# Limiting Immigration Enforcement in Schools

**Applicably of Policies to Immigration Enforcement:**

- Trout Lake School District adheres to all requirements of federal and state law.
- The provisions of this policy shall apply to Trout Lake School and all school facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, playgrounds, and entrances and exits from said building spaces.
- Trout Lake School District's policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against students and their families, staff, and volunteers.
- Trout Lake School District personnel shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

**Access to Schools,**

- Trout Lake School District has a responsibility to ensure that all students who reside within their boundaries can safely access a free public K-12 education.
- Trout Lake School District does not exclude students from receiving an education or unlawfully discriminate against anyone because of their race, color, national origin, age, disability, gender identity, immigration or citizenship status, sex, creed, use of a trained dog guide or service animal by a person with a disability, sexual orientation, or on any other basis prohibited by federal, state, or local law.
- Trout Lake School District will uphold its responsibility to all students and ensure that all staff and volunteers are aware of the rights of immigrant students to an education.

**Immigration Enforcement on School Campus**

1. Trout Lake School District does not grant permission for any person engaging in, or intending to engage in, immigration enforcement, including surveillance, to access the nonpublic areas of [Public school] facilities, property, equipment, databases, or otherwise on school grounds or their immediate vicinity. Trout Lake School District staff shall direct anyone engaging in, or intending to engage in, immigration enforcement, including federal immigration authorities with official business that must be conducted on Trout Lake School District property, to the school principal prior to permitting entrance to school grounds. Trout Lake School District staff shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

2. If anyone attempts to engage in immigration enforcement on or near Trout Lake School District grounds, including requesting access to a student, employee, or school property:
    a. Trout Lake School District staff shall immediately alert and direct the person to the school principal, who shall: verify and record the person's credentials (at least, name, agency, and badge number), record the names of all persons they intend to contact, collect the nature of the person's business at the school, request a copy of the court order or judicial warrant, log the date and time, and forward the request to the Superintendent and/or legal counsel for review.
    b. Trout Lake School District staff shall request that any person desiring to communicate with a student, enter school grounds, or conduct an arrest first produce a valid court order or judicial warrant.
    c. The District Superintendent [or authorized designee and/or legal counsel] shall review the court order or judicial warrant for signature by a judge and validity. For the Trout Lake School District to consider it valid, any court order or judicial warrant must state the purpose of the enforcement activity, identify the specific search location, name the specific person to whom access must be granted, include a current date, and be signed by a judge.
    d. The District Superintendent [or authorized designee and/or legal counsel] shall review written authority signed by an appropriate level director of an officer's agency that permits them to enter Trout Lake School District property, for a specific purpose. If no written authority exists, the District Superintendent [or authorized designee and/or legal counsel] shall contact the appropriate level director for the officer's agency to confirm permission has been granted to enter Trout Lake School District property for the specific purpose identified.

e. Upon receipt and examination of the required information, the District Superintendent [or authorized designee and/or legal counsel] will determine whether Trout Lake School District shall allow access to contact or question the identified individual and will communicate that decision to the school principal or authorized designee.
f. The District Superintendent [or authorized designee and/or legal counsel] shall make a reasonable effort, to the extent allowed by the Family Educational Rights and Privacy Act (FERPA), to notify the parent/guardian of any immigration enforcement concerning their student, including contact or interview.
g. The District Superintendent [and/or legal counsel or authorized designee] shall request the presence of a Trout Lake School District representative to be present during any interview. Trout Lake School District shall not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

**Gathering Immigration Related Information**

1. Trout Lake School District staff may review, but shall not inquire about, request, or collect any information about the immigration or citizenship status or place of birth of any person. Trout Lake School District staff shall not seek or require, to the exclusion of other sufficient and permissible information, information regarding a student's or his/her parent or guardian's citizenship or immigration status.

2. Trout Lake School District policies and procedures for gathering and handling student information during enrollment or other relevant periods shall be delineated in writing and made available to students and their parent or guardian(s) at least once per school year in a manner for households with individuals that have limited English proficiency (LEP) to understand.

3. If Trout Lake School District is required to collect information related to a student's national origin (e.g., information regarding a student's birthplace, or date of first enrollment in a U.S. school) to satisfy certain federal reporting requirements for special programs, [public school district] staff shall:
    a. If feasible, consult with legal counsel to seek alternative, including alternatives to the specific program or documents accepted as adequate proof for the program;
    b. Explain to the student and student's parent(s) and/or guardian(s), in their requested language, the reporting requirements, including possible immigration enforcement impact;
    c. Provide notice to the student's parent(s) and/or guardian(s); and
    d. Mitigate deterring school enrollment of immigrants or their children by collecting this information separately from the school enrollment process.

The District Superintendent [and/or legal counsel or authorized designee] shall request the presence of a [public school district] representative to be present during any interview. Trout Lake School District shall not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement

**Responding to Requests for Information**

1. Trout Lake School District staff shall not share, provide, or disclose personal information about any person for immigration enforcement purposes without a court order or judicial warrant requiring the information's disclosure or approval by school principal or authorized designee. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.

2. Trout Lake School District staff shall immediately report receipt of any information request relating to immigration enforcement to [school principal or authorized designee] who shall document the request and refer the request to the Superintendent and/or legal counsel or authorized designee.

3. Trout Lake School District shall, to the extent allowed by FERPA, notify an affected student's parent(s) and/or guardian(s) immediately of any request for information relating to immigration enforcement unless advised otherwise by [public school legal counsel].

**Use of School Resources**

1. Trout Lake School District resources shall not be used for immigration enforcement.

2. Trout Lake School District's resources and policies regarding immigration enforcement shall be published and distributed to parent(s) and/or guardian(s) on an annual basis. These resources shall include, at minimum:

    a. The right of immigrant students to receive an education, including accommodations for limited

English proficiency and special education programs;

b. General information policies including the types of records maintained by the Trout Lake School District and a list of the circumstances or conditions under which the Trout Lake School District might release student information to third parties, including limitations under FERPA and other relevant law;
c. Policies regarding the retention and destruction of personal information;
d. The process of establishing notice and/or consent from parent(s) and/or guardian(s), as permitted under federal and state law, prior to releasing a student's personal information for immigration enforcement purposes;
e. Name and contact information for Trout Lake School District's designated point of contact on immigration related matters; and
"Know Your Rights" resources and emergency preparedness forms to have completed in the event of a family separation.

Legal References: RCW 43.10.310 – Immigration enforcement model policies

Management Resources: 2020 - August Issue

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