửa.• Tôi không cho phép quý vị khám xét bất cứ đồ dùng nào của tôi dựa trên các quyền trong Tu Chính Án thứ 4 của tôi.• Tôi lựa chọn thực thi các quyền hiến định của mình.• Các thẻ này được cung cấp cho công dân và người không phải là công dân.	<p>I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.</p> <p>I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.</p> <p>I do not give you permission to search any of my belongings based on my 4th Amendment rights.</p> <p>I choose to exercise my constitutional rights.</p> <p><i>These cards are available to citizens and noncitizens alike.</i></p>
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Korean:

<p>귀하에게는 헌법이 부여한 권리가 있습니다.</p> <ul style="list-style-type: none">• 이민국 요원이 문을 두드릴 경우 문을 열어주지 마십시오.• 이민국 요원이 검문을 할 때 어떤 질문에도 대답하지 마십시오. 귀하에게는 묵비권을 행사할 권리가 있습니다.• 변호사와 만나기 전에는 어떠한 서명도 하지 마십시오. 귀하에게는 변호사와 상담할 권리가 있습니다.• 집 밖에 있을 경우, 이민국 요원에게 귀하가 그 자리를 떠날 수 있는 자유가 있는지 여부를 묻고 이민국 요원이 '예'라고 답변을 한다면 침착하게 자리를 떠나십시오.• 이 카드를 이민국 요원에게 주십시오. 만약 귀하가 집안에 머물고 있다면, 이 카드를 창문이나 문 아래로 밀어 넣어 전달하십시오.	<p>I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.</p> <p>I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.</p> <p>I do not give you permission to search any of my belongings based on my 4th Amendment rights.</p> <p>I choose to exercise my constitutional rights.</p> <p><i>These cards are available to citizens and noncitizens alike.</i></p>
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Red Cards

Chinese:

你有以下憲法賦與的權利：

- 如移民局人員敲門，不要開門。
- 如移民局人員想和你交談，不要回答任何問題。你有權保持緘默。
- 未和律師諮詢之前，不要簽署任何文件。你有權和一名律師交談。
- 如你在家外面，問移民局人員你是否可以離開，如他們答可以，請鎮靜地離開。
- 出示此卡給移民局人員看。如你在家裡。可在窗口或門下面遞出去給他們看。

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

English:

You have constitutional rights:

- DO NOT OPEN THE DOOR if an immigration agent is knocking on the door.
- DO NOT ANSWER ANY QUESTIONS from an immigration agent if they try to talk to you. You have the right to remain silent.
- DO NOT SIGN ANYTHING without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, ask the agent if you are free to leave and if they say yes, leave calmly.
- GIVE THIS CARD TO THE AGENT. If you are inside of your home, show the card through the window or slide it under the door.

I do not wish to speak with you, answer your questions, or sign or hand you any documents based on my 5th Amendment rights under the United States Constitution.

I do not give you permission to enter my home based on my 4th Amendment rights under the United States Constitution unless you have a warrant to enter, signed by a judge or magistrate with my name on it that you slide under the door.

I do not give you permission to search any of my belongings based on my 4th Amendment rights.

I choose to exercise my constitutional rights.

These cards are available to citizens and noncitizens alike.

Resources

Council for the Spanish Speaking (Stockton Office)

The Council for the Spanish Speaking offers a wide range of immigration services, including individual and family consultations, as well as preparation of documents for adjustment of status, consular processing and citizenship. We also hold community workshops for citizenship, know your rights and perform other community outreach and education.

Location: 224 S. Sutter St. Stockton, CA 95203

Website: <http://www.elconcilio.org>

Phone: (209) 337-7505

Fax: (209) 644-2620

Contact methods: Email, Fax, Mail/Letter, Phone calls, Website

Appointments accepted: Yes

Lao Family Community Empowerment, Inc. (Stockton Office)

Lao Family Community Empowerment was founded in 1984 as Lao Family Community of Stockton to serve the thousands of Hmong refugees arriving in the area following the Vietnam War. In those early years, Lao Family provided critical services for newcomers – English-language education and employment programs, immigration, housing assistance and health outreach, mental health services and acculturation training.

Location: 6135 Tam O' Shantor Drive Suite 1 Stockton, CA 95210

Website: www.lfcempowerment.org

Phone: (209) 466-0721

Fax: (209) 466-6567

Contact methods: Email, Fax, Mail/Letter, Phone calls, Website

Appointments accepted: Yes

Key Immigration Terms

"Immigration Glossary, provided by U.S. Citizenship and Immigration Services, www.uscis.gov/tools/glossary"

A

Acquired Citizenship: Citizenship at birth for children born in foreign countries whose parent(s) are U.S. citizen(s).

Alien: Any person who is not a United States citizen

Amnesty: An official pardon for people who have been convicted of political offenses.

Asylee: A person who is seeking or has been granted political asylum.

Asylum: The protection granted by a nation to someone who has left their native country as a political refugee

Asylum-seekers: A person who has left their home country as a political refugee and is seeking asylum in another.

B

Birthright Citizenship: A legal right to citizenship for all children born in a country's territory, regardless of parentage.

C

Cancellation of Removal: A discretionary benefit adjusting an alien's status from that of deportable alien to one lawfully admitted

N

National: A synonym for citizen.

Native: People residing in the United States who are United States citizens. Natives of the U.S. fall into three categories: people born in one of the 50 states or the District of Columbia, people born in United States Insular Areas such as Puerto Rico or Guam, and people who were born abroad but have at least one parents who is a U.S. citizen.

Naturalized citizen: An immigrant who has been sworn in as a U.S. citizen.

Naturalization: The process of conferring citizenship upon a person after his or her birth, by any means.

Nonimmigrant: An alien who seeks temporary entry to the United States for a specific purpose. He or she must have a permanent residence abroad (for some classifications, this is not necessary) and qualify for the nonimmigrant classification sought. The classifications include: foreign government officials, visitors for business and for pleasure, aliens in transit through the United States, treaty traders and investors, foreign students, international

for permanent residence. Application for cancellation of removal is made during the course of a hearing before an immigration judge.

Citizenship: The rights and responsibilities that a person has as a result of being born or naturalized in a country.

D

Deportation: The formal removal of an alien from the United States when the alien has been found removable for violating the immigration laws.

Diplomats and Consular

Personnel: People working in a foreign country, under a diplomatic permit, for their country's embassy or consulate. Also refers to citizens traveling abroad under diplomatic passports in order to work for their country's embassies or consulates.

E

Emigration: The process of leaving one country to take up permanent or semi-permanent residence in another country.

F

Foreign Students: People admitted by a country not their own, usually under a special permit or visa, for the specific

representatives, temporary workers and trainees, representatives of foreign information media, exchange visitors, fiancé(e)s of U.S. citizens, intracompany transferees, religious workers, and some others. Most nonimmigrants can be accompanied by spouses and unmarried minor (or dependent) children.

O

Out-migration: The process of leaving a country or a subdivision of a country for another with the intent of establishing a new permanent or semi-permanent residence.

P

Permanent Resident: Any person who is not a United States citizen or national, but who is permanently residing in the U.S. legally, as a lawfully recorded permanent immigrant. Also referred to as a lawful permanent resident, immigrant, permanent resident alien, resident alien permit holder, and green card holder.

Port of Entry: A location through which aliens may enter the United States. Any location in the United States or its territories can be designated a port of entry. All immigration service offices are also

purpose of pursuing a particular course of study in an accredited institution of the receiving country.

G

Green Card: Also known as a Permanent Resident Card, Form I-551, or alien registration card. USCIS issues Green Cards to foreign nationals as evidence of their lawful permanent resident status in the United States. For Form I-9, it is acceptable as proof of identity and employment authorization. Although some Green Cards do not have an expiration date, most are valid for 10 years. Cards issued to individuals with conditional permanent resident status are valid for two years.

I

Illegal Alien: A foreigner who has either entered a country illegally (e.g. without inspection or proper documents) or who has violated the terms of legal admission to the country (e.g. by overstaying the duration of a tourist or student visa).

Immigrant: Commonly, permanent resident aliens and those who have been naturalized as U.S. citizens are referred to as immigrants. However, the Immigration and Nationality Act (INA) defines an immigrant

considered ports, since they are locations of entry for aliens changing to immigrant status.

R

Refugee: One of the six legal immigrant categories, refugees are aliens who are unable to remain in their country of origin due to persecution or a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion. Refugees are subject to ceilings by geographic area set annually by the President in consultation with Congress. They are eligible for lawful permanent resident status after one year of continuous presence in the United States. Refugees differ from asylees in that people outside the United States apply for refugee status, but people already in the United States apply for asylee status.

Refugee Authorized Admissions: The maximum number of refugees allowed to enter the United States in a given fiscal year. As stipulated by the Refugee Act of 1980, the President determines the annual figure after consultations with Congress.

Remittances: Money earned or acquired by

as any alien in the United States, except those legally admitted specifically as nonimmigrants (such as foreign students). An illegal alien is not a permanent resident alien, but would be an immigrant under the INA's definition.

Immigration: The process of entering one country from another to take up permanent or semi-permanent residence.

Immigration Act of 1990: Public Law 101-649 (Act of November 29, 1990), which increased the limits on legal immigration to the United States, revised all grounds for exclusion and deportation, authorized temporary protected status to aliens of designated countries, revised and established new nonimmigrant admission categories, revised and extended the Visa Waiver Pilot Program, and revised naturalization authority and requirements.

Immigration Judge: An attorney who is appointed by the Attorney General to act as a judge in the Executive Office for Immigration Review. These judges conduct specified classes of proceedings, including immigration hearings and removal proceedings.

Inadmissible: The status of an alien at a United States port of entry who does not meet the legal criteria for admission. The

immigrants that is sent back to their country of origin. For some developing countries, remittances can form a sizeable chunk of their economy.

Removal: The expulsion of an alien from the United States, based on grounds of either inadmissibility or deportability.

Resident Alien: Any person who is not a United States citizen or national, but who is residing in the U.S. legally. Resident aliens are categorized into permanent residents, conditional residents, and returning residents.

S

Safe Haven: Temporary refuge given to migrants who have left their countries of origin because of persecution or a well-founded fear of persecution. This refuge is extended until the migrant can return to his or her country safely or, if necessary, until he or she can find a permanent refuge. In U.S. immigration law, this is termed Temporary Protected Status.

Special Agricultural Workers

(SAW): Aliens who had been employed in perishable agricultural products for at least 90 days a year for the three years preceding 1986 were granted eligibility for temporary and then permanent resident status by the

person may be placed in removal proceedings, or in some cases, may be allowed to withdraw his or her application for admission.

J

Jurisdiction:

The government's authority to govern or enforce laws or to enforce them in a certain area or over certain people.

L

Lawful Permanent Resident (LPR): Any person not a citizen of the United States who is living in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. Also known as "permanent resident alien," "resident alien permit holder," and "Green Card holder."

Lottery Admissions: One of the six legal immigrant categories, lottery admissions are immigrants from countries considered underrepresented in the flow of immigrants to the U.S. The program distributes 55,000 visas each year by lottery. This program is also known as the diversity visa program.

M

Immigration Reform and Control Act of 1986.

Sponsor: A person who brings an immigrant to the United States by petitioning for him or her. Also, a person who completes Form I-864, or the Affidavit of Support.

Sustainability: Meeting the resource needs of the present population without damaging the functionality of the area's ecosystem or its ability to meet the resource needs of future populations.

T

Temporary Protected Status (TPS): The legislative basis for granting safe haven in the United States. The Immigration Act of 1990 allows the Attorney General to designate nationals of a particular country as eligible for TPS, if conditions in that country are found to be a danger to personal safety. TPS is granted for six to 18 months initially and may be extended, depending on the situation. Aliens in TPS status receive work permits and are immune from removal proceedings, regardless of whether they legally entered the country.

Temporary Worker: An alien admitted to the United States to work for a temporary period of time.

Migrant: A person who moves within a country or who leaves his or her country of origin in order to seek permanent or semi-permanent residence in another country.

Migrant worker: A person who moves within a country or who leaves his or her country of origin in order to seek employment in another country.

Migration: The process of moving across a boundary in order to take up permanent or semi-permanent residence. Migration is categorized into international migration (from one country to another) and domestic migration (within one country, but across a subdividing boundary).

Tourists: People who do not permanently reside in the country of arrival, and who are in that country under a tourist visa, for purposes of recreation, visits to friends or relatives, health or medical treatment, or religious pilgrimage.

Trafficking: The process of illegally recruiting, coercing, or moving a migrant or prohibited substances across national or state borders. Traffickers are the people who transport migrants and/or drugs and who profit economically or otherwise from their relocation.

U

USCIS: U.S. Citizenship and Immigration Services (USCIS) is the federal agency that oversees lawful immigration to the United States. They are a component of the Department of Homeland Security.

V

Visa Waiver Program: A program established by the Immigration Reform and Control Act of 1986, allowing citizens of certain countries on a reciprocal basis who wish to enter the United States under the nonimmigrant classes of visitors to do so without a visa, provided their stay does not

exceed 90 days.

Voluntary Departure: The departure of an alien from the United States without an order of removal. This departure may or may not be preceded by a hearing in front of an immigration judge.



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