

# Responding to Immigration and Customs Enforcement on School Grounds

## Tips for School Site Administrators and Staff

1. Notify the designated school district administrator.
2. Ask the immigration officer for:
  - a. Their name, badge number, contact information, and purpose for being on school grounds.
  - b. Documentation that authorizes school access.
3. Request and keep a copy of the document(s) the officer presents as authority for school access.
4. Document the encounter and provide a summary to the designated school district administrator(s).
5. Notify parents or guardians as soon as possible. If feasible, do so before allowing the officer to question or remove a student for immigration purposes, unless prevented by a judicial warrant or subpoena.

## Response Depending on the Officer's Demand

### Exigent Circumstances

Comply with the orders and immediately alert a school district representative.

### Other Circumstances

***A) Federal Judicial Warrant (search-and-seizure or arrest warrant).*** Prompt compliance is recommended. If feasible, consult with school district legal counsel or school district administrator before providing the officer access to the person or materials designated in the warrant.

***B) Presentation of Administrative Warrant or Subpoena for Documents or Other Evidence.*** Inform the officer that you cannot consent to any request without first consulting with the local educational agency's legal counsel or district representative.

## A Note on Requests For Information Concerning Student's Immigration Status

An immigration officer's request for information regarding a student's immigration status that is not supported by a subpoena or court order should be documented and shared with the designated school district administrator and the relevant student and their family. Do not disclose student information to immigration authorities for immigration-enforcement purposes without the written consent from a parent, guardian, or student (if over 18 years of age or in a postsecondary institution), or a court order or judicial subpoena.

## Tips for District Administrators

1. Train staff regarding the prohibition of documentation of students' or their families' immigration status in school records.
2. Establish policies to process visitors on school grounds and train employees regarding the same.
3. Establish policies to respond to immigration law enforcement officers' requests for access to school grounds and student records and train employees regarding the same.
4. Consult with legal counsel should you have any questions regarding an immigration enforcement officers' request to access school grounds or student records.
5. E-mail the Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

## Professional Obligations to Consider

- Follow your school district's policy regarding responding to law enforcement requests for access to school grounds.
- Do not attempt to physically impede an officer's access to school grounds, even if he or she appears to lack authorization to enter.
- If an officer enters the premises without consent, document the officer's actions while on campus.
- Your actions are in your capacity as a public employee. Refrain from inserting personal values and opinions in your decision making. The US Department of Justice has instructed investigation and prosecution of interference and obstruction of federal law enforcement action.

## Publicly Available Immigration Resources

- **ACSA Resource Hub** – ACSA has compiled resources to help school leaders respond to immigration enforcement's impact on students and families in California K-12 public schools.
- **CA Governor Immigration Resources** – Offers resources to assist families and organizations supporting them, including access to public education, legal aid, and protection from discrimination.
- **Newcomer Students (CA Dept of Education)** – Provides information and resources to support local educational agencies serving newcomer students and their families.
- **Office of Immigrant Youth (CA Dept of Social Services)** – Administers culturally responsive social support programs for immigrant youth and partners with school districts and non-profit community-based organizations to administer programs.
- **CalNEW (CA Dept of Social Services)** – Serves socioeconomically disadvantaged newcomer students, unaccompanied undocumented minors, English-learners, and immigrant families.
- **Additional Service Providers (CA Dept of Social Services)** – Funds qualified community-based organizations to provide free legal services and community education to immigrants who live in California.

THIS IS A GUIDE IS A SUMMARY ONLY AND NOT LEGAL ADVICE. WE RECOMMEND THAT YOU CONSULT WITH LEGAL COUNSEL TO DETERMINE HOW THIS MAY APPLY TO YOUR SPECIFIC FACTS AND CIRCUMSTANCES

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