MANHASSET PUBLIC SCHOOLS

Student Protection Protocol: Immigration Authorities

PURPOSE

New York Education Law § 3201-b protects every student's right to uninterrupted access to a free public education regardless of the actual or perceived citizenship or immigration status of the student or the student's parent/guardian.

School personnel may not use District resources for immigration enforcement or take actions that deter students or families from participating in school programs or activities because of actual or perceived citizenship or immigration status.

IF ICE OR ANOTHER IMMIGRATION AUTHORITY COMES TO SCHOOL

STOP → REFER → PROTECT → DOCUMENT

- **Remain calm and professional.**
- **Do not permit access to non-public areas of the school.**
- Ask the officer to remain in the designated public/reception area.
- **Immediately contact the Building Principal.**
- The Building Principal will immediately refer the matter to the District's **Designated Review Authority.**
- Request the officer's identification, agency affiliation, reason for the request, and any warrant, court order, subpoena, detainer, or other documentation presented.
- **Do not independently determine whether documentation is legally sufficient.**
- Do not provide information about whether a particular student or family member is present.
- Do not escort an immigration authority to a student, classroom, office, or other non-public area unless specifically authorized following appropriate legal review.

DESIGNATED REVIEW AUTHORITY

Designated Review Authority: Superintendent of Schools
In the Superintendent's absence: Executive Director for Student Services

The Designated Review Authority is responsible for reviewing and authorizing or denying requests from immigration authorities to enter school property or take custody of a student.

District counsel will be consulted before the District responds to a request from immigration authorities.

WARRANTS, ORDERS & OTHER LEGAL DOCUMENTS

Not all immigration documents provide legal authority to enter non-public school areas, obtain information, or take custody of a student.

Civil immigration warrants, administrative detainers, Notices to Appear, and other non-judicial immigration documents are not**, by themselves, sufficient authority** to access non-public areas of school property or take custody of a student.

School personnel should **never attempt to determine the validity or sufficiency of a warrant, court order, subpoena, detainer, or other legal document.**

Refer all such documents immediately to:

Designated Review Authority → District Counsel

No access, disclosure, questioning, or transfer of custody should occur until the request has been appropriately reviewed and determined to be legally authorized.

IF AN IMMIGRATION AUTHORITY REQUESTS STUDENT OR FAMILY INFORMATION

- **Do not voluntarily disclose student records or personally identifiable information.**
- Do not confirm whether a particular student or parent is present.
- Do not provide names, addresses, telephone numbers, schedules, Social Security numbers, employment information, financial/medical information, or other personally identifiable information.
- Do not disclose or threaten to disclose actual or perceived citizenship or immigration status.

- Immediately refer the request to the **Designated Review Authority.**
- The Designated Review Authority will consult District counsel before responding.
- When an immigration authority requests student information, the District will notify the **NYSED Privacy Office** consistent with NYSED guidance.
- Continue to comply with FERPA and all other applicable student privacy requirements.

Immigration status, citizenship, nationality, and national origin may not be designated as directory information.

IF AN IMMIGRATION AUTHORITY REQUESTS ACCESS TO A STUDENT

School personnel must not assist immigration authorities in locating, questioning, or detaining a student unless legally required.

- Do not bring the student to the immigration authority.
- Do not provide the student's location or schedule.
- Do not permit questioning of the student.
- Immediately contact the Building Principal and Designated Review Authority.
- Refer all documentation to the Designated Review Authority for legal review.

Immigration authorities may not be used as interpreters or translators for law-enforcement matters involving students or families.

IF AN IMMIGRATION AUTHORITY REQUESTS CUSTODY OF A STUDENT

Do not release the student solely because an immigration authority requests custody or because the student's parent/guardian has been arrested, detained, or taken into federal custody.

- Keep the student in a safe and appropriate school setting.
- Immediately contact the Building Principal and Designated Review Authority.
- Contact District counsel.
- Do not bring or escort the student to the immigration authority.

- Do not assist immigration authorities in locating, questioning, or detaining the student.
- Do not release, transfer, surrender, escort, or otherwise deliver the student based upon a civil immigration warrant, immigration detainer, Notice to Appear, or other non-judicial document.

A student may be released to an immigration authority only when legally required pursuant to appropriate judicial authority following review by the Designated Review Authority and District counsel.

IF A PARENT/GUARDIAN IS DETAINED OR UNAVAILABLE FOR PICKUP

The District's priority is the **student's safety and continuity of care.**

- Keep the student safely supervised on school premises.
- Review the student's emergency contacts and authorized pickup information.
- **Make every reasonable effort to contact all other authorized emergency** contacts.
- Document attempts to reach authorized individuals.
- Release the student only to an individual authorized by the parent/person in parental relationship or otherwise authorized by law.
- Protect the privacy of the student and family.

Do not automatically contact CPS/SCR.

The District will not contact the **Statewide Central Register for Child Abuse and Maltreatment (SCR)** unless school personnel have first made every reasonable effort to reach all other authorized emergency contacts**.**

The student has the right to remain safely on school premises until retrieved by an authorized individual.

REGISTRATION & ENROLLMENT

School personnel may not inquire about or collect information regarding a student or family's:

- Citizenship
- Immigration status
- Nationality
- Country of origin

except when disclosure or collection is legally required or otherwise falls within an applicable legal exception.

Registration or enrollment practices may not have the intent or effect of delaying or denying enrollment because a student is a non-citizen.

A student's enrollment and attendance in class may not be delayed solely because the student cannot immediately provide all registration documentation, including documentation regarding residency or age.

School practices also may not deter students from participating in programs or activities, or exclude parents/guardians from parent-engagement activities, because of actual or perceived citizenship or immigration status.

STAFF SHOULD NEVER:

- Use District resources for immigration-enforcement purposes.
- Contact immigration authorities regarding a student or family for immigration-enforcement purposes.
- Disclose or threaten to disclose a student's or family's actual or perceived immigration status.
- Collect immigration or citizenship information except as legally permitted or required.
- Assist immigration authorities in locating, questioning, or detaining a student without appropriate legal authorization.
- Grant access to non-public school areas based solely on an administrative/civil immigration document.
- Release a student based solely on a civil immigration warrant, detainer, Notice to Appear, or other non-judicial document.

- Use an immigration authority as an interpreter or translator for a law-enforcement matter.
- Independently interpret or act upon a warrant, subpoena, court order, detainer, or other immigration-enforcement document.

FAMILY NOTIFICATION

The District will establish and implement a process to formally notify parents, guardians, and persons in parental relationship of the statutory rights, privacy protections, and safety safeguards provided to students and families under Education Law § 3201-b.

The District will:

- Distribute notice to families regarding these protections.
- Make the information readily accessible through the District website and/or other District communication channels.
- Provide translated information and appropriate language access consistent with applicable requirements.
- Maintain documentation demonstrating that the required notification process has been implemented.

DISTRICT RESPONSE CHAIN

Staff / Security / Main Office

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Building Principal

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District Designated Review Authority

Superintendent of Schools

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District Counsel

Building personnel refer all immigration-enforcement requests. They do not independently authorize access, disclosure, questioning, or custody.

DISTRICT IMPLEMENTATION & COMPLIANCE CHECKLIST

- Formally identify the Designated Review Authority.
- Identify the alternate designee who will act when the Superintendent is unavailable.
- Establish building-level notification procedures.
- Provide the protocol to principals, main-office personnel, security staff, registrars, counselors, social workers, nurses, and other relevant employees.
- Train appropriate staff on the **STOP → REFER → PROTECT → DOCUMENT** response.
- Review registration/enrollment forms and procedures for compliance.
- Review directory-information practices.
- Confirm emergency-contact and authorized-pickup procedures.
- Establish procedures for students whose parents/guardians are detained or otherwise unavailable.
- Establish a process for notifying the NYSED Privacy Office when immigration authorities request student information.
- Implement and document the required parent/guardian notification process.
- Maintain documentation demonstrating implementation of the District's procedures.
- Complete the required NYSED Superintendent/Chief School Officer certification by September 21, 2026.

SIMPLE RULE FOR ALL STAFF:

STOP

Do not grant access, provide information, facilitate questioning, or release a student.

REFER

Immediately contact the Building Principal and District Designated Review Authority.

PROTECT

Maintain the student's safety, privacy, educational access, and normal school experience.

DOCUMENT

Record the request, individuals involved, documents presented, notifications made, and actions taken.

This protocol is an operational quick reference designed to implement New York Education Law § 3201-b and NYSED's Model Policy and Compliance Procedures. Questions concerning warrants, court orders, subpoenas, requests for information, access to school property, questioning, or custody should be immediately referred to the District's Designated Review Authority and District counsel.