

Social Services

Legal presence in the United States may be required for participation in benefits programs offered at the Albemarle County Department of Social Services (ACDSS), such as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), or Medicaid.

Households containing any legally present person may be eligible to receive some level of assistance even if the applicant is not legally present in the United States, such as in cases where an undocumented parent is applying for benefits for a legally documented child.

Undocumented individuals may be eligible for emergency medical coverage in the event of an emergent medical condition.

ACDSS is bound by strict confidentiality regulations regarding applicants and recipients of its services.

ACDSS reports information to federal authorities, only as required.

Human Resources

Employment with the County of Albemarle requires documentation of legal status. In the event that an applicant is unable to provide documentation of legal status, the Human Resources Department does not have any procedures in place to report this to federal authorities.

Finance

Albemarle County is required to report payments of over \$600 made to independent contractors to the Internal Revenue Service (IRS). A valid social security number is required for this documentation.

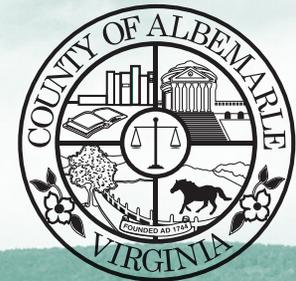
Community Resources

Creciendo Juntos (Growing Together)
Colaborando Juntos (Working Together)
International Rescue Committee
International Neighbors
Legal Aid Justice Center
Virginia Organizing
American Civil Liberties Union of Virginia

Albemarle County, Virginia

Factual Information Related to Immigration Status, Services, and Enforcement in Albemarle County

Committed to enhancing the well-being
and quality of life for all residents



Albemarle County Public Schools

Local school divisions have a constitutional and statutory obligation to provide education to K-12 students regardless of their immigration status.

School divisions are not permitted to inquire into a prospective student's citizenship or visa status in order to enroll that student in school.

School divisions shall accept students who meet the residency requirements under Section 22.1-3 of the Code of Virginia and may not deny a free public education to undocumented school-age children who reside within their jurisdictions because they do not hold valid United States citizenship or a student visa.

Schools also have a legal responsibility to protect the privacy of student education records pursuant to the Family Educational Rights and Privacy Act (FERPA). The 2017 executive orders and Department of Homeland Security (DHS), a federal agency, guidance memorandums relating to immigration and deportation do not alter these legal obligations in any way.

It is important to recognize that there is federal law that prohibits local school divisions from engaging in harboring persons who are undocumented. That means that local school divisions may not engage in conduct that substantially facilitates the person to remain in the United States without authorization.

The following actions by local school divisions do not constitute a violation of the immigration law or executive actions:

- providing educational opportunities to students regardless of immigration status;
- providing general information to families about their legal rights, and referrals to seek legal assistance if they need it;
- ensuring that student emergency contact forms are up-to-date and include backup contacts that schools could turn to if a child's parents were not available or detained; and planning in advance the actions to be taken to protect a child and provide a safe place for that child to go if his or her parent(s) or guardian(s) were the subjects of an Immigration Customs Enforcement raid or otherwise detained by immigration officials.

Police Department

The Albemarle County Police Department (ACPD) enforces state and local laws. Local laws do not include immigration law, which is a federal responsibility. DHS is responsible for the enforcement of immigration laws.

ACPD officers do not have access to the federal immigration database; and therefore are unable to verify immigration status. Immigration status is not asked for or investigated during routine contacts, such as traffic stops.

In Albemarle County, citizenship status is determined by law enforcement only at arrest for serious felony offenses; at that time, the Albemarle-Charlottesville Regional Jail confirms immigration status.