IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Civil Action No. 0:26-cv-01023 (LMP/LIB)

FRIDLEY PUBLIC SCHOOL DISTRICT, INDEPENDENT SCHOOL DISTRICT 14, et al.,

Plaintiffs,

v.

KRISTI NOEM, Secretary of the United States Department of Homeland Security, in her official Capacity, et al.

Defendants.

COUNCIL OF THE GREAT CITY SCHOOLS' AMICUS CURIAE BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR A STAY OR, IN THE ALTERNATIVE, A PRELIMINARY INJUNCTION

INTRODUCTION

Over 100 years ago, the Supreme Court recognized, "The American people have always regarded education and acquisition of knowledge as matters of supreme importance which should be diligently promoted." *Meyer v. Nebraska*, 262 U.S. 390, 400 (1923). Revoking the Protected Areas Policy and allowing immigration enforcement actions to occur at or near school grounds, subject to the unsupervised and individualized "common sense" of officers, is inconsistent with decades of precedent emphasizing the importance of safety at school and the critical role schools play in a well-governed society. *See id.; San Antonio Indep. Sch. Dist. v. Rodriguez*, 411 U.S. 1, 29 (1973) ("[E]ducation is perhaps the most important function of state and local governments.").

For schools to fulfill their critical functions and students to succeed academically, socially, and emotionally, school premises and surrounding areas must both be objectively safe and be perceived as safe by students, their families and caregivers, and the faculty and administrators providing educational services to these community members. The recent revocation of the Protected Areas Policy, coupled with aggressive messaging promising increases in enforcement actions, has made schools objectively less safe and feel less safe. This has impaired and will continue to impair the ability of schools to educate students and is causing immediate and irreparable harm in communities across the country.

ARGUMENT

I. The Council of the Great City Schools Offers a Helpful Nationwide Perspective on the Practical Impacts of Revoking the Protected Areas Policy.

The Council of the Great City Schools is a membership organization of 82 of the nation's largest urban public school districts. Member districts span 39 states, the District of Columbia, and Puerto Rico. Collectively, member districts serve 7.84 million students.

The Council's purpose is to advance the collective interests of its member districts. The Council promotes urban education through research, instruction, management, technology, legislation, communications, and other special projects. The Council submits this amicus brief to offer its broad perspective on the immediate and irreparable harm revocation of the Protected Areas Guidelines is causing to schools throughout the United States.[1]

[1] Given the Council's national membership, the Council's focus in providing examples regarding the impact of ICE enforcement actions is nationwide. By doing so, the Council does not mean to diminish the poisonous effects of DHS' actions in Minnesota, specifically, which are already well-detailed in Plaintiffs' Complaint. *See* Doc. 1, ¶¶ 47–85. That is the only reason the Council does not re-emphasize those impacts here.

II. Courts, Researchers, and Communities Nationwide Uniformly Recognize the Critical Importance of Safety and Feeling Safe at School.

Federal courts have long recognized the importance of education and fostering safe schools in a variety of contexts, even at the expense of other constitutional protections and laudable goals. In *New Jersey v. T.L.O.*, the Supreme Court recognized the need to maintain security and order in schools when adopting a reasonable suspicion standard for searches of students by school officials. 469 U.S. 325, 341–42 (1985). "This relaxed standard of suspicion is applied in the school context due to the heightened governmental interest in maintaining the safety of the educational environment and ensuring its conduciveness to learning, discipline, and the inculcation of students with manners and civility." *Foley v. Carlsbad Mun. Sch.,* 1:09-cv-01147-RB-GBW, 2011 WL 13286401, *3 (D.N.M. Jan. 24, 2011).

There are similar limitations in the First Amendment context. In *Morse v. Frederick*, the Supreme Court held educators may restrict student speech due, in part, to schools' authority to act in the interest of student safety and welfare. 551 U.S. 393 (2007). In their joint concurrence, Justices Alito and Kennedy emphasized that "the threat to the physical safety of students" is a "special characteristic" that supports altering free speech rules applied to students *Id.* at 424. As they explained,

> School attendance can expose students to threats to their physical safety that they would not otherwise face. Outside of school, parents can attempt to protect their children in many ways and may take steps to monitor and exercise control over the persons with whom their children associate. Similarly, students, when not in school, may be able to avoid threatening individuals and situations. During school hours, however, parents are not present to provide protection and guidance, and students' movements and their ability to choose the persons with whom they spend time are severely restricted . . . Experience shows that schools can be places of special danger.

Id. Justices Alito and Kennedy reasoned that "due to the special features of the school environment, school officials must have greater authority to intervene" to proactively prevent violence. *Id.* at 425; *see also R.L. v. Central York Sch. Dist.*, 183 F. Supp. 3d 625 (M.D. Pa. 2016) (emphasizing the importance of school safety); *J.R. by & Through Redden v. Penns Manor Area Sch. Dist.*, 373 F. Supp. 3d 550 (W.D. Pa. 2019) (acknowledging the special danger to the physical safety of students).

In *Kowalski v. Berkeley County Schools,* the Fourth Circuit explained that schools have a responsibility to provide a safe environment that is conducive to learning. 652 F.3d 565, 572 (4th Cir. 2011). The Fifth Circuit identified schools' duty to provide students "with an environment in which education is possible." *Horton v. Goose Creek Indep. Sch. Dist*., 690 F.2d 470, 480 (5th Cir. 1982). In *Vernonia School District 47J v. Acton*, the Court described schools' obligations to students as "custodial and tutelary" and identified numerous circumstances where a degree of control is necessary and appropriate that would not be appropriate in other settings. 515 U.S. 646, 655 (1995) (compiling cases where there are limits on a student's conduct to benefit of the school environment).

In addition to common law, myriad statutes and regulations ensure school safety. The Gun-Free School Zones Act prohibits unauthorized individuals from possessing a loaded firearm within a school zone. *See* 18 U.S.C. §§ 921(a)(26), 922(q). Numerous states ban convicted sex offenders from being on or near school grounds when children are present. *Knight v. Bieneman*, No. 14-cv-2641-WJM-CBS, 2015 WL 196224, at *4 (D. Colo. Jan. 14, 2015) (collecting cases). Local speed limits and zoning restrictions around schools are ubiquitous. Many states require background checks for teachers and volunteers.

A safe environment where education is possible does not just require physical safety, it also requires students feel they are safe at school. Researchers have found that students' "*perceptions* of school safety may have a greater impact on student success than *actual* safety." Readiness and Emergency Management for Schools Technical Assistance Center, *Student Perceptions of Safety and Their Impact on Creating a Safe School Environment* (last visited Feb. 27, 2025) https://files.eric.ed.gov/fulltext/ED593833.pdf (emphasis original). The Readiness and Emergency Management for Schools Technical Assistance Center (operated through a contract awarded by the Department of Education, Office of Safe and Supportive Schools) issued guidance, explaining:

> A safe school environment is crucial to the healthy academic and social development of students, and the safety of a school environment affects a range of factors, from staff retention to parent satisfaction. Perhaps most important, student perceptions of safety affect their academic achievement. When students feel safe, they are better able to focus on learning, which in turn leads to increased academic achievement. Therefore, stakeholders in school emergency preparedness should strive to determine whether their students and staff are comfortable in their school environment, both physically and emotionally, and whether students' families are comfortable with the school environment in which their children learn.

Id. at 1.

According to the 2015 national Youth Risk Behavior Surveillance Survey, administered by the Centers for Disease Control and Prevention, 5.6% of students in grades 9–12 did not go to school because they felt unsafe. *Id.* Research shows 91% of parents who homeschool their children cite a concern about the environment of school as an important reason for homeschooling. *Id.* at 2. Another study published in the *American Educational Research Journal* compared four dimensions on student achievement: leadership and professional development, high academic expectations for students, teacher relationships and collaboration, and school

safety and order. *Id.* "[S]afety was most strongly associated with academic improvement." *Id.*; *see also* AJ Milam et al., *Perceived School and Neighborhood Safety, Neighborhood Violence and Academic Achievement in Urban School Children*, The Urban Review, 458–67 (2010). (https://pmc.ncbi.nlm.nih.gov/articles/PMC3011866/pdf/nihms-257637.pdf) (researchers found increasing perceived safety increased achievement 16–22% amongst third through fifth graders in Maryland). Feeling unsafe in the classroom decreases concentration in class and performance on assessments. Johanna Lacoe, *Too Scared to Learn? The Academic Consequences of Feelings Unsafe at School*, 55 Urban Education, 1385-1418 (2020). (https://files.eric.ed.gov/fulltext/ED556783.pdf).

Allocation of resources also shows the importance of safety and the perception of safety. While school resource officers are only one facet of school safety, expenditures on school resource officers are illustrative. One recent study found school districts across the country employ at least 22,000 school resource officers at an aggregate cost of $2.62 billion. Mark Lieberman & Caitlynn Peetz, *After Teachers, America's Schools Spend More on Security Guards Than Any Other Role*, Education Week, (Sept. 25, 2023) https://www.edweek.org/leadership/after-teachers-americas-schools-spend-more-on-security-guards-than-any-other-role/2023/09. In June 2022, the Bipartisan Safer Communities Act became law and allocated $1 billion to improve school health and safety. Lauraine Langreo, *How Districts Should Spend Federal School Safety Money*, Education Week, (Oct. 31, 2022) https://www.edweek.org/policy-politics/how-districts-should-spend-federal-school-safety-money/2022/10; Carolyn Phenicie, *The State of School Security Spending: Here's how States have Poured $900 Million into Student Safety Since the Parkland Shooting*, The74, (Aug. 20,

2018) (https://www.the74million.org/article/the-state-of-school-security-spending-heres-how-states-have-poured-900-million-into-student-safety-since-the-parkland-shooting/); *see also* Carolyn Phenicie, *The State of School Security Spending: Here's how States have Poured $900 Million into Student Safety Since the Parkland Shooting*, The74, (Aug. 20, 2018) (https://www.the74million.org/article/the-state-of-school-security-spending-heres-how-states-have-poured-900-million-into-student-safety-since-the-parkland-shooting/).

In sum, a safe environment is not only a prerequisite of learning, it is determinative of educational outcomes.

III. The Government's Recent Actions Cause Schools to Be and Feel Less Safe.

A. The Government's Change in Guidance Makes Schools Less Objectively Safe.

1. Revocation of the 2021 Protected Areas Policy removed important safeguards that ensured school safety.

For nearly three decades, the Protected Areas Policies provided standards for ensuring safety around sensitive locations. This was critical because 8 C.F.R. 287.8 purports to be enforcement standards but contains no guidance regarding schools. The 2021 Protected Areas Policy included critical safeguards to ensure immigration enforcement actions rarely occurred at or near schools, and, if they did occur in the vicinity, there was oversight so they were not subject to the "common sense" of a single agent exercised idiosyncratically and unilaterally in the heat of the moment. The 2021 Protected Areas Policy required prior approval from the enforcement "Agency's headquarters," absent exigent circumstances. When pre-approval was not possible, post-action consultation with superiors was required.

Revocation of the 2021 Protected Areas Policy allows enforcement actions to occur at schools upon the judgment of a single officer without the benefit of any guiding principles. The loss of oversight increases the risk of officers misjudging situations, failing to consider additional safety risks or collateral concerns, and ultimately increases the chances of harm to students, staff, and other community members on school grounds.

2. Losing these safeguards increases safety risks for all students.

Allowing immigration raids at schools without guardrails jeopardizes the safety of students, parents, school administrators, faculty, staff, and the broader school community.

Immigration enforcement activities are inherently dangerous. Between 2015 and 2021, ICE agents were involved in at least 59 shootings. *See* L. Hassan, *Armed and Untouchable: ICE's History of Deadly Force* (Aug. 1, 2024), https://www.thetrace.org/2024/08/ice-agents-immigration-enforcement-violence/. Nine shootings occurred in parking lots and 15 in traffic intersections or public spaces, and 15 involved unarmed victims. *Id.* As a result of the shootings by ICE officers, 24 people were injured and 23 were killed. *Id.*

Recent incidents only reinforce this conclusion. Between September 2025 and January 2026, federal immigration officers shot 14 people, killing four of them. Jon Schuppe and Erik Ortiz, *Trump's DHS immigration enforcement officers have shot 14 people since September*, NBC News (https://www.nbcnews.com/news/us-news/ice-shootings-list-border-patrol-trump-immigration-operations-rcna254202) (Updated March 4, 2026). This data demonstrates that permitting unconstrained immigration enforcement activity on school grounds creates a real and immediate risk of a school shooting that could harm or even kill a student, community member, or faculty or staff member.

B. The Government Change in Guidance Makes Schools Feel Less Safe.

With increased immigration enforcement in the vicinity of schools and school-aged children, fear amongst families and communities is widespread.

1. In revoking the Protected Areas Policy, DHS sought to instill fear, including that immigration actions would occur at school.

The statements offered by the United States since the Protected Areas Policy was revoked show that decreasing the perception of safety at schools was not accidental or unexpected—it was a fundamental purpose of the action. On January 21, 2025, DHS issued a statement that Acting Department of Homeland Security Secretary Mr. Huffman had "issued two directives" on January 20, 2025, which were "essential to ending the invasion of the U.S. southern border and empower law enforcement to protect Americans." Statement from a Dep't of Homeland Sec. Spokesperson on Directives Expanding Law Enforcement & Ending the Abuse of Humanitarian Parole (Jan. 21, 2025) (on file at https://www.dhs.gov/news/2025/01/21/statement-dhs-spokesperson-directives-expanding-law-enforcement-and-ending-abuse.) The January 21, 2025 statement goes on to attribute the following statement to an unidentified DHS spokesperson: "This action empowers the brave men and women in CBP and ICE to enforce our immigration laws and catch criminal aliens—including murders [*sic*] and rapists—who have illegally come into our country. Criminals will no longer be able to hide in America's schools and churches to avoid arrest. The Trump Administration will not tie the hands of our brave law enforcement, and instead trusts them to use common sense." *Id.* The phrase "common sense" is not defined and no guidelines are provided to guide the exercise of "common sense."

On February 17, 2025, the Department of Homeland Security launched a self-described "nationwide and international multimillion dollar ad campaign" on radio and broadcast

television, where former United States Secretary of Homeland Security Kristi Noem threatens, "if you are here illegally, we will find you and deport you . . . If you are a criminal alien considering entering America illegally: Don't even think about it. If you come here and break our laws, we will hunt you down." U.S. Dep't Homeland Sec., DHS Announces Ad Campaign Warning Illegal Aliens to Self-Deport and Stay Out (Feb. 17, 2025) (https://www.dhs.gov/news/2025/02/17/dhs-announces-ad-campaign-warning-illegal-aliens-self-deport-and-stay-out).

DHS officials have enforced immigration laws heavily everywhere, not only in border regions. For example, ICE has focused enforcement actions in major cities such as Minneapolis, St.Paul, Portland, Los Angeles, Charlotte, Boston, and Chicago.

2. Revocation of the Protected Areas Guidance has caused students, families, and school personnel to feel less safe at school.

Revocation of the Protected Areas Policy and related DHS conduct has led to widespread and reasonable fear of immigration raids at schools. Students, school staff, and parents live in fear that an immigration raid will be conducted in a school or on school grounds, whether during the school day or during an after-school sponsored activity attended by members of the broader school community.

Fear in communities is well-documented across new sources. The Associated Press reported recent actions "are affecting schools across the country, as officials find themselves responding to rising anxiety among parents and their children, including those who are here legally." Moriah Balingit, et al., Schools around the U.S. confront anxiety over Trump's actions on immigration, Associated Press (Feb. 17, 2025) (https://apnews.com/article/immigration-ice-raids-schools-d78b0367db4a7a236a003ad37590d48a); *see, e.g.*, Tom Hanson, *"We were all*

scared," says child who ran as ICE operation unfolded near New Jersey school bus stop, CBS News (https://www.cbsnews.com/news/new-jersey-ice-operation-lindenwold-10-year-old-recounts-fleeing/) (Feb. 13, 2026); Madeleine Ngo, *ICE Arrests Disrupt Schools, Prompting Fear Among Families*, (https://www.nytimes.com/2025/12/17/us/politics/ice-arrests-schools.html) (Dec. 17, 2025); Mónica De Anda, *Teen detained by federal agents outside Arleta school; LAUSD calls for 'no enforcement' zones*, KABC News (https://abc7.com/post/teenager-detained-federal-agents-outside-arleta-high-school-lausd-calls-limits-immigration-raids/17512823/) (Aug. 12, 2025).

The American Federation of Teachers quoted one educator who explained, "The fear is real within our schools as our community members who are DACA [Deferred Action for Childhood Arrivals] recipients or living in mixed-status households face the threat of deportation." https://www.aft.org/news/facing-deportation-fear-schools-hospitals-and-places-worship*;* Hannah Dellinger, *Michigan schools, families grapple with new Trump immigrations policies*, Chalkbeat Detroit (Jan. 24, 2025) (https://www.chalkbeat.org/detroit/2025/01/24/michigan-students-and-families-fear-immigration-enforcement-in-schools/);*'They're hurting our children, our babies': U.S. schools on high alert amid Trump immigration raids*, The Guardian (Feb. 6, 2025) (https://www.theguardian.com/us-news/2025/feb/06/trump-immigration-raids-schools); *see also Las Cruces student-athletes stopped at border patrol checkpoint, sparking controversy*, Fox News (Feb. 24, 2025) (https://kfoxtv.com/news/local/las-cruces-student-athletes-stopped-at-border-patrol-checkpoint-sparking-controversy) ("Students shouldn't live in fear they were doing exactly what we've asked of them, which is [to] participate in extracurricular activities.")

In Houston, fear is widespread, as one local person explained, "What I'm hearing is the fear, the fear of sending their kids to school and being separated." She elaborated, "School is not a priority right now." Colleen DeGuzman, *Nearly a quarter of Houston ISD students were absent on nationwide 'Day Without Immigrants,'* Houston PBS (Feb. 19, 2025) (https://www.houstonpublicmedia.org/articles/news/education-news/hisd/2025/02/19/514244/a-quarter-of-houston-isd-students-were-absent-as-day-without-immigrants-was-held-nationwide/). "Families, especially the ones who are undocumented, are scared to send their kids to school because of the fear of deportations." *Id.* Minnesota is certainly no exception as an elementary principal of Valley View Elementary in Columbia Heights observed: "We create strong cultures and class communities, and we see that fragmenting. We're telling kids—elementary-school kids—that they can't see their friends because it's not safe. And why is that? Because we have people hunting you." Jessica Winter, *ICE's Assault on a Minnesota School District*, The New Yorker (January 31, 2026) (https://www.newyorker.com/news/the-lede/ices-assault-on-a-minnesota-school-district).

The Council's members report widespread fear in their districts. In a survey of members, every respondent agreed the perception of safety at schools is important to educational outcomes. When asked whether parents, students, or educators had expressed concerns about ICE raids occurring near or on school grounds since January 21, 2025, every respondent answered "yes." Respondents were asked, "Since January 21, 2025, have perceptions of safety at school or in your school district declined." Responses were: 62% "Yes," 24% "No," and 14% "Don't know."

Uncertainty as to how enforcement actions will be conducted and the risk of mistaken detention or deportation add to students' and families' fears regarding their safety at school. A

report by the Government Accountability Office found that between 2015 and 2022, ICE arrested 674 potential U.S. citizens, detained 121 potential U.S. citizens, and deported 70 potential U.S. citizens. Gov't Accountability Off., Immigration Enforcement: Actions Needed to Better Track Cases Involving U.S. Citizenship Investigations, GAO-21-487 (July 20, 2021), https://www.gao.gov/products/gao-21-487. Such mistakes have apparently increased since the revocation of the Protected Areas Policy. Navajo Nation leaders reported that numerous indigenous people had been stopped at their homes and workplaces in the days following the revocation of the Protected Areas Policy. Alaa Elassar, *Navajo Nation leaders raise alarm over reports of Indigenous People being questioned and detained during immigration sweeps*, CNN (Jan. 27, 2025) (https://www.cnn.com/2025/01/27/us/navajo-detained-ice-indigenous-immigration-trump/index.html). Multiple other United States citizens report being stopped and questioned regarding their citizenship. Suzanne Gamboa & Nicole Acevedo, *Trump Immigration raids snag U.S. Citizens*, NBC News (Jan. 28, 2025) (https://www.nbcnews.com/news/latino/trump-immigration-raids-citizens-profiling-accusations-native-american-rcna189203).

The fear of mistaken identity, detention, or deportation is heightened at school. Schools serve an important in loco parentis role to students during the school day and make representations and commitments to parents and children about student safety, wellbeing, and learning. Schools' in loco parentis role is jeopardized by revocation of the Protected Areas Policy because schools can no longer predict what will happen on their campus in relation to immigration enforcement, and caregivers are no longer confident their families can be reunited at the end of the school day. *See e.g.*, Ngo, *supra* ("Parents say they have grown concerned about

taking their children to school, worried that they could be detained or that their children could witness violent arrests."); Daniella Silva, *Person detained by federal immigration officials during school dropoff at Chicago school,* NBC News (Feb. 28, 2025) (https://www.nbcnews.com/news/us-news/immigration-deportations-chicago-ice-school-dropoff-arrest-rcna194246). This fear has been heightened by recent concerns over immigration officers' reduction in training. *See* Sarah Blaskey, *ICE training was slashed, records show, corroborating whistleblower claims*, Washington Post (March 3, 2026) (https://www.washingtonpost.com/investigations/2026/03/03/ice-training-cuts-graduation-rate/).

Practical realities add to the fear of raids at school. Schools do not maintain documents on students' immigration status, and students are not required to carry documentation to school. The uncertainty as to how ICE will identify potentially undocumented students without questioning young children about immigration processes they may not understand. *See* Rosie Colosi, *Youth Baseball Coach Takes a Stand To Protect Kids from ICE Agents: "I'm Willing to Die*," Today (https://www.today.com/parents/family/baseball-coach-protects-kids-ice-agents-rcna219331) (July 17, 2025) (detailing incident where ICE agents questioned children at baseball practice). Interrogations will necessarily be traumatic for targeted students and their peers and are unlikely to yield accurate results for detention or deportation decisions. Parents fear how students will respond if they are not there to provide guidance and support. How to respond to immigration enforcement actions is a critical decision that should be decided by children's parents and guardians; life altering actions that could lead to family separation should not be taken while children are at school and away from their primary legal guardians. Schools are not equipped to step into and effectively manage that role, nor should they be forced to try.

In the immediate aftermath of the Protected Areas Policy revocation, schools have been forced to urgently develop or obtain guidance on how to respond to the presence of ICE officials on school grounds. This includes creating new protocols for when and how ICE officials may enter schools, implementing appropriate procedures, and training staff to effectively handle situations they have never experienced. These unanticipated demands have meant that schools have not been able to research and implement best practices to serve their students and ensure their safety, and schools have had to divert significant time and resources away from their core mission of educating students to respond to this sea change in immigration enforcement policy.

3. The decrease in school safety is causing serious and irreparable harm.

The threat of immigration enforcement activities on school grounds is significantly disrupting the educational environment, causing declines in school attendance, and negatively impacting public education. *Cf. Philadelphia Yearly Meeting of Religious Soc'y of Friends v. DHS*, 767 F. Supp. 3d 293, 334 (D. Md. 2025) ("Plaintiffs have thus shown that religious exercise is being hindered by the 2025 Policy for entire congregations, including United States citizens and immigrants with legal status, whose ability to worship is undermined by . . . reduced participation [at places of worship].").

The fear is well justified. Students will be disrupted from learning and educational activities while ICE agents are in or around a school conducting immigration enforcement; and teachers, administrators, and other staff will be required to redirect their time and attention from students to ICE.

Teachers report that "[p]roblematic behaviors are increasing among students who are depressed and anxious. Some are withdrawing into themselves. Many are lethargic—not sleepy

in the way [teachers] recognize[] as the result of after-school jobs or late-night studying, but woozy with trauma." *See* American Federation of Teachers*, supra* (https://www.aft.org/news/facing-deportation-fear-schools-hospitals-and-places-worship). Even in smaller schools in greater Minnesota, as one educator reported, "stress and fear were causing daily issues for students," making them "tired, distracted and worried, watching friends disappear as families leave because they no longer feel safe in our community." *See* Ben Hovland, *Greater Minnesota schools felt the fear as ICE presence surged*, MPRnews (March 5, 2026) (https://www.mprnews.org/story/2026/03/05/greater-minnesota-schools-felt-the-fear-as-ice-presence-surged).

Average daily attendance is down in many Council member districts and other districts across the country, and the decline is even higher among Latino students. The policies are impacting a wide range of schools. Declines in attendance have been reported in school districts in Salt Lake City, Utah; Chicago, Illinois; Fresno, California, and Alice, Texas. *See* Carmen Nesbitt, *'Kids are not coming': Utah schools see attendance dip after Trump admin change allows ICE on campuses*, The Salt Lake Tribune (Feb. 10, 2025) (https://www.sltrib.com/news/education/2025/02/10/utah-schools-see-attendance-dip/); Joanna Hernandez, *'It's Really Heartbreaking': Undocumented Parents Share Their Experience Amid Fears of Mass Deportations*, WTTW News (Feb. 27, 2025) (https://news.wttw.com/2025/02/27/it-s-really-heartbreaking-undocumented-parents-share-their-experiences-amid-fears-mass#:~:text=Some%20parents%20and%20staff%20at,ICE%20agents%20appear%20at%20sch

ools); *Schools, families fretting over Trump administration's deportations*, CBS News (Feb. 18, 2025) (https://www.cbsnews.com/news/schools-families-deportations-anxiety/).

In California's Central Valley, researchers found a 22 percent increase in daily student absences after local immigration raids began, with those absences being particularly larger amongst the youngest students (those in Pre-Kindergarten). Thomas Dee, *Recent immigration raids increased student absences*, 122 PNAS 45 (https://www.pnas.org/doi/10.1073/pnas.2510395122#supplementary-materials) (Nov. 4, 2025). In Minnesota, the state's third-largest school district had nearly 400 students dropped from its enrollment rolls between December 1, 2025 and February 27, 2026, a 49% increase over the same period in the previous year. Anthony Lonetree, *Student enrollment falls in Minneapolis amid immigration crackdown,* The Minnesota Star Tribune (https://www.startribune.com/student-enrollment-falls-in-minneapolis-amid-immigration-crackdown/601592795) (March 7, 2026).

Survey responses confirm these trends. Two-thirds of respondents confirmed there had been a decrease in student attendance since January 21, 2025. Administrators report "lower student attendance, difficulty getting parents to attend in-person," "anxiety," and "lack of parent engagement."

When immigration raids are conducted at schools, the impact on *all* students will be significant. The Council's member districts educate children as young as four years old, and only the oldest high school students are old enough to vote.

In the survey, 86% of respondents reported that an ICE raid near or on school grounds would pose an imminent threat to the safety (physical and psychological) of students and faculty,

and 90% reported that an ICE raid on or near school grounds would substantially disrupt the educational environment.

Because of the change in policy, students risk school days interrupted, thus missing out on valuable learning time, or having their school activities disrupted by ICE enforcement activities. This missed educational time will have a long-term impact on educational attainment. Moreover, when ICE action occurs in schools, students will observe their classmates, family members, teachers, or other community members being questioned, detained, and arrested. These students may even witness physical violence and shootings as a result of ICE action. The impact on learning alone is a significant harm. The impact to students' mental health and wellbeing is an additional, considerable harm. Traumatized children face significant barriers to education that children who have not witnessed violence firsthand do not. *See, e.g.,* Victor J. St. John, *Reducing Adverse Police Contact Would Heal Wounds for Children and Their Communities*, ChildTrends (https://www.childtrends.org/publications/reducing-adverse-police-contact-would-heal-wounds-for-children-and-their-communities) (Jun. 14, 2022) ("For children and youth, negative interactions with police in their communities. . .are linked to negative outcomes, such as poor emotional well-being, physical health, and social outcomes. . .These negative effects are magnified for children and youth of color due to the extensive and disproportionate use of law enforcement powers in communities of Black, Hispanic, and Indigenous people.")

In 2025, the United States Department of Education itself recognized "Parents should never worry about their child's safety at school." Hayley B. Sanon, United States Department of Education Letter to Chief State School Officers (May 7, 2025) (http://www.ed.gov/media/document/dear-colleague-letter-unsafe-school-choice-option-may-7-

2025-109969.pdf) (addressing ESEA Section 8532: Unsafe School Choice Option and stating "All children deserve to attend a safe school in which they can focus on mastering the literacy, mathematics, and other skills necessary for success in school and beyond.").

However, as a result of revoking the Protected Areas Policy, the safety of children and youth in our nation's public schools is in peril. Educators are already spending significant time addressing students' fears about potential ICE raids or other enforcement activities at the expense of students' education. Over half of respondents reported that their districts had already or planned to divert financial resources to planning for keeping students and faculty safe on campuses in the event of an ICE raid near or on school grounds. *See* Hannah Psalma Ramirez, *How Trump's immigration raids are upending the education playbook*, Politico (https://www.politico.com/news/2026/02/24/school-officials-wrestle-with-how-to-protect-students-from-ice-00793035) (Feb. 24, 2026). School personnel should not be asked to address the fallout of immigration raids at school, especially when the Protected Areas Policy worked well to obviate that need for decades.

CONCLUSION

Revocation of the Protected Areas Policy negatively impacts both physical safety and the perception of safety at schools. This has caused and will continue to cause irreparable harm to students, schools, and communities.

Dated this 11th day of March, 2026.

Respectfully submitted,

s/ Angela M. Vichick
Caitlin C. McHugh*, No. 45097
Angela M. Vichick*, No. 47169
WOMBLE BOND DICKINSON (US) LLP
1601 19th Street, Suite 1000
Denver, CO 80202
Tel.: 303.623.9000
Caitlin.McHugh@wbd-us.com
Angela.Vichick@wbd-us.com

s/ Jay Strandjord
Jay Strandjord, No. 0403978
FORSGREN FISHER MCCALMONT DEMAREA TYSVER LLP
1500 Capella Tower
225 South 6th Street
Minneapolis, MN 55402
(612) 474-3300
jstrandjord@forsgrenfisher.com

s/ Mary Lawson
Mary C. Lawson*, No. 584223
COUNCIL OF THE GREAT CITY SCHOOLS
1331 Pennsylvania Ave., NW
Suite 1100N
Washington, D.C. 20004
(202) 673-8662
mlawson@cgcs.org

*Pro hac vice admission pending

Attorneys for Amicus Curiae Council of the Great City Schools