

Wells CSD Procedures When Immigration Authorities Request to Enter School Property or Take Custody of a Student

Responsible Designee: Thomas D. Sincavage, Superintendent

Procedure if immigration officials appear at a school building:¹

1. Building Principal asks immigration officials to provide all court orders, warrants, documentation regarding their purpose for entering the school
2. Building Principal directs immigration official to remain in Main Office or adjacent conference room while documentation is reviewed.
3. Building Principal contacts Responsible Designee and Responsible Designee forwards all records provided by immigration officials
4. Responsible Designee contacts Superintendent and School Attorney and forwards all documents provided by immigration officials
5. School Attorney reviews documents and advises whether such consists of court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. Section 631, or judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. Section 631, or documents requiring compliance under existing law requiring the release of information or detention or any individual
6. Should the School Attorney advise that immigration officials have not presented valid documentation to authorize compliance thereof, no school personnel shall:
 - a. Permit or facilitate access to non-public areas of school property or facilities
 - b. Release or allow the release of any records or information about a student's or person in parental relationship's citizenship, immigration status, nationality, or national origin
 - c. Assist immigration officials with locating, questioning, or detaining a student
 - d. Grant permission for or facilitate the release, transfer, surrender, escort or otherwise deliver a student to immigration officials, solely on the basis that the person in parental relationship has been arrested or detained by officials
7. Should the School the School Attorney advise that immigration officials have presented documentation requiring compliance thereof, Responsible Designee shall follow such direction as directed by the School Attorney.

¹ All communication with officials should be with the Building Principal unless and until it is determined that a valid court order authorizes communication with other specific staff members. If the Building Principal is not in the Main Office, s/he/They should be immediately contacted and officials asked to wait for him/her/them. If the Building Principal is not on campus, their designee shall act as the principal.

Procedure if immigration officials appear at school function or detain school bus/transportation:

1. For any school event or function taking place away from school grounds, the school shall designate an employee as the Person in Charge in the event of an encounter with immigration officials. The School Bus Driver shall be the Person in Charge should immigration officials detain a school bus away from school grounds.
2. To the extent practicable, Person in Charge should take steps to limit contact between immigration officials and students. E.g. School Bus Driver can speak with immigration officials through window, as opposed to opening doors; other Person in Charge can attempt to speak with immigration officials a distance away from school function or activity. At no time should any school personnel place themselves at physical risk.
3. If Person in Charge is not a supervisor or administrator, Person in Charge contacts their supervisor, who then contacts Responsible Designee
4. To the extent practicable, supervisor or Responsible Designee shall arrange for appropriate administrator to go to location immediately
5. On site administrator/supervisor requests immigration officials provide documentation of purpose and forwards to Responsible Designee
6. Responsible Designee contacts Superintendent and School Attorney and forwards all documents provided by immigration officials
7. School Attorney reviews documents and advises whether such consists of court order issued by a judge appointed pursuant to Article III of the United States Constitution or a federal magistrate judge appointed pursuant to 28 U.S.C. Section 631, or judicial warrant issued by a judge appointed pursuant to Article III of the United States Constitution or federal magistrate judge appointed pursuant to 28 U.S.C. Section 631, or documents requiring compliance under existing law requiring the release of information or detention of any individual
8. Should the School Attorney advise that immigration officials have not presented valid documentation to authorize compliance thereof, no school personnel shall:
 - a. Permit or facilitate access to non-public areas of school property or facilities
 - b. Release or allow the release of any records or information about a student's or person in parental relationship's citizenship, immigration status, nationality, or national origin
 - c. Assist immigration officials with locating, questioning, or detaining a student
 - d. Grant permission for or facilitate the release, transfer, surrender, escort or otherwise deliver a student to immigration officials, solely on the basis that the person in parental relationship has been arrested or detained by officials
9. Should the School the School Attorney advise that immigration officials have presented documentation requiring compliance thereof, Responsible Designee shall follow such direction as directed by the School Attorney.

Procedures When Person in Parental Relationship Is Detained or Student Is Not Picked Up

Prior to September 1st and February 1st of each school year, the Building Principal or designee shall send notice to persons in parental relation to provide and update emergency contact information. Such notice shall be in the persons in parental relationship dominant language and sent in a manner most likely to be received by the person in parental relation.

No later than October 1st and March 1st of each school year, the Building Principal or designee shall review emergency contact information for students and reach out to any person in parental relationship who had not provided such information.

Should school personnel become aware that a person in parental relationship to a student will be unavailable to retrieve a student from school because they are detained by immigration authorities or a student is not picked up as scheduled, the school will make all reasonable efforts to contact all individuals authorized by the person in parental relationship to retrieve the student and will retain the student on school premises until the student is picked up by such individual. Should the school be unable to contact authorized individual(s) with reasonable effort, the designated individual may contact County Department of Social Services officials.