

## Viewpoints

# Immigration Enforcement and Public Schools



The Trump Administration rescinded a policy guidance that designated schools as a *sensitive site* and disallowed federal law enforcement action. Now, school sites **can** be subject to ICE raids that are aimed at arresting undocumented immigrants. While this specific concern does not actually impact a school site's day-to-day operations, it creates a stressful environment where parents, students, and families with vulnerable status are afraid to be in school drop-off and pick-up lines, and interact with school personnel and events, thereby eventually impacting a district's student enrollment numbers.

So what's next?

- Districts that are a *sanctuary district* or part of a *sanctuary city* are not offered any special protection under federal immigration laws and can be subject to ICE action at schools.



- The California Attorney General 's Office has issued specific guidance to assist schools with this concern. The guidance can be found here: [Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues](#)
- The California Legislature has two pending bills, [AB 49 \(Muratsuchi\)](#) and [SB 48 \(Gonzalez\)](#), that aim at limiting an education entity's ability to allow ICE action on campus.
- FERPA is still applicable and student information cannot be turned over to ICE agents without subpoena or a court order.
- Districts should also ensure that proper facility signage is updated at every site to clearly mark public and private areas, and that all student contact information is up to date.

Finally, regarding any specific instance regarding federal enforcement action at your school sites, please immediately consult your counsel.

**At a time when many migrant families — even those in the country legally — are assessing whether and how to go about in public, many school systems are watching for effects on student attendance.**

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## Professionals

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