# PROTECTING IMMIGRANT STUDENTS ACTION KIT

**#POLICEFREESCHOOLS** 

Alliance for Educational Justice

ADVANCEMENT PROJECT

# **Table of Contents**

Why this action kit? Why now?	3
What We Are Up Against	3
Federal Executive Actions	4
Local 287(g) Agreements	5
Federal Legislation: Laken Riley Act	6
State attacks on Plyler and constitutional protections	8
Six D's: Demands for Protecting Immigrant Students	10
Model Policies & Procedures for Protecting Immigrant Students	11
Model School District Policy	11
Model School-Level Protocols	13
Model Memorandum of Understanding (MOU) between School District and Law Enforcement	29
Model District Resolution	35
Additional District Policies and Procedures to Consider	40
Tools for Advocating	43
Template Letter to School Board	43
Template Principal's Pledge	48
Know Your Rights if ICE Shows up at Your School	51





# Why this action kit? Why now?

Since taking office on January 20, 2025, the Trump-Vance administration has taken countless steps to irreparably harm communities across the country. Our students and immigrant communities are at the forefront experiencing these harms, as law enforcement violates their schools and safest places within their communities, all in the name of immigration enforcement that aims to break apart their families and force beloved community members into the shadows.

We know that these federal immigration enforcement initiatives are stoking fear and racism within communities, and that students and their families are being forced to stay home from school, work, and other community activities to protect themselves. But by informing our partners about the issues and the rights that they have, we can help communities protect themselves and others from the discrimination committed by federal immigration enforcement. And it shows nationwide – community organizing is slowing down immigration enforcement,

We hope that by sharing a current landscape and various resources, we can help inform and support organizing efforts within communities so that they may protect themselves and their neighbors and hold their local power structures accountable for supporting its residents.

# **What We Are Up Against**

Immigrant communities are under attack. Within hours of taking office, the Trump-Vance administration took executive actions to threaten immigrant communities and children and sow disorder and increase federal enforcement of immigration law. Our schools must be sanctuaries of learning, not places where the threat of law enforcement can tear apart families and disrupt lives. This action kit is not just a guide—it is a call to action. We cannot stand idly by as the government targets vulnerable students. We must act now to protect their rights, safeguard their future, and ensure that no student feels unsafe in their own classroom.

This is a moment to organize, educate, and mobilize. Whether you're an educator, a parent, or an advocate, you have a role to play in protecting all students. This action kit is designed to equip educators, parents, and community leaders with the knowledge, resources, and strategies to safeguard immigrant students from the harmful impacts of law enforcement involvement in educational spaces. By empowering individuals with tools to protect students' rights and ensure their well-being, we can foster a more inclusive, supportive, and resilient environment for all students to succeed. Together, we can take action to defend the rights of immigrant students and stand firm in the face of uncertainty and fear.





#### **Current Threats**

Below, we explain the current threats facing immigrant students and their families while also explaining protections currently guaranteed by Supreme Court precedent—and state legislative efforts to undermine that precedent. Specifically, this section explains the executive actions the Trump-Vance administration has taken, efforts to authorize local law enforcement to carry out the duties of ICE under the 287(g) program, the federal enactment of the Laken Riley Act, and status of protections under *Plyler v. Doe*.

#### Federal Executive Actions

**Cancelling CBP One:** The CBP One app allowed migrants to schedule appointments to enter the U.S. and request asylum at eight different ports of entry along the southwest border. Importantly, CBP One provided one cohesive space for migrants to access various legal migration processes. The app also allowed families to register together, so children could be included with families for scheduling appointments for legal entry. However, shortly after President Trump's swearing in on January 20, 2025, the administration cancelled the CBP One app by way of executive order. The administration also cancelled all existing appointments.

Sensitive locations recission: Since 2011, the U.S. Department of Homeland Security (DHS) has maintained guidelines prohibiting Immigration and Customs Enforcement (ICE) from entering "sensitive locations" to arrest undocumented people. In 2021, these guidelines were expanded to include schools, churches and hospitals to prevent immigration enforcement from restraining "people's access to essential services or engagement in essential activities." But on January 20, 2025, President Trump rescinded the guideline, which could have long-term impacts related to heightened immigration enforcement at school. Such impacts include increased immigration actions against students and parents, community and family disengagement from school activities, decreased attendance and enrollment, and lower graduation rates and lower college enrollment rates for undocumented students.

**Executive orders, directives, and actions:** On January 20, 2025, President Trump issued a slew of executive orders that target immigrant families, incite xenophobia and racism against presumed migrant communities, and aim to exclude millions of people from residence in the U.S.— regardless of the circumstances that would move someone to leave a country in the first place. The executive orders are similar in name and intent: to severely harm and distress immigrant communities across the United States.

reas.pdf





<sup>&</sup>lt;sup>1</sup> Cuffari, Joseph V. (2024, August 19). Final Report: CBP Did Not Thoroughly Plan for CBP One<sup>™</sup> Risks, and Opportunities to Implement Improvements Exist. Office of Inspector General, U.S. Department of Homeland Security. <a href="https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-48-Aug24.pdf">https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-48-Aug24.pdf</a>

<sup>&</sup>lt;sup>2</sup> Mayorkas, A. (2021, October 27). *Memorandum: Guidelines for Enforcement Actions in or Near Protected Areas.* U.S. Department of Homeland Security. <a href="https://www.dhs.gov/sites/default/files/publications/21">https://www.dhs.gov/sites/default/files/publications/21</a> 1027 opa guidelines-enforcement-actions-in-near-protected-a

Skipping Due Process: In 2022, DHS issued a notice that limited the use of expedited removal (i.e., removal of undocumented persons without a hearing before an immigration judge).<sup>3</sup> Among other factors, the 2022 notice considered "legal and humanitarian obligations, constitutional principles of due process and other applicable law, enforcement resources, [and] the public interest" of the United States in its reasoning.<sup>4</sup> But on January 24, 2025 under the Trump-Vance administration, DHS rescinded the 2022 directive, which expanded the use of expedited removals—opening the door for federal immigration enforcement to deport someone without a court hearing to the maximum extent permitted under federal law.

<u>Blocking assistance for legal immigration</u>: Between 2021 and 2025, the Department of Justice (DOJ) started a host of initiatives to help people enter the U.S. legally, including:

- Executive Office of Immigration Review's Legal Orientation Program;
- Immigration Court Helpdesk;
- Family Group Legal Orientation Program; and
- Counsel for Children Initiative.

These programs all provided support during immigration court proceedings and handled legal paperwork for migrants passing through the courts on their way to legal entry. But on January 23, 2025, DOJ under the Trump-Vance administration sent emails to legal service providers who receive federal funding to "stop work immediately" on these programs. The emails may be related to Executive Order 14159, which ordered a review of funding to organizations that provide legal orientation to undocumented people at immigration court,<sup>5</sup> revoked four immigration-related executive orders issued between 2021 and 2025, issued sweeping orders to conduct federal immigration enforcement, and punished sanctuary jurisdictions by threatening to withhold federal funding.

# Local 287(g) Agreements

Section 287(g) authorizes ICE to delegate its immigration enforcement duties to state and local law enforcement agencies.<sup>6</sup> Typically, states or local entities opt in to such contracts with ICE.

<sup>&</sup>lt;sup>6</sup> U.S. Immigration and Customs Enforcement. (2025, February 24). *Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act.* https://www.ice.gov/identify-and-arrest/287g





<sup>&</sup>lt;sup>3</sup> Recission of the Notice of July 23, 2019, Designating Aliens for Expedited Removal, 87 F.R. 16022 (issued March 21, 2022)

https://www.federalregister.gov/documents/2022/03/21/2022-05961/rescission-of-the-notice-of-july-23-2019-designating-aliens-for-expedited-removal

<sup>4</sup> Ibid.

<sup>&</sup>lt;sup>5</sup> The memo that ordered the immediate work halt generally referenced an executive order, but did not cite a specific executive order number or title. From: Romero, L. (2025, January 23). DOJ orders federally funded legal service providers to stop providing support at immigration courts. *ABC News*.

https://abcnews.go.com/US/doj-orders-federally-funded-legal-service-providers-stop/story?id=118027656

According to the Immigrant Legal Resource Center, "287(g) agreements are designed to extend the reach of the Trump deportation machine by getting localities to do ICE's work at their own expense." According to many advocacy and research organizations, 287(g) agreements result in widespread racial profiling, are expensive for localities, threaten community safety, and insufficiently train officers to carry out the agreements.8

In fact, DOJ has filed many legal challenges to 287(g) agreements due to allegations of racial profiling. For example, in 2011, the DOJ investigated and sued the Maricopa County Sheriff's Office in Arizona for conducting routine "sweeps" of Latine neighborhoods. DOJ's investigation found that Latine drivers were nine times more likely to be stopped on the road than non-Latine drivers.9 DOJ also sued the Alamance County Sheriff's Office in North Carolina alleging increased targeting of Latine drivers for traffic stops, who were ten times more likely to be stopped on the road than non-Latine drivers. 10 The respective investigations resulted in both counties losing their 287(g) agreements.11

Despite the inefficiencies and discriminatory impact of the 287(g) program, the Trump-Vance administration has set their sights on expanding 287(g) agreement participation. Trump's day one executive order 14159 instructs ICE to authorize more contracts and more counties in order to issue additional federal immigration enforcement nationwide.

#### Federal Legislation: Laken Riley Act

The Laken Riley Act, or S.5, was signed into law on January 29, 2025. The bill is named after a 22-year-old Georgia nursing student who was killed by Jose Antonio Ibarra, an undocumented Venezuelan immigrant, who had been indicted and convicted on 10 criminal counts. Ibarra was sentenced to life in prison without parole. Despite the conviction, the case and the law it inspired could potentially thrust people into the deportation process for merely being arrested for—not convicted of—minor crimes such as theft and shoplifting.

S. 5 amends the Immigration and Nationality Act. The law requires the Department of Homeland Security (DHS) to detain anyone who is undocumented who is "charged with, is



ADVANCEMENT

<sup>&</sup>lt;sup>7</sup> Immigrant Legal Resource Center (ILRC). (2019, November 13). *National Map of Local Entanglement with ICE*. https://www.ilrc.org/resources/national-map-local-entanglement-ice

<sup>&</sup>lt;sup>8</sup> American Immigration Council, "287(g) Program." (Citing several organizations, including Migration Policy Institute, UNC Chapel Hill, Texas A&M University, Brookings, Government Accountability Office, Police Executive Forum, International Association of Chiefs of Police, and Major Cities Chiefs Association.)

<sup>&</sup>lt;sup>9</sup> Perez, T. E. (2011, December 15). Re: United States' Investigation of the Maricopa County Sheriff's Office. http://www.justice.gov/crt/about/spl/documents/mcso\_findletter\_12-15-11.pdf; U.S. Department of Justice: Archives. (2011, December 15). Press Release: Department of Justice Releases Investigative Findings on the Maricopa County Sheriff's Office.

https://www.justice.gov/archives/opa/pr/department-justice-releases-investigative-findings-maricopa-county-sheriff-s

office

10 U.S. Department of Justice: Archives. (2012, December 20). Press Release: Justice Department Files Civil Rights

https://www.justice.gov/archives/opa/pr/justice-department-files-civil-rights-lawsuit-against-alamance-county-nc-she riff-s-office

1 American Immigration Council, "287(g) Program."

arrested for, is convicted of, admits having committed, or admits to committing certain acts," such as theft, shoplifting, or assault of a law enforcement officer<sup>12</sup> It also authorizes state governments to sue the federal government over immigration-related issues if the decision of the federal government caused the state or its residents "harm," including financial harm of more than \$100.<sup>13</sup>

The law is harmful to immigrant students for many reasons. First, it means that anyone, including youth, who is undocumented and is arrested or charged with certain offenses could be targeted by DHS—even if it was a false arrest or the charges are dropped. We know—and several studies and investigations have shown—that policing in this country is racist, and that people of color and low-income communities are disproportionately targeted by law enforcement. This adds the threat of deportation or other immigration actions to the long list of negative consequences that stem from arrest.

Second, we know that youth delinquency does not constitute a conviction for immigration purposes, regardless of the offense. Yet, the Laken Riley Act does not specifically mention children or juvenile delinquency, making it unclear how the Act applies to youth and potentially creating inconsistent enforcement in many jurisdictions. Without clarity, students older than 18 years—and potentially younger students who are accused of committing certain crimes—may be at risk of ICE enforcement at school. 16

For schools in which law enforcement officers are present, S. 5 could worsen the school-to-deportation pipeline. Police officers in schools are the same as police in our communities. They disproportionately arrest and physically assault students of color and are more likely to be assigned to schools that are predominantly Black and Latine.<sup>17</sup> Schools with police have higher arrests than schools without police, and these arrests place students on the path to detention and potential deportation.<sup>18</sup> School police frequently arrest students for the same crimes that the Laken Riley Act targets, including theft, burglary, and assault of a law enforcement officer.<sup>19</sup> An undocumented student could be falsely arrested or charged in school, for something they didn't do.

<sup>&</sup>lt;sup>18</sup> Devlin, N. D., et al. (2016). The Roles of Police Officers in Schools: Effects on the Recording and Reporting of Crime. *Youth Violence and Juvenile Justice*. Sage Journals. <a href="https://journals.sagepub.com/doi/10.1177/1541204016680405">https://journals.sagepub.com/doi/10.1177/1541204016680405</a>
<sup>19</sup> See #AssaultAtHuntersLane in which A student at Hunters Lane High was pepper sprayed by a school resource officer allegedly responding to a fight between two students. The student has been charged with assault of an officer, disorderly conduct, and resisting arrest. (online at <a href="https://policefreeschools.org/map/?a=assaultathunterslane">https://policefreeschools.org/map/?a=assaultathunterslane</a>).





<sup>&</sup>lt;sup>12</sup> Laken Riley Act, Pub. L. No. 119-1.

<sup>13</sup> Ibid.

<sup>&</sup>lt;sup>14</sup> See T. Perez; *Press Release* (Maricopa); *Press Release* (Alamance).

<sup>&</sup>lt;sup>15</sup> K. Brady, Prandini, R., Sury, A. (2025, February 7). The Laken Riley Act & Juvenile Delinquency. Immigrant Legal Resource Center.

 $<sup>\</sup>frac{\text{https://www.ilrc.org/sites/default/files/2025-02/\%20The\%20Laken\%20Riley\%20Act\%20\%26\%20Juvenile\%20Delinquenc}{\text{y.pdf}}$ 

<sup>16</sup> Ibid.

<sup>&</sup>lt;sup>17</sup> Kidane, S., Rauscher, E. (2023, April 6). Unequal Exposure to School Resource Officers, by Student Race, Ethnicity, and Income. *Urban Institute*.

https://www.urban.org/research/publication/unequal-exposure-school-resource-officers-student-race-ethnicity-and-in come; Crosse, S., et al. (2021). Are Effects of School Resource Officers Moderated by Student Race and Ethnicity? Crime & Delinquency. Sage Journals. https://iournals.sagepub.com/doi/10.1177/0011128721999346

In addition, some localities have 287(g) agreements with ICE, which allows ICE to delegate its immigration enforcement duties to state and local law enforcement agencies. So, a school within a 287(g) locality that has an SRO appointed by local law enforcement could also be a target for ICE.<sup>20</sup>

S. 5 will inevitably contribute to increased racism, xenophobia, and violence against people of color—migrants or not—nationwide.

## State attacks on Plyler and constitutional protections

*Plyler v. Doe* is a 1982 Supreme Court decision that held that under the Fourteenth Amendment's Equal Protection Clause, a school district could not deny a student access to a free and public education because of their immigration status.<sup>21</sup> *Plyler* guarantees that public schools must serve all children in their community—including undocumented students.<sup>22</sup> Consistent with *Plyler*, a state cannot deny enrollment to undocumented students just because they are undocumented.<sup>23</sup>

Plyler also prohibits public schools from taking a range of actions that deny a student access to a free and public education based on assumed or actual documentation status. For example, schools cannot force the disclosure of immigration status, make inquiries of students and families to determine status, require Social Security numbers upon enrollment or at any time, and more.

Some school leaders and elected officials remain hostile to educating immigrant children and disagree with the Supreme Court's decision in *Plyler*. Specifically, opponents seek to enact policies that would charge undocumented students and families tuition to undermine *Plyler*'s holding that schools cannot require citizenship to access a free public education. Such policies could effectively expel undocumented students—many of whom may not be able to afford school at all.

The following are several current proposed challenges to Plyler.

• In Tennessee, HB 0793 was introduced on February 4, 2025. The legislation, if passed, would authorize local education agencies and public charter schools to refuse to enroll undocumented students. A separate Tennessee bill (HB 145), which was introduced on

<sup>&</sup>lt;sup>23</sup> Ibid.





<sup>&</sup>lt;sup>20</sup> ICE, Delegation.

<sup>&</sup>lt;sup>21</sup> Plyler v. Doe, 457 U.S. 202 (1982).

 $<sup>\</sup>frac{\text{https://www.law.cornell.edu/wex/plyler v. doe\#:} \sim \text{text=The} \% 20 \text{Supreme} \% 20 \text{Court} \% 20 \text{invalidated} \% 20 \text{a.Protection} \% 20 \text{Clause} \% 20 \text{of} \% 20 \text{the} \% 20 \text{Fourteenth}$ 

<sup>&</sup>lt;sup>22</sup> Ibid.

January 15, 2025, would require undocumented children to pay tuition for public school.24

- In Oklahoma, the state superintendent finalized a rule on January 28, 2025, to require parents to provide their child's proof of citizenship upon enrollment.<sup>25</sup>
- The Indiana state legislature introduced HB 1394 on January 13, 2025. The bill would authorize districts to deny enrollment to students who the district determines are "unlawfully present" in the United States.<sup>26</sup>
- Similarly, HB 1512 in Texas would require districts to "take a count of children they know or 'reasonably believe' are not U.S. citizens."27
- A New Jersey bill, A 5233, would require tuition for public schools from students who cannot prove citizenship.28
- A Utah state representative has made a similar call to bar undocumented students from public schools.29

All these proposed policies are in direct violation of Plyler v. Doe, as they aim to exclude children from receiving a free and public education that their peers otherwise enjoy. Children have the right to enroll in school without providing any information about their immigration status. In addition, anything that would inhibit, prevent, or deter undocumented students from enrolling or attending school because of their immigration status would be against the law and a violation of Plyler.

If you live in a state in which a bill challenging Plyler has been filed, we note that constituents have a right to contact their state elected official to express their views on pending legislation. Most states maintain websites that allow residents to look up their state elected official.

<sup>&</sup>lt;sup>29</sup> Ibid.





<sup>&</sup>lt;sup>24</sup> Naylor, S. G. (2025, February 5). Lawmakers introduce bill to keep undocumented students out of public schools. Chalkbeat Tennessee.

https://www.chalkbeat.org/tennessee/2025/02/05/republican-lawmakers-introduce-bill-keep-undocumented-students

<sup>&</sup>lt;u>-out-of-school/</u>
<sup>25</sup> Hanover, N. (2025, February 12). States target Plyler court ruling on educating immigrant children. *World Socialist* Web Site. https://www.wsws.org/en/articles/2025/02/12/odic-f12.html

<sup>&</sup>lt;sup>26</sup> Ibid.

<sup>&</sup>lt;sup>27</sup> Ibid.

<sup>28</sup> Ibid.

# Six D's: Demands for Protecting Immigrant Students

Dismantle	Dismantle the connection between local law enforcement agencies and school districts by removing police from schools altogether and cancelling any 287(g) agreements. If this is not possible, decriminalize the school community and deprioritize the use of law enforcement at school.
Decriminalize	Decriminalize the school community. Prohibit ticketing and citations—including for truancy—to limit contact between youth and adult courts and immigrant students and their families.
Deprioritize	Deprioritize the use of law enforcement in schools, including school resource officers, to make them an instrument of last resort. Specifically, limit school-based arrests, referrals to law enforcement, and information sharing between law enforcement agencies, which places students and their families at risk of deportation.
Demilitarize	Demilitarize the school community. Remove metal detectors, weapons abatement technologies , social media monitoring and other forms of student surveillance that monitor and track immigrant students. This reduces the risk of arrests, referrals to law enforcement, and information sharing between local and federal law enforcement agencies.
Divest/Invest	Divest from the school policing infrastructure (school police officers, security guards, and surveillance) and invest in resources and services that make school welcoming for immigrant students and families (counselors, newcomer programs, physical and health professionals, and restorative justice).
Defend	Defend immigrant students at all costs. Publicly state your commitment to protecting immigrant students, enact district-wide policies that honor <i>Plyler v. Doe</i> and assertively protect students' right to education, and establish school-specific protocols for immigration actions at or around school communities.





# Model Policies & Procedures for Protecting Immigrant Students

## Model School District Policy

School districts can and should protect immigrant students and families from immigration enforcement by adopting policies that honor students' rights. Below is a list of demands that advocates can bring to their school board to keep students safe from federal immigration officials and help create welcoming school environments. School boards who agree to these policy demands can adopt a resolution to formalize its commitment to protecting immigrant students.

To create a safe and welcoming school environment for all students and families, school districts should adopt the following policies<sup>30</sup>:

- District staff WILL NOT ask for students or families' immigration status.
- District staff **WILL NOT** take any action that would chill or deter undocumented students from enrolling in district schools.
- District staff WILL NOT coordinate, collaborate, or share information with federal immigration enforcement agencies, including but not limited to Immigration and Customs Enforcement (ICE).
- District staff DOES NOT and WILL NOT share student records with federal immigration enforcement agencies, unless they are required to do so by court order or a valid judicial warrant.
- District staff **WILL NOT** allow immigration enforcement officials to speak to any students or staff members.
- District staff **WILL NOT** allow immigration enforcement officials to access district facilities, unless they are required to do so by court order or a valid judicial warrant.
- If an immigration enforcement official shows up to a district school site, district staff are **required to immediately contact the district's general counsel** and direct those officials to leave the school site and go to the general counsel's office for further instruction.

<sup>&</sup>lt;sup>30</sup>Chicago Pub. Schs., *Updates For CPS Families Regarding New Presidential Administration*, CHICAGO PUB. SCHS. (Jan. 2025), <a href="https://www.cps.edu/media/community-updates/2025/january/updates-administration">https://www.cps.edu/media/community-updates/2025/january/updates-administration</a>; San Francisco Unified Sch. Dist., *Immigration Policy Resources*, SAN FRANCISCO UNIFIED SCH. DIST.,







In addition to these protections, school districts should commit to taking the following affirmative actions to ensure that these protections are effectively implemented:

- All district staff WILL be trained on school-level protocols for responding to immigration enforcement officials on school grounds. This includes external partners that work in schools such as crossing guards, security guards, bus drivers, and after-school program providers.
- The District **WILL** provide up-to-date, accurate, and relevant information and resources for students and families on the district website,
- The District **WILL** translate this information in all languages relevant to the school community pursuant to Title VI of the Civil Rights Act of 1964.

#### Model School-Level Protocols

Every school should adopt clear protocols that protect immigrant students when immigration enforcement officers are in the vicinity of school campuses. The following protocols have been separated into three categories: 1) model protocols for schools in sanctuary localities without school police officers; 2) model protocols for schools in sanctuary localities with school police officers; and 3) model protocols for schools in localities without sanctuary commitments and with school police officers. The outstanding work of the Chicago Sanctuary Schools Campaign provided the framework for these model protocols.

#### For schools in with sanctuary commitments & no police in schools

☐ Ens	ure emergency contact info for students is up to date
☐ If n	ecessary, help families fill out deportation safety plans
☐ Sup	port the creation of a club or support group for undocumented students
☐ Cre	ate a Safe School Committee of parents, students, teachers, administrators, and
con	munity partners to review and adopt a safety protocol
☐ Trai	n all school staff, students, and parents on:
	Rapid response protocols
	Knowing their rights when dealing with immigration enforcement officers
	o Immigration policies and how they impact immigrant communities
	O De-escalation techniques
	<ul> <li>Documenting immigration actions</li> </ul>



CHECKLIST:



Develop a Social-emotional Support Plan for students

Post messages	at all school	entrances	letting all	students	and	families	know	that	they
are welcome									

# Situation A: Immigration Agents Arrive at School with a Warrant Naming Specific Student(s)

	Steps	Numbers to call	Needs/Questions	Point Person
1	Person/security at front desk and main office request to see a badge, ask if they have a warrant		Does or will the school keep doors locked at all times?	
2	Call for principal or other designated administrator to come to the front			
3	Principal or designated Administrator video record the situation		Details <u>below</u>	
4	Administrator or Security personnel read the script		Script <u>below</u>	
5	Administrator calls the District's General Counsel			
6	Administrator calls third party community support (organization or other network) to report the situation			
7	Administrator calls the identified student's emergency contact. Inform the family of the situation and ask that a documented and trusted person come to the school			

#### FOR WHOMEVER IS AT THE FRONT DESK & MAIN OFFICE

• Request to see Identification





- Call Administration (principal or other designated administrator) and central security office
- Start video recording the interaction (including any narration)
  - Strategies when filming law enforcement
    - Keep a distance of 8 to 10 feet away from the incident
    - Try to have more than one person recording if possible, from different angles and distances
    - When filming or dictating audio, film it to the end
    - Narrate what you are seeing, say the date, time, location like you are describing an intersection)
      - Say any identifying information (badge numbers, license plates)
    - Try to keep the camera focused on law enforcement more than on the person they are detaining
      - All evidence can be used against all parties involved (witnesses, victims, immigration enforcement officers)
- Say Script
  - What is your name? What is your badge number? What organization do you represent? I do not have authorization to allow law enforcement officers to enter [School Name].
  - This school does not consent to the entry of Immigration and Customs Enforcement Agents, or any other agent that is carrying out immigration enforcement activities, **without a court order signed by a judge.**
  - I do not consent to entry, and I am not authorized to review court orders.
  - As a school, we have the right to deny entry until legal counsel arrives.
  - Please wait outside or go to the district's general counsel office while school administration contacts the general counsel.
- Document everything
  - Officer information
  - Badge number
  - Name
  - Write down or record everything that happens during the interaction





- o It is important to record if they enter even when told not to
- Write down whether there are any additional witnesses and include contact information if possible. Encourage witnesses to document what happened as well.

#### FOR ADMINISTRATION

- Call district's general counsel
- Call the emergency contact listed for the student(s) in question. Inform the family
  of the situation and ask that a documented and trusted person come to the school.
  Ask the emergency contact to get in touch with a lawyer. If they do not have a
  lawyer, tell them to reach out to [local community support or other orgs] for help in
  getting a lawyer.

#### Situation B: Immigration Enforcement is Present Outside of the School

	Steps	Numbers to call	Needs/Questions	Point Person
1	Crossing guard or other community patrol notifies administrator			
2	Administrator calls the general counsel of the school district and reports the situation			
3	Administrator calls [local community organization] and reports the situation			
4	Administrator goes out into community to verify that this is true			
5	> If verified to be true, use the Soft Lockdown drill procedure for school. Administrator to notify Safe School Committee of verified outdoor threat			
	> Administrator calls [community organization] to verify that threat is real			





	<ul> <li>Administrator to ask teachers to check their emails to share information.</li> <li>Teachers asked to share with students in their class</li> <li>Students are allowed to go to the office to call family</li> </ul>
	> Administrator to do phone call alert to parents notifying them of lockdown and that they should NOT come to the school as no one will be allowed in or out until immigration enforcement has left
	Station an Administrator outside the school in case families come to the school. If a representative from a community organization arrives, the administrator may re-enter the school building.
6	Administrator calls the school district's general counsel
7	Administrator calls third party community support (organization or other network) to report the situation
8	Administrator calls the emergency contact listed for the student identified. Inform the family of the situation and ask that a documented and trusted person come to the school

#### **FOR ADMINISTRATION**

- Text other administrator on encrypted group chat (Signal preferred)
- Administrator goes out into community to verify that report is true (taking a radio with them)





- If verified to be true and between school hours, use Soft Lockdown drill procedure for school (no one to be let into the school)
- Call school district's general counsel
- Message to security for Soft Lockdown
- Message to main office to do Soft Lockdown
- Ask teachers to check their emails to share information.
- Administrator to be outside once the Soft Lockdown starts in case families come to [School Name]. Once [community organization] arrives, the administrator re-enters.
- If parents/guardians come to pick up students, "check-out station" is created outside of school.
  - Place one Administrator outside with radio
    - Verify parent/guardian ID via radio to main office (check emergency form)
    - Call student out to the parent/guardian

#### For schools with sanctuary commitments & police in schools

CHECKLIST:	
☐ Ensure e	emergency contact info for students is up to date
☐ If necess	sary, help families fill out deportation safety plans
☐ Support	the creation of a support group for undocumented students
commun	Safe School Committee of parents, students, teachers, administrators, and lity partners to draft a protocol. The focus of this committee is immigration so school police should <b>NOT</b> be part of this team.
o R o K o Ir	school staff, students, and parents on: capid response protocols chowing their rights when dealing with immigration enforcement officers mmigration policies and how they impact immigrant communities be-escalation techniques
o N	ocumenting immigration actions lot calling school police officers unless there is a serious and immediate threa o school safety
☐ Train sch	nool police to:
o N	<b>IOT</b> get involved with any school disciplinary incident and to only respond to

incidents when there is a serious and immediate threat to school safety





o NOT consult, communicate, or share any student or family information with
federal immigration enforcement officers
Update school policing policies and procedures to limit contact between students and
law enforcement and prohibit sharing student information with other agencies. See
<u>Model MOU for Protecting Immigration Students</u> in this toolkit.
Develop Social-emotional Support Plan for students
Post messages at all school entrances letting all students and families know that they
are welcome

# Situation A: Immigration Enforcement Comes to the School with a Warrant Naming Specific Student(s)

	Steps	Numbers to call	Needs/Questions	Point Person
1	Person/security at front desk and main office request to see a badge, ask if they have a warrant		Will the school keep doors locked at all times?	
2	Call for the principal or other designated administrator to come to the front			
	> If school police are present, administrator tells school police to refrain from communicating with immigration enforcement			
3	Principal or designated administrator video records the situation		Details <u>below</u>	
4	Administrator or Security personnel read the script		Script <u>below</u>	
5	Administrator calls the district's general counsel			
6	Administrator calls third party community support (organization or other network) to report the situation			
7	Administrator calls the emergency contact listed for the student identified. Inform the family of the situation and ask that a documented and trusted person come to the school			





#### FOR WHOMEVER IS AT THE FRONT DESK & MAIN OFFICE

- Request to see Identification
- Call Administration (Principal or other designated Administrator) and central security office
- Start video recording the interaction (including any narration)
  - o Strategies when filming law enforcement
    - Keep a distance of 8 to 10 feet away from the incident
    - Try to have more than one person recording if possible, from different angles and distances
    - When filming or dictating audio, film it to the end
    - Narrate what you are seeing, say the date, time, location like you are describing an intersection)
      - Say any identifying information (badge numbers, license plates)
    - Try to keep the camera focused on law enforcement more than on the person they are detaining
      - All evidence can be used against all parties involved (witnesses, victims, immigration enforcement officers)
- Say Script
  - What is your name? What is your badge number? What organization do you represent? I do not have authorization to allow law enforcement officers to enter [School Name].
  - This school does not consent to the entry of Immigration and Customs Enforcement Agents, or any other agent that is carrying out immigration enforcement activities, without a court order signed by a judge.
  - I do not consent to entry, and I am not authorized to review court orders.
  - As a school, we have the right to deny entry until legal counsel arrives.
  - Please wait outside or go to the district's general counsel office while school administration contacts the general counsel.
- Document everything
  - Officer information





- Badge number
- Name
- Write down or record everything that happens during the interaction
- o It is important to record if they enter even when told not to
- Write down whether there are any additional witnesses and include contact information if possible. Encourage witnesses to document what happened as well.

#### FOR ADMINISTRATION

- Call district's general counsel
- Call the emergency contact listed for the student(s) in question. Inform the family of the situation and ask that a documented and trusted person come to the school. Ask them to get in touch with a lawyer. If they do not have one, tell them to reach out to [local community support or other orgs] for help in getting a lawyer.

#### Situation B: Immigration Enforcement is Present Outside of the School

	Steps	Numbers to call	Needs/Questions	Point Person
1	Crossing guard or other community patrol notifies administrator			
2	Administrator calls the general counsel of the school district and reports the situation			
3	Administrator calls [local community organization] and reports the situation			
4	Administrator goes out into community to verify that this is true			
5	> If verified to be true, use the Soft Lockdown drill procedure for school. Administrator to notify Safe School			





	Committee of verified outdoor threat
	> Administrator calls [community organization] to verify that threat is real
	<ul> <li>Administrator to ask teachers to check their emails to share information.</li> <li>Teachers asked to share with students in their class</li> <li>Students are allowed to go to the office to call family</li> </ul>
	> Administrator to do phone call alert to parents notifying them of lockdown and that they should NOT come to the school as no one will be allowed in or out until immigration enforcement has left
	Station an Administrator representative outside the school in case families come to the school. If a community organization arrives, the administrator re-enters the school building.
6	Administrator calls the school district's general counsel
7	Administrator calls third party community support (organization or other network) to report the situation
8	Administrator calls the emergency contact listed for the student identified. Inform the family of the situation and ask that a documented and trusted person come to the school



#### FOR ADMINISTRATION

- Text other administrator on encrypted group chat (Signal preferred)
- Administrator goes out into community to verify that report is true (taking a radio with them)
- If verified to be true and between school hours, use Soft Lockdown drill procedure for school (no one to be let into the school)
- Call district's general counsel
- Message to security for Soft Lockdown
- Message to main office that school is implementing soft lockdown
- Ask teachers to check their emails to share information.
- Once the situation is over and immigration enforcement has left, follow up with another phone call alert to parents to let them know that the situation is over.
- Once the situation is over and immigration enforcement has left, follow up with another phone call alert to parents to let them know that the situation is over.
- If parents/guardians come to pick up students, "check-out station" is created outside of school.
  - Place one Administrator outside with radio
    - Verify parent/guardian ID via radio to main office (check emergency form)
    - Call student to the parent/guardian

#### For schools without sanctuary commitments & with police in schools

CHECKLIST:

Ensure emergency contact info for students is up to date
If necessary, help families fill out deportation safety plans
Support the creation of a support group for undocumented students
Create a Safe School Committee of parents, students, teachers, administrators, and
community partners to draft a protocol. The focus of this committee is immigration
related, so school police should <b>NOT</b> be part of this team.
Train all school staff, students, and parents on:

Alliance for Educational Justice



- Rapid response protocols
- Knowing their rights when dealing with immigration enforcement officers
- o Immigration policies and how they impact immigrant communities
- De-escalation techniques
- o Documenting immigration actions
- Not calling school police officers unless there is a serious and immediate threat to school safety

☐ Train school police	e w.
-----------------------	------

are welcome

- NOT get involved with any school disciplinary incident and to only respond to incidents when there is a serious and immediate threat to school safety
- **NOT** consult, communicate, or share any student or family information with federal immigration enforcement officers

Update school policing policies and procedures to limit contact between students and
law enforcement and prohibit sharing student information with other agencies. See
<u>Model MOU for Protecting Immigration Students</u> in this toolkit.
Develop Social-emotional Support Plan for students
Post messages at all school entrances letting all students and families know that they

# Situation A: Immigration Enforcement Comes to the School with a Warrant Naming Specific Student/s

	Steps	Numbers to call	Needs/Questions	Point Person
1	Person/security at front desk and main office request to see a badge, ask if they have a warrant		Will the school keep doors locked at all times?	
2	Call for the principal or other designated administrator to come to the front			
	> If school police are present, administrator tells school police to refrain from communicating with immigration enforcement			
3	Principal or designated administrator video records the situation		Details <u>below</u>	





4	Administrator or Security personnel read the script	Script <u>below</u>	
5	Administrator calls the district's general counsel		
6	Administrator calls third party community support (organization or other network) to report the situation		
7	Administrator calls the emergency contact listed for the student identified. Inform the family of the situation and ask that a documented and trusted person come to the school		

#### FOR WHOMEVER IS AT THE FRONT DESK & MAIN OFFICE

- Request to see Identification
- Call Administration (Principal or other designated Administrator) and central security office
- Start video recording the interaction (including any narration)
  - o Strategies when filming law enforcement
    - Keep a distance of 8 to 10 feet away from the incident
    - Try to have more than one person recording if possible, from different angles and distances
    - When filming or dictating audio, film it to the end
    - Narrate what you are seeing, say the date, time, location like you are describing an intersection)
      - Say any identifying information (badge numbers, license plates)
    - Try to keep the camera focused on law enforcement more than on the person they are detaining
      - All evidence can be used against all parties involved (witnesses, victims, immigration enforcement officers)
- Say Script





- What is your name? What is your badge number? What organization do you represent? I do not have authorization to allow law enforcement officers to enter [School Name].
- This school does not consent to the entry of Immigration and Customs Enforcement Agents, or any other agent that is carrying out immigration enforcement activities, **without a court order signed by a judge.**
- o I do not consent to entry, and I am not authorized to review court orders.
- As a school, we have the right to deny entry until legal counsel arrives.
- Please wait outside or go to the district's general counsel office while school administration contacts the general counsel.
- Document everything
  - Officer information
  - Badge number
  - Name
  - Write down or record everything that happens during the interaction
  - o It is important to record if they enter even when told not to
  - Write down whether there are any additional witnesses and include contact information if possible. Encourage witnesses to document what happened as well.

#### FOR ADMINISTRATION

- Call district's general counsel
- Call the emergency contact listed for the student(s) in question. Inform the family
  of the situation and ask that a documented and trusted person come to the school.
  Ask the emergency contact to get in touch with a lawyer. If they do not have one,
  tell them to reach out to [local community support or other orgs] for help in getting
  a lawyer.





### Situation B: Immigration Enforcement is Present Outside of the School

	Steps	Numbers to call	Needs/Questions	Point Person
1	Crossing guard or other community patrol notifies administrator			
2	Administrator calls District's general counsel and report the situation			
3	Administrator calls [local community organization] and reports the situation			
4	Administrator goes out into community to verify that this is true			
5	> Use Soft Lockdown drill procedure for school. Administrator notifies Safe School Committee of verified outdoor threat			
	> Administrator calls [community organization] to inform them of verified immigration enforcement threat			
	> Administrator to ask teachers to check their emails to share information. > Teachers asked to share with students in their class > Students are allowed to go to the office to call family			
	> Administrator sends phone call alert to parents notifying them of lockdown and that they should NOT come to the school as no one will be allowed in or out until the situation is cleared			
	> Station an Administrator representative outside the school in case families come to the school. If community organization arrives, administrator re-enters school building.			
6	Administrator calls the school			





	district's general counsel		
7	Administrator calls third party community support (organization or other network) to report the situation		
8	Administrator calls the identified student's emergency contact. Inform the family of the situation and ask that a documented and trusted person come to the school		

#### FOR ADMINISTRATION

- Text other school administrators on encrypted group chat (Signal preferred)
- Administrator goes out into community to verify that report is true (taking a radio with them)
- If verified to be true and between school hours, use Soft Lockdown drill procedure for school (no one to be let into the school)
- Call district's general counsel
- Message to security to implement soft lockdown
- Message to main office that school is implementing soft lockdown
- Ask teachers to check their emails to share information.
- Once the situation is over and immigration enforcement has left, follow up with another phone call alert to parents to let them know that the situation is over.
- If parents/guardians come to pick up students, "check-out station" is created outside of school.
  - One administrator and one security outside with radio
    - Verify parent/guardian ID via radio to main office (check emergency form)
    - Call student to the parent/guardian





# Model Memorandum of Understanding (MOU) between School District and Law Enforcement

When police are in schools, students are excluded. They are suspended, expelled, arrested, and referred to law enforcement. We know police in schools fuel the school-to-prison and school-to-deportation pipelines. And the current administration will worsen the harms of school policing by enacting federal policies that target immigrant families, systemically divest from public education, and refuse to honor and defend students' civil rights. But there are steps that students, families, educators, and schools can take to counteract these attacks, protect immigrant students, and stem criminalization in schools.

A Memorandum of Understanding (MOU) or Intergovernmental Agreement (IGA) is a contract between a school district and a law enforcement agency that provides guidance on the operation of school policing and details the roles and responsibilities of officers and administrators. At its best, an MOU limits the scope of police involvement, outlines which situations are addressed through discipline rather than criminalization, and establishes mechanisms to hold officers accountable for misconduct. At its worst, a bad MOU expands police authority within schools and reduces the discretion of school administrators to handle routine school matters or discipline.

This document outlines the sections that may be included in a MOU, the purpose of those sections, and suggested language that will help protect immigrant students by limiting their contact and interaction with law enforcement while attending school. Advocates and organizers should select demands that fit best within the context of their school district. We believe that police should not be in schools, but if their presence is required, an MOU with the following language will reduce the impact of school policing on immigrant students and the school district's reliance on law enforcement as a whole.

#### **Purpose**

The purpose section of an MOU states the reasons why the agreement is being formed and presents an opportunity for alignment on desire to protect immigrant students and other students of color who are disproportionately impacted by school policing. This section also presents an opportunity to ensure that the law enforcement agency and the school district have a shared understanding of their role in protecting immigrant students at school.

#### Suggested Language for the "Purpose" Section:

• It is the role of teachers and other educators to administer school discipline in a way that supports personal growth and learning opportunities for all students. It is further the goal of the district that school discipline be administered in a way that keeps students within the classroom setting to the greatest extent possible. Wherever possible, school-based infractions shall be addressed using non-punitive interventions





that improve school safety and academic performance (e.g. restorative justice, peer mediation, counseling services, etc.), and not through exclusionary measures, school-based arrests or referrals to the youth or adult justice systems.

- The school district shall not use district resources, including money and staff time, to communicate, coordinate or in any way cooperate with immigration enforcement agencies. Additionally, the school district shall not implement policies that increase the number of students referred to the youth or adult justice systems, including warrantless searches, criminal interrogations, issuing tickets and citations, and sharing student information with law enforcement.
- The regular presence of police in schools will be phased out and resources currently supporting their presence, including money allocated by the city and state for school safety and money paid from the district to the police department, will be directed to alternatives such as school counselors, paraprofessionals, restorative justice practitioners and coordinators, behavioral health services and other crucial resources.

#### Procedures for Law Enforcement Involvement in School-Based Incidents

This section outlines procedures for when and how law enforcement should be notified and involved in a school-based incident. By preventing law enforcement officers from getting involved in all but the most serious incidents that pose an immediate threat to school safety, schools will limit the number of students referred to the courts and placed at risk of deportation. Doing so will also make sure school officials are responsible for responding to almost all incidents without the involvement of law enforcement.

# Suggested Language for the "Procedures for Law Enforcement Involvement in a School-Based Infraction" Section:

- Law enforcement assigned to schools within the school district will not assist any
  federal law or immigration enforcement agency. School officials will only comply with
  federal law or immigration enforcement agencies if representatives of these agencies
  provide school officials with a federal judicial warrant that grants access to a specific
  location.
- The school district shall not provide information to assist law enforcement or immigration enforcement in searching, arresting, detaining, or otherwise citing a student for a criminal offense or for immigration enforcement unless specifically supported by a valid judicial warrant.
- The principal or their designee has the sole authority to decide whether to involve law enforcement in response to a school-based incident.





- The principal or their designee may involve law enforcement in response to a school based incident only if there is a serious and immediate threat to school safety or when otherwise required by state or federal law.
- The principal or designee must attempt to de-escalate the situation whenever possible prior to calling or otherwise involving law enforcement in the school-based infraction.

#### **Procedures Concerning Law Enforcement Conduct in Schools**

This section dictates how law enforcement interacts with school staff and students when they are operating on school grounds. This section should ensure that local law enforcement officers do not assist federal law enforcement or immigration enforcement officers. These procedures also ensure that school police/local law enforcement do not interact with students unless they are responding to the most serious incidents that pose an immediate threat to school safety. This section should also ensure that law enforcement is not sharing information with immigration enforcement agents or using harsh, coercive, or invasive techniques while operating in schools.

# Suggested language for "Procedures Concerning Law Enforcement Conduct in School" section

#### Student Searches

- Law enforcement may only conduct a search of a student's person, possessions, or locker where there is probable cause to believe the student committed or is committing a felony offense and the offense at issue poses the threat of serious and immediate injury to an individual within the school community. In addition, law enforcement shall not request that school officials conduct a search of a student's person, possessions, cell phone, or locker in order to evade the probable cause standard articulated above.
- A principal or designee shall be consulted before law enforcement conducts a search on a student's person, possessions, cell phone, or locker.
- Law enforcement shall 1) notify the principal or designee and a parent or guardian and 2) ensure the presence of the parent or guardian before law enforcement may question a student. Further, law enforcement must provide notice to the student and their parent or guardian that any statement by the student, written or oral, might be used against the student in a criminal, immigration, or juvenile delinquency investigation and/or proceeding in a court of law.
- Strip searches of students by law enforcement or school officials are prohibited.





#### Student Arrest and Referrals to Law Enforcement

- Law enforcement assigned to schools within the school district shall not assist any federal law or immigration enforcement agency in detaining or arresting a student and shall not provide these agencies with information related to district students unless ordered to do so by a judicial warrant or otherwise required by state or federal law.
- Law enforcement assigned to schools within the district shall consult a school principal or designee before a student is formally placed under arrest or referred to law enforcement.
- School administrators shall immediately notify a student's parent or guardian when law enforcement is called to a school campus in response to that student.

#### Weapons

- Law enforcement officers on school campuses shall not carry guns.
- School police officers shall not use physical restraints (handcuffs, Tasers, pepper spray
  or other physical and chemical restraints) on district campuses unless used to stop or
  prevent serious acts of violence that pose an immediate threat to school safety.

#### Transparency, Accountability, and Training

School districts often conceal information about the full extent of school policing, including details on how and when students are being surveilled, the total cost of policing schools, and how to hold school police officers accountable for harming students. This section outlines ways in which MOUs can create transparency and accountability to ensure that community members are well informed.

#### Suggested language for Data, Transparency, and Accountability sections:

#### Data & Transparency

- The school district and law enforcement agency shall not maintain records related to the citizenship status of any student or their parent or guardian.
- The school district and law enforcement agency shall maintain records of every school-based incident resulting in law enforcement involvement disaggregated by description of the incident, names of school officials involved, manner in which law enforcement was notified, searches/questioning of students, tickets, citations, or summons issued, arrests made, and all referrals to the youth and adult court systems. To the extent allowable without compromising student privacy or revealing personally identifiable information, data shall also be disaggregated by race, age, school, grade,





gender, English Language Learner (ELL) status, and disability status of the student(s) involved.

- Each record described above shall also include information on any suspension, expulsion, disciplinary transfer, or other disciplinary consequence imposed on the student.
- The data should be released publicly on a quarterly basis in a manner that is accessible to the community.

#### Accountability

- Any school employee who fails to follow the protocol established above shall be subject to corrective action.
- A stakeholder group of students, teachers, administrators, parents, and community leaders shall monitor adherence to this MOU on the part of law enforcement and the school district. This group shall be empowered to receive any and all data related to school-based offenses from law enforcement and the district and shall make recommendations to the school board and to law enforcement concerning school disciplinary issues or changes to this MOU. This stakeholder group shall meet regularly with district and law enforcement officials to discuss issues of school safety and climate.
- The school district and law enforcement shall respond to violations of this MOU identified by the stakeholder group with:
  - 1. written acknowledgment of the violation; and
  - 2. written policies or measures to prevent future violations.
- The law enforcement agency and school district shall create a user-friendly system for students, parents, or other individuals to lodge complaints against law enforcement officers placed in schools. Such complaints may be submitted in English or the parent's/guardians' native language, verbally or in written form. The school district shall prevent and address any instance of retaliation against students and parents who submit complaints against law enforcement officers in schools.
- The complaint system must provide for independent investigation of all allegations as well as swift and comprehensive redress.
- The complaint system must protect the identity of the complainants.





- Within 30 days, any complainant shall receive written notification of the resolution of their complaint or written notification of the need for additional time to resolve the complaint, including concrete and specific actions taken to work toward resolution of the complaint.
- Where allegations of serious abuse are pending against a law enforcement officer, that officer may not be further deployed to respond to any school-based incident.
- Where allegations of serious abuse against a law enforcement officer are substantiated, that officer must be permanently prohibited from being stationed at any school within the school district, as well as suspended from any assignment relating to a school-based incident.
- The school district shall make all parents and students aware of the complaint system through verbal and written communication provided in a language that the parent/guardian can understand, as required by Title VI of the Civil Rights Act.





#### Model District Resolution

School districts can and should protect immigrant students and families have significant discretion to institute policies and protocols that would keep their school communities safe. Below is a model safe and welcoming schools resolution<sup>31</sup> that school boards can adopt to recognize and protect the safety and wellbeing of everyone in the district's community, including immigrant students and other marginalized students.

**WHEREAS**, all children regardless of immigration status have the right to access free public education as decided in the 1982 Supreme Court case Plyler v. Doe; and

**WHEREAS**, all students have a right to attend school free of fear, bullying, and discrimination; and

**WHEREAS**, policies and practices that fuel the school-to-prison pipeline also put undocumented students at risk and contribute to the school-to-deportation pipeline; and

**WHEREAS**, the school-to-prison pipeline disproportionately harms Black and Brown students and other students of color, LGBTQ students, and students with disabilities who are subjected to harsher discipline and higher rates of ticketing and arrests; and

**WHEREAS**, research has shown that implementing restorative justice and non-exclusionary discipline has positive outcomes on students; and

**WHEREAS**, in January 2025, the federal government rescinded the sensitive locations memo that directed Immigration and Customs Enforcement (ICE) and other federal immigration enforcement officers to avoid targeting places like schools, hospitals, and courthouses for enforcement activities; and

**WHEREAS**, reports of potential raids by ICE and other federal immigration enforcement agencies have caused immigrant communities to fear leaving their homes for essential activities, including sending or accompanying their children to school; and

**WHEREAS**, federal immigration enforcement and law enforcement engage in activities that disrupt the learning environment when they occur on or around District property and transportation routes, including surveillance, interviews, demands for information, ticketing, arrests, and detentions; and

**WHEREAS**, no federal law requires a public school district to devote any of its resources, financial or otherwise, to the enforcement of federal immigration laws; and

<sup>&</sup>lt;sup>31</sup> Adapted from several school districts resolutions, including Chicago Public Schools, Oakland Unified School District, New York City Public Schools, Philadelphia School District, and Denver Public Schools



ADVANCEMENT PROJECT

**WHEREAS**, persistent and unaddressed discrimination on the bases of national origin (including immigration status, shared ancestry, or ethnicity), race, color, sex (including sexual orientation and gender identity), or disability could harm the ability of students and families to learn, feel safe, and emotionally supported in [School District]; and

**WHEREAS**, school personnel are often the primary source of support, resources, and information to assist in students' learning and socio-emotional health; and

**WHEREAS**, the [School Board] and [School District] recognize its responsibility to welcome and educate all students regardless of their race, color, national origin (including immigration status, shared ancestry, or ethnicity), sex (including gender identity or sexual orientation), or disability and celebrates their contribution to our diverse learning community; and

**WHEREAS**, the [School Board] is committed to ensuring that [School District] is a safe and welcoming place for all its students and their families, and will not be impeded or intimidated from fulfilling that commitment and exercising its responsibility to provide that safe and welcoming place; and

**WHEREAS**, the [School Board] believes that it is in the best interests of the students, staff, families, and community of [School District] to use any legal means available and necessary to ensure that local law enforcement, ICE, or other federal immigration enforcement does not disrupt the educational environment; and

**NOW, THEREFORE, BE IT RESOLVED**, that we, the [School Board] and the [School District], hereby reaffirms its position that all students have the right to attend school regardless of the immigration status of the child or of the child's family members;

**BE IT FURTHER RESOLVED**, that the [School Board] recognizes that school can build a comprehensive understanding of history and civics in students, and supports the academic freedom of teachers to both teach and discuss current events with students as aligned with State law and [District] policies, and students' individual identities, experiences, and First Amendment rights;

**BE IT FURTHER RESOLVED**, that the [School Board] declares its commitment that every school and District site be a welcoming place for all students and their families and encourages the [Superintendent/ Lead District Executive] to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation and other immigration-related issues;

**BE IT FURTHER RESOLVED**, that consistent with federal civil rights laws, [School Board] and the [School District] reject any effort to condition access to any educational opportunity on an individual's race, color, national origin, religion, immigration status, sex, sexual orientation, gender identity, or disability; pledge to address harassment in school on these protected





bases; and reject any federal or state effort to create a registry of individuals based on any of these traits;

**BE IT FURTHER RESOLVED**, that the [School Board] and the [School District], and any representatives, employees, contractors, and volunteers, shall provide a free, public education to students residing in the district regardless of a student's or family's immigration status as required by Plyler v. Doe and shall not ask for or require a student, parent, or family member to disclose their immigration status, place of birth, or social security number, including on any enrollment form;

**BE IT FURTHER RESOLVED**, that the [School Board], does not consent to granting federal immigration enforcement agencies, including the U.S. Immigration and Customs Enforcement (ICE) and any other agency deputized to carry out immigration enforcement, access to school facilities, students, or student records for immigration enforcement purposes absent confirmation from [School District] legal counsel that there is a valid judicial warrant.

**BE IT FURTHER RESOLVED**, that the [School Board] and the [School District], and any representatives, employees, contractors, and volunteers, in order to create a safe and welcoming learning environment for all students—including immigrant students—shall abide by the following to the greatest extent allowable under federal, state, or local law:

- District personnel shall communicate safe and welcoming status through correspondence, clear signage posted at all district and school entrances and other messaging to students, parents, and other community members;
- 2. Refuse to release information, use district resources, or otherwise assist local law enforcement, ICE, or other federal immigration enforcement officers with identifying or apprehending undocumented students, parents, or families or otherwise assisting in immigration enforcement;
- 3. If applicable, eliminate access to and the use of any gang database by school security officers or school police placed at [School District], as removing such database will increase protections for all students;
- 4. Provide additional and sustainable funding for food, academic, counseling, and mental health support for students and their families experiencing trauma due to violence, criminal legal system involvement, and deportations and/or or other immigration-related trauma;
- 5. Provide and proactively distribute in multiple languages printed and online resources for students, staff, and families on how to obtain immigration legal assistance, health and mental health care, and public safety support.





- 6. Require the school district to work with [local teachers union, if applicable and] community organizations to accurately train school personnel about the following:
- 7. Mandate annual trainings on these rights to ensure that school personnel are informed with accurate and up-to-date information;
  - a. Rights of undocumented students and parents,
  - b. Regulations around DACA,
  - c. Guidelines of a safe and welcoming school,
  - d. Rights of educators to defend their students in the face of deportation, detention, arrest, or the threats thereof,
  - e. Implementing emergency response plans;
- 8. Develop protocols and emergency plans for responding to ICE raids, deportations and other forms of violence such as shootings. These plans will be created in collaboration with counselors, social workers, the principal and if possible community organizations partnering with the school.
- 9. If applicable, require all agencies that the district holds intergovernmental agreements with, such as the [city] Police Department ([police department acronym]), to uphold the determinations outlined in this resolution;

**BE IT FURTHER RESOLVED**, that the [School Board] and the [School District], and any representatives, employees, contractors, and volunteers, in order to fully support and nurture students and put an end to the school-to-prison and school-to-deportation pipeline, shall abide by the following to the greatest extent allowable under federal, state, or local law:

- 1. Directing all schools to open their doors to be a first point of safety for families under threat of deportation until arrangements are made for a longer-term sanctuary space;
- 2. Committing to not terminate employment or contracts with any staff with Deferred Action for Childhood Arrivals (DACA), in the event that DACA is rescinded;
- 3. Protecting all students from deportation without exceptions;
- 4. Not use or recognize the use of the terms 'illegal immigrant' or 'illegal alien;'

**BE IT FURTHER RESOLVED**, that the Board will require that all schools in the district adopt similar resolutions or take steps to ensure that their facilities and programs are also safe and welcoming schools for immigrant students, students of color, and any other vulnerable students, including through the adoption of a ICE Safety protocol;

**BE IT FURTHER RESOLVED**, that the [Superintendent/ Lead District Executive] shall prepare an implementation plan defining partnerships with community organizations and training and support for school site employees as mandated by this Resolution and report back to the





[School Board] within ninety (90) days of this Resolution's enactment date and from time to time thereafter as requested by the [School Board]; and finally

**BE IT FURTHER RESOLVED**, that the Board instructs the [Superintendent/ Lead District Executive] to distribute copies of this Resolution within thirty (30) days of the Resolution's enactment date, translated into all appropriate languages, to all school sites, and ensure that the Mayor's office and [city's] immigrant-serving community organizations are consulted and involved in monitoring and successful implementation of this Resolution.

ADOPTED this [date] day of [month], [year]





#### Additional District Policies and Procedures to Consider

In addition to passing Safe and Welcoming Schools resolutions, Districts could also institute additional policies, procedures, and protocols to fully protect all students. School districts that have built trusted relationships with their communities have seen **higher** rates of attendance compared to districts without those relationships and commitments.

#### 1. Make information easily accessible on the District website

a. Make sure the District's website clearly displays a link to information about the Safe and Welcoming Schools policy

Make a Safe and Welcoming webpage that has relevant information on the policy and check in with families and community members to ensure that this information is easy for them to find on the District website.

b. Make sure all information and resources on the Safe and Welcoming Schools policy is available in multiple languages—prioritizing languages that are most spoken in the district

You can aggregate results from home language surveys to determine what languages are spoken most within the district.

c. Make sure the Safe and Welcoming Schools page has relevant information and resources

You want the Safe and Welcoming Schools information page to be a hub for anyone seeking information related to immigration enforcement in and around District schools. Items on this webpage may include:

- Link to the District's Safe and Welcoming Schools resolution
- List of any trainings or meetings held by either the District, individual Schools, or community organization partners (and updated at least weekly)
- Contact information for any hotlines that are monitoring federal immigration activity ICE sightings in or around district schools (e.g., MigraWatch Hotline)
- Posters with QR codes linking to the Safe and Welcoming Schools webpage and resources, that can be easily printed and posted by community members
- District's ICE Protocol, see <u>sample protocol</u>
- Family Preparedness Plans
- Links to any other sanctuary laws including city resolutions, county laws or state laws





- Resources for educators and staff including but not limited to:
  - District training materials
  - School-level <u>ICE protocols</u>
  - Links to external partner resources and toolkits
  - Curricular materials
- Know Your Rights documents and legal resource guides, including resources from external partners or community groups
- List of legal and community organizations supporting immigrant families and the Safe and Welcoming Schools work, including their phone numbers and contact email addresses
- List of and link to other District policies affected by the Safe and Welcoming Schools resolution, including but not limited to:
  - Policies relating to visitors to schools
  - Policies relating to student interviews, searches, and seizures
  - Policies relating to FERPA and privacy of personal information
  - Policies relating to student conduct, discipline, and attendance
  - Information about how to update a student's emergency contacts

#### 2. Mandated District trainings

Districts should mandate that all district and school staff, including external partners that work in schools such as crossing guards, bus drivers, and after-school program providers, complete trainings including but not limited to these topics:

- The District's Safe and Welcoming Schools resolution and any related protocols or policies
- Rapid Response protocols
- Immigration policy
- Including the connection between local law enforcement/the criminal legal system and immigration also referred to as "crimmigration"
- The rights of students under the statutes and constitution of the United States and your applicable state
- De-escalation techniques and how to record ICE

#### 3. General Counsel coverage and involvement

School protocols involve contacting the District's general counsel or legal representative in the event ICE or other federal immigration enforcement officers show up or request information from a school or the district. Since this may occur at any





school related activity, including outside of school hours, the District's general counsel or legal representative should ensure there is coverage to address issues related to immigration enforcement at all relevant hours.





# **Tools for Advocating**

### Template Letter to School Board

This letter is for parents, teachers, advocates, organizers, and community members who want to demand stronger protections for immigrant students in public schools. We must safeguard all students, especially those from immigrant households and families who face a high risk of interactions with Immigration and Customs Enforcement (ICE). Use this demand letter to urge your school to take action, ensure the protection of all students, and implement policies that support immigrant and other vulnerable communities.

[School Address:]

[Date:]

[Your Name & Address:]

**Subject:** Protecting Immigrant Students and Their Families at **[Insert School District Name]**Dear members of the school board,

In the weeks following the presidential inauguration on January 20, 2025, immigrant communities across the country have faced heartbreak, fear, and life-changing transitions. The administration has aggressively pursued its agenda targeting immigrant families and communities, promising to "carry out the largest domestic deportation operation in American history." Within days, the Trump-Vance administration signed executive orders that unconstitutionally attempt to end birthright citizenship<sup>33</sup> and threaten to use the military domestically on people residing in the United States. These fear tactics have already had a chilling effect—driving down school enrollment and deepening fear within immigrant communities.

https://www.federalregister.gov/documents/2025/01/30/2025-02089/clarifying-the-militarys-role-in-protecting-the-territorial-integrity-of-the-united-states





<sup>&</sup>lt;sup>32</sup> John Washington, Trump's Blitz on Immigration Aimed to Overwhelm—Here's What You Need to Know, TRUTHOUT (Feb. 9, 2024),

https://truthout.org/articles/trumps-blitz-on-immigration-aimed-to-overwhelm-heres-what-you-need-to-know/. <sup>33</sup> EO 14160, 90 Fed. Reg. 8449 (Jan.20, 2025),

https://www.federalregister.gov/documents/2025/01/29/2025-02007/protecting-the-meaning-and-value-of-american-citizenship.

<sup>&</sup>lt;sup>34</sup> EO 14167, 90 Fed. Reg. 8613 (Jan. 20, 2025),

While the county is in upheaval, and the Trump-Vance administration continues to villainize immigrant people and communities, we must not forget the impact that these orders have on our schools and our communities. On January 21, 2025, the Acting Secretary of the U.S. Department of Homeland Security, rescinded a 13-year-old policy that prevented ICE from intruding on sensitive locations or protected areas, including schools and related locations, for immigration enforcement.<sup>35</sup> Some public officials in a handful of states and localities have even proposed policies that violate *Plyler v. Doe*,<sup>36</sup> which is the Supreme Court case that states that a school district cannot deprive a student of their right to a free public education based on the student's immigration status. For over 40 years, *Plyler v. Doe* has been—and still is—the law of the land. That means that students cannot be denied enrollment based on their undocumented status because they are protected by the Equal Protection Clause of the Fourteenth Amendment. We must prioritize students' safety and work together—both as a community and within schools—to implement stronger protections and shield them from ICE enforcement.<sup>37</sup>

We implore [Name of School District] to take responsibility for protecting your students and families from an increasingly hostile federal government by enacting policies and procedures that keep them safe and free from immigration actions at or near school grounds. We ask that [Name of School District] show up and protect students. There are several ways that [Name of School District] can change its policies to better protect students against ICE and against anti-immigrant sentiment in the United States.

#### School-Specific Safe Zone Plan

District leaders must establish, update, and communicate districtwide protocols on responding to immigration enforcement at or around schools, ensuring that all school leaders are aware of any changes.

Countless school districts around the country have passed Safe Zones resolutions to help protect vulnerable students and families within their communities. These Safe Zone resolutions prohibit the collection and sharing of student immigration information and establish procedures for responding to immigration enforcement at or around schools. They also outline steps that schools should take and what documentation an immigration officer

<sup>&</sup>lt;sup>37</sup> MIJENTE, *Nuestro Horizonte es el Buenvivir: Mijente Local Demand Toolkit* (2024), <a href="https://mijente.net/wp-content/uploads/2024/12/Nuestro-Horizonte-es-el-Buenvivir Mijente-Local-Demand-Toolkit.pdf">https://mijente.net/wp-content/uploads/2024/12/Nuestro-Horizonte-es-el-Buenvivir Mijente-Local-Demand-Toolkit.pdf</a>





<sup>&</sup>lt;sup>35</sup> Press Release, U.S. Dep't of Homeland Sec., Statement from DHS Spokesperson on Directives Expanding Law Enforcement and Ending Abuse (Jan. 21, 2025),

https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse.

<sup>&</sup>lt;sup>36</sup> Naylor, S. G. (2025, February 5). Lawmakers introduce bill to keep undocumented students out of public schools. Chalkbeat Tennessee.

https://www.chalkbeat.org/tennessee/2025/02/05/republican-lawmakers-introduce-bill-keep-undocumented-students-out-of-school/

must provide before they can enter a school or obtain information about a student.<sup>38</sup> Generally, a Safe Zone resolution provides reassurance for students, sets clear protocols for law enforcement interactions, and offers information and support for families and staff.<sup>39</sup>

In Chicago, the school board approved a resolution promising to protect its students from federal immigration enforcement, cementing the district's status as a "welcoming" place for all.<sup>40</sup> The resolution explicitly states that Chicago Public Schools will not "**provide assistance**" to ICE in enforcing federal immigration law.<sup>41</sup> Similarly, the Los Angeles school board united in its defense of its immigrant and LGBTQ+ student and faculty community, affirming the school system as a sanctuary for these students, families, and employees.<sup>42</sup>

Our district's Safe Zone policy should include clear instructions that:<sup>43</sup>

- District staff **WILL NOT** ask for our families' immigration status.
- District staff **WILL NOT** coordinate with federal immigration enforcement agencies, including Immigration and Customs Enforcement (ICE).
- District staff **DO NOT** share student records with ICE or any other federal representatives, except in the rare case where there is a court order or written, signed consent from the parent/guardian.
- District staff **WILL NOT** allow ICE agents to speak to any students or staff members.
- District Staff WILL NOT allow ICE agents or any other federal representatives access to district facilities unless they produce a criminal judicial warrant signed by a federal judge
- If an ICE agent shows up at a district school site, district staff **WILL IMMEDIATELY CALL THE SCHOOL DISTRICT'S LEGAL REPRESENTATIVE FIRST** and allow the legal representative to work directly with the ICE agent to confirm and verify the intention and purpose of the ICE agents coming to the school.

<sup>&</sup>lt;sup>43</sup> Chicago Pub. Schs., *Updates For CPS Families Regarding New Presidential Administration*, CHICAGO PUB. SCHS. (Jan. 2025), <a href="https://www.cps.edu/media/community-updates/2025/january/updates-administration">https://www.cps.edu/media/community-updates/2025/january/updates-administration</a>; San Francisco Unified Sch. Dist., <a href="https://www.sfusd.edu/services/family-supports-services/immigration-policy-resources">https://www.sfusd.edu/services/family-supports-services/immigration-policy-resources</a> (last visited Feb 2025)



ADVANCEMENT PROJECT

<sup>&</sup>lt;sup>38</sup> Nat'l Educ. Ass'n, Guidance on Immigration Issues,

https://www.nea.org/resource-library/guidance-immigration-issues#enforcement (last visited Feb. 10, 2025).

<sup>&</sup>lt;sup>39</sup> Nat'l Educ. Ass'n, *Safe Zone School Districts*, <a href="https://www.nea.org/resource-library/safe-zone-school-districts">https://www.nea.org/resource-library/safe-zone-school-districts</a> (last visited Feb. 10, 2025).

<sup>&</sup>lt;sup>40</sup> Kristina Watrobski, *Chicago School Board Vows to Resist Federal Immigration Officials After Trump Victory*, WJLA (Nov. 2024).

https://wila.com/news/nation-world/chicago-school-board-vows-to-resist-federal-immigration-officials-after-trump-victory-chicago-board-of-education-chicago-public-schools-ice-brandon-johnson-crisis-in-the-classroom

41 Id.

<sup>&</sup>lt;sup>42</sup> Howard Blume, LAUSD Pledges to Protect Immigrant and LGBTQ+ Students During Trump Presidency, L.A. TIMES (Nov. 18, 2024),

https://www.latimes.com/california/story/2024-11-18/lausd-protect-immigrant-lgbtq-students-trump-presidency.

• **IMMIGRATION OFFICIALS SHALL BE REDIRECTED** to the district's legal representative at [address] to seek approval for access to a school site for any purpose.

### **Do Not Punish Student for Being Absent**

The school district should provide a multi-tiered, nonpunitive system of addressing student attendance issues, especially the attendance of immigrant students. Since the Trump-Vance administration removed schools from the list of "sensitive locations," immigrant families are afraid, and school enrollment is down throughout the U.S. Marking students absent or truant could trigger potential legal ramifications for both students and their parents or guardians, placing them all at a greater risk of deportation.

Recently, in Los Angeles, the school superintendent said that attendance across the school district was down 20% with about 80,000 students out of class. Himilarly in Chicago, parents fearful of immigration raids were picking up children early from school or parking a few blocks away to avoid potential contact with immigration officials. Because of these changing conditions, to the extent possible under local and state law, school districts should develop alternatives to marking students absent or labeling them truant, utilizing creative and non-traditional forms of education like virtual learning. Such alternative absence and truancy policies are critical to promoting and protecting educational opportunities for students generally, including students who attend schools with a significant immigrant population. To truly protect immigrant students and families, school districts must consider ways to engage with students and families that make them safe from immigration enforcement while also providing a quality education.

#### **Comprehensive Training for All Faculty and Staff**

Faculty and staff are on the front lines when it comes to protecting students, making it critical that they receive proper training on immigration enforcement policies and students' rights. Without clear guidance, school personnel may unknowingly provide information or access to federal agencies, putting students and families at risk.

The District should pass a resolution providing training for all teachers, administrators, and staff (including, but not limited to school bus drivers, custodial staff, security guards, and front desk personnel) on how to respond to federal agencies and immigration personnel who request student, family, or staff information or attempt to enter school property. Potential trainings can cover issues such as the types of warrants needed for entry to school buildings, how to navigate potentially tense interactions with immigration officers, Know Your Rights presentations, rules around information sharing with local and federal law enforcement,

<sup>&</sup>lt;sup>44</sup> Maanvi Singh, *'They're hurting our children, our babies': US schools on high alert amid Trump immigration raids* (Feb. 6, 2025) <a href="https://www.theguardian.com/us-news/2025/feb/06/trump-immigration-raids-schools">https://www.theguardian.com/us-news/2025/feb/06/trump-immigration-raids-schools</a>
<sup>45</sup> Id





addressing families' fears of ICE agents coming to schools, and deciphering and debunking misinformation related to raids and arrests.<sup>46</sup>

### **Show Up for Immigrant Communities**

We demand that **[NAME OF SCHOOL DISTRICT]** take steps to protect students and families in its school community. We urge the District to adopt and implement a Safe Zone Plan that outlines the steps staff should follow if there is an ICE interaction at their school. We urge **[NAME OF SCHOOL DISTRICT]** to provide training and Know-Your-Rights presentations to faculty and staff, as well as materials to students, families, and the larger community so that people know how to protect themselves and exercise their rights. We urge the District to implement a multi-tiered system for dealing with issues related to student attendance and for **[NAME OF SCHOOL BOARD OR GOVERNING BODY]** to pass a resolution solidifying the District's commitment to protecting all students, especially immigrant students.

<sup>&</sup>lt;sup>46</sup> Ileana Najarro, *How Schools Can Navigate Trump's Immigration Policies*, EDUC. WK. (Jan. 2025), https://www.edweek.org/leadership/how-schools-can-navigate-trumps-immigration-policies/2025/01.





### Template Principal's Pledge

All children and students deserve to be safe at school. With the president and some lawmakers scapegoating and threatening immigrant communities, we have seen diminished attendance, increased fear, panic, uncertainty, and a shift in energy from students across the country. In the face of these attacks, school staff and administrators—especially principals—play a unique and vital role in defending students and ensuring that schools remain safe and welcoming for everyone.<sup>47</sup>

Now more than ever, administrators and principals must learn how to navigate the complexities of federal immigration policies and their limits on school grounds. School leaders set the tone for their school community. They can determine whether schools remain supportive and welcoming for all students and families. This *Principal's Pledge* is intended to help principals and administrators voice their commitment to protecting immigrant students and detail the specific ways in which they will keep students safe. If your school district has not yet taken action to support and protect immigrant students, this *Principal's Pledge* presents the opportunity to take a stand and be a model for your peers across the school district.

Some school districts are already standing up against these attacks.<sup>49</sup> The Denver Public School (DPS) system became the first public school system to sue the Trump-Vance administration and Department of Homeland Security (DHS) regarding its use of Immigration and Customs Enforcement (ICE) agents in schools. Many other school districts, parents, teachers, and principals are doing right by their students to protect the right to an education, regardless of immigration status.<sup>50</sup>

Your vocal commitment to protecting immigrant students is necessary to ensure that all students and families feel safe in schools. In the past, when school districts declared that their schools were "safe havens" or "sanctuaries"— it meant that they offered protections that created a welcoming vision for all students and families who are undocumented or have otherwise compromised immigration statuses. In most cases it also meant that school staff required federal immigration agents to present a signed judicial warrant before they could enter a school building or campus. School districts must adopt or recommit to these "safe

The Guardian, Denver's Public School System Sues Trump Administration Over ICE Access to Schools, The Guardian (Feb. 13, 2025), https://www.theguardian.com/us-news/2025/feb/13/denver-trump-ice-lawsuit-schools



ADVANCEMENT PROJECT

<sup>&</sup>lt;sup>47</sup> IDRA, How Educators Can Support Immigrant Students, IDRA (Oct. 5, 2023), https://www.idra.org/education\_policy/how-educators-can-support-immigrant-students/

<sup>&</sup>lt;sup>48</sup> Eileen Gale Kugler, Immigration Enforcement and U.S. Schools: What Could Happen and What Education Leaders Can Do, Brookings (Mar. 1, 2017),

https://www.brookings.edu/articles/immigration-enforcement-and-u-s-schools-what-could-happen-and-what-education-leaders-can-do/

on-leaders-can-do/

49 Evan Nicole Brown, How Schools Are Navigating Trump's Immigration Policies, TIME (Feb. 22, 2025), https://time.com/7260413/how-schools-are-navigating-trump-immigration-policies/

haven" or "sanctuary" policies and protocols to ensure schools remain protected areas for all students. School districts must also ensure that staff recognizes that for more than 40 years, the Supreme Court ruling *Plyler v. Doe* guarantees any student access to a free public education regardless of immigration status.<sup>51</sup>

If you are a principal or school leader, take the pledge below to commit to making your school a safe place where all students can thrive, grow, and learn without fear of immigration actions against them or their family.

### **Action Pledge to Protect Immigrant Students and Families**

As a Principal, I _	, pledge to do my part to ensure that	
	_ is a safe and welcoming school for all students. I pledge to be a resource,	
ally and partner to	o immigrant students and their families and to protect them from	
immigration enfor	cement at school.	

I pledge to take the 5 steps listed below to protect immigrant students:

- 1. I pledge to stand as an advocate and witness for students and parents threatened by immigration enforcement agents on or around school grounds.
- 2. I pledge to create a School Safety Plan that:
  - a. Directs all staff to require immigration enforcement agents to present a valid, signed judicial warrant before they can enter the school building or talk to a student; and
  - b. Trains all staff, administration and anyone within the school ecosystem on all aspects of the School Safety Plan.
- 3. I pledge to set a standard of care, support and protection for all students, especially immigrant students, and to provide support and resources to them and their families. This includes ensuring that school staff:
  - a. Honor the protections of *Plyler v. Doe* by prohibiting school staff from asking for the immigration status of any student or family member or taking any action that would deter undocumented students from enrolling in district schools; and
  - b. Meet the legal requirements of the Federal Educational Rights and Privacy Act (FERPA) by not sharing students' records with federal immigration enforcement agencies, unless they are required to do so by court order or a valid judicial warrant.
- 4. I pledge to work on transforming this school community into one that is a safe and welcoming space for immigrant students and to do my best to implement as many of the suggestions outlined below as are legally permissible:

<sup>&</sup>lt;sup>51</sup> Plyler v. Doe, Oyez, https://www.oyez.org/cases/1981/80-1538 (last visited Feb 10, 2025).



ADVANCEMENT PROJECT

- a. If an immigration enforcement official arrives at the school, school staff are required to immediately contact the school district's legal representative and direct those officials to leave the school site and go to the legal representative's office for further instruction.
- b. School staff **WILL NOT** coordinate, collaborate, or share information with federal immigration enforcement agencies, including but not limited to Immigration and Customs Enforcement (ICE).
- c. School staff **WILL NOT** allow immigration enforcement officials to speak to any students or staff members.
- d. School staff WILL NOT allow immigration enforcement officials to access district facilities, unless they are required to do so by court order or a valid judicial warrant.
- e. All school staff **WILL** be trained on school-level protocols for responding to immigration enforcement officials on school grounds.
- 5. I pledge to advocate for establishing safe and welcoming school environments for immigrant students and their families at the district level to ensure that the district is doing all that it can to protect and honor the rights of immigrant students and their families.

Name:	
Position:	
School:	
School District:	
Email Address:	
Signature:	Date:





### Know Your Rights if ICE Shows up at Your School

### What do I do if I am a school staff member and ICE shows up at my school?

- **DO NOT** open the door for anyone claiming to be an immigration enforcement officer! This includes classroom doors and school entrances.
- ICE must show a warrant **signed by a judge** to enter the building. If ICE does not show you a court-ordered warrant, you should deny them entry.
  - NOTE: An administrative warrant is not enough! An administrative warrant is issued by an agency instead of a court and is not signed by a judge. An administrative warrant does not give ICE the right to enter the school building. If ICE presents an administrative warrant, you should deny them entry.
- Keep the door or gate closed, and if ICE says they have a warrant, ask them to slip it
  underneath the door. Then contact trusted administrators and the district's office of
  general counsel immediately.
- If you are able, record the ICE officers from a safe distance. You have a right to do this. If someone asks you to back up, record yourself backing up. Focus your recording on the officers themselves, how many are present, their location, their badge numbers, and their activity.
  - If you are undocumented, have DACA, or any status that puts you at risk, **DO** NOT stay and document the incident yourself. Find a way to leave the space calmly without drawing attention to yourself.

#### What do I do if I am a student and ICE shows up at my school?

- **DO NOT** open the door for anyone claiming to be an officer! This includes classroom doors and school entrances—only school staff should handle it.
- If ICE comes to your school:
  - You DO NOT have to answer any questions—even if adults say it's okay.
  - o **DO NOT** share information about your family or your friends' families.
  - DO NOT answer questions about your immigration status or your family's documents.
  - DO NOT sign anything without a trusted adult or your lawyer present!





• If ICE or police stop you, ask: "Am I free to go?" If they say no, stay silent and ask for a lawyer. You have the right to make a phone call. If you choose to call your parents or caretaker, consider whether it is safe for them. **DO NOT** sign anything without your lawyer present!

### How do I prepare for the possibility of running into ICE at school?

- Make a family safety plan. Know what you will do if someone in your family is detained.
  - Update your school emergency card to make sure a trusted adult is listed as an emergency contact.
  - Memorize important phone numbers and addresses in case you can't access your phone.
- Talk to a school staff member who you trust and ask them to find out if your school has a protocol for ICE visits.
- Form a rapid response team at your school. Invite students and trusted adults.
  - o Host Know Your Rights workshops.
  - Design a safety plan and assign roles in case of an incident: who will monitor
     ICE activity, inform families, document safely, and coordinate responses.
  - Create an emergency Signal or WhatsApp group to quickly share information if ICE is spotted near the school.

#### What else can I do to keep my school community safe from ICE?

- **DO NOT** search for or write anything about someone's immigration status on a school-owned computer, on your school's Wi-Fi, or on school-run apps and portals, including your school email.
- **DO NOT** post on social media about the immigration status of anyone in your community. Schools and law enforcement may track your online activity, even private posts.
- DO NOT share student records—like attendance, emergency contacts, disciplinary records—with ICE.
- Delete histories in check-in systems, ID scanners, and metal detectors, which can track undocumented family members visiting the school.



