

IMMIGRANT RIGHTS AND SERVICES MANUAL

Important Information You Need to Know
to Participate in the Life of New York City

July 2010



Office of the Manhattan
Borough President

Scott M. Stringer
Manhattan Borough President

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Dear Fellow New Yorkers:

I am excited to introduce the first Immigrant Rights and Services Manual issued by the Manhattan Borough President's Office. This manual is an important tool for helping newcomers to New York and the U.S. learn basic information about how to access services and benefits and enforce their legal rights.

New York City and Manhattan continue to be the destination and home of immigrants from around the world. Immigrants and their many contributions have been the cornerstone of vital growth and progress in New York City and the U.S. However, immigrant communities too often lack the resources and support needed to enable them to meet all of their economic, legal, health, educational and social needs.

This manual addresses key areas such as education, worker's rights, consumer rights, voting and civic participation and other areas that are essential to enabling immigrants to live life fully in New York City. It also introduces City agencies that offer services and protections for immigrants, including undocumented immigrants. While this manual cannot be complete in the information that immigrant communities need, we hope it provides a strong starting point for generations today and ahead in our global city.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott M. Stringer". The signature is stylized and fluid.

Scott M. Stringer
Manhattan Borough President

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Executive Order 41

PROMOTING ACCESS TO BENEFITS AND SERVICES FOR IMMIGRANTS

The City of New York has a policy of promoting access to services, benefits and programs for immigrants and all people in New York. Immigrants, including undocumented immigrants, have the right to receive many of the City government's services, benefits and programs.

Under the Mayor's Executive Order 41, all immigrants, including undocumented immigrants, are encouraged to seek the City's services, benefits and programs that they are eligible to receive. In addition, Executive Order 41 generally requires City employees to protect the confidentiality of a person's immigration status and other kinds of personal information.

Some government benefits and services are available only to people with certain types of immigration status. In those cases, it is necessary for a City employee to ask about immigration status to determine a person's eligibility. However, many services, such as public health, safety and education services are available to immigrants of any status, including undocumented immigrants. A list of services available to undocumented immigrants can be found in the section, "Public Benefits," in this manual on page 4.

WHAT DOES EXECUTIVE ORDER 41 REQUIRE?

- ✦ If you are the victim or witness of a crime, or if you call or approach the police seeking assistance, police officers will not inquire about your immigration status.
- ✦ However, if police officers suspect illegal or criminal activities, they may ask you about your immigration status and/or disclose that information. If you go to a City agency to request certain services or benefits, City employees will not ask you about your immigration status unless it is required by law or necessary to determine whether you are eligible to receive those services or benefits.
- ✦ If you share your immigration status or other confidential information with City employees, they will not report this information to anyone, except in limited circumstances such as when required by law.

If you have complaints about possible violations of Executive Order 41, you may complain to the City agency where you believe the violation happened. You may also contact the Mayor's Office of Immigrant Affairs by calling 311.

LANGUAGE ACCESS RIGHTS

A person who does not speak or read English well has the right to ask government agencies, including schools, health clinics and social service offices, for translation or interpretation of information. It is generally inappropriate for children or relatives to be used as interpreters in many matters. Many government agencies are required by law to provide language access in languages other than English.

Language access includes:

- + "Translation," which means translating a document in writing. This can include translating important letters, notices, instructions and other documents into different languages; and
- + "Interpretation," which means orally interpreting spoken information into a different language. This can include having a live interpreter present at a meeting or having an interpreter on the phone.

LOCAL LAW 73: EQUAL ACCESS TO HUMAN SERVICES

Local Law 73 requires that four major City health and human service agencies provide a certain amount of language access services. These agencies must follow Local Law 73:

- + Human Resources Administration (HRA)
- + Department of Health and Mental Hygiene (DOHMH)
- + Administration for Children's Services (ACS)
- + Department of Homeless Services (DHS)

A person who is limited English proficient and seeks or receives benefits from one of these agencies must be provided certain kinds of free language assistance. These agencies run certain job centers, food stamp offices, medical assistance program offices, and other social service offices.

Each of these agencies has a policy stating what language assistance they provide. HRA, which provides food stamps, Medicaid and many other benefits, is required to provide certain important documents translated into Chinese, Spanish, Arabic, Haitian-Creole, Korean and Russian. HRA also must make sure that persons who need language assistance do not have to wait unreasonably longer for service than others. The other three agencies above are required to provide meaningful language assistance and services.

LANGUAGE ACCESS RIGHTS

EXECUTIVE ORDER 120: LANGUAGE ACCESS

The Mayor's Executive Order 120 requires that all City agencies providing direct public services provide a meaningful amount of free translation and interpretation services to people who need it. Every City agency is required to have a language access policy in place starting in January 2009. Agencies are required to provide assistance in the top six languages spoken by the population of New York City that are relevant to the services of the agency.

To get more information about free language services available at City agencies, you may call 311 and ask for the specific agency you are interested in, or ask for the Mayor's Office of Immigrant Affairs

DEPORTATION AND DETENTION

WHO IS AT RISK OF BEING DEPORTED?

Any non-U.S. citizen, documented or undocumented, even green card holders, could be at risk of being deported if they are just undocumented, have certain kinds of criminal convictions or have an old deportation order. Deportation for criminal convictions is a risk even if the crimes were minor, happened a long time ago, and if the person served no time in jail or prison.

If you are at risk of deportation and feel you need an attorney, you should try to find a good attorney who specializes in deportation. If you have criminal convictions, you need an attorney who understands deportation and criminal law. Attorneys who specialize in business, real estate or immigration law often do not have expertise with deportations.

Don't rush to hire an attorney unless you know the details of your case and understand your case as much as you can. Be careful about finding an attorney who has true expertise in deportation and in criminal law if you have any criminal background.

A 2010 Supreme Court decision, *Padilla v. Kentucky*, now requires criminal defense attorneys to advise their clients about the potential adverse immigration consequences of their criminal charges. This means that a criminal defense attorney must advise the client whether a guilty plea could result in deportation. If a defense lawyer does not provide this advice and the lack of advice affects the outcome of the case, the client might be able to challenge the conviction.

WHAT TO DO IF AN INDIVIDUAL IS DETAINED

If you are detained in immigration custody, you should not say anything about your immigration status or sign anything giving up your right to an immigration hearing or any other rights. Do not lie. Do not admit to any charges and do not go into detail about your case.

If you are arrested for a criminal charge unrelated to your immigration status and are detained in Riker's Island, you should also follow the rules above for people in immigration custody. Immigration enforcement agents work at Riker's Island and will interview people being detained there about their immigration status. You have the right not to respond to questions about your status. You should also not sign anything giving up any rights.

If you are the family member or loved one of someone being detained, make sure you keep this person's full name and aliases, alien registration number, date of birth, the date he or she entered the U.S., any criminal record and all other immigration paperwork.

DEPORTATION AND DETENTION

If you want to find your family member or loved one being detained, contact the Bureau of Immigration and Customs Enforcement Office. You may also contact your Consulate. Lastly, you may contact individual detention centers. For more information you may contact the Detention Watch Network website.

Immigration and Customs Enforcement

NY: (212) 264-4213 **NJ:** (973) 645-3666

Free Legal Assistance:

Legal Aid Immigration Law Unit: (212) 577-3456 *(Wednesday and Friday afternoon)*

Immigrant Defense Project: (212) 725-6422

Bronx Defenders: (718) 838-7878

Northern Manhattan Coalition (212) 781-0355 x305

for Immigrant Rights

More information and non-legal support for detainees and families:

Families for Freedom (646) 290-5551

Consulates: www.nyc.gov/html/unccp/html/consular/nyc_list.shtml

For more information about detention, you may visit the website for the Detention Watch Network at: www.detentionwatchnetwork.org

To search for the location and contact information of detention centers, you may visit this link: www.detentionwatchnetwork.org/dwnmap

WHAT IS THE GOVERNOR'S PARDON?

The New York Governor is able to grant pardons for criminal offenses. A pardon forgives the crime and penalty and may help an individual avoid deportation.

The Governor's Office created a Pardon Panel in 2010 to help review applications for pardons, gather information, and make recommendations to the Governor about who should be granted a pardon. The panel will be in effect until December 31, 2010 and may or may not be continued after 2010.

WHO CAN APPLY FOR A PARDON?

Any person who has been convicted of a crime in a New York State court and believes that the conviction might lead to deportation can apply for a pardon.

In some cases, a pardon will not stop a person from being deported. Certain drug and gun crimes are types of cases where a pardon from the Governor might not help

DEPORTATION AND DETENTION

and are therefore less likely to be pardoned or exempt from deportation. Even though pardons for certain circumstances may not prevent deportation, this should not discourage any individual from applying for a pardon as other immigration benefits may be granted.

HOW DO I APPLY FOR A PARDON TO PREVENT DEPORTATION?

To apply for a pardon, you must gather as much information as possible that demonstrates why a pardon should be granted. This information includes:

- + Personal information including name, address, contact phone number, date of birth, and social security number
- + Nature of the conviction
- + Whether immigration proceedings are pending and the status
- + What was the crime and when it took place
- + Date and sentence received
- + History of rehabilitation (what steps you have taken to change)
- + Description detailing your ties to the United States
- + What kind of effects would deportation have on you and your family

Applications should be sent to:

The Executive Clemency Unit
New York State Division of Parole
97 Central Avenue
Albany, NY 12206

AFTER A PARDON

If you obtain a pardon from the Governor, you must take more steps to prevent deportation. One of the steps you should take is to file a proof of pardon to the court where your immigration proceedings are taking place.

PUBLIC BENEFITS

WHAT PUBLIC BENEFITS ARE AVAILABLE TO IMMIGRANTS?

Many important services and benefits are available to all people, regardless of immigration status. The services below are available to all people, including undocumented immigrants. Some of these services are for emergency needs:

- + Children under 19 are eligible for health insurance under the State Children's Health Insurance Program (SCHIP)
- + Emergency medical care, including ambulance service
- + Prenatal care for pregnant women under Prenatal Care Assistance Program (PCAP)
- + Domestic violence counseling
- + Immunizations
- + HIV testing and counseling
- + Emergency shelter
- + Poison control hotline
- + Food pantry services
- + Child welfare and foster care services
- + Public school education
- + School breakfast lunch programs
- + Senior services and senior center programs of the Department for the Aging
- + Protection of the Department of Consumer Affairs against consumer fraud
- + Protection of the Human Rights Commission against discrimination
- + Services and facilities of the Department of Parks and Recreation
- + Public library services and special events
- + Public transportation
- + Police protection
- + Fire protection
- + Certain services provided by the Department of Health and Mental Hygiene

PUBLIC BENEFITS

Many benefits and services are available only to U.S. citizens and certain groups of lawfully present immigrants. The following are some benefits that only U.S. citizens and immigrants with certain legal status can receive:

- + Supplemental Security Income (SSI)
- + Food stamps
- + Cash assistance
- + Public housing
- + Section 8 Housing vouchers
- + Non-emergency Medicaid

The following are explanations of these benefits:

WHAT IS SUPPLEMENTAL SECURITY INCOME (SSI)?

- + SSI is a cash benefit for low-income elderly (65 and older), blind or disabled persons.
- + Persons who receive SSI are automatically eligible for Medicaid.

A person can apply for SSI at any Social Security Administration (SSA) Office, or by calling (800) 772-1213

WHAT ARE FOOD STAMPS?

- + Food stamps are cash benefits in the form of coupons and Electronic Benefits Transfer (EBT) cards that help low-income families buy food.
- + In New York City, the NYC Human Resources Administration (HRA) administers food stamps. A person can go to a HRA Job Center or Food Stamp Office to apply for food stamps.
- + In New York State, immigrants who are no longer eligible for federal food stamp benefits can still obtain State food stamps.
- + Even if a parent is not eligible for food stamps, the parent can still apply for food stamps for his or her children if the children are eligible.

To apply for food stamps, call 311 or visit HRA online at www.nyc.gov/html/hra/html/directory/info_howtoapply.shtml

PUBLIC BENEFITS

WHAT IS CASH ASSISTANCE?

- + Cash Assistance is the New York City program that gives cash assistance to eligible low-income families to help families become independent.

To find a New York City Job Center where you can apply for Cash Assistance and other public benefits, call 311 or visit: www.nyc.gov/html/hra/html/directory/cash.shtml

WHAT IS PUBLIC HOUSING?

- + Public Housing is government-owned housing that is available to certain low-income families and persons.

WHAT ARE SECTION 8 HOUSING VOUCHERS?

- + Section 8 Housing Vouchers are benefits that are used to help a family pay a portion of rent. Only certain low-income families qualify for Section 8 Housing and only certain landlords can accept Section 8 vouchers.

To apply for Public Housing or Section 8 Vouchers:

You can pick up applications for Public Housing and Section 8 vouchers at one of the following offices of the New York City Housing Authority (NYCHA):

Manhattan/Bronx (718) 707-7771

1 Fordham Plaza, 2nd Floor
Bronx, NY 10458

Brooklyn/Staten Island (718) 707-7771

787 Atlantic Ave., 2nd Floor
Brooklyn, NY 11238

Queens (718) 707-7771

90-27 Sutphin Blvd., 4th Floor
Jamaica, NY 11435

Mail Public Housing and Section 8 applications to:

NYCHA
Post Office Box 1342
Church Street Station
New York, NY 10008

For more information on housing please refer to the Housing section (page 37)

HEALTH CARE

HOW CAN A PERSON OBTAIN PUBLIC HEALTH INSURANCE?

The following are government health insurance programs that many immigrants are eligible for:

- + Medicaid: for low-income people of all ages. Lawful immigration status is required for non-emergency Medicaid
- + Child Health Plus: for youth 18 years or younger
- + Family Health Plus: for adults aged 19-64
- + Prenatal Care Assistance Program (PCAP): for pregnant women
- + Family Planning Benefit Program (FPBP): for family planning
- + Family Planning Extension Program (FPEP): for family planning
- + Emergency Medicaid: for emergency care
- + AIDS Drug Assistance Program (ADAP): for HIV positive treatment

WHO IS ELIGIBLE FOR PUBLIC HEALTH INSURANCE?

All immigrants, including undocumented immigrants, who are New York State residents are eligible for:

- + Child Health Plus
- + Prenatal Care Assistance Program (PCAP)
- + Family Planning Extension Program (FPEP)
- + AIDS Drug Assistance Program (ADAP)
- + Emergency Medicaid

All children, regardless of immigration status, are eligible for public health insurance if their families are eligible based on income.

In general, undocumented immigrants and non-immigrants (temporary business, student, medical, and tourist visa holders) are not eligible for Family Health Plus or Medicaid, except in emergencies.

HEALTH CARE

In order to be eligible for Medicaid and Family Health Plus, an immigrant needs to be in one of the following categories:

- + Naturalized U.S. citizens
- + Immigrants in the U.S. because of persecution or other problems in their home country (including refugees, asylees, Amerasians, Cuban/Haitian entrants, conditional entrants, victims of trafficking, and those with Temporary Protected Status)
- + Lawful permanent residents
- + VAWA Self-Petitioners (spouses and children of U.S. citizens or lawful permanent residents, who have been battered or abused)
- + Immigrants who were given suspension of deportation or cancellation of removal
- + Registry immigrants (who can show they have been continuously living in the U.S. since January 1, 1972)
- + People paroled in the U.S. whose parole has not expired
- + Some Native Americans born in Canada, and some people from territories with special relationships to the U.S.
- + Armed forces veterans and those on active duty and their immediate family
- + Immigrants found by the New York State Department of Health to be Permanently Residing Under Color of Law (PRUCOL)

IN ADDITION...

- + Any person with a medical emergency has the right to call an ambulance and receive care in an emergency room, regardless of immigration status.
- + Any person, regardless of immigration status, can receive care from federally funded health centers and from NYC Health and Hospitals Corporation (HHC)-run community hospitals, diagnostic and treatment centers, long-term care facilities, and clinics.

For more information about public health insurance, you may call the HRA Medicaid Help Line at (888)-NYC-6116

HEALTH CARE

CAN A PERSON WHO SPEAKS LIMITED OR NO ENGLISH OBTAIN LANGUAGE ASSISTANCE IN HEALTH CARE?

A person who is not proficient in English has the right to meaningful language assistance in most health care settings. Federal and State law require hospitals to take reasonable steps to ensure limited English proficient (LEP) persons receive language assistance such as skilled interpretation services and translations of significant forms, instructions and information to ensure effective communication with all patients.

If a hospital fails to provide you with the adequate interpretation or translation services, you can file a civil rights complaint with:

U.S. Department of Health and Human Services, Office for Civil Rights (OCR)	(212) 264-3313
NYS Division of Human Rights	(718) 741-8400
NYC Human Rights Commission	311 or (212) 306-7450

WHAT ARE HOSPITAL COMMUNITY ADVISORY BOARDS?

Hospital Community Advisory Boards (CABs) advise New York City Health and Hospital Corporation (HHC) facilities by representing the views of the community in the health care facility's decision-making process and inform the community of the facility's goals and objectives. CAB members provide a vital perspective on the development of facility plans and programs, and they interact with community groups, local officials and facility administration. For more information on CABs, please contact the Health and Hospital Corporation Office of Intergovernmental Relations at (212) 788-3349 or visit the website at www.nyc.gov/hhc.

EDUCATION

WHO HAS THE RIGHT TO ATTEND PUBLIC SCHOOL?

Every child of any immigration status from age 5 to 21 living in New York City has the right to attend a public school until he or she graduates from high school. Every child has the right to attend kindergarten starting in the year he or she turns age 5.

Students and parents are not required to give their immigration status to a New York City public school.

CAN PARENTS RECEIVE TRANSLATIONS OF SCHOOL INFORMATION IN LANGUAGES OTHER THAN ENGLISH?

Parents have the right to receive translations of critical educational notices, letters and forms in the parent's native language. In addition, interpreters must be available at parent meetings and orientations. If a parent does not receive required translations or interpretations, the parent may contact their parent coordinator, school, the Department of Education Office of Family Engagement and Advocacy or an advocate for help. It is generally inappropriate to use children as interpreters in many education matters.

HOW DO I REGISTER MY CHILD FOR PUBLIC SCHOOL?

Parents should register their children at their "zoned" school near where they live. You may find out where a child's zoned school is by calling 311 or visiting the DOE website at: <http://schools.nyc.gov/ChoicesEnrollment/NewStudents>.

Parents who do not want their child to attend their zoned school may apply for a "variance" to transfer their child to a different school. However, parents who apply for a variance sometimes may not get the transfer. For more information on how to choose and apply for schools, visit www.insideschools.org or call (866) 427-6033.

For all high schools and some middle schools, students are not assigned to zoned schools but go through a different application process and have some school choice. For more information about middle school and high school enrollment, call 311 or visit <http://schools.nyc.gov/ChoicesEnrollment/NewStudents>.

To register, students must show the following documents:

- + Proof of home address (only certain records may be accepted as proof)
- + Child's birth certificate, passport, or baptismal certificate
- + Child's immunization records

EDUCATION

- + Child's transcript or latest report card (recommended, but not required). Parents may have foreign transcripts translated by the school the student wishes to attend, by the Department of Education, or by an outside source.
- + Child's Individualized Education Program (IEP), only if the child receives special education services

If a student does not have all required documents for registration, the school must still immediately allow the student to attend school. The school must then try to find the additional documents.

ARE THERE PUBLIC SCHOOLS DESIGNED FOR NEW IMMIGRANT STUDENTS?

Yes. For more information about such programs, you may contact the Department of Education at 311, visit www.insideschools.org or call Advocates for Children at (212) 947-9779.

CAN A CHILD GET FREE BUS SERVICE TO SCHOOL?

Students in kindergarten through 6th grade are eligible for free bus service usually depending on the student's grade level and how far they live from school. Students of all ages may also be eligible for free or reduced public transportation fare, depending on how far they live from school.

Parents may call the Office of Pupil Transportation (OPT) for more information at (718) 392-8855 or visit schools.nyc.gov/Offices/Transportation.

CAN A STUDENT GET FREE BREAKFAST OR LUNCH AT SCHOOL?

Many students in public schools are eligible for free or reduced price meals. To get this benefit, students must submit the appropriate application available at each school.

WHAT IS SUPPLEMENTAL EDUCATIONAL SERVICES (SES)?

SES services are free tutoring services in English Language Arts, Reading or Mathematics provided in some schools for certain students. SES services may be provided after school, on weekends, in schools, in program provider centers, online, or in students' homes. Parents may choose from a list of SES providers approved by the New York State Education Department.

SES must also be made available to eligible English Language Learner (ELL) students. ELL students receiving SES services are entitled to language assistance in receiving these services.

EDUCATION: CHILD CARE

HOW CAN A PARENT OBTAIN CHILD CARE?

Parents meeting certain income requirements can obtain child care for children ages 2 months to 12 years old. Child care services are administered by the NYC Administration for Children's Services (ACS) or the Human Resources Administration (HRA). Child care can be provided at group child care centers or in the homes of licensed providers. Many child care programs are available to children regardless of their immigration status. Eligible families may apply for vouchers to pay for child care through ACS or HRA. Families receiving Public Assistance or leaving Public Assistance within the last 12 months may be eligible for child care vouchers through HRA.

Call 311 or the ACS Vacancy Information number for Manhattan at (212) 853-7150 for more information about child care options.

EDUCATION: BILINGUAL EDUCATION AND ESL

WHAT SCHOOL SERVICES ARE AVAILABLE FOR CHILDREN WHO ARE LEARNING ENGLISH AS A SECOND LANGUAGE?

Students who are learning English may be required and entitled to take bilingual education, English as a Second Language (ESL) or other programs. Students who take these programs are called “English Language Learners” or ELLs. ELL programs include:

- + Bilingual Education uses the student’s native language and English to teach the student all academic subjects. It is designed to help the child keep his or her native language, learn the academic subjects and learn English.
- + English as a Second Language (ESL) is a program that teaches a child English and other subjects using only English.
- + The Dual Language/Two Way Model of teaching places native English speakers and native speakers of another language in the same class to teach all students in the class English and a non-English language.
- + The Accelerated Academic English Language Model is a program in which English language arts is emphasized with learning, and ESL methods are used for instruction.

Every public school should offer an ESL program, but not all schools will offer bilingual education. If a school has a bilingual education class in the child’s language as well as an ESL class, the parent has the right to choose between bilingual education and ESL for the child.

HOW DOES A SCHOOL DECIDE IF A STUDENT MUST TAKE BILINGUAL EDUCATION OR ESL?

Every parent or guardian who registers a child for school will fill out a Home Language Identification Survey (HLIS), which asks what languages are spoken by the child and others in the home. Depending on the answers to the survey, the child may be required to take a Language Assessment Battery (LAB) test to determine whether the child should take bilingual education or ESL. If a child scores below the 41st percentile on the LAB test, he or she will be designated as an English Language Learner (ELL) and will be required to take bilingual education or ESL.

Schools are required to hold orientations for parents of new ELLs to inform them of the different ELL programs that are available. At the orientation, parents can ask questions about ELL services (with assistance from an interpreter if necessary) and receive materials about ELL programs.

EDUCATION: SPECIAL EDUCATION

BILINGUAL EDUCATION AND ESL (cont.)

WHAT IF A PARENT DOES NOT AGREE THAT HIS OR HER CHILD SHOULD TAKE BILINGUAL EDUCATION OR ESL?

A parent may request that the child take the LAB test again for a higher score. Not all requests for re-tests are granted.

WHAT IS SPECIAL EDUCATION?

Students from age 3 to 21 who have disabilities that interfere with their learning have the right to specialized instruction called "Special Education." Such disabilities may range from minor problems, such as reading difficulties, to more severe disabilities, including mental and physical disabilities.

Special education services include a wide range of services such as counseling, resource room, paraprofessional services, physical and speech therapy, assistive technology, special curriculum, and other "related services." Special education students may be taught in a general education classroom with non-disabled students, or in a classroom with only special education students.

HOW IS A STUDENT PLACED IN SPECIAL EDUCATION?

A parent or a school may request in writing that a child be referred and evaluated for special education. No student can be referred to special education just because he or she does not speak English well. No child can be evaluated for special education without the parent's informed consent. ELL children must be given bilingual special education evaluations.

Parents have the right to receive translations of special education materials and interpreters at meetings and hearings related to their child's special education.

If a student is found to be eligible for special education services, he or she will be given an Individualized Education Program (IEP), an important document that states the services the student will receive and the student's educational goals and standards.

If a parent disagrees that his or her child should take special education or does not believe the child is receiving the right services, the parent can request an impartial hearing to challenge these matters. Parents may seek an advocate or attorney to help with an impartial hearing and meetings on special education.

EDUCATION: PARENTAL INVOLVEMENT

HOW CAN PARENTS PARTICIPATE IN THEIR CHILDREN'S EDUCATION?

Parents can become involved in their children's schools and learning in many ways. Parents can talk to their child's teachers and school administrators on a regular basis. Parents can also talk to their school's Parent Coordinator who is responsible for helping to address parent concerns and supporting parental involvement.

Parents can also join these organizations to get involved:

- ✦ Parent Association (PA) / Parent Teacher Association (PTA): a group that provides consultation to the school in all decisions of the school's operation including budget and curriculum. The PA/PTA has the right to obtain information about a school's operation and achievement levels.
- ✦ School Leadership Teams: a group that designs the school's Comprehensive Educational Plan (CEP) program.
- ✦ Title 1: a program that raises the achievement levels of low income and minority students. Parents can ask their school for information about these or other ways to be more involved.
- ✦ Community Education Councils (CECs): CECs oversee Community School Districts that include all public schools in the district. There are 32 CECs in New York City.

CEC members are representatives of the parents and community. They live or work in the community, and send their children to the local schools, and their role is to reflect the needs and wishes of the community regarding the education of its children.

CECs hold monthly public meetings, and help shape educational policy in their districts. CECs approve school zoning lines, hold hearings on the capital plan, evaluate community superintendents, and provide input on other important policy issues. CECs must hold quarterly meetings with PA/PTA officers and assist School Leadership Teams.

CECs are composed of twelve voluntary members: nine parents of students in the Community School District selected by the district's PA/PTA Officers; two Borough President appointees; and one non-voting high school senior who is an elected leader at his or her school and appointed by the Community Superintendent.

For more information on CECs, contact: Department of Education's Office for Family Engagement & Advocacy at (212) 374-2323 or visit schools.nyc.gov/Offices/CEC

EDUCATION: PARENTAL INVOLVEMENT

- + **Community Boards:** Community Boards are local representative bodies composed of up to 50 unpaid members appointed by the Borough President, with half nominated by City Council Members. Boards meet publicly once a month. Members of the public are allowed to speak during a part of each meeting. Boards address a wide range of issues affecting their community, including education. For more information about getting involved in Community Boards, see the section "Voting and Civic Participation" in this manual.
- + **The Panel for Educational Policy (PEP):** The Panel for Educational Policy is an independent board consisting of 13 voting members and 2 non-voting Student Advisory Council members. All members are appointed: one member is appointed by each Borough President, and 8 members are appointed by the Mayor. The Chancellor chairs the PEP. The PEP reviews standards, policies, objectives, and regulations that are related to educational achievement and student performance, as well as certain contracts, an estimated annual operating budget, and the DOE capital plan.
- + The PEP holds a public meeting every month, which always includes a public comment section. Every parent can attend the monthly meeting to learn about DOE policies and express his or her opinion to the Chancellor and members of the PEP.

REMEMBER that parents have the right to receive translations of critical educational notices, letters and forms in the parent's native language, and interpreters must be available at parent meetings and orientations. If a parent does not receive required translations or interpretations, the parent may contact their parent coordinator, school, the Department of Education Office of Family Engagement and Advocacy or an advocate for help.

EDUCATION: STUDENT DISCIPLINE

HOW IS A STUDENT DISCIPLINED FOR MISCONDUCT?

A school must follow the Citywide Discipline Code and consider the student's age, maturity, previous disciplinary record, the circumstances of the incident and other factors to decide the right discipline for student conduct. Parents should ask for a copy of the Discipline Code and the Bill of Student Rights to make sure any discipline of their child is appropriate and legal.

WHAT RIGHTS DO STUDENTS HAVE WHEN DISCIPLINED?

Students have the right to due process to challenge a disciplinary action if the student and parent disagree with the discipline. There are two kinds of suspensions: Principal's Suspensions and Superintendent's Suspensions. Principal's Suspensions are less severe than Superintendent's suspensions. The following are important rules that schools must follow for suspensions:

- + Students must receive properly delivered written notice stating the specific reasons for the suspension.
- + Principal's suspensions may not be longer than five days, but Superintendent's suspensions may be longer.
- + Students have the right to argue their case against the suspension and can bring an attorney or advocate.
- + Parents and students have the right to translation and interpretation for all notices, meetings and hearings.
- + During a suspension, students may not be punished academically. They must be allowed to take all scheduled citywide or state examinations for which no make-up examination is permitted, and to make up any school examinations which may affect their grades.
- + During a suspension, students must be provided with alternative instruction, including but not limited to class work and homework assignments.

For more information on suspension procedures, see Chancellor's Regulation A-443, available on the DOE website, schools.nyc.gov/RulesPolicies/ChancellorsRegulations.

To request help with student suspensions, you may call:

Advocates for Children:	(212) 947-9779
NY Legal Assistance Group:	(212) 613-5000
Legal Services for New York City:	(212) 431-7200

EDUCATION: ATTENDING COLLEGE

CAN A PERSON OF ANY IMMIGRANT STATUS ATTEND COLLEGE?

Any person may apply to college regardless of immigration status. Public colleges and universities in New York State should not ask applicants for information about immigration status. Public college and university applications do not require a Social Security number. Applicants may leave the space for a Social Security number blank on the application and it should not affect their chance of admission.

If a student is already attending college, public colleges and universities in New York are not required to report that student's immigration status to the government unless he or she is an international student with a foreign visa.

In addition, all personal student information, including immigration status, at CUNY and SUNY is protected as confidential under the Federal Education Rights and Privacy Act (FERPA). This federal law prohibits the disclosure of student information to anyone except college faculty determined to have a "legitimate educational interest in the particular student's records." In the case of a student's immigration status information, the Bursar is the only faculty considered to have a 'legitimate' interest in that information. For anyone else to gain access to these records the student must provide written authorization or a government agent must present a court issued subpoena stating the information is necessary to an ongoing criminal investigation.

CAN IMMIGRANT STUDENTS PAY IN-STATE TUITION?

In New York, undocumented students are eligible for lower in-state tuition rates for public universities and colleges if they:

Graduated from a New York State high school after attending for at least 2 years and applied to SUNY or CUNY within five years of receiving a high school diploma,

OR

Have attended a New York State approved General Equivalency Diploma (GED) program, received a GED issued in New York State, and applied for attendance at a SUNY, CUNY, state-operated, or community college within five years of receiving the diploma,

AND

File a notarized affidavit with CUNY or SUNY stating they have filed an application to legalize their immigration status or will file such an application as soon as they are eligible to do so,

AND

Prove in-state residency. Students should immediately consult with the appropriate office at CUNY or SUNY to find out how they must prove residency to obtain in-state tuition. Students should make sure their residency application is being reviewed quickly to make sure they will not have to pay more expensive out-of-state tuition.

EDUCATION: ATTENDING COLLEGE

CAN IMMIGRANT STUDENTS GET SCHOLARSHIPS OR FINANCIAL AID FOR COLLEGE?

Undocumented students are not eligible for major state or federal financial aid programs, but they can apply for private scholarships and loans. Specifically, undocumented students are not eligible for the New York State Tuition Assistance Program (TAP), New York State Aid for Part-Time Study (APTS), Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), Perkins Loans, Stafford Loans, Parent Loans for Undergraduate Students (PLUS), or Federal Work Study.

CUNY and SUNY have a few scholarships awards available to all students at CUNY or SUNY regardless of their immigration status. These scholarships and financial aid options include:

EOP, SEEK and CD

- + Educational Opportunity Program (EOP): a grant available to SUNY students who are economically and educationally disadvantaged
- + SEEK: similar to EOP, exists at CUNY four year colleges
- + CD: similar to EOP, exists at CUNY two year colleges

Students awarded one of these grants usually get money for fees and for books. Students also get tutoring and career and personal counseling services.

To apply for these programs, students must check the EOP, SEEK or CD box on the standard admissions application of CUNY or SUNY. Students must give proof of their economic eligibility to apply for these awards. They can get help with the application from the college's financial aid counselors.

PETER F. VALLONE ACADEMIC SCHOLARSHIP PROGRAM

This is a CUNY scholarship given to full-time students graduating from a NYC high school with a qualifying grade point average and course background. All CUNY applicants are automatically considered for this scholarship – students do not need to fill out an application.

HONORS COLLEGE

Honors College programs are offered at the following CUNY colleges: Baruch College, Brooklyn College, Hunter College, City College, Lehman College, Queens College and The College of Staten Island. As of 2007, the Honors College program offered full tuition and fees, an expense account of \$7500 and other aid.

EDUCATION: ATTENDING COLLEGE

Students may apply to Honors Colleges in September of their senior year of high school. An application to an Honors College will also serve as an application to the regular CUNY program. Admission is based on academic achievement, an essay, recommendations, and in some cases, an interview.

PRIVATE FINANCIAL AID RESOURCES

The following websites offer information about some private scholarships available to undocumented students:

Mexican American Legal Defense and Education Fund:

www.maldef.org/pdf/Scholarships.pdf

Students Opening Doors for Others:

www.neighborhoodlink.com/org/sodo

SCHOOL-SPECIFIC SCHOLARSHIPS

Students applying to private universities or colleges may be eligible for some private financial aid programs at those schools. To learn more about these aid opportunities, students can visit the financial aid offices of the colleges or universities they want to attend. Many school-sponsored merit scholarships often do not require the student to be a U.S. citizen.

LOANS

Many schools offer private alternatives to federal and state loans. Although most private loans require U.S. citizenship or permanent resident status, eligibility may vary depending on the type of loan and lending institution. Students that have a history with a particular bank may want to consider applying for a private student loan from that institution.

At many universities or colleges, the Dean can authorize loans on an individual basis. The loan amounts and interest rates granted are often at the discretion of the Dean and subject to individual school policy. The student may make an appointment with the Dean of the college to discuss the possibilities of this sort of loan.

DOMESTIC VIOLENCE & TRAFFICKING

WHAT IS DOMESTIC VIOLENCE?

Domestic violence happens between people in a home, including between a wife and husband or between intimate partners. Domestic violence is a crime that can include physical abuse, emotional abuse, economic abuse and sexual abuse. Many women are abused by their husbands or boyfriends. Domestic violence also affects same-sex relationships and men as victims.

WHAT IS ELDER ABUSE?

Elder abuse can happen when a family member or caretaker mistreats an elderly or disabled person. Elder abuse can include physical, sexual, psychological or economic abuse or neglect. It can also include denying an elderly person food and medical care.

WHAT IS CHILD ABUSE?

Child abuse can happen when a parent, caretaker, sibling, family member or other person physically or emotionally harms a child. Causing such harm to a child can be illegal and lead to taking the child away from his or her parents.

WHAT IS HUMAN TRAFFICKING?

Each year, thousands of women, men and children are brought to or through New York for sex trafficking or forced labor including prostitution, agriculture, domestic work, construction work and sweatshops. New York has strong laws that protect and help victims of trafficking. For information on how to get help for victims of trafficking, see the last page of the worker's rights section of this manual.

To report possible domestic violence including elder abuse, call the Safe Horizon Domestic Violence Hotline 24 hours a day, 7 days a week: (800) 621-HOPE (800-621-4673).

To report suspected child abuse in New York, call the New York State Child Abuse Hotline: (800) 342-3720

For information about City government services that may be able to help with domestic violence, call 311 or visit: www.nyc.gov/html/ocdv/html/services/services.shtml

WORKERS' RIGHTS

WHAT RIGHTS DO IMMIGRANT WORKERS HAVE?

MINIMUM WAGE

All workers, regardless of immigration status, have the right to be paid for work actually performed, and must be paid a minimum wage. As of 2007, in the State of New York, the minimum wage is \$7.25 each hour.

A worker who earns tips may be paid a lower minimum wage depending on the industry he or she works in. Restaurant delivery workers, restaurant food servers and laundry delivery workers are a few examples of tipped workers who may be paid a lower minimum wage. However, there are additional requirements about the tips that such workers receive.

OVERTIME PAY

When a worker works over 40 hours in a week, his or her employer must pay 1 1/2 times the worker's regular hourly wage for each additional hour. (For example, if a worker normally earns \$8.00 per hour, then the worker should get \$12.00 for each hour he or she works over 40 hours in a week.) Live-in domestic workers have a right to the overtime rate after 44 hours of work in one week.

- + A worker who leaves his or her job has the right to be paid all wages for all the hours he or she worked.
- + Workers have the right to be paid on time. Usually this means getting paid every week or every two weeks.

To learn more about the required minimum wage and overtime laws or to request training on these legal rights for a group or organization, you may call:

New York State Department of Labor	(212) 775-3880
Bureau of Immigrant Workers' Rights	(212) 775-3665
New York State Attorney General's Office	(212) 416-8700
Labor Division	
Legal Aid Society Employment Law Project	(888) 218-6974
MFY Legal Services	(212)417-3838

(Mondays & Tuesdays between 2-5 p.m.)

WORKERS' RIGHTS

To file a claim for unpaid wages or to learn more, you may also contact:

U.S. Department of Labor, Wage & Hour Division

26 Federal Plaza, Room 3700
New York, NY 10278
(212) 264-8185 or 1-866-487-9243

New York State Department of Labor, Division of Labor Standards

75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

PREVAILING WAGE

Workers who work on government projects (federal, state, or city) through a contractor or sub-contractor (for example, in construction, building services, security, cleaning, home health care and day care) are entitled to be paid the prevailing wage rate and benefits set by law.

For more information or to file a complaint about prevailing wage violation, call:

Office of the New York City Comptroller	(212) 669-4443
New York State Department of Labor, Bureau of Public Works	(212) 775-3568
U.S. Department of Labor, Wage and Hour Division	(212) 264-8185

WHAT ARE AN EMPLOYER'S OBLIGATIONS?

- + Employers are required by law to keep records of how many hours their employees worked, how much they paid employees, and any deductions made from employees' paychecks.
- + Employers may deduct money from an employee's paycheck for Federal and State taxes, union dues, health and pension benefits, and child support payments. Employers may not make deductions to pay for things the employee broke, for poor performance, as punishment for being late, or for the cost of buying and cleaning uniforms.
- + Employers may not make deductions for transportation costs if the traveling is for the employer's benefit.

WORKERS' RIGHTS

- + Employers must give employees a wage statement with each payment. The statement must include any deductions or allowances taken, hours worked, rates paid, gross wages (before deductions), and net wages (after deductions).
- + Employers may not ask for or accept any part of a worker's tips.

HOW CAN A WORKER PROTECT HIMSELF OR HERSELF FROM UNLAWFUL PRACTICES BY AN EMPLOYER?

Workers should keep good records of their employer's contact information, pay stubs or receipts, the number of hours worked, and how much the worker is paid. Having these records will help as evidence if there is an investigation or complaint filed.

Workers should talk to their co-workers, and encourage them to keep records and protect their rights. The more workers who know their rights, the more pressure there is on the employer to follow the law.

HOW IS A WORKER PROTECTED FROM DISCRIMINATION?

Workers have the right not to be discriminated against on the job or when looking for a job. The law prohibits employers from discriminating based on race, color, sex (includes pregnancy), age, disability, national origin (includes birthplace, ancestry, culture or language), citizenship status, religion, sexual orientation and other categories. Workers who experience discrimination have the right to file a complaint against their employer. The employer is not allowed to retaliate or take negative action against a worker for doing so.

- + Employers are required to make sure that employees have proper work papers within a few days of starting employment, and are allowed to ask only for certain immigration papers. Employers may not check an employee's or applicant's papers because of their national origin, or because the person looks or sounds "foreign."
- + Employers must reasonably accommodate the religious beliefs of employees or prospective employees (for example, sometimes allow them not to work on a holy day) unless it would cause an undue hardship on the employer.
- + Employers may not ask people applying for a job whether they have a disability, but they may ask if the person can do essential job duties. Employers are also required to give reasonable accommodation to disabled workers unless it would be an undue burden on the business.

WORKERS' RIGHTS

If a worker feels he or she has been discriminated against on the job or when looking for a job, he or she may file a complaint with one of the following offices:

U.S. Equal Employment Opportunity Commission (EEOC) -

33 Whitehall Street, New York, NY 10004
(800)-669-4000

New York State Division of Human Rights - Headquarters

One Fordham Plaza, 4th Floor, Bronx, NY 10458
(718) 741-8400

NYC Commission on Human Rights - Manhattan Office

40 Rector Street, 10th Floor, New York, NY 10006
(212) 306-7450 or (212) 306-5070

For more information about how to address discrimination against immigrants in the workplace, you may also contact the New York Immigration Coalition at (212) 627-2227.

OCCUPATIONAL SAFETY

Workers have a right to a workplace free of health and safety dangers. Workers have the right to any information that their employer has about any exposure workers may have to dangers like toxic chemicals or noise. Workers also have a right to any medical records their employer has concerning them. Workers can complain to their employer about dangerous working conditions.

Workers have a right to file complaints with the U.S. Occupational Safety and Health Administration (OSHA) and request inspections of workplaces. Workers have the right to answer questions from an OSHA inspector and point out hazards, including describing accidents or illnesses and explaining if the employer has temporarily removed any hazards just for the inspection. Workers who file complaints with OSHA may remain anonymous if they wish, and their name will not be given to their employer.

After the inspection, workers have the right to receive the results, and to meet privately with the inspector and discuss them.

WORKERS' RIGHTS

Workers who feel they have been discriminated against for complaining about occupational safety or health may file a complaint within 30 days of the adverse action by contacting:

U.S. Department of Labor OSHA Regional Office

201 Varick Street, Room 670, New York, NY 10014
(212) 337-2378 **or** (800) 321-6742 (emergency hotline)

OSHA Manhattan Office

201 Varick Street, Room 908, New York, NY 10014
(212) 620-3200

Additional information about occupational safety or health is available at the New York Committee for Occupational Safety and Health (NYCOSH) at (212) 227-6440 and www.nycosh.org.

WORKERS' COMPENSATION

Workers who get sick or hurt because of their job have the right to be compensated. In New York, documented and undocumented immigrant workers may be eligible. Most full-time and part-time employees are eligible, even if they were paid in cash, paid "off the books," or treated as an independent contractor.

Workers' Compensation benefits may include: (1) compensation for medical care and treatment of work-related injuries and illnesses; (2) cash benefits if the injury or illness prevents a worker from working; and (3) death benefits for the surviving spouse or dependent children of a worker who was killed on the job.

Workers should notify their employer of job-related injuries immediately in person or in writing. Important forms in a workers' compensation claim are the C-3 and C-4. The C-3 is the application form. The C-4 must be filled out by the worker's doctor.

The above forms in a worker's compensation claim may be submitted to the Workers' Compensation Board at:

Brooklyn: 111 Livingston St., 22nd Fl, Brooklyn, NY 11201

Bronx/Manhattan: 215 W. 125th St., New York, NY 10027

Queens: 168-46 91st Ave., Jamaica, NY 11432

Staten Island: 60 Bay St., Staten Island, NY 10301

For more information about Workers' Compensation, contact the Workers' Compensation Board at (800) 877-1373

WORKERS' RIGHTS

Workers have a right not to be discriminated against, such as being harassed or fired, for exercising their health and safety rights.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The FMLA applies to employers that have at least 50 employees within 75 miles. A worker who has worked for such an employer for at least 1 year and has worked at least 1,250 hours for the past year for the same employer may be eligible for unpaid leave up to 12 weeks of leave each year (leave may be intermittent) for the birth of a child or adoption or to care for a child or family member with a serious health condition or the employee's own serious health condition. A serious health condition can be any illness, injury, impairment or physical or mental condition that requires someone to be admitted in the hospital or to receive continuing treatment by a health care provider.

Employees should give at least 30 days advance notice and must provide a medical certification if the employer requests it.

It is unlawful for an employer to take any negative action against an employee for taking or requesting a leave or to interfere in any way with an employee's rights under the FMLA.

**To file a complaint about FMLA violations, contact:
U.S. Department of Labor, Wage & Hour Division**

26 Federal Plaza, Room 3700
New York, NY 10278
(212) 264-8185 or (866) 487-9243

UNEMPLOYMENT INSURANCE

This is temporary income for eligible workers who lose their jobs through no fault of their own and who are ready, willing and able to work.

A person should file for unemployment insurance as soon as possible after becoming unemployed to avoid losing benefits. Persons filing for unemployment insurance should make sure to have all the documents that are required for the application so that their application is not delayed. You will need the following information:

- + Your Social Security number
- + Your mailing address and zip code

WORKERS' RIGHTS

- + A phone number where you can be reached during business hours
- + Complete name, address, zip code and phone number of all employers you've worked for in the past 18 months
- + Your total gross earnings for all employers of the last 18 months (pay stubs, W-2, etc.)
- + Your alien-registration card (if you have one)
- + If you worked for the federal government, copies of forms SF8 and SF50. For recent members of a military service, a copy of your most recent separation form DD214
- + Your New York State driver license or Motor Vehicle ID card number (if you have one)

To file a claim for unemployment insurance, contact (888) 209-8124. Assistance in different languages is available at this phone number. You may also apply online at ui.labor.state.ny.us/UBC/home.do

WHERE CAN WORKERS GO FOR HELP TO FIND A JOB OR GET JOB TRAINING?

NYC Workforce1 Career Centers help people find a job and prepare for a job. The centers provide information about new jobs and refer people to educational and occupational skills training classes.

The Centers are run by the New York City Department of Small Business Services, the New York State Department of Labor and the City University of New York. You may contact the Centers by calling 311 or visiting one of the following locations:

NYC Workforce1 Career Centers

Bronx:	358 E. 149th St., 2nd Fl., Bronx, NY 10455
Brooklyn:	9 Bond St., 5th Fl., Brooklyn, NY 11201
Upper Manhattan:	215 W. 125th St., 6th Fl., New York, NY 10027
Queens:	168-46 91st Ave., 2nd Fl., Jamaica, NY 11432
Staten Island:	60 Bay St., Staten Island, NY 10301

WORKERS' RIGHTS

WHAT IS A DAY LABOR WORKER CENTER?

Day labor worker centers are spaces developed to support and protect day laborers who otherwise would look for jobs while waiting on the street.

Instead of standing in a parking lot waiting for work, a day laborer can go to a worker center, where jobs are referred out in a more organized way, and employers are subject to rules that keep them from taking advantage of workers. This helps to prevent labor and civil rights abuses and to improve working conditions and avoid unpaid wages.

These centers generally monitor and enforce the minimum wage, overtime, health and safety, and other employment laws. Some also provide ESL classes and job training.

WHAT IS HUMAN TRAFFICKING?

Each year, thousands of women, men and children are brought to or through New York for sex trafficking or forced labor including prostitution, agriculture, domestic work, construction work and sweatshops. New York has strong laws that protect and help victims of trafficking.

Report trafficking crimes or get help by calling the Trafficking Person and Worker Exploitation Task Force Complaint Line at (888) 428-7581 Mon-Fri 9am-5pm.

Girls and Educational Mentoring Services ("GEMS")
(212) 926-8089

New York County (Manhattan) District Attorney's Office, Sex Crimes Unit (212) 335-9373

TAX RETURNS

WHY SHOULD A PERSON FILE A TAX RETURN?

- + People living in the U.S. are generally required to file income tax returns, which are due every year on April 15.
- + Tax filing is important for showing eligibility for many immigration benefits.
- + Low- and moderate-income families who file tax returns may be able to receive tax credits or a refund of taxes.

WHO IS REQUIRED TO FILE INCOME TAX RETURNS?

Almost all workers are required to file tax returns. People who earn below a certain income are not required to file tax returns. However, even if someone is not required to file a tax return, he or she is still allowed to file a return. Reasons for filing a tax return even if it is not required include establishing a history of filing returns for obtaining immigration or other benefits and the possibility of receiving tax credits or benefits.

WHAT IS AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER (ITIN)?

An ITIN is a number issued by the Internal Revenue Service (IRS) to allow a person to file a tax return and pay taxes. It can be used by people who do not qualify for a Social Security Number (SSN). Because the ITIN is available to different kinds of people without Social Security numbers, including people with lawful immigration status, it does not reveal what kind of immigration status a person has.

The ITIN does not provide work authorization, eligibility for Social Security benefits, or eligibility for the Earned Income Tax Credit. It also should never be used for employment.

To apply for an ITIN:

Download an application form at

www.irs.gov/pub/irs-pdf/fw7.pdf **in English**

and www.irs.gov/pub/irs-pdf/fw7sp.pdf **in Spanish**

Call (800) TAX FORM (829-3676)

A person can mail the applications to:

Internal Revenue Services Austin Service Center

ITIN Operation

P.O. Box 149342

Austin, TX 78714-9342

or apply in person with an Acceptance Agent or at a Taxpayer Assistance Center.

TAX RETURNS

WHAT IS THE EARNED INCOME TAX CREDIT (EITC)?

Working families that earn below a certain income level may be able to receive the Earned Income Tax Credit (EITC), which is a payment of money to the family. The EITC returns federal, state, and city tax dollars to qualifying families and individuals to help cover basic expenses. Working families earning less than \$35,000 per year could be eligible for as much as \$6,000.

The amount of the refund depends on the family's income and individuals' marital and parental status.

To claim the EITC, eligible taxpayers must have earned income and must file a tax return.

To learn more about EITC and how you can claim it, call 311 or visit www.nyc.gov/eitc.

HOUSING

WHAT CAN I DO IF I HAVE PROBLEMS WITH THE CONDITIONS OF MY APARTMENT?

You have the right to demand that your landlord make certain repairs to your apartment and make sure you have heat and hot water. Your landlord is required by law to keep apartments in a safe and habitable condition and provide heat and hot water.

To file a complaint about not enough heat or hot water or about repairs to your apartment that have not been made, contact the NYC Department of Housing Preservation and Development by calling 311.

WHAT IF MY LANDLORD THREATENS TO REPORT MY IMMIGRATION STATUS?

It is illegal for a landlord to harass tenants and threaten to treat someone differently because of immigration status.

To complain about landlord harassment, contact the New York State Division of Housing and Community Renewal at (718) 739-6400 if you live in a regulated apartment.

If you live in a non-regulated apartment, contact the New York City Human Rights Commission at (212) 306-7500.

WHO CAN I CALL IF I AM HOMELESS?

Any person, regardless of immigration status, is eligible for emergency shelter.

To obtain assistance if you are homeless, contact the NYC Department of Homeless Services at (800) 994-6494

For more information on housing please refer to the Public Benefits section (page 9)

CITIZENSHIP

WHO IS ELIGIBLE TO APPLY FOR U.S. CITIZENSHIP?

A person is eligible to apply for U.S. citizenship if he or she:

- + Is a legal permanent resident and at least 18 years old
- + Has lived in the U.S. as a legal permanent resident for at least 5 years, or has been married to and living with a U.S. citizen for 3 years
- + Can show “good moral character”
- + Is able to read, speak, and write ordinary English and has an understanding of U.S. government and history

Certain older or disabled people may be exempt from the English and U.S. government and history requirements. A person may be exempt from the English requirement if he or she is:

- + age 50 or older and has been living in the U.S. for 20 years
- + OR 55 or older and has been living in the U.S. for 15 years

In these cases, the person must still show knowledge of US history and government, but may do so in his or her native language. Exams administered in a person’s native language are conducted orally. Reading and writing abilities are not tested.

People with certain disabilities may be exempt from all of the English language and U.S. history and government requirements.

Before applying for citizenship, it is important to speak with a competent attorney or consultant to make sure you are eligible and ready to apply for citizenship. You must be very careful in selecting a competent attorney or consultant to help with citizenship and immigration questions.

Getting bad or wrong immigration advice is dangerous and can result in lost time and money and, in some cases, deportation.

CITIZENSHIP

To find legal assistance with citizenship and immigration questions, contact the following organizations:

New York Immigration Hotline:

(212) 419-3737 or (800) 566-7636

Bar Association Referral Panel:

(To find a private attorney)

(212) 626-7373

**Northern Manhattan Coalition for Immigrants Rights (NMCIR)
(for free assistance with citizenship applications)**

(212) 718-0355 x 305

CUNY Citizenship Now! Centers:

**Immigration Center at City College
North Academic Center, Room 1-206**

138th Street and Convent Avenue

New York, NY 10031

(212) 650-6620

Immigration Center at Hostos Community College

427 Walton Avenue, T-501

Bronx, NY 10451

(718) 518-4395

**Immigration Center at New York City College of Technology
Department of Law and Paralegal Studies (By appointment only)**

300 Jay Street, Room N-622

Brooklyn, NY 11201

(718) 260-5597

Flushing Immigration Center

39-07 Prince Street, Suite 2B

Flushing, NY 11354

(718) 640-9223

CUNY Immigration Center at York College

94-20 Guy R. Brewer Blvd., Welcome Center Atrium

Jamaica, NY 11451

(718) 262-2983

CITIZENSHIP

HOW DOES A PERSON APPLY FOR U.S. CITIZENSHIP?

- + **Application** – If a person determines he or she is eligible to apply for citizenship and there are no harms in applying, he or she must submit an application (N-400 form) and application fees to the U.S. Citizenship and Immigration Services (USCIS). The total application fee for most people as of 2008 is \$675. USCIS will make an appointment to take the applicant's fingerprints. USCIS will also investigate an applicant's background for security risks.
- + **Interview** – After the application is submitted, USCIS will schedule an interview with the applicant. During the interview, the applicant must show English proficiency and knowledge of U.S. history and government by answering some questions and performing certain exercises.
- + **Oath and swearing-in** – If an application is approved, the applicant must take an Oath of Allegiance, giving up foreign allegiances and titles and swearing to support and defend the Constitution and laws of the U.S.

USCIS may waive the oath requirement for applicants who have a severe disability preventing him or her from understanding, or communicating an understanding of, the meaning of the oath.

**To obtain information from USCIS, contact:
USCIS Website/Internet Services
(Naturalization interview question, news, and USCIS forms)**
www.USCIS.gov

USCIS National Customer Service
(800) 375-5283
Information about immigration benefits and services, application status, fingerprinting, local USCIS locations and doctors approved by the USCIS to perform medical examination

(800) 870-3676
To obtain any USCIS forms by mail

**To register for selective services, contact:
Selective Service (Selective service is a requirement for Naturalization)**
(888) 655-1825 or www.sss.gov

CITIZENSHIP

WHAT ARE THE RIGHTS AND RESPONSIBILITIES OF A NEW U.S. CITIZEN?

- + **Vote in elections:** citizens have the right to vote for elected officials who shape the laws and policy of the U.S. government.
- + **Travel without restrictions:** citizens may leave the U.S. and live in another country for as long as they wish. Legal permanent residents who live outside the U.S. for long periods of time may risk losing their lawful status.
- + **Petition for more family members:** citizens can petition for more family members to live in the U.S. than can legal permanent residents. Citizens can also bring spouses, minor unmarried children, and parents to the U.S. without long waits.
- + **Avoid deportation:** citizens cannot be prevented from entering the U.S. and they cannot be deported from the U.S. Citizens may lose citizenship only under very limited circumstances.
- + **Serve on a jury:** citizens have the responsibility to serve as jurors in court when called.
- + **Hold public office:** U.S. citizenship is generally required to hold elected city, state, or federal office, and to hold certain federal and state government jobs.

WHEN IS IT DANGEROUS TO APPLY FOR U.S. CITIZENSHIP?

Immigrants with criminal backgrounds such as convictions should consult with a competent attorney before applying for U.S. citizenship. People with certain kinds of criminal background are deportable and might come to the attention of USCIS when they apply for citizenship.

WHAT IF I HAVE A CONVICTION ON MY RECORD?

A person who applies for citizenship may risk being deported if he or she has a conviction for one of the following crimes:

- + **Crimes involving moral turpitude (CIMT).** This category of offenses is often hard to define. Examples include, but are not limited to, crimes that require an intent to steal or defraud (i.e., such as theft, larceny or robbery), certain assault offenses, and most sex offenses.

CITIZENSHIP

- + Firearm or destructive device offenses.
- + Drug offenses, except one offense for marijuana possession of 30 grams or less.
- + Domestic crimes and crimes against children, including domestic violence, stalking, child abuse, neglect, or abandonment and certain violations of orders of protection (in civil or criminal court) for those convictions or violations of orders of protection on or after October 1, 1996.
- + Aggravated felonies such as drug trafficking (which may include multiple drug possession offenses), certain violent crimes and theft or burglary offenses that have a sentence of 1 year imprisonment imposed or suspended, certain document fraud offenses, certain crimes of fraud, deceit or tax evasion in which loss to the victim exceeds \$10,000, certain prostitution business offenses, certain "alien smuggling" offenses and murder, rape, or sexual abuse of a minor.
- + Certain other offenses, such as national security and immigration-related offenses.

For more information about immigration consequences of criminal backgrounds, contact:

New York State Defenders Association (NYSDA) Immigrant Defense Project: (212) 725-6422 **or visit their website at:** www.immigrantdefenseproject.org

(The Immigrant Defense Project also provides trainings on criminal/immigration issues and other immigration enforcement-related matters. You may contact them to request training for an organization or group.)

CUNY Citizenship Now!:
(646) 344-7245

LAWFUL PERMANENT RESIDENCE

HOW CAN A PERSON OBTAIN LAWFUL PERMANENT RESIDENCE?

These are a few common ways of obtaining lawful permanent residence also known as a “green card”:

- ✦ A person may be sponsored by certain immediate family members who are U.S. citizens or lawful permanent residents.
- ✦ A person may be petitioned for an employment-based visa by an employer.
- ✦ A person may apply for a visa through the Diversity Visa Lottery through the U.S. State Department offered for nationals from specific countries.

Immigrants can also obtain legal status based on some humanitarian reasons such as being a victim of a crime or domestic violence in the U.S. or being from a country that is dangerous or politically persecuting.

Certain individuals who are victims of crime, have suffered abuse from such crimes and are willing to assist government officials in investigating the crime may be eligible for a U visa. Certain individuals who face persecution in their native country may be eligible for asylum.

A person who is undocumented and living in the U.S. is very unlikely to be able to obtain lawful status. Undocumented immigrants should be very careful with people who promise that they can make them legal residents and charge money for immigration applications.

For more information about lawful permanent residence, call the New York Immigration Hotline at (212) 419-3737 or (800) 566-7636

If you have already applied for lawful permanent residence and are experiencing a delay with your application, you may call the offices of your U.S. Representative, U.S. Senator or the New York City Mayor’s Office of Immigrant Affairs for help in checking the status of your application. You may find contact information for these offices by calling 311.

VOTING AND CIVIC PARTICIPATION

WHO CAN REGISTER TO VOTE?

You must be registered to vote before you can vote in an election. To register to vote, you must:

- + Be a U.S. citizen
- + Be at least 18 years old before the election
- + Be a New York City resident for at least 30 days
- + Not be in jail or on parole for a felony conviction
- + Not be adjudged mentally incompetent by a court
- + Not claim the right to vote outside of New York City

If you are a registered voter and your address changes, New York State law requires you to notify the Board of Elections within 25 days of the address change.

HOW DO YOU REGISTER TO VOTE?

You must complete and submit a voter register form to register to vote. This form is available in English, Spanish, Chinese and Korean. You can submit a completed registration form in person or by mail.

To obtain a registration form, you may download a form from www.vote.nyc.ny.us/register.html, call (866) 868-3692 or visit a NYC Board of Elections Office:

Main Office

32 Broadway, 7th Floor
New York, NY 10004
(212) 487-5300

Manhattan

200 Varick Street, 10th Floor
New York, NY 10014
(212) 886-2100

For offices in other boroughs, please see the appendix.

You must hand-deliver or postmark your voter registration form at least 25 days before the election.

If you cannot read, you can still register by having someone help you complete the form. If you cannot sign your name, mark an "X" in the signature box and have a witness sign the affidavit box.

VOTING AND CIVIC PARTICIPATION

After completing the voter registration form, you may:

Mail or hand-deliver it to the Board of Elections main office at

32 Broadway, 7th Floor, New York, NY 10004

OR

Hand-deliver it to the Board of Elections office in the borough in which you live.

WHERE DO YOU VOTE?

After you are registered to vote, the Board of Elections will send you a notice telling you should vote. You may also call (212) VOTE-NYC (212-868-3692) to ask where you should vote. Polls are open from 6:00 AM to 9:00 PM on Election Day.

HOW DO YOU VOTE BY ABSENTEE BALLOT?

If you cannot go to your poll site on Election Day because of your occupation, business, studies, travel, imprisonment (other than a convicted felon), illness, disability and hospitalization or residence in a long term care facility, you may vote by absentee ballot.

To vote by absentee ballot, you may:

- + Vote in person: go to your Board of Election Borough Office beginning 32 days before an election and ending on Election Day. You can vote between 9:00AM to 5:00PM and on Election Day until 9:00PM Monday through Friday and on the weekend prior to Election Day.
- + Vote by mail: request and submit an absentee ballot application. This application is available in English, Spanish, Chinese and Korean. After you submit this application, you will receive an absentee ballot that you can use to vote.

To request an absentee ballot application:

Call (212) VOTE-NYC ((212) 868-3692) to request an application be mailed to you

Download the application from: www.vote.nyc.ny.us/absentee.html or

Visit the Board of Elections office in your borough

- + You must use only a blue or black ink pen to complete the absentee ballot application.
- + You cannot fax the application. You must only mail or hand-deliver it.

VOTING AND CIVIC PARTICIPATION

After you complete the absentee ballot, you must either hand-deliver it to the Board of Elections by the close of polls on Election Day or mail it to the Board of Elections postmarked no later than the day before Election Day and it must be received by the Board of Elections no more than 7 days after the election.

If you are permanently ill or disabled and cannot go to the polls to vote, you can request an absentee ballot be sent to you automatically for each election.

HOW DO YOU VOTE BY EMERGENCY ABSENTEE BALLOT?

If the deadline is past for requesting an absentee ballot by mail and you cannot go to the polls on Election Day because of an accident or sudden illness, then you may send a representative with an authorized letter to receive an Absentee Ballot Application and Absentee Ballot and return both to your Board of Elections Borough Office by 9:00 PM on Election Day.

WHAT ARE MY RIGHTS AS A VOTER?

- + All registered voters have the right to request and receive translation or interpretation in Spanish, Chinese, or Korean at certain voting sites in the Bronx, Brooklyn and Queens. Some of the materials that may be available in Spanish, Chinese or Korean are ballots, voter registration forms, voting instructions, and other voting materials. In addition, some voting sites may have poll workers who speak Russian, Haitian Creole, Bengali or Urdu and can help translate or interpret information.
- + Voters with disabilities have the right to certain accommodations to help them vote.
- + You may ask for instructions on how to use the voting machine.
- + If the voting machine is broken, you may cast a paper (affidavit) ballot as long as you are already registered to vote from a New York City address.
- + You may take anyone except your employer or union representative with you into the booth to help you vote.
- + You may take up to 3 minutes in the voting booth to vote.
- + If you are registered but your name does not appear on the voter registration list or your signature is missing, then you may use a paper (affidavit) ballot to vote.

VOTING AND CIVIC PARTICIPATION

To obtain information about your poll site or if you have any problems voting on Election Day such as being denied to vote on paper ballot or being prevented from voting in some way, you can call NYPIRG at (212) 349-6460.

DO I NEED TO SHOW IDENTIFICATION WHEN I VOTE?

Certain new voters may be required to show identification when they arrive at the polls. Identification will be required of first-time voters in a federal election in New York who registered by mail on or after January 1, 2003, but who did not provide ID with their registration applications. The following forms of identification are acceptable for these voters to show at the poll:

- + A driver's license or Department of Motor Vehicles non-driver photo ID card or other current and valid photo identification
- + A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

If a voter does not have the required identification, they can still vote using paper (affidavit) ballot at their polling site.

WHAT DO I NEED TO KNOW ABOUT ELECTIONS?

There are generally two different kinds of elections: primary elections and general elections. Primary elections happen before general elections.

A general election is an election that usually takes place in November to make the final decision of who will hold the elected office such as President, Governor, Congressman, Mayor, Councilmember and other offices. Any registered voter can vote in the general election. Candidates from different political parties usually run against each other in general elections.

A primary election is an election where the voters who registered in a particular party choose that party's candidates for the general election. This election usually takes place in September. Only voters who are registered in the political party can vote in the primary election of that party.

VOTING AND CIVIC PARTICIPATION

HOW CAN I GET INVOLVED IN MY COMMUNITY OR IN GOVERNMENT?

- + Join a community group, like a block association, civic association or not-for-profit organization.
- + Participate or seek appointment to your local community board, or testify before the board to voice your concerns about planning issues. For more information, see below.
- + Get elected to your local police precinct council to tell your concerns to the police in your neighborhood.
- + Participate or seek appointment to your Neighborhood Advisory Board for the Department of Youth and Community Development to tell City officials which needs and programs are most important to your community.
- + Volunteer for a political campaign, attend a demonstration, or write or call elected representatives.
- + Keep yourself informed: talk with your friends and neighbors, read the newspaper, and learn about the issues most important to your community, city, state, and nation.
- + Pay attention to what your representatives are doing after they are elected; make sure they do what they promised in the campaign. Share your opinions with your representatives and ask them for help.

WHAT ARE COMMUNITY BOARDS AND HOW CAN I GET INVOLVED?

Community Boards are local representative bodies consisting of up to 50 unpaid members appointed by the Borough President, with half nominated by City Council Members who represent the community district. There are 59 Community Boards in the City. Board members must reside, work, or have some other significant interest in the community district they represent.

Boards meet once each month. Board meetings are open to the public, and a portion of each meeting is reserved for the Board to hear from members of the public. In addition, Boards regularly conduct public hearings - on the City's budget, on land use matters, and other major issues - to give the people of the community the opportunity to express their opinions.

VOTING AND CIVIC PARTICIPATION

Community Boards must be consulted on placement of most municipal facilities in the community and on other land use issues. They may also initiate their own plans for the growth and well being of their communities. Also, any application for a change in or variance from the zoning resolution must come before the Board for review, and the Board's position is considered in the final determination of these applications.

Community Boards assess the needs of their own neighborhoods, meet with City agencies, and make recommendations in the City's budget process to address them. Boards address issues from traffic problems to deteriorating housing.

For more information about how to get involved or be appointed to a Community Board in Manhattan, please contact the Manhattan Borough President's Office at (212) 669-8300 or visit www.mbpo.org. For information about Community Boards in other boroughs, you may contact the Mayor's Community Assistance Unit by calling 311 or contact the Borough President's Office for that borough.

CONSUMER AND FINANCIAL RIGHTS

DOES A PERSON NEED A SOCIAL SECURITY NUMBER TO OPEN A BANK ACCOUNT?

Not always--it depends on the bank. Some banks will accept different types of identification such as an ITIN, the number from a U.S. or foreign government-issued identification with a photo or other safeguard (such as a passport or consular identification). Some banks have stricter standards and require a Social Security number, but others are flexible and allow a variety of documents. Banks also ask for the customer's name, date of birth and address.

A consular identification card is a useful tool for immigrants in the banking system, because it includes a photograph, local address, birthplace, and a unique identification number, but does not disclose immigration status. Some banks in New York accept consular identification cards.

CAN UNDOCUMENTED IMMIGRANTS TAKE OUT LOANS AND USE CREDIT?

Yes. Many banks, credit unions, and other lenders accept an Individual Tax Identification Number (ITIN) to issue credit cards and make personal, business and mortgage loans. The banks, credit unions and lenders then report the loan, and the borrower's repayment information, to credit reporting agencies.

Building a positive credit history is important for several reasons. It helps a person qualify for loans with lower interest rates and fees. Also, credit histories are considered by employers, landlords, insurance companies, and others when they make decisions about giving a person a job, an apartment or other financial benefit.

It is important not to build bad credit history. A person who takes out loans or uses credit cards must be sure to pay off his or her loans and to check his or her credit reports. It is also important to check for errors that may appear on credit reports to make sure a credit report is accurate.

WHAT ARE FINANCIAL EMPOWERMENT CENTERS?

In 2008, New York City government opened its first Financial Empowerment Center to help mainly low-income residents gain financial stability. In 2008, the first Financial Empowerment Center was opened in Melrose in the Bronx. This center is open to Bronx residents and provides the following services:

- + Money management and budgeting
- + Financial planning

CONSUMER AND FINANCIAL RIGHTS

- + Credit and debt counseling
- + Support for dealing with creditors
- + Affordable banking services
- + Government benefit screenings
- + Referrals to other services and organizations

The New York City government plans to create more centers and resources for financial empowerment in the future.

For more information about financial empowerment assistance, contact the Department of Consumer Affairs Office of Financial Empowerment at 311 or www.nyc.gov/html/ofe/html/home/home.shtml

IMMIGRATION CONSULTANT FRAUD

IMMIGRATION CONSULTANT FRAUD

Many immigrants are defrauded and put in danger by immigration consultants who are not competent or are dishonest. Any person who seeks immigration services should carefully select a competent immigration consultant or attorney for help. Some immigration consultants will falsely guarantee a certain outcome for clients, make deceptive advertisements or charge excessive fees for their services. Immigrants should beware of these practices and research the consultants they use. City law protects immigrants from fraud by requiring any person or business that offers immigration assistance services in New York City to do the following:

- + Provide a written contract that lists all services, fees and costs to be charged to the consumer. The contract must be written in English and in the language understood by the consumer.
- + Allow the consumer to cancel the contract within three days and receive a full refund.
- + State in advertising and signs that the provider is not an attorney or accredited by the Board of Immigration Appeals and that the provider cannot provide legal advice. Signs must be conspicuously posted in all languages in which services are provided.
- + Keep copies of all records and documents prepared or obtained for the consumer for three years.
- + Maintain a \$50,000 surety bond.

In addition, immigration service providers cannot:

- + Charge fees for providing or filing government forms
- + Charge fees for services that are not performed
- + Fail to give the consumer copies of documents that were filed for the consumer or fail to return original documents to the consumer
- + Use the title of lawyer or attorney in English or any other language or represent any other credentials that could cause a consumer to believe that the person has special professional skills or is authorized to provide advice on an immigration matter
- + Advertise legal services or give legal advice

IMMIGRATION CONSULTANT FRAUD

- + Imply that they have special influence with government officials or agencies or make guarantees or promises unless there is a basis in fact for the promise and the promise or guarantee is in writing
- + Disclose any information to, or file any forms or documents with, immigration or other authorities without the knowledge or consent of the consumer

The legal requirements above do not apply to lawyers, not-for-profit organizations or government entities.

To file a complaint about immigration consultant fraud, contact:

NYC Department of Consumer Affairs (DCA): 311
New York State Attorney General: (800) 771-7755
Manhattan District Attorney's
Immigrant Affairs Program: (212) 335-3600
New York Immigration Hotline: (212) 419-3737
or (800) 566-7636

MANHATTAN DISTRICT ATTORNEY'S OFFICE IMMIGRANT AFFAIRS PROGRAM

The Immigrant Affairs Program is a unit of the Manhattan District Attorney's Office that focuses on prosecuting crimes against immigrants. Immigrants seeking residency, citizenship, housing and employment are often preyed upon by criminals who steal from them with different kinds of fraud. The Immigrant Affairs Program aids and encourages documented and undocumented immigrant victims and witnesses, who may fear cooperating with law enforcement because of their immigration status. Regardless of immigration status, a victim or witness of an immigration fraud scam or other crime can report that offense to the Immigrants Affairs Program.

To report or provide information about a fraud or other crime to the Immigrant Affairs Program, call:

(212) 335-3600 (interpreters are available in many languages).

Or write to:

**Immigrant Affairs Program
One Hogan Place, Room 753A
New York, NY 10013**

IMMIGRATION CONSULTANT FRAUD

EXAMPLES OF FRAUD SCHEMES OR SCAMS

- + Individuals or immigration service providers who represent themselves as attorneys and who provide legal advice when they are not licensed attorneys.
- + Individuals who pretend to be agents for federal immigration authorities and offer special treatment or services.
- + Individuals or business that promise immigrants employment or work visas they cannot provide.
- + Construction companies that hire immigrants to work on government funded projects but do not pay them the salary required by law.
- + Individuals who provide false investment opportunities or engage in pyramid schemes.
- + Individuals who produce and sell fraudulent Social Security cards, licenses, passports and other documents.
- + Individuals or business that offer housing and other services but just take your money and disappear.

WHAT TO BE CAREFUL WITH

- + Immigration service providers who tell you they can get you a special deal with the immigration authorities.
- + “Notario” fraud. In this country, a “notario” is not necessarily an attorney.
- + Service providers who will not provide or return original documents or copies of forms submitted to the immigration authorities or other government agencies.
- + Service providers who threaten to report you to the immigration authorities.
- + Service providers with cash-only payment policies. Make sure to get a written receipt for any funds paid.

IMMIGRATION CONSULTANT FRAUD

To confirm if an organization or representative is recognized by the Board of Immigration Appeals (BIA) and can represent clients in federal immigration courts only, go to:

www.usdoj.gov/eoir and click on "EOIR Legal orientation and Pro Bono Program" and then click on the link for "Recognition & Accreditation."

To confirm whether an individual is a licensed attorney in New York State, contact:

**The New York State Unified Court System,
Attorney Registration Unit at**

(212) 428-2800 or at www.nycourts.gov

**For referrals to legal and social services providers contact:
New York Immigration Hotline at (800) 566-7636.**

SMALL BUSINESSES

WHERE CAN SMALL BUSINESS OWNERS FIND ASSISTANCE?

NYC Department of Small Business Services (SBS)

The New York City Department of Small Business Services (SBS) is a City government agency that offers direct assistance to business owners and entrepreneurs looking to start their own business. SBS also encourages neighborhood development in commercial districts and promotes opportunity among minority- and women-owned businesses.

NYC Business Solution Centers bring the services of SBS to every borough in order to help businesses start, operate and expand in New York City. Regardless of the size or stage of your business, they can help you access result-oriented services that meet your needs as you continue to grow and expand.

- + Business Courses & Business Planning that teach skills to reach your business goals
- + Legal Review of Contracts and Leases with our network of lawyers offering pro-bono services
- + Navigating Government that helps you understand regulations and meet requirements for your business
- + Financing Assistance that identifies lenders, helps you package your loan application and increase your chances of receiving a loan
- + Hiring Assistance that provides access to a ready pool of pre-screened job candidates
- + Minority/Women-owned Business Enterprise Certification that provides access to government contracts
- + Training Funds that improves entry-level employee skills and increases the quality of business operations
- + Incentives that save you money as your business relocates, expands or makes capital improvements

SMALL BUSINESSES

To contact or learn more about the NYC Business Solutions Program, you may call 311, visit their website at www.nyc.gov/html/sbs/nycbiz/html/home/home.shtml or visit one of these offices:

Manhattan (Lower)

Operated by Seedco

79 John Street, New York, NY 10038

(212) 618-8914

Hours: Monday-Friday, 9:00AM-5:00PM

Manhattan (Upper)

Operated by Seedco

215 West 125th Street , 6th Floor, New York, NY 10027

(917) 493-7243

Hours: Monday-Friday, 9:00AM-5:00PM

For offices outside of Manhattan, please see the Appendix.

BUSINESS OUTREACH CENTERS (BOCs)

Business owners can also obtain assistance from programs called Business Outreach Centers (BOCs). Located throughout New York City, BOCs have business counselors to give you advice on subjects including, but not limited to:

- + Business start-up/expansion
- + Access to financing
- + Business plan development
- + Management and legal assistance
- + Licensing and permit information
- + Product pricing

SMALL BUSINESSES

Contact the BOC main office and Manhattan offices at:

Business Outreach Center Network, Inc.

Central Office

85 South Oxford Street, 2nd Fl.
Brooklyn, NY 11217
(718) 624-9115
info@bocnet.org

Chinatown/Lower East Side Business Outreach Center

Chinatown Manpower Project

70 Mulberry Street, 3rd Fl.
New York, NY 10013
(212) 571-1692
chinatown@bocnet.org

Upper Manhattan Business Outreach Center

Washington Heights and Inwood Development Corporation

57 Wadsworth Avenue (corner of 176th Street)
New York, NY 10033-7048
(212) 795-1600
uppermanhattan@bocnet.org

BOCs also sponsor the New "Business American-Style" Refugee Microenterprise Project which:

- + Helps eligible refugees and asylees develop small businesses throughout New York City.
- + Offers short- and long-term entrepreneurial training, one-on-one business counseling, and access to loans of up to \$15,000.
- + Offers services in several languages.
- + Is designed for those with special immigration status, including refugees and asylees, Cuban and Haitian entrants, certain Amerasians from Vietnam, and lawful permanent residents who used to hold one of these statuses.

SMALL BUSINESSES

Contact the New “Business American-Style” Refugee Microenterprise Project at:

BOC Network, Inc.:	(718) 624-9115
Staten Island BOC:	(718) 816-4775
South Brooklyn BOC:	(718) 253-5262
Met Council on Jewish Poverty:	(212) 453-5262
National Albanian American Council (DC):	(202) 466-6900

LAGUARDIA SMALL BUSINESS DEVELOPMENT CENTER

The LaGuardia Small Business Development Center is an organization that can also help small businesses with their business plans, financing, complying with licensing and regulations, and exporting goods and services.

Contact LaGuardia Small Business Development Center at:

30-20 Thomson Avenue, Suite B309
Long Island City, NY 11101
(718) 482-5303
www.nyssbdc.org/Selector/selector.html
(appointments may take place online or in person.)

U.S. SMALL BUSINESS ADMINISTRATION (SBA)

The U.S. Small Business Administration (SBA) is the federal government agency that provides assistance to small businesses. It offers the following assistance:

- + Technical assistance (training and counseling)
- + Financial assistance
- + Contracting assistance
- + Disaster assistance recovery
- + Special interests
- + Advocacy, laws and regulation
- + Internal administrative and support

Contact SBA’s New York District Office at:

26 Federal Plaza, Suite 3100, New York, NY 10278
(212) 264-4354 or www.sba.gov/ny/ny

APPENDIX

CITIZENSHIP

CUNY Citizenship Now!

Main Office: (646) 344-7245

Immigration Centers: York College

94-20 Guy R. Brewer Blvd.
Welcome Center Atrium
Jamaica, NY 11451
(718) 262-2983

Flushing Immigration Center

39-07 Prince St., Suite 2B
Flushing, NY 11354
(718) 640-9223

City College

North Academic Ctr., 1-206
138th Street & Convent Ave.
New York, NY 10031
(212) 650-6620

Hostos Community College

427 Walton St., T-501
Bronx, NY 10451
(718) 518-4395

NY City College of Technology Department of Law and Paralegal Studies

300 Jay Street, Room N-622
Brooklyn, NY 11201
(718) 260-5597

MinKwon Center for Community Action Immigration Legal Services

136-19 41st Ave. 3rd Fl. Flushing,
NY 11355
(718) 460-5600
** for limited language access
services

New York City Bar Association Legal Referral Service

English: (212) 626-7373
Spanish: (212) 382-7374

New York Immigration Hotline

(212) 419-3737
(800) 566-7636

New York State Defenders Association Immigrant Defense Project

(212) 725-6422
www.immigrantdefenseproject.org

Northern Manhattan Coalition for Immigrants Rights

Free Assistance with Citizenship
Applications and Exam Preparation
(212) 718-0355 x 305

Selective Service

(888) 655-1825
www.sss.gov

USCIS Customer Service

(800) 375-5283
(800) 870-3676
Request USCIS forms by mail
www.uscis.gov

CONSULATES

http://www.nyc.gov/html/unccp/html/consular/nyc_list.shtml

APPENDIX

CONSUMER & FINANCIAL RIGHTS

NYC Department of Consumer Affairs (DCA)

311

www.nyc.gov/consumers

DCA Office of Financial Empowerment

311

www.nyc.gov/html/ofe/html/home/home.shtml

Neighborhood Economic Development Advocacy Project (NEDAP)

212-680-5100

DEPORTATION AND DETENTION

Bronx Defenders

(718) 838-7878

Executive Clemency Unit New York State Division of Parole

97 Central Avenue
Albany, NY 12206

Families for Freedom

(646) 290-5551

Immigrant Defense Project

(212) 725-6422

Immigration and Customs Enforcement

NY: (212) 264-4213

NJ: (973)-645-3666

Legal Aid Immigration Law Unit

(212) 577-3456 (Wed and Fri afternoon)

Northern Manhattan Coalition for Immigrant Rights

(212) 781-0355 x305

DOMESTIC VIOLENCE

Domestic Violence Hotline

(800) 621-HOPE

(800) 621-4673

New York State Child Abuse Hotline

(800) 342-3720

NYC Services for Domestic Violence Victims

311

www.nyc.gov/html/ocdv/html/services/services.shtml

Safe Horizon Domestic Violence Hotline

(800) 621-HOPE (4673)

EDUCATION

Advocates for Children

(212) 947-9779

(866) 427-6033

Department of Education (DOE) Office of Family Engagement & Advocacy

(212) 374-2323

schools.nyc.gov/Offices/OFEA

APPENDIX

DOE Community Education Councils

(212) 374-2323 schools.nyc.gov/Offices/CEC

DOE Office of Pupil Transportation

(718) 392-8855
schools.nyc.gov/Offices/Transportation

DOE New Students-Choices & Enrollment

<http://schools.nyc.gov/ChoicesEnrollment/NewStudents>.

Inside Schools

(866) 427-6033
www.insideschools.org

Legal Services for New York City

(212) 431-7200

Mexican American Legal Defense and Education Fund:

www.maldef.org/pdf/Scholarships.pdf

Students Opening Doors for Others

www.neighborhoodlink.com/org/sodo

NYC Administration for Children's Services (ACS) Vacancy Information

311 or (212) 853-7150

NYC Chancellor's Regulation A-443: Student Discipline

schools.nyc.gov/RulesPolicies/ChancellorsRegulations

NY Legal Assistance Group

(212) 613-5000

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Mayor's Office of Immigrant Affairs

311

HEALTH CARE

Health & Hospitals Corporation: Community Advisory Boards (CABs)

(212) 788-3349
www.nyc.gov/hhc

HRA Medicaid Help Line

(888) NYC-6116

NYC Human Rights Commission

311 or (212) 306-7450

US Department of Health & Human Services Office for Civil Rights

(212) 264-3313

APPENDIX

HOUSING

**MinKwon Center for
Community Action
Homeless Prevention
Services**

136-19 41st Ave. 3rd Fl. Flushing,
NY 11355

(718) 460-5600

** for limited language access
services

**NYC Commission on Human
Rights**

(212) 306-7500

**NYC Department of
Homeless Services**

(800) 994-6494

**NYC Department of
Housing Preservation and
Development**

311

**New York State Division of
Housing and Community
Renewal**

(718) 739-6400

IMMIGRATION CONSULTANT FRAUD

**Board of Immigration
Appeals (BIA)**

www.usdoj.gov/eoir

**Manhattan District
Attorney's Office
Immigrant Affairs Program**

One Hogan Place, Rm 753A

New York, NY 10013

(212) 335-3600

Northern Manhattan Office

(212) 864-7884

**NYC Department of
Consumer Affairs (DCA)**

311

www.nyc.gov/consumers

NY Immigration Hotline

(212) 419-3737

(800) 566-7636

**New York State Attorney
General's Office**

(800) 771-7755

**New York State Unified
Court System, Attorney
Registration Unit**

(212) 428-2800

www.nycourts.gov

LANGUAGE ACCESS

**Mayor's Office of
Immigrant Affairs**

311

LAWFUL PERMANENT RESIDENCE

**Mayor's Office of
Immigrant Affairs and
Congressional Offices**

311

NY Immigration Hotline

(212) 419-3737

(800) 566-7636

APPENDIX

PUBLIC BENEFITS

NYC Housing Authority (NYCHA)

Bronx/Manhattan

1 Fordham Plaza, 2nd Fl.
Bronx, NY 10458
(718) 707-7771

Brooklyn/Staten Island

787 Atlantic Ave. 2nd Fl.
Brooklyn, NY 11238
(718) 707-7771

Queens

90-27 Stuphin Blvd., 4th Floor
Jamaica, NY 11435
(718) 707-7771

Mail Public Housing and Section 8 Applications to NYCHA:

P.O. Box 1342
Church Street Station
New York, NY 10008

NYC Human Resources Administration (HRA) Food Stamp Offices

311
www.nyc.gov/html/hra/html/directory/info_howtoapply.shtml

HRA Job Center Sites

311
www.nyc.gov/html/hra/html/family_independence/job_center_sites.shtml

HRA Temporary Cash Assistance

311
www.nyc.gov/html/hra/html/directory/cash.shtml

MinKwon Center for Community Action

Public Benefits Services

136-19 41st Ave. 3rd Fl. Flushing,
NY 11355
(718) 460-5600
** for limited language access services

U.S. Social Security Administration (SSA)

(800) 772-1213

SMALL BUSINESSES

Business Outreach Centers:

Central Office: North Brooklyn

85 South Oxford St., 2nd Fl.
Brooklyn, NY 11217
(718) 624-9115
northbrooklyn@bocnet.org
info@bocnet.org

Bronx

866 C Hunts Point Avenue
Bronx, NY 10474
(718) 842-8888
huntspoint@bocnet.org

Chinatown/LES

Chinatown Manpower Project

70 Mulberry Street, 3rd Floor
New York, NY 10013
(212) 571-1692
Chinatown@bocnet.org

Queens

96-11 40th Road, Ground Fl.
Corona, NY 11368
(718) 205-3773
queens@bocnet.org

APPENDIX

South Brooklyn

1546 Coney Island Ave., Suite 2
Brooklyn, NY 11230
(718) 253-5262
southbrooklyn@bocnet.org

Staten Island

West Brighton Community Local Development Corporation

1207 Castleton Avenue
Staten Island, NY 10310
(718) 816-4775

Upper Manhattan

Washington Heights and Inwood Development Corporation

57 Wadsworth Ave. (176th St.)
New York, NY 10033-7048
(212) 795-1600
uppermanhattan@bocnet.org

New “Business American-Style” Refugee Microenterprise Project:

BOC Network (Central Office):

(718) 624-9115

Staten Island BOC:

(718) 624-9115

South Brooklyn BOC:

(718) 253-5262

Met Council on Jewish Poverty:

(212) 453-5262

National Albanian American Council (DC):

(202) 466-6900

LaGuardia Small Business Development Center

30-20 Thomson Ave.
Suite B309
Long Island City, NY 11101
(718) 482-5303
www.nyssbdc.org

Met Council on Jewish Poverty

80 Maiden Lane 21 FL
New York, NY 10038
(212) 453- 9500 (Russian)

National Albanian American Council (DC)

(202) 466-6900 (Albanian)

NYC Business Solutions Programs

311

[www.nyc.gov/html/sbs/nycbiz/
html/home/home.shtml](http://www.nyc.gov/html/sbs/nycbiz/html/home/home.shtml)

NYC Business Solutions Center Offices:

Bronx

358 East 149th Street
Bronx, NY 10455
(718) 960-7988

Brooklyn

9 Bond Street, 5th Fl.
Brooklyn, NY 11201
(718) 875-3400

Lower Manhattan

Operated by Seedco
79 John Street
New York, NY 10038
(212) 618-8914

Upper Manhattan

Operated by Seedco
215 West 125th Street, 6th Fl.
New York, NY 10027
(917) 493-7243

APPENDIX

Queens

168-25 91st Avenue, 2nd fl.
Jamaica, NY 11432
(718) 577-2150
Hours: Tues, Thurs, Fri 8:30AM
- 5:00PM

NYC Department of Consumer Affairs

311
www.nyc.gov/consumer

NYC Department of Consumer Affairs Citywide Licensing Center

(212) 487-4436

NYC Department of Small Business Services

(800) U-ASK-SB
(800) 827-5722
www.nyc.gov/sbs

US Small Business Administration - New York District Office

26 Federal Plaza, Suite 3100
New York, NY 10278
(212) 264-4354
[www.sba.gov/localresources/
district/ny/ny/index.html](http://www.sba.gov/localresources/district/ny/ny/index.html)

TAX RETURNS

Earned Income Tax Credit

311
www.nyc.gov/eitc

NYC Department of Consumer Affairs

311
www.nyc.gov/consumer

Internal Revenue Service Taxpayer Assistance Center

(800) TAX-FORM (829-3676)

Individual Taxpayer Identification Number (ITIN) Application:

www.irs.gov/pub/irs-pdf/fw7.pdf
(in English)
www.irs.gov/pub/irs-pdf/fw7sp.pdf
(in Spanish)

Mail Applications to:

IRS Austin Service Center
ITIN Operation
P.O. Box 149342
Austin, TX 78714-9342

VOTING AND CIVIC PARTICIPATION

Manhattan Borough President's Office (Manhattan Community Board Applications)

(212) 669-8300

Mayor's Community Assistance Unit

311

NYC Board of Elections Offices:

Main Office

32 Broadway, 7th Fl
New York, NY 10004-1609
(212) 487-5300
(866) VOTE-NYC (868-3692)
(212) VOTE-NYC (868-3692)
www.vote.nyc.ny.us

Absentee Ballot Request:

www.vote.nyc.ny.us/absentee.html

APPENDIX

Manhattan Office

200 Varick St., 10th Fl
New York, NY 10014
(212) 886-2100

Bronx Office

1780 Grand Concourse, 5th Fl
Bronx, NY 10457
(718) 299-9017

Brooklyn Office

345 Adams Street, 4th Fl
Brooklyn, NY 11201
(718) 797-8800

Queens Office

126-06 Queens Boulevard
Kew Gardens, NY 11415
(718) 730-6730

Staten Island Office

1 Edgewater Plaza, 4th Fl
Staten Island, NY 10305
(718) 876-0079

New York Public Interest Research Group (NYPIRG)

(212) 349-6460

WORKERS' RIGHTS

US Equal Employment Opportunity Commission (EEOC)

33 Whitehall Street
New York, NY 10004
(800) 669-4000

Girls and Educational Mentoring Services ("GEMS")

(212) 926-8089

Legal Aid Society Employment Law Project:

(888) 218-6974

Minkwon Center for Community Action Worker's Rights Legal Services

136-19 41st Ave. 3rd Fl.
Flushing, NY 11355
(718) 460-5600
** for limited language access
services

MFY Legal Services

(212) 417-3838
Mon & Tues: 2 – 5 PM

NYC Commission on Human Rights

40 Rector Street, 10th Fl
New York, NY 10006
(212) 306-7450 or (212) 306-
5070

NYC Comptroller

(212) 669-4443

NYC Department of Small Business Services

(800) U-ASK-SB (827-5722)

NYC Workforce 1 Career Centers:

Bronx

358 East 149th St, 2nd Floor
Bronx, NY 10455

Brooklyn

9 Bond St, 5th Floor
Brooklyn, NY 11201

APPENDIX

Upper Manhattan

215 West 125th St, 6th Floor
New York, NY 10027

Queens

168-46 91st Ave, 2nd Floor
Jamaica, NY 11432

Staten Island

60 Bay Street
Staten Island, NY 10301

New York Committee for Occupational Safety and Health (NYCOSH)

(212) 227-6440
www.nycosh.org

New York County (Manhattan) District Attorney's Office, Sex Crimes Unit

(212) 335-9373

New York Immigration Coalition

(212) 627-2227

New York State Attorney General's Office Labor Division

(212) 416-8700

New York State Department of Labor Bureau of Immigrant Workers' Rights

(212) 775-3665

New York State Department of Labor Bureau of Public Works

(212) 775-3568

New York State Division of Human Rights

One Fordham Plaza, 4th Fl Bronx,
NY 10458
(718) 741-8400

New York State Department of Labor Division of Labor Standards

75 Varick Street, 7th Floor
New York, NY 10013
(212) 775-3880

New York State Department of Labor Unemployment Insurance Division

File through phone or web below
(888) 209-8124
ui.labor.state.ny.us/UBC/home

Trafficking Person and Worker Exploitation Task Force Complaint Line

(888) 428-7581

US Department of Labor OSHA Regional Office

201 Varick Street, Room 670
New York, NY 10014
(212) 337-2378 or (800) 321-6742 (emergency hotline)

US Department of Labor OSHA Manhattan Office

201 Varick Street, Room 908
New York, NY 10014
(212) 620-3200

APPENDIX

US Department of Labor, Wage & Hour Division

26 Federal Plaza, Rm 3700
New York, NY 10278
(212) 264-8185
(866) 487-9243

Workers' Compensation Board

(800) 877-1373

Brooklyn

111 Livingston St. 22nd FL
Brooklyn, NY 11201

Bronx/Manhattan

215 W. 125th St.
New York, NY 10027

Queens

68-46 91st Ave.
Jamaica, NY 11432

Staten Island

60 Bay St.
Staten Island, NY 10301

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If you are seeking specific information or need assistance with an application, please contact the government agency directly or a not-for-profit group, if applicable. If you are seeking immigration status information, you should seek competent professional legal advice.

If you should find errors or omissions in this manual, please contact us at 1 Centre St. 19th Floor, New York, NY 10007.

