

KNOW YOUR RIGHTS:

ENCOUNTERS WITH ICE OFFICERS AT SCHOOL

CAN IMMIGRATION OFFICERS ("ICE") COME TO MY SCHOOL CAMPUS?

As of January 2025, federal and state law does not ban ICE from entering schools or other places where children might be (playgrounds, community centers, childcare programs, bus stops), but **state and local guidance limits ICE presence at schools**.

Some CA schools are "**safe havens**"– schools that promise to resist ICE's attempts to enter schools or use records for immigration enforcement purposes.

School not a "safe haven"?– there must still be a plan to ensure the school is **safe** for all students, **regardless of their immigration status**. Schools must make rules for:

- ICE's requests to enter school campuses;
- Employees notifying the superintendent of ICE's attempts to access a school; and
- Responding to requests for student and family information.



WHAT SHOULD I DO IF ICE APPROACHES ME AT SCHOOL?

1. Stay calm and do not run away.
2. If you're at school or a school event, notify school staff immediately (e.g., principal, teacher, coach).
3. Remember and state the rights listed below.

1 5th Amendment – I have a right to stay silent & speak with an attorney.

- You can **refuse to speak** with an ICE officer until you speak with an **attorney** when ICE approaches you anywhere, including while you are walking, using public transportation, on the playground, or hanging out with friends.
- **Do not answer any questions**, especially about your birthplace, immigration status, or how you entered the United States.
- **Do not sign anything** without first speaking with an attorney.

2 4th Amendment – I have a right not to be unlawfully searched and have my belongings illegally taken away.

- ICE **cannot search** you or your belongings **unless**:
 - You give the officer **permission** to search;
 - The officer has **probable cause** (suspicion supported by evidence, that you have committed a crime); or
 - The officer has a **warrant**. A warrant looks like a letter from a court, signed by a judge.

KNOW YOUR RIGHTS:

SCHOOLS COLLECTING AND RELEASING YOUR INFORMATION TO ICE OFFICERS

WHAT INFORMATION CAN THE SCHOOL ASK FOR?

- Your or your student's citizenship/immigration status or social security numbers are never required for enrollment.
- McKinney-Vento (federal law) requires schools to enroll students experiencing homelessness (e.g. migrant children or living with family/friends) without any enrollment documents.
- Schools can request enrollment documents (e.g. age and residency verification), but schools cannot deny enrollment because you cannot provide a certain document.
- Schools must accept a variety of documents:
 - **Residency verification** – proof you live close enough to attend a school.
 - Ex: lease, utility statements, pay stubs.
 - If none, the school must accept a “Declaration of Residency,” (letter you write informing the District of your address).
 - **Age verification** – proof your child is the right age to enroll at a certain school or grade.
 - Ex: official birth certificate, passport, baptism certificate.
 - If none, the school must accept an affidavit or other appropriate means of proving age.



WHAT INFORMATION CAN SCHOOLS GIVE ICE?

The Family Educational Rights and Privacy Act (“FERPA”) protects student information.

- It is **illegal** under Federal law for schools to give ICE any personal information from a student's education records **without your permission** (or the student's permission if they are over 18).

BUT FERPA allows schools to release directory information (a student's basic details).

- **Directory info:** name, address, phone number, grade level, dates of attendance, honors/awards, and participation in school activities.
- **Not directory info:** citizenship/immigration status
- Schools must give you an option to say no to providing this info to ICE at least once a year.

WHAT IF MY STUDENT'S RIGHTS ARE VIOLATED?

- If you or your student experience discrimination, intimidation, bullying, or harassment due to your immigration status or national origin, you can file a complaint with the Office for Civil Rights, California Department of Education, or your school district.
- If a school shares your student's records without your permission, you can file a FERPA complaint.
- If ICE officers go on a school campus, you can report the incident to the Bureau for Children's Justice.