

# Welcoming Immigrant Children to School:

## A Report of North Carolina School Districts



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## Acknowledgements

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## Executive Summary

Every year, the parents of immigrant children approach school districts around North Carolina seeking to enroll those children. Eager to learn, excited about new possibilities, nervous about finding their way in a new educational culture, those children will get their first lesson when they observe how they are welcomed – or not – during the enrollment process.

Immigrant children, including undocumented children, have a constitutional right to enroll in public school where they live. Schools, therefore, have an obligation to enroll immigrant children as they do all children, and refrain from putting up barriers that make it difficult for them to access their right to attend public school.

As we learned through this study, however, many North Carolina school districts employ practices that discourage immigrants from enrolling in school. By requiring non-essential documents, failing to make enrollment requirements accessible, and being inflexible about proof of age and residency, school districts often discourage and delay the enrollment of immigrant children.

This study documents various enrollment policies of North Carolina school districts that affect enrollment, such as the districts' requirements for proof of age and residency, added requirements that may chill immigrant enrollment, and the accessibility of the enrollment information, particularly to Spanish speakers.

Following are some of the key findings:

- About 60% of North Carolina public school districts inhibit enrollment for immigrant children in at least one way.
  - Forty-six districts impose at least one barrier to enrollment.
  - Nineteen districts impose two barriers to enrollment.
  - Five districts impose three or more barriers to enrollment.
- Nearly one-third of districts request two or more documents to prove residency in a district, which can place a burden on immigrant families who do not have documents in their name tied to their residence.
- Roughly one quarter of districts accept only a “certified birth certificate” as proof of age, which can delay or bar enrollment of immigrant children who come from countries with a poor record of registering births.
- Nearly one quarter of districts request a social security number without indicating that such a request is optional or voluntary, hindering the enrollment of undocumented students who cannot get a social security number.
- More than a tenth of the districts implement a restrictive parental photo ID requirement that effectively bars the children of undocumented parents from enrolling in school.

The report concludes with recommendations for enrollment policies that, if implemented, would lessen enrollment barriers for immigrant children. Key recommendations for actions school districts can take to facilitate the enrollment of immigrant children include the following:

- Make information about enrollment requirements easy to obtain and access.
- Be flexible with regard to what evidence will be accepted to prove residency.
- Be flexible with regard to what evidence will be accepted to prove age.
- Refrain from requesting a social security number.
- Refrain from requiring a parental photo ID as part of the enrollment process.
- Be alert to children covered by the McKinney-Vento Homeless Assistance Act and assure they are enrolled in compliance with the law.
- Be flexible and helpful when caretaker adults who are not the child's parents seek to enroll a child.

**Denial of education to some isolated group of children poses an affront to one of the goals of the Equal Protection Clause: the abolition of governmental barrier presenting unreasonable obstacle to advancement on the basis of individual merit.**

**--U.S. Supreme Court, 1982**

## Introduction

Each August, thousands of families across North Carolina prepare for the start of the new school year. With excitement and sometimes a bit of trepidation, children arrive at school and are welcomed by their principals and teachers; the community embraces the start of a new year and promises of a good education. But for some families and children, the dream is denied or deferred. There is the 12-year-old who fled gang violence in Central America, who has not attended school in over a year. She arrives at her new school in North Carolina, a scared refugee, yet eager to resume her education. When her father tries to enroll her, she is refused because she lacks the proper proof of her age. And there is the five-year-old boy born in western North Carolina, excited to begin school, new backpack supplied. Yet when his mother tries to register him for kindergarten, his school says no because his immigrant mother lacks a North Carolina ID. There is the 15-year-old boy who has been sent from Mexico to live with an aunt in North Carolina because his father has been killed and his mother has recently been beset by serious health problems and can no longer care for him. When his aunt tries to enroll him in her local school, she gets so much conflicting and confusing information about the requirements that he loses six weeks of school before she can produce all the necessary paperwork. Across the state, school district policies and practices allow such refusals and delays to happen, limiting the education of children entitled to attend school to prepare themselves to become educated and productive members of society.

North Carolina is home to about 800,000 immigrants.<sup>1</sup> While the state does not keep data on the number of immigrant children enrolled in public schools, estimates put the number at about 55,000 of the total 1.45 million children enrolled.<sup>2</sup> According to a study by the Migration Policy Institute, approximately 36,000 undocumented immigrant children live in North Carolina,<sup>3</sup> with roughly 33,000 of them of school age.<sup>4</sup> Another 170,000 U.S. citizen children in North Carolina live in a household with at least one undocumented parent.<sup>5</sup> The North Carolina Department of Public Instruction reports that about 17% of the students in the public schools are ethnically Hispanic and another 3% are Asian.<sup>6</sup>

Immigrant children who live in the United States, even those who are undocumented, have a constitutional right to enroll in public school.<sup>7</sup> Recognizing that public education is the “most vital civic institution for the preservation of a democratic system of government,”<sup>8</sup> the U.S. Supreme Court, in the case of *Plyler v. Doe*, acknowledged that the denial of education imposes an “inestimable toll” on the “social economic, intellectual, and psychological well-being” of an individual. Furthermore, the Court recognized that the denial of education to immigrant children imposes a discriminatory burden on them on the basis of

**This report details the rights of immigrant children to enroll in public school and the obligations of school districts to ensure that these children are educated.**

a legal characteristic over which they have little control. In fact, many initially undocumented immigrant children remain in the United States indefinitely and frequently become lawful residents or American citizens. The U.S. Departments of Justice and Education both have interpreted *Plyler v. Doe* as forbidding the denial of education on the basis of immigration status as well as any state action that would “chill” or burden a child’s right to access public education.<sup>9</sup>

Over the last several years, the Children’s Law Clinic, a program at Duke Law School (the “Clinic”) became aware of anecdotal evidence that not all school districts in North Carolina were facilitating the right of immigrant children living in the state to attend public school. The evidence indicated that some North Carolina school districts were erecting barriers that discourage enrollment by immigrant children; these barriers include requiring the production of unnecessary documents difficult for immigrants to obtain and failing to facilitate the lawful enrollment of children not living with parents or legal guardians. As a result, the Clinic set out to research and document the enrollment practices of the school districts in North Carolina, in particular focusing on procedures relating to the enrollment of immigrant children. The results of that study are included in this report.

This report first details the rights of immigrant children to enroll in public school, regardless of documentation status, and the obligations of school districts to ensure that these children are educated. Then, the report documents the enrollment procedures used in the 115 public school districts in North Carolina and identifies certain policies that can impede the access of immigrant children to education based on their or their parent’s undocumented status.<sup>10</sup> The report includes recommendations that, if implemented, would assure that districts are compliant with their legal obligations to facilitate the enrollment of immigrant children. The final section of the report is an appendix that organizes and displays the enrollment requirements for the 115 school districts. While the enrollment practices of charter schools were not documented in this study, their obligations to enroll immigrant children are the same as the obligations of traditional public schools, and thus the recommendations apply to them as well.<sup>11</sup>

## Legal Background

### Federal Law

The educational rights of immigrant children are clear. Under federal law, all children, regardless of immigration status, race, ethnic background or native language, are guaranteed equal access to public education.<sup>12</sup>

In *Plyler v. Doe*,<sup>13</sup> the U.S. Supreme Court held that, under the Fourteenth Amendment's Equal Protection Clause,<sup>14</sup> it is unconstitutional for local school districts to deny children enrollment in public schools because of their immigration status.<sup>15</sup> The case arose in the aftermath of a Texas law authorizing school districts to charge tuition to or deny access to undocumented children seeking to enroll in public schools.<sup>16</sup> The Court found that because of the "pivotal role of education in sustaining our political and cultural heritage, denial of education to some isolated group of children poses an affront to one of the goals of the Equal Protection Clause: the abolition of government barriers presenting unreasonable obstacles to advancement on the basis of individual merit."<sup>17</sup>

**The U.S. Supreme Court, Congress, and the U.S. Departments of Education and Justice have all established the rights of undocumented immigrant children to public education.**

In addition to the Supreme Court ruling, several federal laws and administrative guidance letters add protections for immigrant children seeking a public education. First, both Titles IV and VI of the Civil Rights Act of 1964 prohibit public elementary and secondary schools from discriminating on the basis of race, color, or nation origin.<sup>18</sup> Additionally, Title VI regulations also prohibit recipients of federal funds, such as school districts, from "unjustifiably utilizing criteria or methods of administration that have the effect of subjecting individuals to discrimination because of their race, color, or national origin."<sup>19</sup> Although centered on protecting children based on "race, color, or national origin," the reach of Title VI's protections also extends to children whose first language is something other than English.<sup>20</sup>

In 2011, partly in response to efforts by some states and municipalities to chill participation by students in public education based on their immigration status,<sup>21</sup> the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights issued joint guidance, in the form of a "Dear Colleague Letter," to public school districts across the country regarding nondiscriminatory student enrollment procedures.<sup>22</sup> The letter explicitly stated: "To comply with . . . the mandates of the Supreme Court, [a school district] must ensure that . . . students are not barred from enrolling in

public schools at the elementary and secondary level on the basis of their own citizenship or immigration status or that of their parents or guardians.”<sup>23</sup> The letter reminded school districts that they “may not request information [regarding immigration status] with the purpose or result of denying access to public schools on basis of race, color, or national origin.”<sup>24</sup> The letter recognized that while schools may take measures to make sure students are residents of the district, schools may not make mandatory demands for a child’s social security number and cannot discriminate on the basis of a foreign birth certificate.<sup>25</sup>

Three years later, the Departments of Education and Justice issued an update in response to inquiries the federal government had received regarding the 2011 letter.<sup>26</sup> The letter reiterated the holding of *Plyler* and explicitly reminded states and school districts that students cannot be “barred from enrolling in public schools at the elementary or secondary level on the basis of their own citizenship or immigration status or that of their parents or guardians.”<sup>27</sup> The letter then highlighted what are permissible and impermissible types of information that school districts and schools may request as part of their enrollment practices.

According to the letter, requesting copies of phone, water bills, or lease agreements to establish a student’s residency in a school zone is permissible.<sup>28</sup> Yet, as the letter points out, inquiries into students’ citizenship or immigration status or that of their parents or guardians are irrelevant to establishing residency within a school district.<sup>29</sup> Furthermore, the letter clarifies that a school district may not bar a student from enrolling in its schools “because he or she lacks a birth certificate or has records that indicate a foreign place of birth, such as a foreign birth certificate.”<sup>30</sup> Finally, the letter makes clear that a district or school cannot deny enrollment to a student if the student (or his or her parents) chooses not to provide a social security number.<sup>31</sup> As a protective matter for immigrants, the letter includes the following: “[A]ny requests [for a social security number must] be uniformly applied to all students and not applied in a selective manner to specific groups of students.”<sup>32</sup>

**Federal law makes clear that school districts may not bar a child from school due to a foreign birth certificate or because of a lack of a social security number.**

In addition to providing equal access to education to all students regardless of immigration status, school districts have a federal obligation to “ensure meaningful communication with [non-English speaking] parents in a language they can understand.”<sup>33</sup> This obligation includes communication with non-English speaking parents in a language they can understand about essential information including, but not limited to, registration and enrollment.<sup>34</sup>

The federal law guaranteeing school access to homeless children may also provide protection to immigrant children in some circumstances. The McKinney-Vento Homeless Assistance Act<sup>35</sup> mandates that homeless children be enrolled as would non-homeless

children in the school associated with their residence. Under the law, a homeless child is one who “lacks a fixed, regular, and adequate nighttime residence.”<sup>36</sup> Children staying in the residence of others due to loss of housing, financial problems, or similar reasons are considered homeless. A child in a family which is doubled up with friends or relatives because the family cannot establish a separate residence would be covered by this definition, as would a child who is living with a relative or friend because his or her parents have been deported.<sup>37</sup> “Migratory” children are specifically covered by the law, whether they themselves are migrant workers or their parents are. A child seeking enrollment and claiming the protections of McKinney-Vento must be immediately enrolled in the school in which enrollment is sought, even if there is a dispute about qualification as a homeless child. The enrollment must be maintained until the dispute concerning the qualification is fully resolved.<sup>38</sup>

### North Carolina State Law

Under North Carolina law, every child in the state is guaranteed “an opportunity to receive a sound basic education in [the state’s] public schools.”<sup>39</sup> Discrimination against children on the basis of national origin – among other characteristics – is prohibited by state law as well as by federal law.<sup>40</sup>

In general, all students ages five through 21 have the right to enroll in a public school in the school district in which their parents live.<sup>41</sup> The law states that so long as a child is presented within the first 120 days of the school year and meets the age requirements, that child is entitled to enroll in public school without payment. Children who do not live with their parents or legal guardians are entitled to enroll in the district in which they live with a caretaker adult so long as certain criteria are met.<sup>42</sup> A flexible reading of the criteria would include unaccompanied minor immigrant children and children whose parents have been deported and have left their children in the care of friends or relatives.

**Many school districts have established enrollment policies and procedures that impede the enrollment of immigrants, despite the laws that give those immigrants the right to attend public school.**

Prior to enrolling a child, school districts in North Carolina are required by state law to obtain evidence of the child’s age, a certificate of immunization, and proof of a health assessment. As for proof of age, state law allows a parent to either provide a certified copy of the child’s birth certificate or other satisfactory evidence that establishes the child’s date of birth, so long as it is “competent and verifiable.”<sup>43</sup> Satisfactory evidence includes but *is not limited to*: (i) a certified copy of any medical record of the child’s birth issued by the treating physician or the hospital in which the child was born, or (ii) a certified copy of a birth

certificate issued by a church, mosque, temple, or other religious institution that maintains birth records of its members.<sup>44</sup>

Except for these requirements established by state law, the specific enrollment procedures and requirements are set by the individual school districts.<sup>45</sup> Each district determines what documentation will be required to prove identity and residence within the district. They also determine what proofs of age will be considered “competent and verifiable.” Finally, they determine if other documentation will be required beyond what is required by the state. As this study documents, many districts have established enrollment policies and procedures that impede the enrollment of immigrants, despite the laws that give those immigrants the right to attend public school.

### **Barriers to School Enrollment**

**A district’s acceptance of a broad range of permissible documents to prove residency in the school district, such as a cell phone bill or affidavit attesting to living in the district, considerably enhances the ease with which an immigrant family can prove residence in a school district.**

One of the great barriers to accessing public education for immigrant families is the difficulty of acquiring the appropriate documentation for enrollment.<sup>46</sup> In particular, immigrant families may have difficulty with enrollment requests for specific proofs of residence, certified birth certificates, social security numbers, and parental identification cards.<sup>47</sup> For example, many families lack official documentation connecting them to their place of residence because they are “doubled up”<sup>48</sup> in homes or apartments with extended family members, or because they move frequently to keep up with labor demands.<sup>49</sup> A district’s acceptance of a broad range of permissible documents to prove residency in the school district, such as a cell phone bill or affidavit attesting to living in the district, considerably enhances the ease with which an

immigrant family can prove residence in a school district. On the other hand, a school district’s requirement that parents produce a lease in their name or a particular utility bill can dramatically inhibit the enrollment process.

Similarly, flexibility – or lack thereof – with regard to proof of age can affect the ease with which immigrant children can be enrolled. Many immigrant families come to the United States from developing countries where births are not always registered. According to the United Nations Children’s Fund, an estimated 41% of all births in a given year will go “unregistered” in the developing world.<sup>50</sup> In Latin America and the Caribbean, “a staggering two million of the 11 million births” are never registered each year.<sup>51</sup> Remarkably, the

inability to acquire a birth certificate is not exclusive to the developing world; even in the United States “[h]undreds of immigrant parents along the southern Texas border have been denied birth certificates for *U.S.-born children* since 2013.”<sup>52</sup> As a result, immigrant families who lack birth certificates for their children can encounter challenges to enrolling in public schools if the school district demands that age be proved only with a birth certificate. As with proof of residence, the more flexible the school district is, the more accessible school enrollment will be. To promote enrollment, school districts can accept a wide range of documents, from physician records to religious records, to allow parents to demonstrate their child’s age.

**The requirement that parents produce their own or a child’s social security number discourages the enrollment of undocumented children or children who have undocumented parents who are not eligible to obtain a social security card.**

Furthermore, the request that parents produce their own or a child’s social security number discourages the enrollment of undocumented children or children who have undocumented parents who are not eligible to obtain a social security card.<sup>53</sup> Despite both federal and state law that makes it unlawful for the district to deny enrollment to a child upon a parent’s refusal to produce a social security number,<sup>54</sup> some districts not only request it, they fail to note that inability to produce it cannot result in a denial of enrollment. Additionally, some districts do not provide the statutory authority for the solicitation, or state what the social security number will be used for, both of which are required by law.<sup>55</sup>

A local school district practice of requiring parental photo identification before a child can be enrolled is yet another barrier to an immigrant child’s access to education. In North Carolina, state photo IDs and driver’s licenses are restricted to state residents who have a social security number or valid immigration status.<sup>56</sup> Thus, most undocumented parents cannot get either type of ID. A further limitation was enacted by the NC General Assembly in 2015, when it prohibited certain government officials<sup>57</sup> from accepting a foreign driver’s license, “*matrícula consular*,”<sup>58</sup> or municipal or other organizational identification card as proof of identity or residence.<sup>59</sup> Should public school personnel be covered by that law (which is not clear, due to the lack of a definition of “government official” in the law), then a parent trying to enroll a child would likely have no acceptable way of proving his or her identity. While a valid passport would be acceptable, that, too, is a document that not all immigrants have. In short, a parental photo ID requirement could end up completely preventing enrollment of an immigrant child.

## Study Methodology

The goal of the study was to identify the enrollment requirements and practices of each of the 115 public school districts in North Carolina,<sup>60</sup> and to analyze their impact on the enrollment of immigrant children. The study began by accessing the publicly available websites of the 115 school districts in North Carolina. The study proceeded by using volunteer law students<sup>61</sup> to conduct an Internet search and phone survey of each district during January and February of 2017. The surveyors were instructed to gather whatever enrollment requirements were available on a school district's website, including on individual schools' websites within a district. The surveyors then followed up by calling a randomly-selected elementary school within each school district to confirm any website information and to obtain additional information about what enrollment documents parents would need to produce to enroll a newly-arrived 4<sup>th</sup> grade student. The surveyors spoke to the person who answered the phone, unless they were transferred to another member of the school's staff or a school district central office staffer.

To further understand how each school district's practices either encouraged or discouraged immigrant enrollment, each selected school was called twice: one time, the questions were posed in English; the other time, the questions were posed in Spanish. This allowed the study to include findings about (1) whether the school district had a procedure for addressing inquiries in Spanish, and (2) whether the information provided to a Spanish-speaking caller was consistent with information provided to an English-speaking caller.

## Findings

Given the level of local discretion school districts have, it is perhaps unsurprising that there are stark differences among them when it comes to their enrollment procedures. As mentioned previously, state law requires each school district to require evidence of (1) a child's date of birth, (2) a certificate of immunization, and (3) proof of a health assessment before a child is enrolled.<sup>62</sup> Each school district decides what documentation it will accept as satisfactory evidence of these requirements, and also whether it will impose additional requirements or documents prior to enrollment. Likewise, each district determines how it will communicate its requirements to parents and the public.

In general, our research identified a variety of practices that affect the ease with which immigrant families can enroll. For starters, we looked at how easy it is for parents to find the needed information about the district's requirements. Posting the information online, posting it online in Spanish, and answering a caller's questions were considered practices that enhanced the ability of a family to enroll their children. Failing to do so was characterized as impeding enrollment. We also examined the districts' practices with regard to obtaining the legally-required information, as well as the districts' practices in adding requirements that are not mandated by the state. Districts that are flexible about how a parent can prove a child's age and residence in the district were seen as enhancing enrollment; districts that are rigid about what documents are acceptable to prove age and residency were characterized as inhibiting enrollment. In addition, districts that add requirements for social security numbers and for parental photo identification were viewed as chilling the enrollment of immigrant children, especially undocumented children.

The following are some of the overall findings with regard to the enrollment practices of North Carolina school districts:

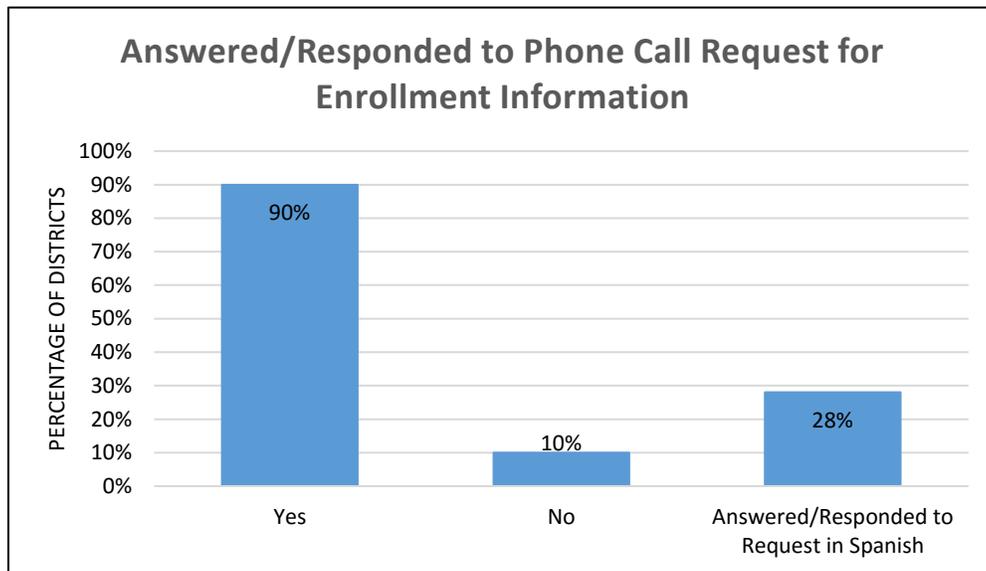
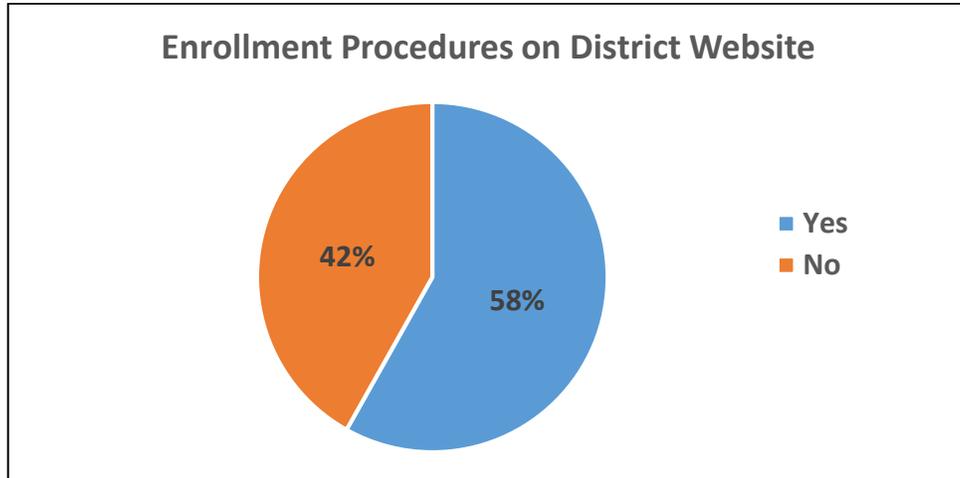
- About 60% of the 115 districts (70 districts) inhibit enrollment in at least one way.
  - 40% (46 districts) have imposed at least one barrier to enrollment.<sup>63</sup>
  - 17% (19 districts) have imposed at least two barriers to enrollment.<sup>64</sup>
  - 4% (5 districts) have imposed three or more barriers to enrollment.<sup>65</sup>
- Roughly 40% of the districts (45 districts) facilitate the enrollment of immigrants without adding unnecessary barriers.
- Nearly 60% of the districts (67 districts) list at least a partial description of their enrollment requirements on their district website; the rest do not.
- A little more than a quarter of the districts (32 districts) post their enrollment form/packet online; the rest do not.
  - 18 out of the 32 school districts that post their enrollment form online also post a Spanish version of the enrollment form online. Fourteen do not.
- Most of the districts (103 districts) responded to telephone requests for enrollment information in English. Twelve did not.
- Only a little more than a quarter of the districts (32 districts) responded to telephone requests for enrollment information in Spanish.
- Nearly a tenth of the districts (10 districts) hung up the phone without any communication upon hearing a request in Spanish.
- Two districts did not post information on their district websites or respond to phone calls to the District office or individual schools requesting information on their enrollment requirements. These were (1) Surry County Schools and (2) Clinton City Schools.

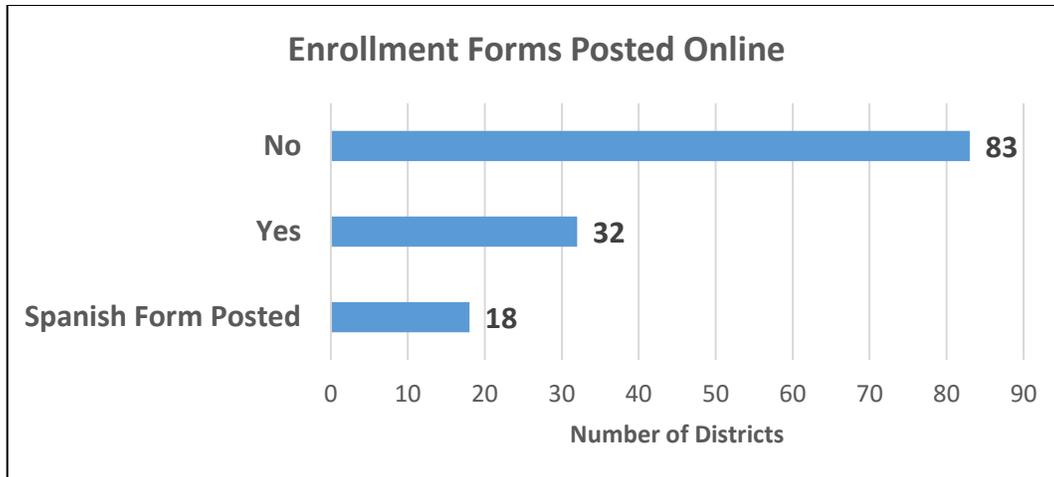
**About 60% of the 115 districts inhibit enrollment in at least one way. The other 40% of the districts facilitate the enrollment of immigrants without adding unnecessary barriers.**

Appendix A provides a chart of each district and its enrollment requirements and procedures.

## Availability of Enrollment Information

A slight majority of the 115 school districts post their enrollment procedures on their website. Fewer than a third, however, post the forms online, allowing for easy downloading and preparation ahead of time. Given that some immigrant families may need assistance with filling out forms, having them available for download assists those families. Having the forms available in Spanish or other languages further facilitates the enrollment of many immigrant families who may not have access to an individual who understands English.





### Proof of Residency

All districts require some evidence that a child seeking to enroll in school actually lives within the district’s borders.<sup>66</sup> Unlike with the proof of age or a health assessment, North Carolina law does not instruct districts as to what is acceptable or required proof for a child to demonstrate residency in a particular district. The state law does say, however, that a child must be “domiciled” in the school district, and that a child’s “domicile” is determined by where his or her parent lives, with the indefinite intent to remain.<sup>67</sup>

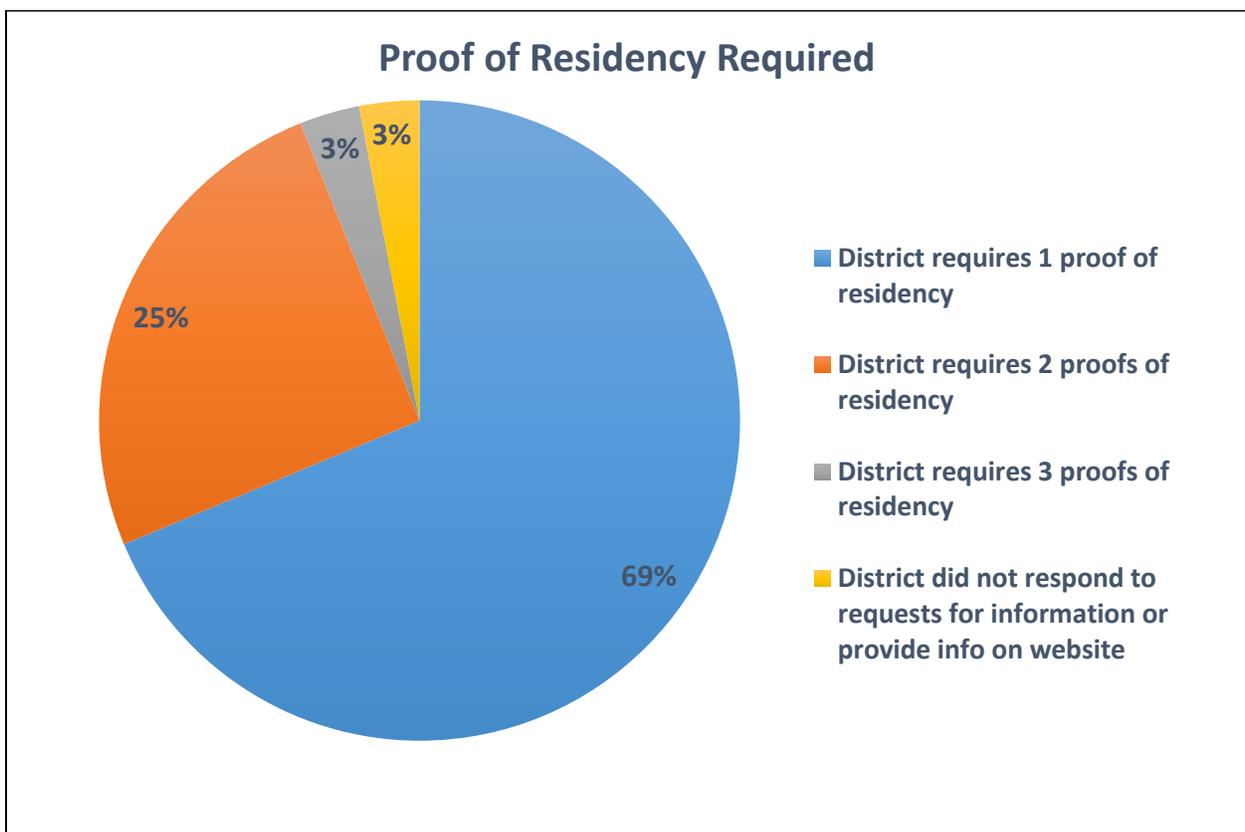
Each district decides how a parent can prove that he or she lives within the district boundaries, which establishes the child’s eligibility to enroll in the district’s schools. Some districts accept a wide range of documents, such as utility bills, lease/mortgage agreements, or cell phone bills. Allowing a cell phone bill as proof of residency is considered to enhance enrollment, because that is often the only bill that an immigrant family has in its own name. Other districts impose stricter requirements on the type of documents that will be accepted; some require multiple documents to prove residency. For many immigrant families who are transitory or living in unconventional living arrangements, procuring residency documents can pose unique challenges. Thus, we considered districts that require more than one document to prove residency as inhibiting enrollment.

The following is an overview of the number of documents districts in North Carolina require for proof of residency:

- 68% of the districts (78 districts) require one document for proof of residency.
- 25% of the districts (29 districts) require two documents for proof of residency.
- 3% of the districts (4 districts) require three documents for proof of residency.
- 3% of the districts (4 districts) did not respond to requests for information or provide information on their websites regarding acceptable documentation for proof of residency.

The following is a snapshot of the types of acceptable proof of residency documents across districts in North Carolina:

- 92% of the districts (106 districts) accept either a lease or mortgage or some form of utility bill for proof of residency.
- 20% of the districts (23 districts) allow the use of a cell phone bill for proof of residency.
- Martin County Schools requires a notarized statement from all parents/guardians that he or she lives in the district. (While this eliminates some of the documentation issues faced by immigrants, the notarization requirement can present other hurdles due to the need for a photo ID.)



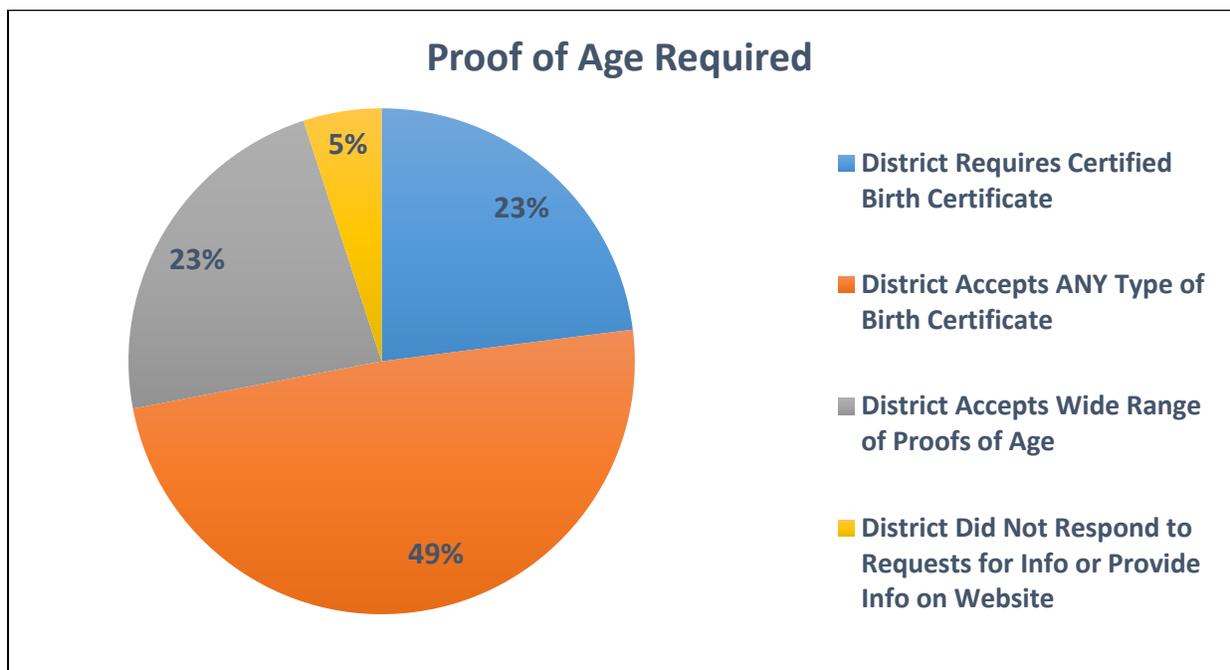
### Proof of Age

Under North Carolina law, a student seeking enrollment in a public school must be between the ages of five and 21. Furthermore, North Carolina law requires that a parent seeking to enroll his or her child in public school for the first time furnish evidence of the child’s date of birth.<sup>68</sup> The law allows districts the flexibility to accept any evidence that is “competent and verifiable” as proof of a child’s age.<sup>69</sup> This means that a district is permitted to accept a wide range of evidence, “specifically including *but not limited to*”

medical documents or religious documentation demonstrating a child’s age.<sup>70</sup> As previously mentioned, many immigrant families come from countries with higher levels of unregistered births, thus a strict demand of a birth certificate can create a barrier for student enrollment. Thus, the districts that accept various types of proof of age were considered to be facilitating enrollment; those that are restrictive about what is acceptable were considered to be creating an enrollment barrier.

Included below is a snapshot of the proof of age requirements across districts in North Carolina:

- 23% of the districts (26 districts) strictly require a “certified birth certificate” for proof of age;
- 49% of the districts (56 districts) accept any type of birth certificate, including foreign and mother’s copies;
- 23% of the districts (27 districts) accept a wide range of proofs of age, including various types of birth certificates, medical documents, or religious documents; and
- 5% of the districts (6 districts) did not respond to requests for information or provide information on their websites regarding acceptable documentation for proof of age.



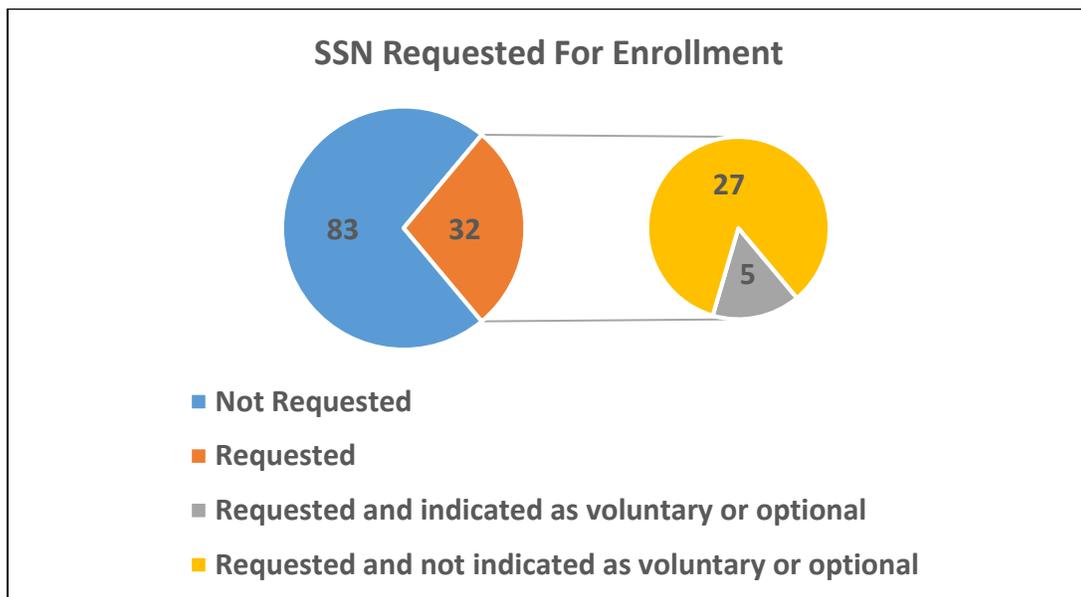
### Social Security Number

A request for a social security number or card as part of the public school enrollment process is particularly troubling for immigrant families. For an undocumented immigrant, a social security number is nearly impossible to obtain.<sup>71</sup> As the Department of Education and Department of Justice have pointed out, just the request for a social security number has

the potential of creating a chilling effect on the willingness of immigrant families to enroll in public school.<sup>72</sup> Under both federal and state law, it is permissible for a district to request a social security number, but the district must let the parent know that such disclosure is voluntary, provide the statutory authority for the solicitation, and state what the social security number will be used for.<sup>73</sup> Districts that request social security numbers, and especially those that fail to clearly indicate the provision of the number is voluntary, are considered to have created a barrier to enrollment.

Our study revealed that just over a quarter of the districts (32 districts) request a social security card as part of the enrollment process. The following practices with regard to social security numbers were documented:

- 3% (5 districts) indicate that such disclosure or request is voluntary or optional.
- 6% (8 districts) request a social security number or card on their website without indicating that such disclosure or request is optional.
- 15% (17 districts) told the phone surveyor that a social security number or card was necessary for enrollment, without indicating that such disclosure or request was optional.
- 10% (11 districts) posted online an enrollment form that that requested a social security number. Of those 11 districts, only one made it clear on the form that such a request was optional.
- Three districts request a social security number on their Spanish enrollment form but not on their English enrollment form.

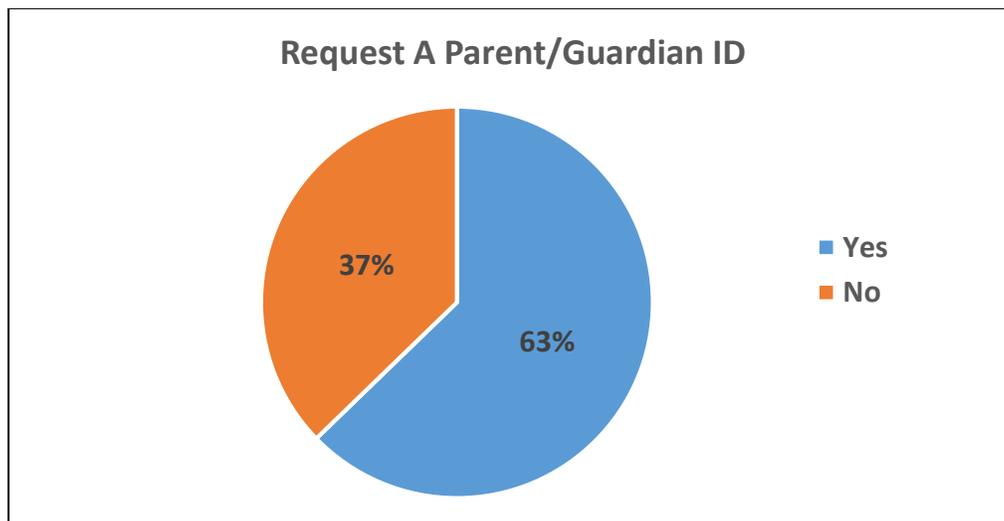


## Parent Photo Identification

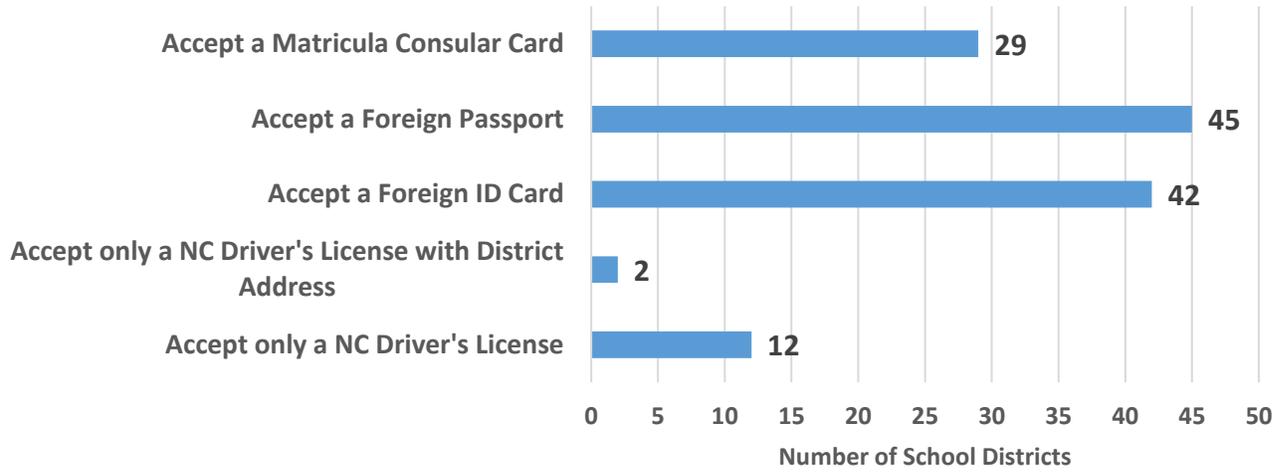
Photo identification requirements can be problematic for immigrant families. As discussed above, to obtain a photo ID card or driver's license in North Carolina, an applicant must provide a valid social security number or provide documentation indicating legal presence in the United States.<sup>74</sup> Furthermore, a recent law in North Carolina has prohibited the use of alternative identification used by undocumented immigrants in interactions with certain government officials.<sup>75</sup> Therefore, districts that require parents to present a North Carolina photo ID during enrollment are considered to be inhibiting the enrollment of immigrant children.

The following data outlines the parent ID requests across districts in North Carolina:

- 63% of the districts (72 districts) require a parent/guardian to present a photo ID at enrollment.
- 10% of the districts (12 districts) strictly require a North Carolina driver's license or state-issued ID card.
  - Two districts require a North Carolina driver's license or state-issued ID card that shows an up-to-date address within the district's boundaries.
- 37% of districts (42 districts) accept a foreign ID card.
- 39% of districts (45 districts) accept a foreign passport.
- 25% of districts (29 districts) accept a "matrícula consular" card.
- 3% -of districts (4 districts) require a notarized form to be filled out at enrollment and thus indirectly require a parental photo ID.



### Parent/Guardian ID Accepted



## General Recommendations for School District Policies

In order not to chill the enrollment of immigrant children, North Carolina school districts and charter schools should develop policies and practices that are sensitive to the unique needs of immigrants and to the difficulties they may have in producing certain documentation that establishes their right to enrollment. The following are recommendations to school districts and charter schools for developing immigrant-friendly enrollment policies. The recommendations emanate from the research reported here, as well as from discussions with advocates who represent immigrant families, and a review of district policies that are well crafted to ensure that no child is denied the right to enroll in public schools.

- **Make information about enrollment requirements easy to obtain and access.** Each school district's website, as well as each school's website, should include an easy link to an explanation of the requirements for enrollment and to any forms that need to be completed. Both the forms and the requirements should be made available in, at least, English and Spanish. If the district has a substantial number of families that speak another language, the forms should be available in the next most commonly spoken language.
- **Be flexible with regard to what evidence will be accepted to prove residency in the district.** In addition to the traditional residency documents, such as a lease, mortgage, or standard utility bill, districts should accept cell phone bills and statements from landlords or from friends and/or family members with whom an immigrant family may be living.
- **Be flexible with regard to what evidence will be accepted to prove age.** Districts should accept a wide variety of documents to establish a child's date of birth and/or age. In addition to a certified birth certificate, acceptable documents should include the following:
  - A photocopy of a birth certificate, whether domestic or foreign
  - Previously verified school records
  - State-issued ID
  - Driver's license
  - Passport
  - Parent's affidavit attesting to a student's age
  - A medical professional's certificate verifying the student's age
  - Life insurance policy
  - Immunization records
  - Entry in a family bible
  - Baptismal or church certificate
  - Other religious documentation from a temple, mosque, or other religious institution

- **Refrain from requesting a social security number for a student or parent/guardian.** Student ID numbers can be generated from other sources. Districts have no lawful need to have students’ or parents’ social security numbers and should not request them.
- **Refrain from requiring a parental photo identification as part of the enrollment process.** A parental photo ID is not necessary for school enrollment of children. While some districts request photo IDs of parents to identify adults who have the authority to pick up the children from school, failure of the parent to produce such an ID should not delay enrollment.
- **Be alert to children covered by the McKinney-Vento Homeless Assistance Act and assure they are enrolled in compliance with the law.** Districts should make sure that all school officials are aware of the protections afforded homeless families and unaccompanied youth under the McKinney-Vento Act. Children of migrant workers, children whose parents have been deported, and immigrant children in “doubled-up” housing should all be considered homeless children and receive the enrollment protections of the McKinney-Vento law.
- **Be flexible and helpful when caretaker adults who are not the child’s parents seek to enroll a child.** State law allows children whose parents do not live in the school district to enroll when certain criteria are met. District personnel should have the necessary forms readily available to caretaker adults and an efficient and helpful process designed to assist caretaker in obtaining what is needed.

### **Recommendations for Changes to NC School Board Association Model Policies**

Following are suggested changes to the model policies published by the North Carolina School Boards Association. Suggested language is shown in italics.

#### **Policy 4100 Age Requirements for Initial Entry.**

##### **D. Evidence of Age**

When a child is presented for admission for the first time, the principal shall require the parent or guardian of the child to furnish a certified copy of the child’s birth certificate or other competent and verifiable evidence of the child’s date of birth. Such evidence may include, but is not limited to: (1) a certified copy of any medical record of the child’s birth issued by the treating physician or the hospital in which the child was born; or (2) a certified copy of a birth certificate issued by a church, mosque, temple or other religious institution that maintains birth records of its members; (3) *previously verified school records*, (4) *state-issued ID*, (5) *a driver’s license*, (6) *Passport*, (7) *Parent’s affidavit*

*attesting to a student's age, (8) Life insurance policy, (9) immunization records, and (10) entry in a family bible.*

## **Policy 4120 Domicile or Residence Requirements.**

### **B. Meeting Domicile Requirements**

#### **1. Domicile of Students Generally**

The domicile of a student under 18 years of age is presumed to be the domicile of his or her parents, legal guardian, or legal custodian as defined by the General Statutes of North Carolina

*A parent, court-appointed guardian, legal custodian, or caregiver adult may prove domicile within the geographic area served by the school system by furnishing evidence of residence in the district accompanied by a statement of intent to remain for an indefinite period. Evidence of residence may include: (1) Current or recently dated gas, water, cable, telephone, cellphone, electric bill or other utility bill; (2) signed lease agreement; (3) real estate documents exhibiting home ownership, or an agreement to purchase a home or build a home; or (4) notarized statement from a landlord verifying the parent/guardian's address.*

### **Conclusion**

In the United States, all children, regardless of immigration status, race, ethnic background or native language, are guaranteed equal access to public education. However, as noted here, across North Carolina, numerous public school districts have implemented policies and practices that prevent this equal access or discourage the enrollment of immigrant children. These measures violate the Constitution, federal law, state law, and our communal character as a nation that has welcomed the immigrant. As a result, it is incumbent on these districts to amend their policies and practices to ensure that all students are allowed their right to enroll in public school. As the Supreme Court warned in *Plyler*, “[b]y denying these children a basic education, we deny them the ability to live within the structure of our civic institutions, and foreclose any realistic possibility that they will contribute in even the smallest way to the progress of our Nation.” Public school districts in North Carolina can and must do better.

## Appendix A

This chart reflects the differences in enrollment policies and practices of the 115 school districts in North Carolina. In addition to the requirements shown here, all districts require that parents produce proof of immunization within 30 days of starting school and proof of a health assessment within 12 months prior to entering school. As there are no noticeable differences in the policies of school districts regarding proof of immunization and the health assessment, those policies are not included here.

<u>School District</u>	<u>Proof of Age</u>	<u>Residency Requirement</u>	<u>Social Security Number</u>	<u>Parent ID</u>
Alamance-Burlington Schools	Must be either a domestic or foreign birth certificate.	Two Documents Proving Residency in the School District: (1) Utility bill (Water, Gas, No Cell Phone) (2) Property tax statement (3) Rental/lease agreement (4) Deed	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; or Foreign ID. A call to a school within Alamance-Burlington Schools indicated that they would accept the ID "if it is with the parent's face."
Alexander County Schools	Must be either a domestic or foreign birth certificate.	<b>Website:</b> Two Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, Landline, Gas, No Cell Phone) (2) Purchase agreement (3) USPS Official Change of Address Form (5) Rent/Lease Agreement <b>English and Spanish Phone Calls:</b> One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Landline, Gas, Cell Phone) (2) Rent/Lease Agreement	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; Consular Card.
Alleghany County Schools	Must have birth certificate including either (1) a domestic birth certificate (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility bill (water, electricity, cell phone)	Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Anson County Schools	UNCLEAR.	UNCLEAR.	Requires social security card for enrollment in Kindergarten.  <b>Phone call:</b> A call on 2/8/17 to Ansonville Elementary indicated that a social security number is required for enrollment.	UNCLEAR.
Ashe County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate <b>Note:</b> Unclear whether religious documentation or hospital records would be accepted.	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, Cell phone)	Not requested.	Not required.
Asheboro City Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	<b>Website:</b> Two Documents Proving Residency in the School District: (1) Current electric, gas, or city water bill (cable bills and cell phone bills are NOT acceptable) (2) Closing statement in the name of parent/guardian Phone Calls: IF lease/deed or utility bill (water, electric, gas) THEN one proof required. IF cable or cell phone THEN two proofs required (additional utility bill or lease)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport. <b>Note:</b> Cannot be a Foreign ID ("per changed district policy").
Asheville City Schools	Must have either a domestic or foreign birth certificate.	Two Documents Proving Residency in the School District: (1) Utility bill (Electric, Water, Gas, No Cell Phone) (2) Lease/deed (3) Mortgage statement	Not requested.	Must have a photo ID. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; or Consular Card.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Avery County Schools	Must have "some proof of age". Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, No cell phone)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID <b>Note:</b> Unclear about Consular Card.
Beaufort County Schools	Must have a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Lease/rent agreement (2) Utility bill (electric, water, gas) (3) Current listing on income tax (4) Proof of home ownership	Not requested.	Not required.
Bertie County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation.	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, No cell phone) (3) Vehicle registration	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Consular Card.
Bladen County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, No cell phone)	Requests social security number on Enrollment Form.  <b>Phone Call:</b> A call on 2/7/17 to Booker T. Washington Primary School indicated that a social security number is required for enrollment.	Not required.
Brunswick County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, Telephone, or Cable) (3) HUD closing statement (4) Mortgage statement	<b>Website:</b> Requested on enrollment form. <b>English Phone Call:</b> Not requested.	Must have a photo ID card. Can be: NC Photo ID or DMV ID. <b>Note:</b> Phone call said Foreign ID is also OK but not Consular Card.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Buncombe County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) Utility bill (Electric, Water, Gas) AND (2) Mortgage statement or (3) Lease or Deed <b>Note:</b> In an English Phone Call a Cell Phone Bill would be acceptable for proof of residency, but in a Spanish Phone Call it was indicated that a Cell Phone Bill was not acceptable.	Not requested.	Not required.
Burke County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate	Three Documents Proving Residency in the School District Required: (one from each list) <b>LIST 1</b> - (1) Lease (2) Mortgage <b>LIST 2</b> - (1) Utility bill (Water, Electric, Gas, Cable, No Cell Phone) <b>LIST 3</b> - (1) Medicaid card (2) Car registration	Not requested.	Must have Photo ID. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; Consular Card
Cabarrus County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency (one from each list): <b>LIST 1:</b> Deed, lease, closing, settlement statement or property tax statement <b>LIST 2:</b> NC DL; Recent Pay Stub; Medicaid Card; Car Registration; Current bank statement or utility bill	Not requested.	Must have ID. Can be: NC Photo ID; DMV ID; Consular Card; Work Authorization Card; Border Crossing Card; Permanent Resident Card; U.S. Passport; Foreign Passport; Visitor's Visa
Caldwell County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District Required: (1) Utility bill (Water, Electric, Gas, Cell phone) (2) A lease/deed/rental agreement	<b>Spanish Enrollment Form:</b> Requested <b>English Enrollment Form:</b> Not requested. <b>Phone Call:</b> Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Camden County Schools	Must have birth certificate including either(1) a certified domestic birth certificate or (2) a foreign birth certificate	<b>Phone Call:</b> One proof of mortgage or lease required + Two proofs of utility bill (water, electric, cell phone) <b>Website:</b> One Document Proving Residency (1) NC DL or NC ID (2) Title/deed/lease (3) Mortgage (4) Utility bill (water, electric)	<b>Website:</b> Requested. <b>English Phone Call:</b> Responder to a call on 2/7/17 to Camden Intermediate School requested a social security number, but acknowledged the school "still had to enroll them without it."	Must have a photo ID card. Can be: NC Photo ID
Carteret County Public Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No cell phone) <b>Note:</b> Phone call says Lease Agreement = OK but online form says Lease Agreement = NOT OK	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID Note: Unclear about Consular Card.
Caswell County Schools	Must have "some proof of age". Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Cell Phone) (2) A lease agreement/deed (3) Photo ID	Not requested.	<b>Phone Call:</b> Not Required <b>Website Form:</b> Required. <b>Note:</b> From phone call, will accept NC DL, DMV ID, Consular Card, Foreign Passport
Catawba County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	Two Documents Proving Residency in the School District: (1) Active NC DL (2) NC DMV ID (3) Property Tax Bill (4) A Lease/Rental Agreement (5) Utility Bill (Power, Water, Cable, Trash Pickup, Landline, Not Cell Phone, Natural Gas)	<b>Phone Call:</b> Responder to a call on 2/7/17 to Oxford Elementary School requested a social security number, but clarified only "if you have it."	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Consular Card. <b>Note:</b> No foreign ID

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Chapel Hill-Carrboro City Schools	Original birth certificate; certified birth certificate; or original passport. Photocopies not accepted.	One Document Proving Residency in the School District: (1) A lease/deed (2) Settlement statement (3) Final sales contract or contract to purchase with occupancy date (4) Current property tax bill (5) Utility bill (Gas, Water, Power bill or activation dated within the past 60d)	Not requested.	Not required.
Charlotte-Mecklenburg Schools	Must have "some proof of age" including (1) Birth Certificate (2) Passport (3) State-Issued ID Document (4) I-94 Form (5) Refugee resettlement letter (6) Decree of adoption (7) Student Driver's License (8) Life Insurance Policy (9) Certified copy of medical record of Child's birth (10) Birth certificate from religious institution (11) Previously verified school records	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, Cell Phone) (3) Payroll stub (4) License	Not requested.	Not required.
Chatham County Schools	Must have birth certificate including either (1) a <b>certified</b> domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Cell Phone) (2) A lease/rental agreement	Not requested.	Not required.
Cherokee County Schools	Must have "some proof of age" including (1) a birth certificate; (2) religious documentation (3) foreign birth certificate. <b>Note:</b> Unclear whether hospital records would satisfy.	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility bill (Water, Electricity, No Cell Phone Bill)	Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Clay County Schools	UNCLEAR.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) (2) A lease/rental agreement	Requested on enrollment form. Hayesville Elementary School's website requests that parents bring a Social Security Card for each child being registered.	UNCLEAR.
Cleveland County Schools	UNCLEAR.	Three Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, Cell Phone, Trash, Gas) (2) A lease/rental agreement	Not requested.	Not required.
Clinton City Schools	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.
Columbus County Schools	Must have certified birth certificate including either (1) a domestic birth certificate or (2) a birth certificate.	Two Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) (2) A lease/rental agreement	Not requested.	UNCLEAR.
Craven County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	<b>Phone Call:</b> Two Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) OR (2) Lease/Rent Agreement AND (3) Valid Photo ID with New NC Address on it. <b>Website:</b> Must bring all of the following: (1) Property tax records w/ street or road address location of the residence; (2) Mortgage document or deed to property which indicate the street or road address of the property; (3) Residential lease showing street or road address; (4) Utility bill showing residence address (electric, gas, water or cable)	Not requested.	Must have a photo ID card. Can be: NC Photo ID

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Cumberland County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone, Trash, Gas) (2) A lease/rent agreement	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign ID
Currituck County Schools	Must be a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) (2) A lease/rental agreement	Not requested.	Must have a photo ID card with a signature. Can be: NC Photo ID; DMV ID; Foreign ID; or Consular Card
Dare County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Cell Phone) (2) A lease/rental agreement (3) NC DL (4) Voter Registration	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport
Davidson County Schools	Must have a certified birth certificate	Two Documents Proving Residency in the School District: (1) Utility Bill (Water, Gas, Electric, No Cell Phone Bill) (2) Lease or Deed	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport.
Davie County Schools	<b>Website:</b> Must be a certified birth certificate. <b>English Phone Call:</b> Must be either a domestic or foreign birth certificate. <b>Spanish Phone Call:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) religious documentation (4) medical records.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, No Cell Phone)	Not requested.	<b>Website:</b> DL required. <b>English Phone Call:</b> Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; Consular Card <b>Spanish Phone Call:</b> Not required.
Duplin County	Must have "some proof of age" including (1) a birth certificate, (2) hospital records, (3) a foreign birth certificate, (4) religious documentation.	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water or Electricity, No Cell Phone Bill)	Not Requested	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Durham Public Schools	Must have birth certificate for kindergarten registration	One Document Proving Residency in the School District: (1) A lease or deed (2) Property tax record (3) Mortgage statement or (4) Three consecutive months of rental receipts	Requested, but indicated on district website that it is not required and is used for tracking of student records.	Not required.
Edenton-Chowan Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) (2) A lease/rental agreement	Not requested.	Must have a photo ID card. Can be: NC Photo ID or DMV ID <b>Note:</b> English call - Foreign ID and Consular Card NOT OK; <b>Spanish call</b> - Foreign ID and Consular Card = OK
Edgecombe County Public Schools	Must have either a domestic or foreign birth certificate.	Two Documents Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Gas, Electricity, No Cell Phone)	<b>Spanish Enrollment Form:</b> Requested <b>English Enrollment Form:</b> Not requested. <b>Phone Call:</b> A call to GW Bulluck Elementary School on 2/8/17 indicated that a student enrolling "Must be legal" and have a social security number.	Must have a photo ID. Can be: NC DL; DMV ID; or Foreign Passport
Elizabeth City-Pasquotank Public Schools	Must have a <b>certified</b> birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, No Cell Phone) (3) Mortgage statement	District's Kindergarten Registration page states that a social security card is "strongly encouraged" in bold. <b>Phone call:</b> A call on 1/26/17 to Central Elementary School indicated that a social security number is required for enrollment	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Elkin City Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas) <b>Note:</b> Unclear whether cell phone bill is OK (different answers in English and Spanish calls)	Requested. <b>Phone call:</b> A call on 1/26/17 to Elkin Elementary indicated that a social security number is required for enrollment.	Not required.
Franklin County Schools	<b>Website:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) religious documentation (4) medical records. <b>English Phone Call:</b> Must be either a domestic or foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Cell Phone, Gas) (2) A lease/rental agreement/deed	Not requested.	Not required.
Gaston County Schools	<b>Website:</b> Must have a certified birth certificate. <b>English Phone Call:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) religious documentation	Two Documents Proving Residency in the School District: (1) Utility bill (Water, Gas, Landline, Cable, Electric) (2) Rent/mortgage bill (3) Residence affidavit	Not requested.	Must have a valid ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card
Gates County Schools	Must have a birth certificate including either: (1) a domestic birth certificate or a (2) foreign birth certificate	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, No Cell Phone)	Requested. A call on 2/8/17 to Buckland Elementary School indicated that a social security number is required for enrollment.	Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport
Graham County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate or (3) religious documentation.	<b>Spanish Call:</b> No residency requirement. <b>English Call:</b> One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, Cell Phone)	Not requested.	<b>Spanish Call:</b> No parent ID requirement. <b>English Call:</b> Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; or Consular Cards

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Granville County Schools	Must have a birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate	One Document Proving Residency in the School District: (1) Utility bill from last 60d (Water, Gas, Fuel, No Cell Phone) (2) A rental/lease agreement signed by parent/guardian and owner of the property OR (1) Utility bill from last 60d (Water, Gas, Fuel, No Cell Phone) AND TWO of the following (2) DL; state ID card; car registration; letter from employer on company letterhead verifying address; Medicaid card.	Stated as "optional" on enrollment form	Not required.
Greene County Schools	Must have a certified birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, No Cell Phone)	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID <b>Note:</b> Unclear whether they accept Foreign ID, Foreign Passport, or Consular Cards
Guilford County Schools	<b>Website:</b> Must have a certified birth certificate. <b>Phone Call:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District: (1) Current Utility bill (Water, Gas, Electric, No Cell Phone) (2) A lease/rental agreement (3) DMV ID/NC DL + Voter Registration card; (4) DMV ID/NC DL/Voter Registration Card + Medicaid Card	Not requested.	Not required.
Halifax County Schools	Must have a certified birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, No Cell Phone)	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Harnett County Schools	Must have a certified birth certificate	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water or Electricity, No Cell Phone Bill)	Not Requested	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport.
Haywood County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, Cell Phone)	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID. <b>Note:</b> Unclear whether they accept Foreign ID, Foreign Passport, Consular Card
Henderson County Schools	Must have a birth certificate including either (1) a domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Notarized rental/purchase agreement (2) Utility bill (Electric, Telephone, Gas, No Cell Phone) (3) Car insurance policy (4) Property insurance policy (5) Income tax W2 form (6) Property tax bill.	Requested. <b>Phone call:</b> A call to Sugarloaf Elementary on 2/9/17 indicated that a social security number is requested but stated that it's optional.	Must have a photo ID. Can be: Foreign Passport or Foreign ID.
Hertford County Schools	Must have a certified birth certificate.	One Document Proving Residency in the School District: (1) A lease/rent agreement (2) Utility bill (Water, Electric, Gas, No Cell Phone)	Requested. <b>Phone call:</b> A call on 2/9/17 to Ahoskie Elementary indicated that a social security number is required for enrollment.	Must have a photo ID. Can be: NC DL or DMV ID
Hickory City Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) A lease/rental agreement (2) Utility bill (Water, Trash, Cell Phone)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Consular Card.
Hoke County Schools	Must have a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Mortgage contract (2) Utility bill (Water, Electric, Gas, No Cell Phone) (3) A lease/deed	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Hyde County Schools	Must have a birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Gas, No Cell Phone) (2) A lease/deed	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID; Foreign Passport; Foreign ID
Iredell-Statesville Schools	Must have a domestic birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Landline, Water, Electricity, No Cell Phone)	Not requested.	Must have a photo ID from the U.S. Can be: NC DL; DMV ID; Domestic Passport
Jackson County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, Cell Phone)	Requested. Fairview School's website requests a child's social security card.  <b>Phone call:</b> A call on 2/9/17 to Smokey Mountain Elementary indicated that a social security number is required for enrollment.	Not required.
Johnston County Schools	Must have a proof of age including (1) a certified birth certificate, (2) birth certificate, (3) foreign birth certificate, or (4) parent affidavit of age.	One Document Proving Residency in the School District: (1) proof of home ownership, (2) a lease or deed, (3) Utility bill (Water, Electric, No Cell Phone) (4) Payroll stub (5) Bank statement	English enrollment form - no request for social security number. Spanish enrollment form - requests that a parent provide the "número de Seguro Social" or social security number for the child. The Spanish form does not mention that providing the child's social security number is voluntary.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; or Foreign ID. A call to a school within Johnston County Schools indicated that they would accept an ID "if it has a photo with the parent's face."

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Jones County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, No Cell Phone)	<b>Website:</b> Requested  <b>English Phone Call:</b> Not requested.  The District's Kindergarten Registration page states that a parent will need a "child's social security card."	Not required.
Kannapolis City Schools	<b>Website:</b> Must be a birth certificate. <b>English Phone Call:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District Required: (1) Utility bill (Water, Electric, Gas, No Cell Phone) (2) A lease agreement (3) Rental receipt (4) Deed (5) Construction agreement with verification later.	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Foreign Passport
Lee County Schools	<b>Website:</b> Must have a certified birth certificate. <b>English Phone Call:</b> Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) A signed lease/deed (2) Closing HUD statement from last 45 days or (3) Affidavit of an oral lease agreement AND (4) Utility bill (Electric, Gas, Water, No Cell Phone) (5) Property tax bill (6) Home visit by social worker	The District's Kindergarten Registration page states that a parent will need a "child's social security card."	Must have photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card
Lenoir County Public Schools	Must have birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A signed lease/deed (2) Utility bill (Water, Electric, Gas, No Cell Phone)	<b>Phone call:</b> A call on 2/1/17 to Northeast Elementary School indicated that a social security card is required for enrollment.	Must have photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card
Lexington City Schools	Must be a certified birth certificate.	Two Documents Proving Residency in the School District: (1) A lease/deed or mortgage statement (2) Utility bill (Water, Electric, No Cell Phone)	Not requested.	Must have a photo ID card. Can be: NC Photo ID or DMV ID

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Lincoln County Schools	Must have a birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate	Two Documents Proving Residency required: (1) Current NC DL (2) Current DMV ID (3) Utility bill (Water, Gas, Electric, No Cell Phone) (4) A lease/deed (5) Real property tax bill	Not requested.	Must have photo ID. Can be: NC DL or DMV ID with current address
Macon County Schools	Must have a birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate <b>Note:</b> Unclear whether they accept medical records or religious documentation.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, Cell Phone)	Not requested.	Enrollment Process Requires a Notarized Form
Madison County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) medical documentation (3) religious documentation.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, No Cell Phone)	Not requested.	Must have photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card
Martin County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation.	Must have a notarized affidavit of residency. Will not accept other forms of proof.	Requested.  <b>Phone call:</b> A call on 2/9/17 to E.J. Hayes Elementary indicated that a social security number is required for enrollment.	Enrollment Process Requires a Notarized Form
McDowell County Schools	Must have a birth certificate including either: (1) a certified domestic birth certificate or (2) a foreign birth certificate	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas, Cell Phone)	Not requested.	Must have photo ID. Can be: NC DL; DMV ID; Foreign Passport

<u>School District</u>	<u>Proof of Age</u>	<u>Residency Requirement</u>	<u>Social Security Number</u>	<u>Parent ID</u>
Mitchell County Schools	Must have an "original" birth certificate. <b>Note:</b> A Spanish call to a Mitchell County District school indicated that alternative proofs of age such as (1) hospital records, (2) religious documents, (3) foreign birth certificates, would be accepted.	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water or Electricity, No Cell Phone Bill) <b>Note:</b> A Spanish call to a Mitchell County District school indicated that a proof of residency document was not required.	Not Requested	Must have a photo ID card, can be a NC Photo ID, Foreign Passport, or Foreign ID. <b>Note:</b> A Spanish call to a Mitchell County District school indicated that a Parent ID was not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Montgomery County Schools	<p><b>Website:</b> Must have a certified birth certificate. Hospital copies not allowed.</p> <p><b>Spanish Call:</b> Certified birth certificate or hospital records are OK.</p>	<p>Three Documents Proving Residency in the School District from Three Distinct Lists:            LIST 1 - (1) Copy of deed or record of most recent mortgage payment (2) Notarized copy of current lease + copy of most recent rent payment (3) HUD closing statement (4) Residency affidavit from landlord + record of most recent rent payment (5) Section 8 agreement (6) Letter from an approved agency            LIST 2 - (1) Utility bill w/in last 30d (Gas, Electric, Telephone, Water, Cable) (2) Change of address from post office with correct address            LIST 3 - (1) Valid NC DL (2) Current vehicle registration (3) Valid NC photo ID (4) W2 form dated within past year (5) Vehicle tax bill (dated within past year) (6) Property tax bill (dated within past year) (7) Medicaid card (dated within last 60d) (8) Payroll stub (dated within last 60d) (9) Credit card statement (dated within last 60d)</p>	Not requested.	Not required.
Moore County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate	<p>One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Gas, No Cell Phone) (2) Purchase agreement (3) Notarized affidavit with property provider (4) A lease/rental agreement</p>	Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Mooreville Graded School District	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	Two Documents Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Gas, Electricity, No Cell Phone) (3) NC ID/DL	<b>Phone Call:</b> Not Requested <b>Website:</b> The District's enrollment website states that "You will need to know your child's social security number in order to enroll him/her"	Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport
Mount Airy City Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) Utility bill (Gas; Electric; Water; No Cell Phone)	Not requested.	Not required.
Nash-Rocky Mount Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate	Two Documents Proving Residency in the School District: LIST 1 - (1) Deed or record of most recent mortgage payment (2) Lease agreement (3) Property tax records LIST 2 - (1) Valid NC DL (2) Valid NC ID card (3) Utility bill (Lights, Gas, Water, No Cell Phone) Spanish Phone Call: Two Proofs of your Residency in the School District: (1) Utility (Water, Gas, Lights, Cell Phone) (2) A lease/rental agreement	Not requested.	Must have valid photo ID. Website: Can be NC DL or DMV ID with current address. Spanish Phone Call: Can be NC DL; DMV ID; Foreign ID; Foreign Passport; or Consular Card.
New Hanover County Schools	Must have certified birth certificate.	One Document Proving Residency in the School District: (1) A signed lease/rental agreement (2) Signed closing statement or construction agreement (within 120d of enrollment)	Not requested.	Must have a photo ID. Can be: NC Photo ID; DMV ID; Passport

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Newton Conover City Schools	UNCLEAR.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone) (2) A lease/rental agreement	Requested. <b>Phone call:</b> A call on 2/7/17 to Shufford Elementary indicated that a social security number is required for enrollment.	UNCLEAR.
Northampton County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	One Document Proving Residency in the School District: (1) Utility bill (Electric, Gas, Water, Cell phone) (2) A lease/deed	Requested. <b>Phone call:</b> A call on 2/9/17 to Gaston Elementary School indicated that a social security number is required for enrollment.	Must have a photo ID. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; or Consular Card.
Onslow County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Electric, Gas, Water)	Not requested.	Must have a photo ID. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; or Consular Card.
Orange County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Electric, Gas, Water) (3) Final real estate contract <b>Note:</b> Unclear whether cell phone = ok. Website says telephone/cell phone = NOT ok BUT Spanish Call says it's ok.	Not requested.	Must have a photo ID. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign ID; or Consular Card.
Pamlico County Schools	UNCLEAR	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Electric, Gas) <b>Note:</b> Unclear whether they accept cell phone records.	Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Pender County Schools	Must have (1) a birth certificate or (2) a mother's copy	One Document Proving Residency in the School District: (1) A lease or deed, (2) Utility Bill (Water or Electricity, No Cell Phone Bill), (3) If you are living in a home where you are not the owner or renter, you must complete the Residential Affidavit and provide a lease, contract or deed for the individual responsible for the property. (This form must be signed in front of a Notary Public by the owner of the residence.)	Requested. <b>Phone call:</b> A call to Cape Fear Elementary on 2/8/17 indicated a social security number would be requested.	Must have: (1) A North Carolina ID, (2) a passport, (3) a foreign ID with photo. A Matricula Card "will probably not be accepted."
Perquimans County Schools	Must have (1) a birth certificate or (2) a certified birth certificate	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water or Electricity, No Cell Phone Bill)	Not Requested	Must have: (1) A North Carolina ID, (2) some form of American identification, or (3) a foreign passport with some other identification card.
Person County Schools	Must have a certified birth certificate.	Three Documents Proving Residency in the School District: (1) Current Lease, (2) Utility Bill, (3) Final Real Estate Contract, (4) Deed, (5) Contract to Purchase Agreement, (6) Driver's License, Note: According to the District's Website this list is "not exhaustive" although a cell phone was confirmed to not count.	Not requested.	Not required independently for enrollment purposes, but the school districts require several forms to be notarized which requires a valid photo ID.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Pitt County Schools	Must have a birth certificate. <b>Note:</b> Unclear whether it needs to be certified or not. Only data is from website.	Two Documents Proving Residency in the School District: (1) Notarized Rental/Purchase Agreement (2) Utility bill (3) Automobile registration (4) Car insurance policy (5) Property insurance policy (6) Income tax W-2 form	Not requested.	Not required.
Polk County Schools	Must have a certified birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Water, Gas, Electric, No Cell Phone)	Not requested.	Not required.
Randolph County Schools	Must have some proof of age including (1) a birth certificate, (2) hospital records, (3) a foreign birth certificate, (4) religious documentation.	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water or Electricity, No Cell Phone Bill)	Not Requested	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; or Foreign ID.
Richmond County Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas) (3) Mortgage statement (4) HUD closing statement (5) Notarized residency affidavit Note: District policy appears to NOT allow cell phones (see website) BUT English call indicated that the particular would accept cell phone records even though they recognized it wasn't district policy.	Not requested.	<b>Website:</b> Not required. <b>Phone Call:</b> Required but will accept any photo ID (NC DL; DMV ID; Foreign ID; Consular Card)
Roanoke Rapids City Schools	Must have "some proof of age." Can be (1) a domestic birth certificate (2) foreign birth certificate (3) medical documentation or (4) religious documentation	Two Documents Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, No Cell Phone)	Not requested.	Must have a photo ID. Can be: NC DL; DMV ID; Foreign ID; Foreign Passport; Consular Card

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Public Schools of Robeson County	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	Two Documents Proving Residency in the School District: (1) A lease/deed/rental contract (2) Utility bill (Water, Electricity, No Cell Phone Bill)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign Passport; Foreign Consular IDs Note: If no photo ID, must show either (1) Vehicle registration (2) W-2 form (3) Vehicle tax bill (4) Payroll stub (5) Medicaid card or (6) Credit card statement.
Rockingham County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, No Cell Phone) (3) Mortgage paperwork (4) Notarized letter of residency	Not requested.	Not required.
Rowan-Salisbury Schools	Must have "some proof of age" including (1) a birth certificate; (2) hospital records; (3) a foreign birth certificate; (4) religious documentation. <b>Note:</b> Birth certificate preferred.	One Document Proving Residency in the School District: (1) Current Utility Bill (No Cell Phone Bill); (2) Social Service Financial Assistance Documentation; (3) Lease Agreement/Rental Receipt; (4) Current Contractor Agreement/Loan Agreement for a Primary Residence with Verification of Utility Bill to Follow; (5) Valid NC DL; (6) Signed Affidavit by the Property Owner	Not requested.	Must have a form of ID (photo not required). Can be: NC Photo ID; DMV ID; Foreign Passport; Consular Identification Card; Marriage License; Birth Certificate; etc.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Rutherford County Schools	Must have a certified birth certificate	One Document Proving Residency in the School District: (1) A lease or (2) Utility Bill (likely includes cell phone bill)	Requested on website, <b>Phone call:</b> A call to Pinnacle Elementary School on 2/8/17 indicated a that social security number is required.	Not required.
Sampson County Schools	Must have a birth certificate including either (1) a domestic birth certificate or (2) a foreign birth certificate	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, Cable) (3) Property tax bill (4) Notarized affidavit Note: Diff. information on validity of cell phone bills depending on school.  A call to Hobpton Elementary on 2/9/17 indicated that a cell phone bill was acceptable. However, the website for Midway Elementary indicates that a cell phone bill is not acceptable.	Not requested.	<b>English Call:</b> Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID <b>Spanish Call:</b> ID not required.
Scotland County Schools	Must have a certified birth certificate.	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, No Cell Phone)	Not requested.	Not required.
Stanly County Schools	Must have a certified birth certificate. <b>Note:</b> Unclear whether foreign birth certificate would count.	<b>Website:</b> One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (gas, water, electricity) (3) Current listing on income tax form (4) Home ownership proof <b>Phone Call:</b> Two Proofs of your Residency in the School District: (1) A deed or lease (2) Utility bill (electric preferred, no cell phone)	<b>Phone Call:</b> Not requested. <b>Enrollment Form on Website:</b> Requested and listed as Required. Requests social security number on Enrollment Form posted on District's Website, in English, Spanish, and Vietnamese.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Stokes County Schools	Must have a copy of the child's birth certificate, the birth certificate can be foreign.	One Document Proving Residency in the School District: (1) A lease or deed, (2) Utility Bill (Water or Electricity, Cell Phone, (3) Homeowner's or Renter's Insurance Policy, (4) Property Tax Statement (5) If you are living in a home where you are not the owner or renter, you must complete the Residential Affidavit and provide a lease, contract or deed for the individual responsible for the property. (This form must be signed in front of a Notary Public by the owner of the residence.)	Not requested	Must have a photo ID card
Surry County Schools	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.	UNKNOWN. School district did not respond to requests for information.
Swain County Schools	Must have "some legal proof of age". Can be either (1) a domestic birth certificate (2) foreign birth certificate (3) other legal form stating age.	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, Cell Phone)	Not requested.	Not required.
Thomasville City Schools	Must be a <b>certified</b> birth certificate.	Two Documents Proving Residency in the School District: (1) A lease/rental agreement (2) Utility bill (Water, Trash, No Cell Phone)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Transylvania County Schools	Must have a birth certificate. <b>Phone Call:</b> "Must be a certified birth certificate"	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, Cell Phone)	Requested on school district website but indicated that this is optional. Also requested on the enrollment form, however there is no indication there that this request is optional. The New Student Enrollment form and the 2016-2017 Student Information Sheet posted on the District's website requests the "Child's SSN#."	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Consular Card
Tyrrell County Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A deed or lease (2) Utility bill (Water, Electric, Gas, Cell Phone)	Not requested.	Not required.
Union County Public Schools	Must have a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Notarized rental/purchase agreement (2) Utility bill (Gas; Electric; Water; No Cell Phone) (3) DL and auto registration (4) Car insurance and property insurance policies (5) Income tax W2 form (6) Property tax bill	Not requested.	Must have a photo ID card. Can be: NC photo ID; DMV ID; Foreign ID

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Vance County Schools	Must have "some proof of age" including (1) a birth certificate, (2) hospital records, (3) a foreign birth certificate, (4) religious documentation. Note: Recognized that "by law they weren't allowed to only accept birth certificates but that they liked to have them"	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (water, electricity, cell phone)	Requested <b>Phone call:</b> A call on 2/8/17 to E.O. Young Jr. Elementary indicated that a social security number is required for enrollment.	Not required.
Wake County Public Schools	Must have birth certificate including either (1) a certified domestic birth certificate (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Offer to purchase agreement (2) Utility bill from last 30 days (Water, Electricity, No Cell Phone Bill)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign Passport.
Warren County Schools	Must have a certified birth certificate.	Unclear. Lack of transparency online and over phone.	Requested on enrollment form.	Not required.
Washington County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease or deed (2) Utility bill (Water, Electric, Cell phone)	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Consular Card

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Watauga County Schools	Must have a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Valid NC DL (2) Valid NC photo ID card (3) Current vehicle reg. (4) Cable bill (5) Utility bill (Electric, Water, Cellphone) (6) HUD closing statement (7) A lease or deed (8) Mortgage statement (9) Residency affidavit from landlord (10) W-2 form (dated within past year) (11) Vehicle tax bill (dated within past year) (12) Property tax bill (dated within past year) Medicaid card (dated within past year) (13) Payroll stub (dated within 60 days) (14) Bank or credit card statement (dated within 60 days)	Not requested.	<b>Website:</b> No parent ID required. <b>Phone Call:</b> Need photo ID because it needs to be notarized.
Wayne County Public Schools	Must have a certified birth certificate.	Two Documents Proving Residency in the School District: (1) Utility bill (Water, Electric, Not Cell Phone) (2) Tax bill (3) Deed of trust (4) Rent receipt	Requested on enrollment form.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; Foreign ID; Consular Card
Weldon City Schools	Must have a birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease/deed (2) Utility bill (Gas, Water, Electric, No Cell Phone)	Requested. <b>Phone call:</b> A call on 2/9/17 to Weldon Elementary School indicated that a social security number is required for enrollment.	Not required.
Whiteville City Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, No Cell Phone, Trash, Gas) (2) Signed and notarized rental agreement (3) Home insurance policy	Not requested.	Must have a photo ID card. Can be: NC Photo ID; DMV ID; or Foreign ID

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Wilkes County Schools	Must have (1) a birth certificate or (2) a certified birth certificate	One Document Proving Residency in the School District: (1) A lease or deed, (2) Utility Bill (Water or Electricity, No Cell Phone Bill), (3) If you are living in a home where you are not the owner or renter, you must complete the Residential Affidavit and provide a lease, contract or deed for the individual responsible for the property. (This form must be signed in front of a Notary Public by the owner of the residence.)	Not requested	Must have: (1) A North Carolina ID, or (2) a passport.
Wilson County Schools	Must have "some proof of age" including one of the following: (1) Certified birth certificate; (2) Hospital certificate; (3) Physician's certificate; (4) Midwife certificate; (5) Religious record; (6) Baptismal or church certificate; (7) Entry in family bible; (8) Family record; (9) Parent's affidavit; (10) Emancipated youth's statement; (11) School record; (12) Immigration or naturalization doc; (13) Life insurance policy; (14) Passport; (15) Census record	Two Documents Proving Residency in the School District: (1) Property tax records; (2) Copy of mortgages docs (3) Deed or lease (4) Current DL (5) Voter reg. (6) Auto reg.	Not requested.	Not required.

School District	Proof of Age	Residency Requirement	Social Security Number	Parent ID
Winston Salem/Forsyth County Schools	Must be either a domestic or foreign birth certificate.	One Document Proving Residency in the School District: (1) Utility bill (Water, Electric, Gas, No Cell Phone) (2) A lease/deed	Not requested.	<b>Spanish Call:</b> Must have a photo ID. Can be: NC DL; DMV ID; or Foreign Passport <b>English Call:</b> Must have a photo ID. Can be: NC DL; DMV ID; Foreign Passport (NOT PREFERRED); Foreign ID (NOT PREFERRED); Consular Card (NOT PREFERRED)
Yadkin County Schools	Must have a certified birth certificate	One Document Proving Residency in the School District: (1) A lease or deed or (2) Utility Bill (Water, Electricity, Cell Phone)	Not Requested	Not Requested
Yancey County Schools	Must have birth certificate including either (1) a certified domestic birth certificate or (2) a foreign birth certificate.	One Document Proving Residency in the School District: (1) A lease or (2) Utility Bill (Water, Electric, No Cell Phone Bill)	Not Requested	Must have a photo ID card. Can be: NC Photo ID or DMV ID.

## Endnotes

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<sup>1</sup> This is about 8% of the state's 10 million residents. Immigrants make up just over 10% of the state's workforce. Lucy Fyler, *North Carolina: A New Immigrant Destination*, NAT'L IMMIGRATION FORUM (Mar. 11, 2016), <http://immigrationforum.org/blog/north-carolina-a-new-immigrant-destination/>.

<sup>2</sup> U.S. CENSUS BUREAU, 2010-2014 American Community Survey 5-Year Estimates—North Carolina, Relevant Children – Enrolled Public, Place of Birth, Selected Social Characteristics of Children in the United States, tbl.CDP02. available at <https://nces.ed.gov/programs/edge/tables.aspx?ds=acsProfile&y=2014> (enter “State” then “North Carolina” then “Relevant Children – Enrolled Public” then “[CDP02] Selected Social Characteristics of Children in the United States” then “[CDP02.5] Place of Birth”).

<sup>3</sup> *Profile of the Unauthorized Population: North Carolina*, MIGRATION POLICY INSTITUTE, <http://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/NC> (last visited April 16, 2017).

<sup>4</sup> *Id.*

<sup>5</sup> *How Does North Carolina's HB318 Impact Children?*, FIRST FOCUS (Nov. 23, 2015), <https://firstfocus.org/wp-content/uploads/2015/11/How-Does-North-Carolina%E2%80%99s-HB-318-Impact-Children.pdf>.

<sup>6</sup> Public Schools of North Carolina, Statistical Profile, available at <http://apps.schools.nc.gov/ords/f?p=1:15:0::NO::>

<sup>7</sup> *Plyler v. Doe*, 457 U.S. 202 (1982).

<sup>8</sup> *Abington School Dist. v. Schempp*, 374 U.S. 203, 230 (1963) (Brennan, J., concurring).

<sup>9</sup> See “Dear Colleague” Letter from Russlyn Ali, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., Charles P. Rose, Gen. Counsel, U.S. Dep’t of Educ., & Thomas E. Perez, Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice 1-2 (May 6, 2011), <http://www.ed.gov/about/offices/list/ocr/letters/colleague-201101.pdf>.

<sup>10</sup> For the purpose of this report the term “undocumented immigrant” will be used instead of “illegal immigrant.” While the terms “illegal immigrant” and “undocumented immigrant” are considered synonymous by some, there are concerns regarding the use of the term illegal immigrant, specifically that the term can be racially loaded and inaccurate. See e.g., Jeffrey Toobin, *Should I Use the Term “Illegal Immigrant”?*, THE NEW YORKER (Aug. 5, 2015) available at <http://www.newyorker.com/news/daily-comment/should-i-use-the-term-illegal-immigrant>.

<sup>11</sup> North Carolina has 159 charter schools operating within the state.

<sup>12</sup> See generally *Plyler v. Doe*, 457 U.S. 202 (1982).

<sup>13</sup> *Id.*

<sup>14</sup> U.S. CONST. AMEND. XIV, § 1 (“No State shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”).

<sup>15</sup> *Plyler v. Doe*, 457 U.S. 202 (1982).

<sup>16</sup> *Id.* at 202.

<sup>17</sup> *Id.* at 221–22.

<sup>18</sup> 42 U.S.C. § 2000c-6; 42 U.S.C. § 2000d. Furthermore, “discrimination” in the education context is defined as “treat[ing] an individual differently from others in determining whether [they] satisf[y] any admission, enrollment, quota, eligibility, membership or other requirement or condition which individuals must meet.” See 34 C.F.R. § 100.3(b)(1)(v).

<sup>19</sup> “Dear Colleague” Letter from Catherine E. Lhamon, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., Philip H. Rosenfelt, Deputy Gen. Counsel, & Jocelyn Samuels, Acting Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice 1 (May 8, 2014), <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405.pdf> (referencing 28 C.F.R. § 42.104(b)(2) and 34 C.F.R. § 100.3(b)(1)(v)).

<sup>20</sup> “Policy Update on Schools’ Obligations Toward National Origin Minority Students with Limited English Proficiency” Office of Civil Rights, U.S. Dep’t of Educ., (Sept. 27, 1991) available at <https://www2.ed.gov/about/offices/list/ocr/docs/lau1991.html>.

<sup>21</sup> In 2011, Alabama enacted a broad immigration law requiring, among other things, that school administrators determine the immigration status of all newly enrolling students by requiring a birth certificate or official citizenship documentation and requiring schools to submit an annual report containing that information to the Alabama Board of Education. Ultimately, the provisions in the law related to education, were struck down by the Eleventh Circuit because the law “unnecessarily impinge[d] upon the children’s rights under *Plyler*.” See *Hispanic Interest Coal. Of Ala. v. Governor of Ala.*, 691 F.3d 1236, 1247 (11th Cir. 2012).

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<sup>22</sup> See “Dear Colleague” Letter from Russlyn Ali, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., Charles P. Rose, Gen. Counsel, U.S. Dep’t of Educ., & Thomas E. Perez, Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice 1-2 (May 6, 2011), *available* at <http://www.ed.gov/about/offices/list/ocr/letters/colleague-201101.pdf>.

<sup>23</sup> *Id.* at 1–2.

<sup>24</sup> *Id.* at 2.

<sup>25</sup> *Id.*

<sup>26</sup> “Dear Colleague” Letter from Catherine E. Lhamon, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., Philip H. Rosenfelt, Deputy Gen. Counsel, & Jocelyn Samuels, Acting Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice 2 (May 8, 2014), <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405.pdf>.

<sup>27</sup> *Id.* at 2.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> “Dear Colleague” Letter from Catherine E. Lhamon, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., & Vanita Gupta, Acting Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice 37 (Jan. 7, 2015), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>.

<sup>34</sup> *Id.* at 38.

<sup>35</sup> 42 U.S.C. 11431et seq.

<sup>36</sup> 42 U.S.C. § 11434a(2)(A).

<sup>37</sup> 42 U.S.C. § 11434a(2)(B). Other children covered by McKinney-Vento are those (2) staying in a motel, hotel, trailer park, or campground; (3) living in a shelter; (4) residing in sub-standard housing; and (5) living in a place not ordinarily used for sleeping, including cars, parks, abandoned buildings, or bus stations.

<sup>38</sup> 42 U.S.C. 11432(g)(3)(E)(i).

<sup>39</sup> *Leandro v. State*, 488 S.E.2d 249, 254 (N.C. 1997).

<sup>40</sup> N.C. Gen. Stat. § 115C-367 (2011) (“No person shall be refused admission to or be excluded from any public school in this State on account of race, creed, color or national origin.”); see also *Leandro v. State* 488 S.E.2d 249, 255 (1997) (holding that the North Carolina Constitution “guarantee[s] every child of this state an opportunity to receive a sound basic education in our public schools”).

<sup>41</sup> See N.C. Gen. Stat. § 115C-366(a) (2011) (“All students under the age of 21 who are domiciled in a school administrative unit who have not been removed from school for cause, or who have not obtained a high school diploma, are entitled to all the privileges and advantages of the public schools to which they are assigned by the local boards of education.”). Other requirements are as follows: students must (1) be between the ages of five and 21, (2) be presented for enrollment during the first 120 days of a school year, (3) live with a parent or legal guardian within the school district boundaries, (4) not be currently suspended or expelled from that school or another public school, and (5) have not been convicted of a felony in adult criminal court.; see also *Advocates for Children’s Services, Legal Aid of North Carolina A Handbook for Parents/Guardians and Students in North Carolina Public Schools* 5 (Apr. 2012), [https://law.duke.edu/childedlaw/docs/handbook\\_for\\_parents\\_guardians\\_and\\_students\\_nc\\_public\\_schools.pdf](https://law.duke.edu/childedlaw/docs/handbook_for_parents_guardians_and_students_nc_public_schools.pdf).

<sup>42</sup> N.C. Gen. Stat. § 115C-366. Examples of the exceptions to living with parents or guardians include residence in a group home, residence with another caretaker adult due to death, serious illness or incarceration of the parent; abuse, neglect or abandonment by the parent; homelessness; military service of parent; and several other miscellaneous situations.

<sup>43</sup> N.C. Gen. Stat. § 130A-109.

<sup>44</sup> *Id.*

<sup>45</sup> North Carolina law does not explicitly state that school districts are allowed to decide what documents and requirements are necessary for enrollment. However, according to the North Carolina Department of Public Instruction, “[e]nrollment is handled at the local level. Please contact your school district for further details.” See *Common Questions: Enrollment/Moving to North Carolina*, PUBLIC SCHOOLS OF NORTH CAROLINA, <http://www.dpi.state.nc.us/questions/> (last visited Dec. 5, 2016).

<sup>46</sup> See e.g., Kirk Semple, *Undocumented Life Is a Hurdle as Immigrants Seek a Reprieve*, N.Y. TIMES (Oct. 3, 2012), <http://www.nytimes.com/2012/10/04/nyregion/for-illegal-immigrants-seeking-a-reprieve-lack-of->

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documents-is-again-a-hurdle.html (discussing basic documentation hurdles that undocumented immigrants have).

<sup>47</sup> See e.g., Benjamin Mueller, *Requirements Keep Young Immigrants Out of Long Island Classrooms*, N.Y. TIMES (Oct. 21, 2014), [https://www.nytimes.com/2014/10/22/nyregion/rules-and-paperwork-keep-long-islands-immigrant-children-from-classroom.html?\\_r=1](https://www.nytimes.com/2014/10/22/nyregion/rules-and-paperwork-keep-long-islands-immigrant-children-from-classroom.html?_r=1) (“Many of the children are barred because their families cannot gather the documents that schools require to prove they are residents of the district or have guardianship”).

<sup>48</sup> The U.S. Census Bureau defines “doubling up” as a household with at least one “additional adult – in other words, a person 18 or older who is not enrolled in school and is not a spouse or live-in partner. See Laryssa Mykita and Suzanne Macartney, *Sharing a Household: Household Composition and Economic Well-Being: 2007-2010*, U.S. CENSUS BUREAU (June 2012), <http://www.census.gov/prod/2012pubs/p60-242.pdf>.

<sup>49</sup> See e.g., Arielle Kass, *More families staying under one roof, especially immigrant groups*, ATL. J. CONST. (July 2, 2015), <http://www.ajc.com/news/local-govt--politics/more-families-staying-under-one-roof-especially-immigrant-groups/mFqk0lqvfeJVhruG5JDsQJ/>.

<sup>50</sup> Karen Mercado Asencio, *The Under-Registration of Births in Mexico: Consequences for Children, Adults, and Migrants*, MIGRATION POLICY INSTITUTE (April 12, 2012), <http://www.migrationpolicy.org/article/under-registration-births-mexico-consequences-children-adults-and-migrants>.

<sup>51</sup> Press Release, UNICEF, Latin Am. Region Unites for Millions of “Invisible” Children (Aug. 28, 2007), [http://www.unicef.org/infobycountry/media\\_40731.html](http://www.unicef.org/infobycountry/media_40731.html).

<sup>52</sup> Molly Hennessy-Fiske, *Immigrants sue Texas over state’s denial of birth certificates for U.S. born children*, L.A. TIMES (July 18, 2015), <http://www.latimes.com/nation/immigration/la-na-texas-immigrant-birth-20150718-story.html>.

<sup>53</sup> Michael A. Olivas, NO UNDOCUMENTED CHILD LEFT BEHIND: PLYLER V. DOE AND THE EDUCATION OF UNDOCUMENTED SCHOOLCHILDREN, 49 (N.Y. Univ. Press, 1<sup>st</sup> ed. 2012) (“[T]he requirement that SSNs be used for school transactions puts the enrolled children at unnecessary risk and can force their parents to avoid school transaction or limit the children’s participation in educational programs and activities.”).

<sup>54</sup> See “Dear Colleague” Letter from Catherine E. Lhamon, Assistant Sec’y, Office for Civil Rights, U.S. Dep’t of Educ., Philip H. Rosenfelt, Deputy Gen. Counsel, & Jocelyn Samuels, Acting Assistant Attorney Gen., Civil Rights Div., U.S. Dep’t of Justice (May 8, 2014), <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201405.pdf>; Privacy Act of 1974, Pub. L. No. 93-579, § 7, 5 U.S.C. § 552a (note), available at [http://www.ssa.gov/OP\\_Home/comp2/F093-579.html](http://www.ssa.gov/OP_Home/comp2/F093-579.html); N.C. Gen. Stat. § 143-64.60 (“It is unlawful for any . . . local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual’s refusal to disclose his social security account number.”).

<sup>55</sup> 31 C.F.R. § 1.32; Privacy Act of 1974, Pub. L. No. 93-579, § 7, 5 U.S.C. § 552a (note), available at [http://www.ssa.gov/OP\\_Home/comp2/F093-579.html](http://www.ssa.gov/OP_Home/comp2/F093-579.html).

<sup>56</sup> See N.C. Gen. Stat. § 20-7(b)(1) (“The Division shall not issue an identification card, learners permit, or driver’s license to an applicant who fails to provide an applicant’s valid social security number.”); N.C. DIV. OF MOTOR VEHICLES, NORTH CAROLINA DRIVER’S HANDBOOK 18 (Jan. 1, 2016), [https://www.ncdot.gov/download/dmv/handbooks\\_NCDL\\_English.pdf](https://www.ncdot.gov/download/dmv/handbooks_NCDL_English.pdf) (“To obtain a driver license, learner’s permit, or ID card, you must provide a Social Security Number (SSN). If you are not eligible for a SSN, you must provide document(s) indicating your legal presence in the U.S.”).

<sup>57</sup> See N.C. Gen. Stat. § 15A-311 (prohibiting any “justice, judge, clerk, magistrate, law enforcement officer, or other government official” from accepting a foreign driver’s license or matrícula consular).

<sup>58</sup> A “Matrícula Consular” is a form of identification issued by a Mexican consulate to Mexican nationals living in the United States. See *Basic Facts about the Matrícula Consular*, NATIONAL IMMIGRATION LAW CENTER (Dec. 2015), <https://www.niic.org/wp-content/uploads/2015/11/Basic-Facts-about-the-Matricula-Consular.pdf> (last visited Dec. 5, 2016).

<sup>59</sup> See N.C. Gen. Stat. § 15A-311; *Explanation of HB 318 Prohibition of Sanctuary City Ordinances and Limitation on the Acceptability of Certain Forms of Identification*, ACLU OF N.C. (Oct. 5, 2015), <http://www.acluofnorth>

[carolina.org/files/legislative/HB\\_318\\_Fact\\_Sheet\\_10052015.pdf](http://www.acluofnorthcarolina.org/files/legislative/HB_318_Fact_Sheet_10052015.pdf); Robert Lasher, *Sanctuary cities bill also undercuts marriage*, CHARLOTTE OBSERVER (Oct. 5, 2015, 2:06 pm), <http://www.charlotteobserver.com/opinion/opn-columns-blogs/o-pinion/article37805562.html>.

<sup>60</sup> While charter schools are public schools and are open to immigrants on the same terms as are other public schools, their enrollment practices were not included in this study.

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<sup>61</sup> The law students were enrolled at Duke Law School. They were instructed and supervised in the data collection by Jane Wettach, director, Duke Children’s Law Clinic. All data was analyzed by the Children’s Law Clinic.

<sup>62</sup> We found no indication that the implementation and administration of the immunization and health assessment requirements pose a discriminatory burden on immigrant families.

<sup>63</sup> The following districts had at least one barrier to enrollment: Pender County Schools, Yadkin County Schools, Mitchell County Schools, Vance County Schools, Pitt County Schools, Robeson County Schools, Johnston County Schools, Alamance-Burlington Schools, Alexander County Schools, Anson County Schools, Bladen County Schools, Brunswick County Schools, Buncombe County Schools, Asheville City Schools, Burke County Schools, Cabarrus County Schools, Caldwell County Schools, Camden County Schools, Catawba County Schools, Hickory City Schools, Newton Conover City Schools, Edenton-Chowan Schools, Clay County Schools, Cleveland County Schools, Columbus County Schools, Thomasville City Schools, Edgecombe County Public Schools, Gaston County Schools, Gates County Schools, Halifax County Schools, Roanoke Rapids City Schools, Weldon City Schools, Haywood County Schools, Jackson County Schools, Jones County Schools, Lenoir County Public Schools, Martin County Schools, Northampton County Schools, Polk County Schools, Asheboro City Schools, Richmond County Schools, Scotland County Schools, Elkin City Schools, Mount Airy City Schools, Wilson County Schools, and Yancey County Schools.

<sup>64</sup> The following districts had at least two barriers to enrollment: Rutherford County Schools, Davidson County Schools, Beaufort County Schools, Craven County Schools, Currituck County Schools, Greene County Schools, Hoke County Schools, Iredell-Statesville Schools, Mooresville Graded School District, Lee County Schools, Montgomery County Schools, New Hanover County Schools, Elizabeth City-Pasquotank Public Schools, Person County Schools, Stanly County Schools, Transylvania County Schools, Union County Schools, Warren County Schools, and Watauga County Schools.

<sup>65</sup> The following districts had three or more barriers to enrollment: Lexington City Schools, Hertford County Schools, Lincoln County Schools, Nash-Rocky Mount Schools, and Wayne County Schools.

<sup>66</sup> See N.C. Gen. Stat. § 115C-366(a) (2011) (“All students under the age of 21 who are domiciled in a school administrative unit who have not been removed from school for cause, or who have not obtained a high school diploma, are entitled to all the privileges and advantages of the public schools to which they are assigned by the local boards of education.”).

<sup>67</sup> See *id.*; *In Re Hall*, 235 N.C. 697, 702 (1952). If a child lives with an adult who is neither that child’s parent or legal guardian, the child is entitled to enrollment without tuition only in the district where the parent or legal guardian is domiciled, unless an exception applies.

<sup>68</sup> N.C. Gen. Stat. § 115C-364(c).

<sup>69</sup> N.C. Gen. Stat. § 130A-109.

<sup>70</sup> *Id.* (emphasis added).

<sup>71</sup> Under the Deferred Action for Childhood Arrivals (DACA) Program certain undocumented immigrants who entered the United States as minors are eligible to apply for a social security number. See Social Sec. Admin., *Social Security Number and Card – Deferred Action for Childhood Arrivals*, [https://www.ssa.gov/pubs/deferred\\_action.pdf](https://www.ssa.gov/pubs/deferred_action.pdf) (last visited April 16, 2017).

<sup>72</sup> U.S. Dep’t of Justice, U.S. Dep’t of Educ., Fact Sheet: Information on the Rights of All Children to Enroll in School (May 2014), <http://www2.ed.gov/about/offices/list/ocr/docs/qa-201405.pdf>.

<sup>73</sup> 31 C.F.R § 1.32; Privacy Act of 1974, Pub. L. No. 93-579, § 7, 5 U.S.C. § 552a (note), [http://www.ssa.gov/OP\\_Home/comp2/F093-579.html](http://www.ssa.gov/OP_Home/comp2/F093-579.html).

<sup>74</sup> See N.C. Gen. Stat. § 20-7(b)(1) (“The Division shall not issue an identification card, learners permit, or driver’s license to an applicant who fails to provide an applicant’s valid social security number.”); N.C. DIV. OF MOTOR VEHICLES, NORTH CAROLINA DRIVER’S HANDBOOK 18 (Jan. 1, 2016), [https://www.ncdot.gov/download/dmv/handbooks\\_NCDL\\_English.pdf](https://www.ncdot.gov/download/dmv/handbooks_NCDL_English.pdf) (“To obtain a driver license, learner’s permit, or ID card, you must provide a Social Security Number (SSN). If you are not eligible for a SSN, you must provide document(s) indicating your legal presence in the U.S.”).

<sup>75</sup> See *NC’s new immigrant ID law: Harming innocent kids?*, N.C. POLICY WATCH (Dec. 3, 2015), <http://www.ncpolicywatch.com/2015/12/03/ncs-new-immigrant-id-law-harming-innocent-kids/> (“One of the greatest concerns is that the legislation does not define the term “other government official,” leaving it uncertain as to whether the restrictions apply to all state government employees, which could potentially include social service agencies, public schools, and government health care facilities.”).