

Processing Records Requests for Deferred Action for Childhood Arrivals

Many District schools have received requests for records by current and former students interested in the Deferred Action for Childhood Arrivals (“DACA”) process. Below is a brief overview of the law and the District’s efforts to assist in the processing of these requests.

On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization. Deferred action is a discretionary determination to defer removal action of an individual as an act of prosecutorial discretion. Deferred action does not provide an individual with lawful status. Effective August 15, 2012, the U.S. Citizenship and Immigration Services (USCIS) began accepting applications for deferred action for childhood arrivals.

The criteria for consideration for deferred action include if the applicant:

1. Was under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching 16th birthday;
3. Has continuously resided in the United States since June 15, 2007, up to the present time;
4. Was physically present in the United States on June 15, 2012, and at the time of making request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or lawful immigration status expired as of June 15, 2012;
6. Is currently in school, has graduated or obtained a certificate of completion from high school, has obtained a general education development (GED) certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and;
7. Has not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and does not otherwise pose a threat to national security or public safety.

Additionally, applicants must be at least 15 years of age or older at the time of filing. Based on the criteria listed above, students or former students born after June 15, 1981 may be eligible for consideration.

The District has developed centralized process for these requests which is outlined in Reference Guide No. 5826.1, *Requests for Records for Deferred Action for Childhood Arrivals*. Additional information may be found at

http://home.lausd.net/apps/news/show_news.jsp?REC_ID=262597&id=0

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