

xxx.xx FEDERAL LAW ENFORCEMENT ACTIVITY ON DISTRICT CONTROLLED PROPERTIES

I. POLICY PURPOSE

Saint Paul Public Schools (“District” or “SPPS”) is committed to ensuring that every student can learn in a safe, welcoming, and inclusive environment free of fear or disruption due to immigration enforcement activities.

II. GENERAL STATEMENT OF POLICY

In accordance with the Board of Education’s **resolution reaffirming protections for immigrant students and practices for responding to Immigration and Customs Enforcement (ICE)** and other federal law enforcement presence on district property, this policy establishes clear guidelines regarding access to district property by federal law enforcement, the protection of student and family privacy, and the limitations on District cooperation and staff assistance.

III. LEGAL AUTHORITY AND SCOPE

This policy is adopted pursuant to and shall be implemented consistent with:

- **Federal law**, including the U.S. Constitution (Fourth, Fifth, and Fourteenth Amendments) and the Family Educational Rights and Privacy Act (FERPA);
- **Minnesota law**, including the Minnesota Government Data Practices Act (Minn. Stat. ch. 13); Minnesota Constitution
- Applicable guidance from the **Minnesota Attorney General** regarding immigration enforcement and education;
- The **City of Saint Paul Separation Ordinance** limiting cooperation with federal immigration enforcement;
- Saint Paul School Board Resolution 34190 - Resolution for District Practices Relating to U.S. Immigration and Customs Enforcement, adopted February 2025 shall serve as a supplemental document.

IV. DEFINITIONS

- A. Federal Immigration Enforcement:**
Includes Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and other federal officers acting for immigration enforcement purposes.
- B. Federal Law Enforcement:**
Any federal agency or officer with law enforcement authority.
- C. School District Property:**
All buildings, grounds, facilities, and vehicles that are owned, leased, contracted or operated under the control of SPPS or serving SPPS Students.
- D. Judicial Warrant or Court Order:**
A warrant or order issued and signed by a federal or state judge or magistrate based on probable cause that specifically authorizes entry onto District property.
- E. Administrative Warrant / Detainer:**
A document issued by a federal agency (e.g., ICE detainer) that **does not** alone constitute judicial authorization for entry or enforcement on District property.
- F. The Family Educational Rights and Privacy Act (FERPA),** which protects the confidentiality of student education records and generally prohibits disclosure of personally identifiable information (PII) without consent, except under limited circumstances expressly authorized by law.
- G. The Minnesota Government Data Practices Act (MGDPA),** which classifies educational data as private and imposes strict controls on access, use, and dissemination.

V. GENERAL POLICY DIRECTIVES

- A. Access Restrictions**
 1. Federal immigration enforcement officers are prohibited from accessing SPPS property, interviewing students or staff, or conducting enforcement activities on District property except as compelled by a valid judicial warrant or court order or as otherwise required by law.

2. Administrative warrants, detainers, notices of inspection, or similar documents do **not** authorize access for enforcement activities.
3. The District mandates that no employee, contractor, or representative uses District resources to assist in immigration enforcement absent a legal obligation to do so.

B. Non-Cooperation and Staff Assistance Prohibition

While engaged in their duties for the district, district employees, contractors, volunteers, and representatives **shall not**:

1. Provide assistance to ICE or related agencies for enforcement purposes, including interpretation, translation, facilitating communication, directing individuals, or otherwise aiding enforcement activities.
2. Inquire about or collect information regarding a student's or family's immigration or citizenship status.
3. Provide information about students or families to federal immigration enforcement unless legally compelled by a valid judicial warrant or court order.
4. Refer students, families, or staff to federal immigration enforcement agencies for immigration status queries or enforcement-related purposes.

C. Verification and Response Protocol

1. The office of General Counsel representing the District, in partnership with the Superintendent or designee, shall maintain and distribute detailed response protocols and supplementary documentation to all district controlled properties and programs.
2. All requests by federal law enforcement for access to SPPS property, students, or records shall be immediately referred to the principal or designee, detailed by response protocols provided by District Legal Counsel and Superintendent or designee.
3. Individual staff members should not attempt to interpret documentation or manage interactions with ICE or related agencies and should follow all most recent response protocols.
4. Verification shall be conducted to confirm the legal sufficiency of any presented warrant or order.

5. District representatives shall **not** interpret legal documents or provide interpretation or translation services to law enforcement, provide legal determinations, or act as intermediaries for law enforcement;
6. All legal review, interpretation, and communication regarding the validity or scope of any request shall be conducted by authorized District legal staff or their designee.
7. All encounters with law enforcement shall be documented, including the name of the officer(s), agency, badge number (if provided), date and time, location, nature of the request, and the District's response.
8. Parents/guardians shall be notified as set forth in FERPA or MGDPA, following a verified legal request involving a student, consistent with applicable law and District policy
9. Any immigration-related information that is inadvertently collected or arises in the course of educational operations shall be treated consistent with the MGDPA and FERPA and shall be handled in compliance with applicable law.

D. Training and Communication

1. The Superintendent or designee shall ensure annual training for all staff on their responsibilities under this policy and proper response protocols.
2. Clear, multilingual communication of this policy shall be provided to students, families, and staff.
3. Public-facing materials and community outreach shall be used to explain rights, protections, district practices, and response protocols.

VI. NON-RETALIATION AND EQUAL EDUCATIONAL ACCESS

1. No student, family member, or employee shall be discriminated against, disciplined, or retaliated against based on immigration status, national origin, or for asserting rights under this policy.
2. All students shall continue to have equal access to educational services, extracurricular activities, and support services regardless of immigration status.

VII. POLICY REVIEW

This policy shall be reviewed if required by changes in State, Federal or local law.

Legal References

20 U.S.C § 1232g

Minn. Stat. § 13

The Family Educational Rights and Privacy Act (FERPA)

Minnesota Government Data Practices Act (MGDPA)

Cross References

Policy 304.00

Policy 506.05

Policy 814.00

Board Resolution 34190

Records: Data Management

Law Enforcement Interrogations & Investigations

Visitors to Schools

Resolution for District Practices Relating to U.S. Immigration
and Customs Enforcement