

# Family Preparedness Plan

June 2018



# Agenda



Why is a family preparedness plan needed?

How can schools support immigrant families?

What rights do you have under the constitution?

**Why is a family preparedness  
plan needed?**

# Family Preparedness Plan

- Protect your family
- Ensure access to important information
- Create clear communication between schools, parents, children, and caregivers
- Protect your parental rights!

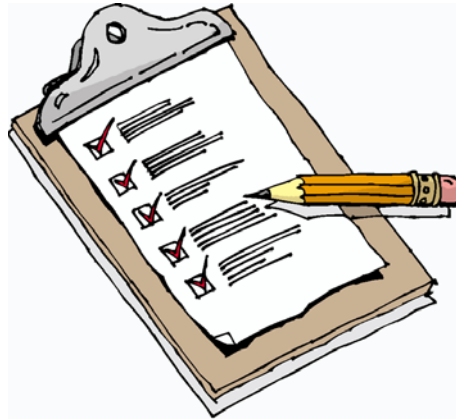
# Family Preparedness Plan

- Everyone has constitutional rights regardless of status
- Children have a right to an education regardless of status
- A family preparedness plan will ensure the child's rights are protected

# Family Preparedness Plans

- ✓ Childcare Plan
- ✓ File of important documents
- ✓ Contact information for school, medical provider, and parents/family members
- ✓ Legal documents—immigration, property, etc.

# Child Care Plan



**Step 1: Decide who will care  
for your child if you are not  
able to**



# Identify Caregiver

- Identify a responsible adult that you trust and that your child knows
- Ideally—someone with lawful immigration status
- If the person you choose does not have lawful status—identify a backup caregiver

# Identify Caregiver

- Talk to the caregiver about your desires and expectations for your child
- Inform the caregiver they will be the emergency contact for your child
- Inform the caregiver where to find important documents and information

# Identify Caregiver

- Memorize the caregiver's phone number
- Have your child memorize the caregiver's phone number, if possible

# **Step 2: Put a child care plan in place**

# Caregiver's Authorization Affidavit

- California Specific
- Gives caregiver permission to make education and some medical decisions
- Does not impact your parental rights

# Caregiver's Authorization Affidavit

- Caregiver's Authorization Affidavit— is sufficient in most cases—no need for additional legal documents
- Guardianship—may be needed in more complex situations—for example, custody disputes
- Power of Attorney—not recommended for child care in California. Speak to an attorney for other uses, e.g. financial

# **Step 3: Create a file of important documents**

# Important Documents

- File with important documents to share with caregiver
- Include school, medical, and contact information
- Review with caregiver and let them know how to access



# **Step 4: Talk to your child about your plan**

# Review with Child

- Tell your child who will pick them up if you are absent
- Practice remembering caregiver's phone number with your child
- If age-appropriate, inform your child where the file of documents is located

# **Step 5: Update emergency contact information with school**

# Emergency Contact

- Provide your designated caregiver's contact information to the school/daycare provider
- Ensure that the caregiver informs you, or the school, if their contact information changes

# Examples of Child Care Plan

# Caregiver Authorization Affidavit

- The CAA is divided into two sections:
  - Questions 1-4—allows caregiver to make school decisions
  - Question 5-8—authorizes other medical care
- Only the caregiver is required to sign the CAA

# Caregiver Authorization Affidavit

Child's  
Information

The minor named below lives in my (the caregiver's) home and I am 18 years of age or older.

1. Name of minor: \_\_\_\_\_.

2. Minor's birth date: \_\_\_\_\_.

3. My name (adult giving authorization): \_\_\_\_\_.

4. My home address: \_\_\_\_\_.

Caregiver's information

# Caregiver's Authorization Affidavit

5.  I am the minor's grandparent, aunt, uncle, spouse, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, niece, nephew, first cousin, grandaunt, granduncle, great-grandparent, great-grandaunt, great-granduncle, or the spouse of one of these persons.

6. Check one or both (for example, if one parent was advised and the other cannot be located):

I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.

I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

Only if relative will care for child

7. My date of birth: \_\_\_\_\_.

8. My California driver's license or identification card number: \_\_\_\_\_.

Caregiver's Information



# Caregiver's Authorization Affidavit

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_



Caregiver's signature

# Document List

## File of Important Documents

*Keep a file of all of these documents or a copy of these documents in a safe place. Tell your children, family members and emergency caregiver where to find this file in an emergency.*

- Passports
- Birth Certificates
- Marriage License (if applicable)
- Caregiver's Authorization Affidavit
- Any Restraining Orders you may have against anyone (if applicable)
- A-Number and any immigration documents (work permit, green card, visa, etc.)
- Documents demonstrating your residence in the United States and amount of time you have been physically present in the United States
- Driver's License and/or Other Identification Cards
- Social Security Card or ITIN number
- Registry of birth (for U.S. born children registered in parent's home country)(if applicable)
- Important Children's Information
- Emergency Numbers and Important Contact Information
- Children(s)' Medical Information, including health insurance, medication list, and doctor's contact information
- Any other documents you would want to be able to quickly find

# Important Children's Information

<b>Child's Name</b>	
Date of Birth	
Child's Cell Phone Number (if applicable)	
School	
School Address	
School Phone Number	
Teacher's Name	
Classroom Number	
Afterschool Program	
Afterschool Program Phone Number	
Other Camp/Sports/Program	
Other Camp/Sports/Program Phone Number	
Allergies	
Medical conditions	
Medications	
Doctor's Phone Number	
Doctor's Address	
Health Insurance	

# Emergency Numbers

<b>Emergency Numbers</b>	
Immediate Emergency	911
Police Department	
Fire Department	
Poison Control	
<b>Family Contacts</b>	
Mother/Parent/Guardian	
Home Phone	
Cell Phone	
Work Address	
Work Phone	
Father/Parent/Guardian	
Home Phone	
Cell Phone	
Work Address	
Work Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contacts and Relationship	
Cell Phone	

# Other Important Contacts

<b>Miscellaneous Contacts</b>	
Doctor	
Phone Number	
Health Insurance Company	
Policy Number	
Pediatrician	
Phone Number	
Health Insurance Company	
Policy Number	
Dentist	
Phone Number	
Dental Insurance Company	
Policy Number	
Car Make/Model	
License Plate Number	
Car Insurance Company	
Insurance Policy Number	
Phone Number	
Consulate	
Address	
Phone Number	
Attorney/Nonprofit Legal Services Provider	
Address	
Phone Number	
Church/Temple/Mosque/Place of Worship	
Address	
Phone Number	

# How can schools support immigrant families?



# Right to an Education

- Constitutional Right to a Free Education
- Federal Educational Rights and Privacy Act
- AB 699
- School Policies

# Protect Student Information

- Federal Educational Rights and Privacy Act (FERPA)
  - Education records are private, except directory information
  - Applies to all general inquiries for school records
- Must disclose records if ICE has a judicial warrant (uncommon)
- Can't share what you don't have

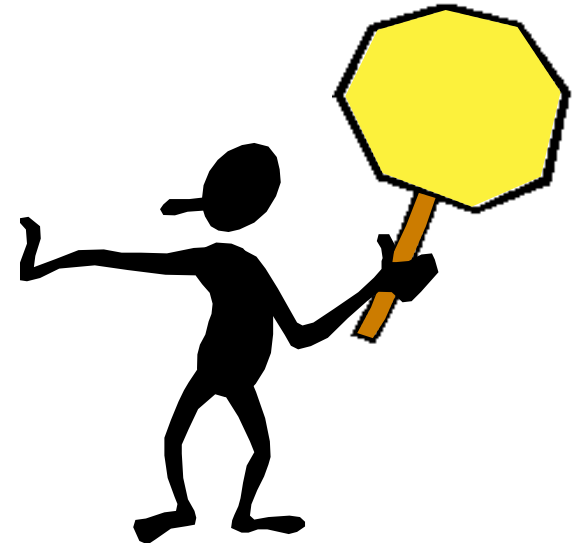


# Protecting Student Information

- CA AB 699
  - Schools cannot collect immigration info on students and families
  - Schools cannot allow ICE onto campus without judicial warrant
  - Requires schools to comply with parental instructions relating to their children's care
- Know your local policies
  - School district
  - City
  - County
  - State

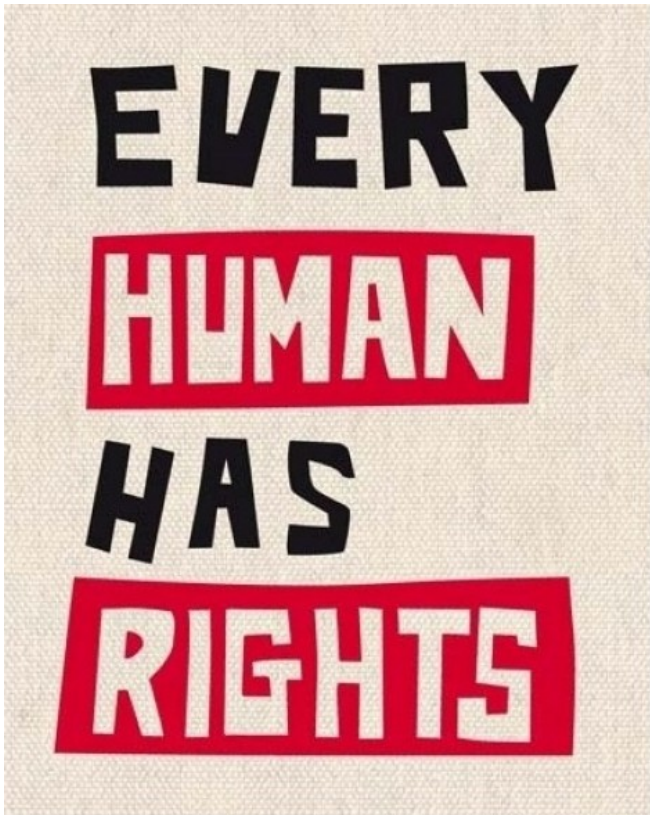
# Concerns about ICE

- Don't have to allow ICE in private parts of campus without a judicial warrant or probable cause
- ICE Sensitive Locations Memo
  - Internal policy against enforcement actions on school campuses, hospitals, places of worship, marches and protests
  - [www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf](http://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf)



# Know Your Rights

# Legal Self-defense: Know Your Rights!



Every person has constitutional rights, regardless of immigration status.

# KNOW YOUR RIGHTS

- 1) **REMAIN SILENT**– you do not have to answer questions. Calmly ask if you are free to go.
- 2) **DON'T OPEN THE DOOR**- ask for a search warrant. You lose rights if you permit access to your home.
- 3) **DON'T SIGN ANYTHING**- If detained, ask to speak with a lawyer and don't sign anything!

# Know Your Rights

**Usted tiene derechos constitucionales.**

- **NO ABRA LA PUERTA SI UN AGENTE DEL SERVICIO DE INMIGRACION ESTA TOCANDO A LA PUERTA.**
- **NO CONTESTE NINGUNA PREGUNTA DEL AGENTE DEL SERVICIO DE INMIGRACION SI EL TRATA DE HABLAR CON USTED.** Usted tiene derecho a mantenerse callado. No tiene que dar su nombre al agente. Si está en el trabajo, pregunte al agente si está libre para salir y si el agente dice que sí, váyase. Usted tiene derecho de hablar con un abogado.
- **ENTREGUE ESTA TARJETA AL AGENTE. NO ABRA LA PUERTA**

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

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



I choose to exercise my constitutional rights.

*These cards are available to citizens and noncitizens alike.*

Find out more about Red Cards at  
[www.ilrc.org/red\\_cards](http://www.ilrc.org/red_cards)

# Screen for Legal Options

Undocumented immigrants may be eligible for an immigration benefit and not know it.

14+% of those DACA-eligible found to be potentially eligible for other relief.



# Screen for Legal Options

There are various options:

- Relative is U.S. citizen or green card holder
- Domestic violence victims
- Victims of certain crimes or forced work
- Those afraid to return to their home country
- Military families
- And more!

\*Permanent residents should  
apply for citizenship!\*





# Legal Services

- Careful of Immigration Fraud!
- Only attorneys and accredited representatives can give legal advice
- A Notario or Notary is not authorized to practice law
- Be aware of when you require notarizations
- Visit [www.immigrationlawhelp.org](http://www.immigrationlawhelp.org) to find good legal services

# In summary...



- ✓ Remain silent
- ✓ Don't open the door
- ✓ Speak with an attorney
- ✓ Don't sign anything
- ✓ Don't show false documents
- ✓ Don't get nervous, don't run
- ✓ Make a family plan
- ✓ It's your decision

# Know Your Rights Skit!

# Q& A

**Thank You!**