



# PRACTICAL STEPS TO PROTECT IMMIGRANT STUDENTS' RIGHTS IN PENNSYLVANIA SCHOOLS

FEBRUARY 20, 2026

# Presenters

---



Kristina Moon  
Senior Attorney



Keith Armstrong  
Fellowship Attorney – Immigrants' Rights

# AGENDA

1. **Presenters: About ELC, ACLU-PA**
2. **Context: Immigrant students in PA and recent Executive Orders**
3. **Right to Enroll & Attend Schools**
4. **Legal Standards**
  - ❖ Warrant Required for Non-Public Space
  - ❖ Student Records and FERPA Protections
5. **Protocol & Practical Steps for Schools**
6. **Resources for Families**



**1 in 14 Pennsylvania residents is an immigrant.**

**Estimated 19% of the immigrant population in PA is undocumented.**

**Unaccompanied Children released to PA:  
1,985 in FY 2024 (Oct 2023 - Sept 2024)**

# Immigration Related Executive Actions since January 20, 2025

- Attempting to end Birthright Citizenship
- Ending the Refugee Admissions Program
- Ordering the expansion of "expedited removal" (deporting a person without a court hearing)
- Requiring all noncitizens to register and present fingerprints to the U.S. government, and declaring that all who do not do so will be subject to criminal penalties
- Ending humanitarian parole programs for Cuban, Haitian, Nicaraguan, and Venezuelan nationals
- Threatening funding cuts to any state or local government that attempts to disentangle itself from collaboration with ICE
- June 2025 Travel Ban restricting or prohibiting entry for individuals from 19 countries, mostly in MENA region; potential for adding another 36 (primarily African) countries to list
- New visa restrictions, expanded biometrics and surveillance
- EO Designating English as the official language of US
- Changes at agency level: expansion of mandatory detention, courthouse arrests, arrests at ICE check-ins, etc.
- **2/18/26 Policy Change: ICE can detain legal refugees who have not yet obtained a green card.**

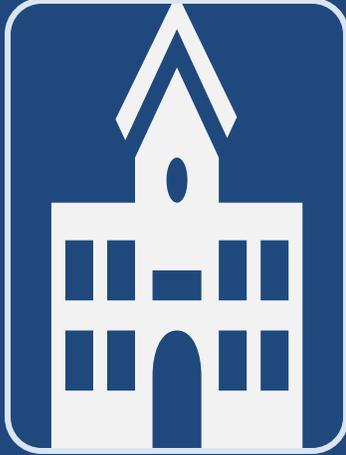
# RIGHT TO ENROLL & ATTEND SCHOOLS

**Pennsylvania law entitles all students, including immigrant students, to “a meaningful opportunity to succeed academically, socially, and civically . . . .” Their success “requires” that they have “access to a comprehensive, effective, and contemporary system of public education.”**

*William Penn Sch. Dist. v. Pennsylvania Dep’t of Educ.*, 294 A.3d 537, 892 (Pa. Commw. Ct. 2023).

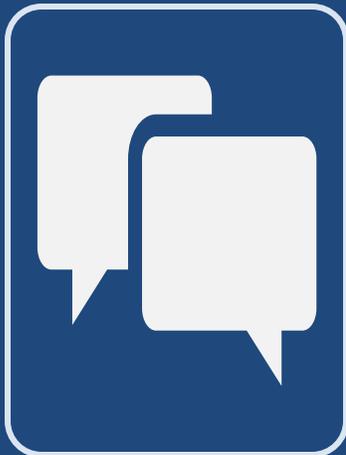


# IMMIGRATION STATUS: DON'T ASK



Schools cannot require information about students' or families' immigration status.

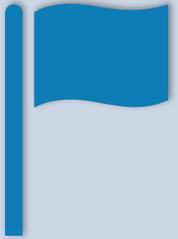
- Federal case law, *Plyler v. Doe* (U.S. Supreme Ct, 1982)
- Pennsylvania law, 22 Pa. Code 11.11(d)



Under Pennsylvania law, the information required to enroll is limited to:

- Proof of residency
- Proof of age
- Immunization records
- Parent statement about the student's prior discipline history

# SCHOOLS CANNOT REQUIRE:



Proof of citizenship or immigration status



Social security numbers or place of birth that may indicate a student's immigration status



Documents for determining residency or age that only people with U.S. citizenship or current immigration status can have (e.g. U.S. passport, driver's license, etc.)

# SCHOOL ATTENDANCE & TRUANCY

# ATTENDANCE: FEAR AND SCHOOL AVOIDANCE

PA law requires SAIC to identify & address root causes of absences 24 P.S. 13-1333

Describe school's commitment, protocol; add supports: staff outside school, counseling check-ins

Talk with students & families

School can recognize absences as excused "for other urgent reasons" on temp. basis (3 months) 11 Pa Code 25

Extended period, consider alternative program (virtual)

# OPTIONS: IN-PERSON SUPPORTS, VIRTUAL SCHOOL

**Maintain a connection to learning however works best for each student and family.  
Contact ELC-PA [Helpline](#) for individual consult & representation.**

## IN-PERSON

- Satisfy attendance, avoid truancy referrals
- Better learning supports & academic progress
- Social, peers
- Transit supports: “Safe Passage”
  - Adult monitors along path to/from school
  - Walking School Bus
  - Adjust bus stops, routes
  - Alternate starting times

## VIRTUAL PROGRAM

- Satisfy attendance, avoid truancy referrals
- District virtual program
  - Retain enrollment & credits
  - Keep students and funding within district
- Cyber Charters:
  - 2 offer bilingual, newcomer designed
  - Act 47 prohibits enrollment if ‘habitually truant’
- Ensure access: computer, Wi-Fi, digital literacy support
- Supports needed: ELD, language access

# ICE ENFORCEMENT & SCHOOLS

# RESCINDED: SENSITIVE LOCATIONS / PROTECTED AREAS POLICY

## Previously

Since 2011, the Department of Homeland Security (DHS) had maintained standing guidance requiring Immigration and Customs Enforcement (ICE) to refrain from immigration enforcement actions in certain areas

JANUARY 2025: policy rescinded

4<sup>th</sup> Amendment remains:  
warrant required for areas where people have a “reasonable expectation of privacy”

# PUBLIC & NONPUBLIC SPACES

## PUBLIC

- ICE has the authority to approach and question people in public spaces without a warrant.
- People still have the right to remain silent and to contact an attorney.

## NONPUBLIC

- For immigration enforcement to search or enter a private area within a school, the 4th Amendment requires a valid judicial warrant signed by a federal or state judge, unless staff consent to the search.
- If ICE agents enter a public area or gain access to a private area through a warrant or consent—they can arrest people if they have a valid administrative warrant for that person or if they have probable cause to believe that the person is “removable” from the United States

# CONSENT SEARCHES

## Requirements:

- 1) Consent granted voluntarily;
- 2) Obtained from someone with real or apparent authority;
- 3) Scope of search can't exceed the consent granted.

Even if the above conditions are satisfied, permission to conduct a search does not grant law enforcement authority to do so if another person, with common authority over the property, is physically present and expressly refuses consent.

# WARRANT DISTINCTIONS

While longstanding law requires schools to comply with valid *judicial warrants* and subpoenas, immigration agents often serve what are known as *administrative warrants*, which do not have the same legal force.

## ADMINISTRATIVE WARRANT

- Commonly relied upon by ICE
- Signed by an immigration officer or immigration judge
- However, these warrants **do not**:
  - Authorize ICE agents to enter areas of school property that are not otherwise open to the public
  - To enter these places (absent of a judicial warrant), ICE would need the school's consent, **which school officials have no legal obligation to give**

## JUDICIAL WARRANT

- To be valid:
  - Issued by a judicial court;
  - Signed by a state or federal judge or magistrate (**not** merely authorized by an immigration judge or agent within the Department of Homeland Security or ICE);
  - State the address of the premises to be searched (check for your school's exact address); and
  - Executed within the limited time period specified on the warrant

# EXAMPLE OF A VALID WARRANT

## A valid warrant requires:

- The judge's name and signature
- The person's name and address
- The date (not expired)
- The name of the agency conducting the search or arrest

## A search warrant also requires:

- A description of any items being searched

Administrative subpoenas are not valid. (e.g. "ICE warrant").

UNITED STATES DISTRICT COURT  
for the \_\_\_\_\_

In the Matter of the Search of \_\_\_\_\_ )  
(Briefly describe the property to be searched )  
or identify the person by name and address) \_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )  
\_\_\_\_\_ )

Case No. \_\_\_\_\_

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the \_\_\_\_\_ District of \_\_\_\_\_  
(identify the person or describe the property to be searched and give its location):  
\_\_\_\_\_

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):  
\_\_\_\_\_

**YOU ARE COMMANDED** to execute this warrant on or before \_\_\_\_\_ (not to exceed 14 days)  
 in the daytime 6:00 a.m. to 10:00 p.m.  at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to \_\_\_\_\_  
(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial) and I authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized. (check the appropriate box)  
 for \_\_\_\_\_ days (not to exceed \_\_\_\_\_)  until, the facts justifying, the later specific \_\_\_\_\_

Date and time issued: \_\_\_\_\_  
City and state: \_\_\_\_\_

\_\_\_\_\_  
Judge's signature  
\_\_\_\_\_  
Printed name and title

# JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

AO 93 (Rev. 12/99) Search and Seizure Warrant

**UNITED STATES DISTRICT COURT**

for the  
Eastern District of California

In the Matter of the Search of \_\_\_\_\_ )  
(Briefly describe the property to be searched )  
or identify the person by name and address )  
\_\_\_\_\_ ) Case No. \_\_\_\_\_  
Davis, California 95616 )

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer **2:11-SW-0161 EFB**

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA  
(Identify the person or describe the property to be searched and give its location):  
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):  
SEE ATTACHEMNT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge \_\_\_\_\_  
(name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)  for \_\_\_\_\_ days (not to exceed 30).  
 until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

Edmund F. Brennan  
Judge's Signature

**EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE**  
Printed name and title

Is this the right address?

Is it still current?

Note: only the person, property, & areas specified may be searched

Is it actually signed by a judge?

**IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT**

**DEPARTMENT OF HOMELAND SECURITY**  
**U.S. Immigration and Customs Enforcement**  
**WARRANT OF REMOVAL/DEPORTATION**

File No: \_\_\_\_\_  
Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:

\_\_\_\_\_ (Full name of alien)  
who entered the United States at \_\_\_\_\_ on \_\_\_\_\_  
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
- a designated official
- the Board of Immigration Appeals
- a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

\_\_\_\_\_ (Signature of immigration officer)  
\_\_\_\_\_  
(Title of immigration officer)

**THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT**

SAMPLE

# IF A JUDICIAL WARRANT IS VALID

## To be valid:

- Issued by a judicial court;
- Signed by a state or federal judge or magistrate (not merely authorized by an immigration judge or agent within the Department of Homeland Security or ICE);
- State the address of the premises to be searched (check for your school's exact address); and
- Executed within the limited time period specified on the warrant

1

School staff must comply

2

School should contact parent of child identified

3

Provide support for students & school climate

# STUDENT RECORDS & FERPA PROTECTIONS

# STUDENT RECORDS AND FERPA PROTECTIONS

## General Rule:

- Schools are prohibited from releasing personal information in student's education records without written consent of parent/guardian or eligible/adult student

## Exceptions:

- Schools may disclose to LEO only IF they have a **valid court order or subpoena**
  - Attorney review for valid judicial order
  - Right to challenge - Inform parent/guardian or eligible student before release of info
- **Health or safety emergency**
  - Extremely limited: actual imminent, specific to particular school

# DIRECTORY INFORMATION

**Defined:** information contained in the education records of a student that would **not generally be considered harmful or an invasion of privacy if disclosed.**

**School decides**, but often includes: name, address, telephone listing, date and place of birth, participation in activities and sports, dates of attendance. Consider narrowing.

**Families can opt out.**

Schools must provide notice annually; can and should reissue now. >>[ELC Fact Sheet & Opt-Out Template](#)

School may disclose to 3d parties without consent IF proper notice given. Lawyer should review requests.

# SCHOOL SECURITY OFFICERS (SRO) MUST FOLLOW FERPA

SRO access education records/info only if:

- designated as “school official” to fulfill “legitimate educational interest”

Security officer is only considered a "school official" if:

- school has direct control over the officer’s maintenance and use of education records

Legitimate educational interest

- Review of educ record is required to fulfill the individual’s professional responsibility

Schools need advance notice to parents:

- informs parents of the criteria for the terms "school official" and "legitimate educational interest" in annual FERPA notification letter

## Recommended:

Districts educate school security officers about legal protections for immigrant students

Inform the security officers that if they engage in immigration enforcement activities, they run risk of violating federal and state law

Districts require school security staff to commit - through a signed agreement or official policy - not to:

- Inquire about immigrations status
- Engage in immigration enforcement activities
- To detain students and family members for purposed of immigration enforcement

A school that allows ICE access to students or records without valid judicial warrant may be liable

- if ICE accesses non-public info,
- if students are questioned or detained or intimidated in violation of the law,
- if student info is shared,
- if the school failed to follow required procedures,
- and additional liability if local law restricts cooperation

# RECOMMENDATIONS: PRACTICAL STEPS FOR SCHOOLS



Key Sources:  
[Advancement Project, Protecting Immigrant Students Action Kit](#)

[Fugees Family, Standing Strong Resources](#)

[ELC-PA Resource Page: Immigrant Students' Rights](#)

# PUBLIC COMMITMENT THAT FAMILIES CAN TRUST

## Create & publish Welcoming Schools policy & protocol

- ✓ Staff will not ask immigration status
- ✓ District staff will not share information or access to schools unless compelled by judicial warrant
- ✓ Create a protocol with counsel governing any contact from immigration agents:
  - ✓ Access denied until credentials are verified and authorization from counsel
  - ✓ Administrator contacted
  - ✓ Counsel contacted
- ✓ Provide clear comprehensive information to families in languages needed
- ✓ Provide resources for impacted families

**Train all educators and staff on specifics of policy and protocol, implantation in their building and programs.**

# SCENARIO PLANNING : FOUNDATION

## Acknowledge Safety Concerns

- Shift required after rescission of Sensitive Locations policy & current practices
- Recognize immigration enforcement activity as safety issue that activates existing safety protocols.
- Post “Private School Property” signs around school campus boundary

## School Safety / Sanctuary Team

- Designated for leading response to safety concern
- Most schools already have Safety Team with principal, security officer
- Consider adding: Building engineer, ESL teacher, school counselor, cross guards

## Interaction with Law Enforcement

- PA School Code requires MOU with local police department - Review it!
- Does your locality have [287\(g\) Agreement?](#)
- Data shared with police? School cameras shared with police?
- Is there a school board policy or administrative regulation about engaging with federal law enforcement officers?
- School Resource /Security Officer, Police on Campus: clarify role to support students, not ICE

# ICE CONTACT ON SCHOOL GROUNDS

## PREPARE

- ❑ Clear, specific protocols; staff trained on roles
  - ❑ Staff phone numbers to call
- ❑ Identify boundaries & post signs for private school property
- ❑ Prep short communications for quick alert to families: Hold alert, On lockdown, Do not approach school. Students are safe inside and will not be released.
- ❑ Need updated Emergency Contact forms for all students

## RESPOND

- Refuse entry, keep agent outside the building; all interaction through intercom or glass door
- Call administrator, who will alert community response.
- Call counsel to verify documents or requests
- Soft Lockdown (no one allowed inside or outside building; normal schedule followed; families contacted)
- Alert to families, Do not approach. Station staff outside to keep families from being trapped.
- If student is specified in warrant, do not share any information. Contact family & ask for documented authorized person to come. Advise them to call a lawyer.

# ON SCHOOL GROUNDS: FRONT DOOR / SECRETARY

- Report to administrator immediately (admin contacts counsel, activates witness role & alerts community response).
- Do not open door. Speak through intercom or window/door
  - If door is opened, restrict agent to lobby. Do not allow students near lobby. Do not bring agent to office.
- Clear the area - send all students that were in the office/lobby area to classrooms or secure space.
- **Script:** “I do not have authority to open this door, I do not consent to a search. I have contacted administrator & lawyer. We are a school in lockdown. If you have judicial warrant, please slide under door or hold to the glass.”
- Pass documents through a slot or take photos through window
- Verify any documents with counsel.

# PROCEDURES FOR SECRETARIES/SECURITY GUARDS/MAIN OFFICE WHEN INTERACTING WITH ICE

Do NOT let the officer inside. Speak to them through the door intercom.

“Our School Board Policy XXX requires that all law enforcement officials, including ICE and other federal agencies, must present their credentials. Can I please have your name, badge number, and agency affiliation?”

Write down their information and include the date and time of the interaction. Contact your building administration to come to the main office.

“Thank you. I need to notify our building administration before we continue. Please wait a few moments while I contact them.”

Officer continues to request access.

“Thank you for your patience. I cannot let you enter the building until our administration arrives.”

\*Another staff person is assigned to video record interactions.

# ASSIGN A WITNESS, DOCUMENT INTERACTIONS

- Designate staff as legal observer to film interaction.
- Start recording and narrate. State orally the date, time location being videotaped
- Keep safe distance 6-10 feet of distance. Do not physically obstruct agents
- Upload documentation immediately. Ensure video is backing up to cloud in case of device confiscation
- **Make copies or photos to send to counsel immediately**
- **Make copy of all credentials and documents**

# ICE ACTIVITY AROUND /NEAR SCHOOL

## PREPARE

- ❑ Clear, specific protocols; staff trained on roles
- ❑ Identify boundaries & post signs for private school property
- ❑ Coordinate with community supports
- ❑ Prep short communications for quick alert to families
- ❑ Identify student transit support needs
  - ❑ More adult monitors at key points of families' transit paths to/from school
  - ❑ Safe Passage Teams: Walking School Bus; Monitors/Cross Guard at corners or bus stops

## RESPOND

- Report of ICE activity to administrator; Community Rapid Response seeks to verify
- Whistle protocol, if helpful
- Consider Soft Lockdown (no one allowed inside or outside building; normal schedule followed; families contacted)
- Dismissal: if stable, students can leave by [front doors], or can stay inside if needed. Security will monitor doors to ensure no entrance

# ARRIVAL & DISMISSAL - IF ICE IS PRESENT, NEARBY

**Consider individual flow of each school's procedures: what transit forms are used; where do crowds form; where are staff needed.**

## ARRIVAL

- Bring all students inside immediately, secure the doors.
- Identified staff person go to school boundary & sidewalks to inform families & direct students inside or away.
  - Report to community rapid response for additional adult monitors.
- Report ICE activity through district protocol: administrator, counsel.
- Secure students in their classrooms or designated safe area with supervision. Calm students.
- Communication to families
- Alternatives: staggered arrival times, tardies excused

## DISMISSAL

- Pause dismissal immediately using internal code.
- Keep students inside if not yet released. Bring students in immediate school vicinity back inside.
- Secure lockdown. Keep students inside until threat dispersed, as needed.
- Communication to families: Hold alert, Lockdown, Updates when stable.
- Staff & community rapid response monitor outside.
- Release students to authorized individuals only.
- Alternatives: staggered dismissal times

# SCHOOL BUS - IF ICE IS PRESENT, NEARBY

A school bus is under school authority, whether driven by school employee or contractor.

## PREPARE

- Bus is non-public; sidewalk stops are public.
- Specific protocol, reviewed with all staff and contractors
- Clarify instructions and authority lines with contracted bus drivers
- PA Law: Title 18 of PA Crimes Code, Section 5517: Unauthorized School Bus Entry. Make sign for bus doors.
- Review bus route info made public by school and consider removing from public websites.
- Train drivers regularly.
- Prepare message cards for driver.
- Alternatives: staggered arrival times, additional bus stops or routes

# SCHOOL BUS - IF ICE IS PRESENT, NEARBY

**A school bus is under school authority, whether driven by school employee or contractor.**

## RESPOND

### ➤ ICE approaches bus

- Do not open the door.
- Report /radio to administrator immediately.
- Show message card, talk through closed door or driver window. Take photo of documents to send to administrator.
- “Under Title 18 of the PA Crimes Code, Section 5517, you cannot come onto this school bus. I do not have authority to allow you on the bus. Contact the school with a judicial warrant.”

### ➤ ICE present at a bus stop before bus arrives

- Do not stop the bus. Keep driving.
- Report/ radio administrator immediately.
- If there’s an aide or another adult on the bus, they should take video of the ICE activity around the bus stop.
- Administrator contact community rapid response to send adult monitors to bus stop.
- Administrator contact families that were not picked up.

# SCHOOL BUS DRIVERS: INTERACTING WITH ICE

Officer approaches the bus while at a stop (they may say that they have a warrant or other documentation).

**Do NOT let the officer onto the bus.**

“Under Title 18 of the Crimes Code, Section 5517, you cannot come onto this school bus.”

“Our School Board Policy XXX requires that all law enforcement officials, including ICE and other federal agencies, must present their credentials. Can I please have your name, badge number, and agency affiliation?”

Write down their information and include the date and time of the interaction. Contact your supervisor immediately.

“Thank you. I need to notify my supervisor before we continue. Please wait a few moments while I contact them.”

Officer continues to request access.

“I am not authorized to release any student or information. You will need to speak with the school administration.”

# COMMON QUESTIONS

*Open sports fields, parking lots* - signage about when the area is closed to the public may help; prep protocol in advance

*After school programs* - non-public area; identify who has authority to refuse access; similar protocols; comms with school administrator, security & community rapid response

## Posted Signs:

“Private - School Property”

“School Grounds - Authorized Personnel Only During School & Program Hours”

“No Unauthorized Access While Students Are Present”

[School Property Considerations \(Fugees Family\)](#)

# CAREGIVER DETAINED

## PREPARE

- ❑ Goal: ensuring student is in the custody of trusted person authorized by parent, and avoiding DHHS /Child Protective Services /Children & Youth involvement.
  - ❑ Schools must contact CYC if they are unable to identify a parent-authorized adult.
- ❑ Schools **MUST** require all families to update Emergency Contact forms, ideally with **4-5 authorized adults** that can come to the school to pick up a student.
  - ❑ List multiple contact details (cell, work phone, WhatsApp, email, address)
  - ❑ List trusted agency that family works with (after-care, community services)
  - ❑ "In the event of a local emergency, transit delay, or family crisis, who is authorized to pick up your child if you are unavailable?"
  - ❑ Provide forms in all languages needed. Use trusted school staff to talk with all families about updates needed.
- ❑ Caregiver Authorization
  - ❑ PA family law does not have a “temporary guardian” option enforceable in court. A specific “delegation of custody” form is not required. (see [PA custody guidance from Philadelphia Legal Assistance; en Español](#))
  - ❑ Can use [1302 NonParent Enrollment Affidavit \(en Español\)](#).
- ❑ Engage with community orgs & train staff for trauma informed, culturally competent responses (see [ImmSchools](#))

# CAREGIVER DETAINED

## RESPOND

If caregiver does not come to pick up child, or school receives notice that a caregiver was detained:

- Move student to quiet, private, supportive space with trusted staff member.
- School tries to contact one of the authorized persons on the Emergency Contact list
- If an authorized person is contacted, school needs to inform them to bring an ID. School must be flexible about ID provided, or other verification options.
- To try to verify a parent is detained in order to receive instruction for child's release, engage with local immigrant support groups, and use [ICE Online Detainee Locator System](#) or [ICE Parental Interests Hotline](#) 1-888-351-4024
- Do not call DHHS/CYS until all options are exhausted. Do not report any information about immigration status to DHSS/CYS. *"The parent has not arrived for pick-up and we have been unable to reach the emergency contacts. We are requesting assistance in locating a relative."*
- Coordinate supportive services for student whose caregiver was detained, and the broader school community

# STUDENT IS DETAINED

## PREPARE

- ❑ Do not ask about immigration status
- ❑ Coordinate with local orgs to provide KYR sessions for all students
- ❑ Share with students that school and community groups want to protect access to school for everyone. Share info about transit supports or virtual options if needed.

## RESPOND

- Provide supportive services to classmates & schoolwide
- Try to confirm detention
  - 18+, [ICE inmate locator](#)
  - Minor, [Office Refugee Resettlement](#)
- Detained students should remain enrolled & mark as excused “Other Urgent Reasons”
- If student is *confirmed* to no longer be in US, may be disenrolled

# COMMUNICATING WITH FAMILIES & PROVIDING RESOURCES

# SCHOOL COMMUNICATIONS WITH FAMILIES

**Schools must directly counter the pervasive fear in this climate by communicating clearly, proactively, and with genuine care. Silence is not neutral: it allows misinformation and fear to fill in the gap. (Fugees Family)**

- Consider specific school & family needs.
- Don't make assumptions on status, share info schoolwide
- All languages needed
- Multiple formats: text message, email, Class Dojo, WhatsApp, call, video message
  - Info is best received from known, trusted staff member
- Explain protocol in advance, before any incidents require urgent response or cause panic
- Prompt, clear messages when incidents are verified (see [scripts from Fugees Family](#))
- Emergency Contacts updated

# Schools should be resource hub for all families, including immigrants

---

Spotlight: Immigrant  
Students Rights at  
School

Directory Info Opt-  
Out:  
factsheet and form

Non-parent  
caregiver enrollment  
(1302)

Family  
preparedness,  
temporary custodian  
considerations

Know your rights  
with ICE in 34  
languages (HIAS  
PA)

If family member is  
detained, seek legal  
advice from  
reputable  
immigration attorney

# COORDINATE WITH COMMUNITY SUPPORTS

# COORDINATE WITH COMMUNITY SUPPORTS

**Community members care deeply about all students' right to access our public schools & can provide additional supports outside the school building, in coordination.**

- **Community-led rapid response groups**
  - Verify incidents of ICE enforcement activity
  - Connect reports across community with district administrators
  - Provide KYR trainings
- **School-based parent & community response groups: Sanctuary Team**
  - Signal chat with administrator to provide surge response if incidents around/at school
  - Volunteers (parents or community members) need background clearances to work with students
  - Whistles, if helpful
  - Transit supports: Walking bus, sidewalk monitors, car-pool from activities
  - Mutual aid

**Chicago : Organizing Sanctuary Defense Teams**

**Minneapolis Families for Public Schools: Guide to Starting a Sanctuary School**

# QUESTIONS?

## EDUCATION LAW CENTER PA

215-238-6970 (Philadelphia) 412-258-2120 (Pittsburgh)  
intake@elc-pa.org

## ACLU OF PENNSYLVANIA

Intakes/Referrals (statewide): <https://complaints.aclupa.org/>