



### The goal of today's training

- ▶ Know and apply 4J procedures
- ▶ Be able to teach others
  - ▶ Release of student information and records
  - ▶ Access to schools by immigration officials

### Are public schools required to provide education to undocumented students?

- ▶ <https://www.c-span.org/video/?c4587413/illegal-immigrants>

### U.S. Supreme Court: Yes, undocumented students have right to access public education

- ▶ Children ... "can affect neither their parents' conduct nor their own status."
- ▶ Education prepares children to become self-reliant and self-sufficient participants in society.
- ▶ A public school education inculcates fundamental values necessary to the maintenance of a democratic political system and provides the basic tools by which individuals might lead economically productive lives.



### Should, may or must employees ask a student questions about immigration status?

- ▶ May not. It is irrelevant to enrollment/attendance.
- ▶ Asking students about their immigration status when determining residency may discourage undocumented students from enrolling.
- ▶ OK to obtain residency (home address) information when enrolling.

### Should, may or must employees report an undocumented student to immigration enforcement?

- ▶ May not. Reporting a student's real or perceived immigration status to authorities would be one of the strongest steps a district could take toward denying the student access to an education.
- ▶ Reporting a student's immigration status could violate the Family Educational Rights and Privacy Act and other laws.

### Would the district ever have to release records to immigration officials?

- ▶ Only if directed by the superintendent.
- ▶ Decision may not be made at school level.
- ▶ The Family Educational Rights and Privacy Act (FERPA) generally prohibits school districts from providing third parties information about students contained in student records with the exception of a court order or subpoena (and advance notice to parents).
  - ▶ There is no blanket exception for law enforcement.

### What if immigration agents ask to interview students at school?

- ▶ Requests are to be referred to Superintendent's office
  - ▶ Decision may not be made at school level
  - ▶ District will work to prevent access to students at school sites for immigration enforcement
- ▶ Department of Homeland Security's "sensitive locations" policy is to generally avoid enforcement actions on school grounds, bus stops, education events.

### What if student's parent is detained?

- ▶ Must take steps to ensure the safety of children.
- ▶ Emergency contacts list.
  - ▶ Department of Human Services (541) 686-7722

### Scenario: Dealing with immigration officials at your building



- ▶ ICE agents show up in your building asking for student Ayaan Abad's personal information.
- ▶ The agent is dressed in black fatigues and is wearing a hat that reads ICE.
- ▶ When prompted, the agent displays her badge and a piece of paper listing all of the information she needs.
- ▶ She demands that you give her the needed information or produce the student for questioning.
- ▶ What do you do?

### Bill Smith is angry



### Scenario: Dealing with angry parents

- ▶ You just passed your building principal in the hallway. She is on her way to a meeting with a family.
- ▶ As you walk into the front office, you encounter an angry parent yelling at your school secretary.
  - ▶ Sam's dad, Bill, has heard a rumor that the Suarez family is undocumented and demands to know why his kid has to share a classroom with illegal aliens.
  - ▶ Bill demands to know why his tax dollars are used to support kids that belong in a different country.
  - ▶ Bill threatens to call the police and demands to have these parents arrested.
  - ▶ Bill is visibly upset. He is shaking and the building secretary looks shocked.
- ▶ What do you do?

## The Nguyen family is worried



## Scenario: Dealing with worried families

- ▶ Chai and Bao Nguyen are waiting in the main office of your building.
- ▶ They have just found out that their neighbors have been detained by ICE agents. Their neighbors' children, April and John, are 4<sup>th</sup> and 5<sup>th</sup> grade students in your building.
- ▶ Chai and Bao are here to notify you no one is able to collect April and John after school and the Nguyen family is leaving for California tonight.
- ▶ There are two potentially unsupervised students currently in your care.
- ▶ What do you do?

## What's next

- ▶ Procedures, policy review continues
- ▶ Principals train building staff on policies/procedures ASAP
- ▶ District is coordinating specialized job-specific training (e.g., for school secretaries, registrars)
- ▶ District is planning additional staff training
  - ▶ Social/emotional supports
  - ▶ Trauma informed care