



Information for Immigrant Youth

Your Right to Education

Minnesota has to give free public education to ALL children in the state. You can go to school even if you don't have immigration status.

- Kids 7-16 must go to school
- Teens age 17 must go to school unless they formally withdraw
- English language learners have rights. See our Fact Sheet [English Language Learners: Right to Equal Education](#).

How can I find out my immigration status?

- **Do you know your alien number?** Also called an "A" number, it is an 8 or 9-digit number that starts with "A." It is on most of your immigration papers. If you know it, call immigration customer service at 1-800-375-5283 and ask what your status is.



If you have been involved in immigration court, you can call the immigration court line at 1-800-898-7180. This is an automated line. You enter your "A" number, and it gives you information about the status of your immigration case.

- **If you don't have your alien number**, you can **file a Freedom of Information Act Request (FOIA)** (Form G-639). It's free. [You can fill and file the form online](#). This is the fastest way to get your information. Go to www.uscis.gov and click on "Forms" then click on "All Forms." Scroll down the list of forms to "G-639." You can also call the immigration customer service number above for a paper form. Fill it out and mail it in. In a couple of months, you get access to a digital file that has scanned copies of your immigration history. **If you never had any contact with immigration officers or applied for immigration benefits**, you may not get any results from a FOIA because you have no immigration status.
- You can also try to make an InfoPass appointment to talk to someone. But it can be hard to get information that way. Get info at: <https://my.uscis.gov/en/appointment/v2>.

WARNING: Do not contact immigration customer service with questions or make an InfoPass appointment if you are undocumented, have a final removal order, or think you could be placed in removal proceedings.

- You may already be a U.S. citizen.
 - If one or both of your parents was a U.S. citizen when you were born, or
 - if you were under 18, had a permanent resident card (green card), and were living with a parent who is a U.S. citizen,
 you may have automatically gotten citizenship.

Talk to an immigration lawyer if you think you might already be a citizen. The lawyer can help you figure out if you are a citizen and help you get proof of your citizenship. See our fact sheet [Naturalized US Citizens: Proving Your Child's Citizenship](#) for more information.

How do I keep my documents safe?

If you think a parent or someone else is going to keep your documents from you, make copies of them. Ask a trusted adult in your school or community to keep the copies. You can also scan the documents into a file and keep them in your e-mail or cloud storage account like OneDrive, Dropbox, Google Drive and Box.

I am undocumented and graduating from high school soon. Can I apply for citizenship?

- Only people with permanent resident cards (green cards) can apply for citizenship.
- A person can get a permanent resident card if an immediate relative like a parent files a visa petition (legal request) for them. The relative who applies must be a United States citizen or have a permanent resident card. It can take years, depending on the relationship, but there is a shorter wait or no wait if the relative who applies is a U.S. citizen.
- If you have a close relative who is willing to file a petition for you, talk to an immigration lawyer about the process.
- If you are the child (or spouse or parent) of someone who is a U.S. citizen or legal resident who is mentally or physically abusing you, you may ask for a permanent resident card by yourself. You do this through a law called the Violence Against Women Act (VAWA). You may be able to apply for your residence without having to leave the U.S. You need a lawyer for this process.



I don't have a close relative who is a resident or U.S. citizen. Are there other ways I can get a resident card?

- If you or a close family member were the victim of a serious crime, you may be able to apply for something called a U visa. A U visa lets you stay in the U.S., work legally, and eventually apply for permanent residence. You or the victim must help with the investigation or prosecution of the crime. Talk to a lawyer and see our fact sheet [Victims of Crimes and "U" Visas](#).

- If you have been abused, neglected, or abandoned by one or both parents, you may be able to get special immigrant juvenile status (SIJS). This is for children who are in foster care or who have been involved in state court cases relating to their custody or care. Getting this means that you have a path to get a permanent resident card and can apply to be a citizen after 5 years. But you can't ever apply for your parents to get status. Talk to a lawyer.

See our fact sheet [*Special Immigrant Juvenile Status \(SIJS\) "At-Risk Juveniles."*](#)

- You can also get a permanent resident card if a U.S. citizen adopts you before you turn 16. If the same family adopts your brother or sister earlier, you can be up to age 18. You must live with your adopted parents for 2 years and they must have custody of you for 2 years either before or after the adoption. If these requirements are met, the adoptive parents can petition (ask) for you to become a permanent resident.
- If you don't want to return to your home country because you are afraid of persecution, you may be eligible for asylum. Persecution is severe harm or mistreatment because of your race, religion, national origin, social group, or political opinion. A person who is granted asylum in the U.S. can stay in the U.S. permanently.

Getting asylum status can lead to a permanent resident card. If you are over 18 or came to the U.S. with a guardian there is a one-year filing deadline from the time you enter the U.S.

Call the Advocates for Human Rights at (612) 341-9845 or e-mail them at hrights@advrights.org for more information.

What juvenile delinquent or other acts can hurt my chances of getting permanent residency?

If you hope to get a permanent resident card in the future, these things can hurt your chances of becoming a resident or citizen.

- Drug trafficking (selling drugs, or possession for sale)
- Drug abuse or addiction
- A physical or mental condition that makes you a threat to yourself or others
- Violations of protective or "no-contact" orders
- Prostitution
- Smuggling people into the U.S.
- False claims of U.S. citizenship
- Voting as a non-citizen
- Marrying for immigration purposes
- Hanging out with or joining groups that support violence
- Being a gang member or being labeled a gang member by the police.



Some juvenile delinquencies may create a problem for immigration cases. For example, if you are convicted as an adult but are under 18 years old, this conviction has the same immigration consequences as if you were over 18. Once you turn 18, criminal convictions can make it hard to become a permanent resident or citizen. The U.S. government could ALSO put you in deportation proceedings. Even if your juvenile records are expunged, you may still need to report them to the U.S. government when you apply for permanent residency or citizenship. If you have a juvenile or adult criminal record, talk to a lawyer.

I'm undocumented and still in high school but I don't live with my parents anymore. Can I get any government benefits?

- Most undocumented people can't get government benefits. But private organizations or others can give benefits to whoever they want.
- **BUT** there is a state healthcare program called MinnesotaCare. MinnesotaCare is available to all youth under age 18 no matter what their immigration status is. If your income is below the income limit and you don't have access to other health insurance, you can enroll in MinnesotaCare. See our fact sheet [What is MinnesotaCare and Am I Eligible?](#)

Note: Any information you give on your healthcare application is private data protected under state and federal law. It can't be shared with anyone else or agencies without your written consent.

- Also, if you have a medical emergency or are pregnant, you can get Emergency Medical Assistance. Go to your county human services office. See our fact sheet [Emergency Medical Assistance](#).
- You can go to private food shelves and private homeless shelters.
- See our fact sheet [Government Benefits for Youth](#).

Things You Should Know as an Undocumented Youth

1. If an immigration official tries to talk to you
 - Don't sign any papers and don't talk to them until you talk to a lawyer first.
 - If you give your name, don't use a fake name, or show fake documents.
 - If immigration does not have a search warrant signed by a judge, you do not have to answer the door.
 - If you don't show up to an immigration court hearing, they can issue an order of deportation on you anyway.

2. Stay out of trouble with the law

- In some places, police contact immigration when you are arrested.
- In other places, the police don't – but if you commit a crime, that makes it harder to get legal status in the future.
- If you are arrested or put in jail, immigration may put a hold on you to look into if you are here illegally and might try to deport you.
- Don't drive without a valid license and car insurance.



3. Tell your lawyer your status

- If you are charged with a crime, make sure your defense lawyer knows your immigration status
- Make sure you know the immigration consequences of any options you choose in criminal court. Some things may not be considered convictions in criminal court but are counted as convictions for immigration purposes.

4. Leaving the U.S. can have serious immigration consequences.

Talk to an immigration lawyer before you leave.

5. File and pay your taxes using an ITIN (Individual Tax Identification Number)

- This could improve your chances of getting legal status in the future.
- Do not use a fake Social Security Number to file taxes.
- Do not commit fraud on your taxes by claiming dependents or credits for which you don't qualify.

6. Call the police if you are the victim of a crime.

- U visas are for victims of certain kinds of serious crime. See our fact sheet [Victims of Crimes and "U" Visas](#) to learn more.

7. Having a child won't help you get legal status.

- A child can only file a petition for their parents if the child is over 21 years old.

8. Never say you are a U.S. citizen if you are not a U.S. citizen!

- This could hurt your chances of ever getting a resident card.
- This could get you deported.
- Never use the documents of a U.S. citizen, including Puerto Rican documents.
- Don't register to vote or vote in elections that require U.S. citizenship.

9. Don't vote or register to vote.
- This could cause you to be deported.

10. Keep documents like bills or receipts that have your name and the date on them.
- You may need these in the future to prove you were in the U.S. on a certain date, or for a specific period of time.

11. You can get a driver's license. Immigration status doesn't matter. Your license won't have any markings about citizenship or immigration status. See our fact sheet, [How to Apply for Your Minnesota Driver's License \(Driver's Licenses for All\)](#).



Immigration rules are constantly changing. Talk to a lawyer to get legal advice specific to your situation.

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.

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