

**STUDENT SERVICES**

**AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information**

**References:**

Education Code Sections 66093, 66093.3, and 68076;  
Title 5 Section 41905

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as, residency determination, health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status in the course of normal duties, the District shall create procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the Senior Director of Enrollment Services shall enumerate alternative means to establish eligibility criteria for enrollment or programs. Where citizenship and/ or immigration status is required to be disclosed to determine residency status for tuition fees purposes, the District shall protect such personal identifiable information and retain the information only to the extent it is necessary or required by law.

For non-citizens of the United States, in addition to documentation showing that the student is in a valid immigration/ visa status that can establish domicile since at least one year prior to the residency determination date, the student shall also submit documentation that is available to persons regardless of immigration status.

Examples of documents that are available to persons regardless of immigration status that can be used along with eligible immigration documentation as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a California resident state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where residency, age, and other eligibility criteria may be established by alternative documents or information permitted by law, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law.

Office of Primary Responsibility: Student Services