



STATE OF NEW JERSEY DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: August 19, 2026

To: Local Educational Agency Leads, Administrators of Approved Private Schools for Students with Disabilities

Route To: Principals, LEA Registrars, School Nurses, all staff involved in the Student Enrollment Process

From: Kimberly A. Murray, Ed.D., Acting Assistant Commissioner
Division of Educational Services

Annual Enrollment Guidance: Ensuring Access to Public Education Regardless of Immigration Status

The New Jersey Department of Education (NJDOE) is issuing this annual reminder to assist local education agencies (LEAs) as they prepare for the start of the school year and enroll new and returning students. This communication summarizes longstanding federal and State legal requirements regarding student enrollment, including protections that ensure students are not denied access to a free public education based on their actual or perceived immigration status. The memorandum also highlights enrollment practices, student supports, and available resources that can help LEAs effectively serve newly arrived students and families while maintaining safe, welcoming, and inclusive school environments.

In [*Plyler v. Doe*](#), 457 U.S. 202 (1982), the United States Supreme Court held that undocumented children residing in the United States may not be excluded from public elementary and secondary schools based on their immigration status. Additionally, New Jersey Administrative Code ([N.J.A.C. 6A:22-3.3](#)) prohibits the barring of students from public schools based on immigration or visa status, except for students attending on F-1 visas. LEAs must continue to enroll all students between the ages of 5 and 20 who are domiciled in the district or otherwise entitled to attend school under N.J.S.A. 18A:38-1(b).

As schools welcome new and returning students this school year, LEAs may encounter families who have newly arrived in New Jersey and require additional language access, registration assistance, or other supports. LEAs are encouraged to ensure that registration staff understand the legal requirements governing student enrollment and are prepared to assist all families in a respectful and nondiscriminatory manner.

Legal Requirements Related to Enrollment of Immigrant Students

Under [N.J.A.C. 6A:22-3.4](#), LEAs may not make enrollment contingent upon the receipt of specific documentation. LEAs may not require or request documentation or information related to citizenship or immigration status as a condition of registration. Prohibited documentation includes

but is not limited to citizenship or immigration records, Social Security cards, and income tax returns.

While LEAs may request documentation to verify residency, they may not deny admission because a parent or guardian is unable to provide a particular document. Similarly, a student may not be denied access because a parent or guardian cannot present a birth certificate, including a foreign birth certificate.

Keeping Our Students Safe, Healthy and In School

Schools serve as a critical source of stability, belonging, and support for students and families. As districts receive students throughout the school year, some families may be experiencing uncertainty, transition, or other circumstances that can affect a student's emotional well-being, school engagement, and attendance. Schools may also encounter students who have experienced family separation, relocation, housing instability, or other events that can create barriers to learning.

Supporting students through these challenges requires a strategic approach that addresses their social, emotional, and academic needs. Establishing trusting relationships with students and families, maintaining accepting school environments, and ensuring access to appropriate supports can help students remain engaged and connected to school. Early identification of needs and timely interventions may also help prevent challenges related to chronic absenteeism, withdrawal, and truancy.

Creating a positive and inclusive school climate before challenges arise is essential. Proactive supports help build resilience, strengthen partnerships between schools and families, and ensure that students feel safe accessing educational opportunities and school-based resources. LEAs are encouraged to review local procedures and ensure that enrollment personnel, counselors, nurses, administrators, and other school staff are aware of available resources and support systems. Schools may find the following NJDOE resources helpful:

- [Keeping Our Students Safe, Healthy & In School](#)
- [Trauma-Informed & Healing-Centered Practices](#)

Unaccompanied Immigrant Children and Enrollment Records

Children who enter the United States without a parent or legal guardian or who are left unaccompanied due to lack of parental or legal guardian as a result of parents' documented status may be placed in the care of the [Office of Refugee Resettlement \(ORR\)](#) before being released to a sponsor. Schools should accept ORR Verification of Release (VOR) forms or identification cards when voluntarily presented, as documentation that may assist in establishing proof of age and residency for enrollment purposes.

Schools may request immunization records through ORR when necessary. In addition, the New Jersey Department of Health has advised that foreign immunization records may be translated by any individual, provided the translated document includes the printed name and signature of the translator and allows school officials to determine compliance with New Jersey immunization requirements. For more information regarding immunization records for all students, see the following: [N.J.A.C. 6A:16-2.2\(a\)](#), [N.J.A.C. 6A:16-2.3](#), [N.J.A.C. 8:57-4.1-24](#).

Contact information

Office of Supplemental Educational Programs: ML@doe.nj.gov for questions related to immigrant students and multilingual learners.