Understanding the Impact of Immigration Enforcement and Policy on Texas K–12 Schools

TEXAS K-12 EDUCATORS' TOOLKIT

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TEXAS K-12 EDUCATORS' TOOLKIT:

Understanding the Impact of Immigration Enforcement and Policy on Texas K–12 Schools- Guidance for Educators

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This collection of materials was created to support Texas K–12 educators as they navigate the evolving landscape of immigration policy and its impact on schools. Developed collaboratively by a coalition of organizations dedicated to educational equity and immigrant rights, this resource provides practical guidance, policy context, and tools to help educators, administrators, and staff create safe, inclusive, and supportive environments for all students and families.

In the United States today, **five million American children live under the threat of their parents' deportation.** **Reports** have surfaced of immigration enforcement efforts at schools targeting unaccompanied immigrant children.[1] In light of the recent rescission of a national policy designating schools as protected areas (i.e. the "Sensitive Locations Memorandum"), shifting federal immigration policies, and state-level changes in Texas, this compilation is intended to serve as a comprehensive, go-to resource for educators across the state. Whether you're seeking legal information, classroom strategies, or tools for family engagement, these materials are intended to empower school communities with the knowledge and confidence to respond with care, equity, and integrity.[2]

Leading organizations:
ImmSchools, Intercultural Development Research Association (IDRA), St. Edward's University, Texas Appleseed, Texas Immigration Law Council.

Contributing organizations:[3]
Home is Here, Immigrant Legal Resource Center, ImmSchools, Intercultural Development Research Association (IDRA), National Immigration Law Center, St. Edward's University, Texas Appleseed, Texas Immigration Law Council, Texas Rio Grande Legal Aid.

[1] In federal fiscal year 2024, just under **100,00 unaccompanied immigrant children were detained** by the Office of Refugee Resettlement.
[2] These materials are for informational purposes only and are not to be construed as legal advice.
[3] This document includes the contributions of many organizations, listed here. Contribution does not necessarily signal endorsement of the whole document.

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I. The Rights of Students and Educators

A. Students' Right to an Education

All students—regardless of their immigration status or the immigration status of family members—are entitled to a free public education under the protections established by the U.S. Supreme Court in *Plyler v. Doe* in 1982. This critical decision affirms that schools cannot deny enrollment, access to programs, or services based on a student's immigration status. In *Plyler,* the Supreme Court declared:

> *"Public education has a pivotal role in maintaining the fabric of our society and in sustaining our political and cultural heritage; the deprivation of education takes an inestimable toll on the social, economic, intellectual, and psychological well-being of the individual, and poses an obstacle to individual achievement…In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."*[4]
>
> ***Supreme Court of the United States in Plyler v. Doe***

In today's climate, with the rescission of the **Sensitive Locations Memorandum** and growing concerns about the presence of law enforcement on and around campuses, it is more important than ever for educators and administrators to proactively safeguard the rights of undocumented and immigrant students. Schools must remain places of trust, learning, and inclusion, free from fear or discrimination. By fostering safe, welcoming environments, and by being informed of both legal protections and best practices, we can ensure that all students have the opportunity to learn, thrive, and feel secure within our school communities.

B. School Officials: Your Rights on Campus

Understanding your rights is crucial to maintaining public safety when any law enforcement officers, including immigration agents, arrive on campus. This guide provides an overview of your rights under the U.S. Constitution, specifically focusing on the 4th and 5th Amendments, as well as essential information about criminal trespass.

[4] *Plyler v. Doe,* 457 U.S. 202, 203, 221 (1982).

C. Know Your Free Speech Rights for School Staff

Your 1st Amendment free speech rights as an educator depend significantly on the setting you're in and whether you're acting in your role as an employee or as an individual. It is crucial to understand these distinctions to navigate your rights effectively. This document provides some guidance on factors you should consider when assessing your free speech rights both on and off the clock.

D. Know Your Rights for Immigrants in Texas

It is essential that immigrants in Texas understand their rights, especially when interacting with law enforcement or facing unexpected challenges. This resource provides an accessible summary of key legal rights and responsibilities. An **additional guide** offers a more in-depth overview of "Know Your Rights" materials and practical tools for families to prepare for potential emergencies.

E. Know Your Rights for Families at School

In the United States, education is a fundamental right that extends to all children, regardless of their immigration status. This document provides basic information about the rights of students and families within the educational system to ensure they receive equitable treatment and access to education. In addition, **this packet** provides a comprehensive overview of know your rights materials and how families can plan for emergencies.

F. Know Your Rights - Printable Cards

These **printable cards** contain key information about rights immigrants have when encountering law enforcement. Schools can provide cutouts as a resource for students, staff, and families in their communities.

II. Model Policy

This model policy guides Texas school districts in responding to law enforcement requests for access to campus or student records, ensuring compliance with FERPA and constitutional protections. It establishes clear protocols for verifying the authority and scope of any request, safeguarding student privacy while supporting school safety. The policy also promotes transparency and accountability by requiring documentation and appropriate notification when feasible.

III. Best Practices

A. Best Practices - Law Enforcement on Campus

In today's educational environment, schools must balance the need for a secure learning environment with the rights and protections of students and their families. One crucial aspect of maintaining this balance is the establishment of clear and comprehensive protocols for interactions with law enforcement officers. These protocols help ensure safety, protect students' rights, and safeguard schools from potential legal liabilities. This document outlines best practices for creating a protocol for when law enforcement officers seek entrance to a school or wish to speak to a student.

B. Best Practices: Preparing for Immigration Enforcement Actions

In the face of potential enforcement activities that may affect students and their families, schools play a critical role in ensuring the safety and well-being of their community. This document contains some best practices that schools can adopt to prepare for increased enforcement activity and support students and families.

C. Welcoming and Supporting Immigrant Students in School

To support schools in creating inclusive and welcoming environments for immigrant students, here are two practical resources tailored to different needs: a **slide deck** and a **one-page infographic**. Both resources provide information regarding students' right to an education, what schools can and cannot do, as well as how schools can create a sense of belonging for all.

D. 10 Strategies for How Schools Should Respond to Help Children Impacted by ICE Raids

When U.S. Immigration and Customs Enforcement (ICE) conducts raids in a community, students are deeply affected. Even the threat of a raid or news of one in another part of the country can have painful lasting effects. These 10 strategies help educators serving students affected by ICE raids.

IV. Family Preparedness

This preparedness kit in **English** and **Spanish** is designed to help individuals and families stay informed and ready in case of an encounter with law enforcement or immigration authorities. It includes clear guidance on what to do if you are stopped by police or detained by immigration officials, along with safety planning tools to protect yourself and your loved ones. The kit also contains a checklist of essential documents to gather and keep accessible, as well as planning worksheets to help organize emergency contacts and other essential information.

V. Law and Policy

A. Warrants and Subpoenas

The immigration agencies of the U.S. Department of Homeland Security (DHS)— U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and Homeland Security Investigations (HSI) — have, in recent years, used increasingly aggressive tactics to intimidate immigrants and coerce them into cooperating with federal immigration enforcement. As an ICE administrative warrant (such as a warrant on Form I-200 or I-205) is not issued by a judge and does not independently authorize entry into non-public school spaces or access to student records, it is crucial that schools understand how to identify these documents that immigration agencies rely on as part of their tactics to coerce cooperation. This fact sheet highlights the differences between a subpoena, a judicial warrant, and an ICE administrative warrant to enable people to exercise their rights in an informed manner. You'll find information on:

- Immigration enforcement power and immigration subpoena power;
- How to distinguish between judicial warrants, subpoenas, and their administrative immigration counterparts;
- What to do in response to receiving an immigration warrant or immigration subpoena.

This fact sheet also includes a case study about Liberty High School in New York City, highlighting how schools, advocates, and lawyers can intervene to block immigration subpoenas and keep immigrant communities safe.

B. Deferred Action for Childhood Arrivals (DACA)

A **trusted resource** offering clear, up-to-date information for DACA recipients and the legal professionals who support them. Find legal updates and answers to frequently asked questions.

VI. Community Resources

A. Accessing Trusted Legal Representation

1. Nonprofit Providers

a) Austin

This document lists nonprofit immigration legal service providers in the Austin metropolitan area. It also includes contact information for organizations offering other types of legal aid, along with a link to search for private immigration attorneys.

b) Houston

Houston Immigration Legal Services Collaborative (HILSC) serves as a central organizing hub for individuals seeking immigration-related support in the Houston metropolitan area. If you or someone you know needs legal assistance in or around Houston, the **HILSC hotline** is a key resource. It offers current information about available legal clinics, service capacity, and more. The hotline also responds to calls from immigrant detainees. Additionally, HILSC maintains a **comprehensive directory** of legal services, social services, and advocacy and organizing resources throughout the Houston area.

c) Dallas

This document contains a list of names and contact information for immigration legal services organizations accredited by the Board of Immigration Appeals in the Dallas area.

d) Other

If you are looking for free or low-cost immigration legal help, the Immigration Advocates Network (IAN) provides an easy-to-use **online directory** of nonprofit immigration legal service providers across the United States. These organizations offer assistance from accredited representatives and licensed attorneys who specialize in immigration law. Through the IAN directory, you can search by location, type of service needed, and language spoken. This is a great resource for finding trustworthy, nonprofit legal help in your area—especially if you're unable to afford a private attorney.

2. Private Immigration Attorneys

a) AILA

If you are looking for legal assistance from a private immigration attorney, the American Immigration Lawyers Association (AILA) offers a **public directory** to help you find qualified lawyers in your area. These attorneys are members of AILA, a national professional organization for immigration lawyers, and have experience handling a wide range of immigration matters.

The AILA directory allows you to search by location, language, and type of legal service needed. Please note that these are private attorneys who generally charge fees for their services.

B. Related Challenges

1. Mental Health and Wellness

a) Addressing Mental Health Impacts of Anti-Immigrant Policies & Practices

Active immigration enforcement, fears of detention and deportation, and the general climate of fear about immigration enforcement activities have widespread negative mental health impacts on students, families, schools, and communities. The information provided outlines who may be at risk, the types of harm they may experience, and key strategies for prevention and response. View this **staff guide** and **administrator brief**.

b) Bullying & Harassment Amid Anti-Immigrant Contexts

Bullying and harassment are widespread concerns among many youth and student populations, and identity-based bullying, including bullying that targets students' immigration status, is on the rise. Identity-based bullying involves a single significant act or pattern of acts by one or more students based on, or targeting, a student's actual or perceived race, ethnicity, color, national origin, sex, gender, religion or disability status. Identity-based bullying behaviors can target a students' actual or perceived immigration status and English language proficiency, and immigrant youth are more likely to experience ridicule, discrimination, and exclusion by US-born peers and to be at increased risk of identity-based bullying. This document details the impact of identity-based bullying and harassment, as well as provides prevention and response strategies. View this **staff guide** and **administrator brief**.

c) Trauma & Trauma-Informed Care Amid Anti-Immigrant Contexts

Trauma-informed care is an approach that emphasizes and understands the impact of trauma on a child's development and then uses that knowledge and understanding to integrate practices that avoid re-traumatizing. This document explains trauma-informed care and how to integrate a trauma-informed approach. View this **staff guide** and **administrator brief**.

C. Other Resources

1. ICE Detainee Locator

Step-by-step instructions in both **English** and **Spanish** are available to guide users in accessing the ICE Detainee Locator System. The guide explains how to search for individuals in

immigration detention using either an A-number or basic biographical information. It also clarifies what information is available—such as the location of detention—and highlights important limitations, including that newly detained individuals and minors under 18 may not appear in the system. If someone is searching for a detained loved one, they can also check out these **additional tips**.

2. What Counts as Legal Advice?

This document is designed to help school officials understand the difference between providing general information and giving legal advice. It offers clear guidance on how to share helpful resources and support students without crossing into the unauthorized practice of law. By using this tool, educators and administrators can confidently assist students and families while protecting both themselves and their institutions.

3. Index of Know Your Rights Materials and Raid Resources

This resource is a comprehensive index of "know your rights" materials, spanning both national and Texas-specific content. It links to tools and guides—including legal rights during immigration raids, family preparedness checklists, and emergency planning documents—organized for quick reference. Whether you're facing enforcement actions, preparing your household in advance, or seeking legal information, this centralized sheet helps users locate the right document for their situation.

4. Texas Dream Act: New In-State Tuition Rules Resources

A recent federal court order has limited the application of the Texas Dream Act, meaning some students who previously qualified for in-state tuition may now be reclassified as non-residents. This shift is especially concerning for graduating seniors who are close to completing their degrees but suddenly face out-of-state tuition costs. If you or someone you know may be impacted by this change, the **In-State Tuition Resources** available at **linktr.ee/TXdreamact** provide guidance and support. The site includes a lawful presence checklist, student resource guides, and links to mutual aid efforts that can help students understand their options and access financial or community assistance.