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The Latino Legal Voice for Civil Rights in America.

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October 18, 2019

Mark E. Eads, Superintendent
Southside Independent School District
1460 Martinez Losoya Road
San Antonio, TX 78221
Via US Mail and Electronic Mail: mark.eads@southsideisd.org

Dear Superintendent Eads:

MALDEF is a national law firm that conducts litigation and advocacy to advance the civil rights of Latinos throughout the United States. Founded in 1968, MALDEF works to ensure equal access to education for Latino students and litigated the landmark U.S. Supreme Court case *Plyler v. Doe* which guarantees a K-12 public education to students regardless of immigration status.

We have learned through several sources that Southside ISD treats differently parent visitors who possess foreign government-issued photo identification by either excluding them from a school campus or segregating them while on campus (along with their students).

The District's practice is unconstitutional. In addition to impairing the ability of children to attend school and access an equal education in violation of the 14th Amendment and *Plyler*, this practice treats parents differently based on their race, national origin and immigration status in violation of the 14th Amendment.

Excluding or segregating parents who possess foreign government-issued photo identification is neither compelled by the Texas Education Code nor required by the software employed by Southside ISD to screen visitors.

The Texas Education Code allows (but does not require) a school district to "require a person who enters a district campus to display the person's driver's license *or another form of identification containing the person's photograph issued by a governmental entity.*" Tex. Ed. Code § 38.022 (a) (emphasis added). Southside ISD, if it chooses to require parent visitors to show government-issued photo ID, may not

implement this policy in a discriminatory manner. In other words, a parent visitor who lacks a Texas-issued ID, but who provides another government-issued photo ID such as a foreign passport or matricula consular, must be treated the same as all other parent visitors who present a government-issued photo ID.

Equal treatment of parent visitors is facilitated by the Raptor software which is used by Southside ISD to screen individuals who visit campus. In cases “when the ID cannot be scanned,” the Raptor software allows the school campus staff person “to sign in a person by entering their information in the fields on the screen.”¹ After the staff person manually enters the visitor’s name and date of birth, the Raptor software runs a check of the visitor in the designated databases and can provide a “Possible Offender Alert” or print a badge for the visitor.²

We request that you confirm in writing your understanding of Southside ISD’s legal obligation to provide equal treatment to students and parents, regardless of their race, national origin and immigration status. We also request that you provide documentation of your policies that meet this obligation, including written policies that instruct all district employees to permit equal access to school campuses of parent visitors who possess government-issued photo ID such as a foreign passport or matricula consular.

I look forward to your response at your earliest convenience.

Sincerely,



Nina Perales
Vice President of Litigation

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¹ See “Raptor User Guide,” Rev. 9.00, December 2, 2017, at p. 192, available at <http://raptortech.com/wp-content/uploads/2017/12/Raptor-User-Guide-6.1.2.pdf>

² *Id.*