



Guidance to K-12 Public Schools Pertaining to Immigration Activities

Connecticut is staunchly committed to providing safe and supportive school environments that foster learning and personal growth for *all* our students and their families.

We know that recent actions taken by the current federal administration have raised many questions from school districts, and fear among students and their families, about what to expect if federal immigration officials request information or come onto school grounds. While there is reason to believe the risk of such instances may remain low, circumstances can change rapidly, and it is important to be prepared and assure families that a plan is in place. Therefore, this guidance is being issued to assist school districts in identifying their rights and responsibilities, and those of students and families.

Note: This guidance is designed to ensure compliance with state and federal laws.

Review Rights and Responsibilities

Both Connecticut and federal law protect a student's right to attend public schools, regardless of their immigration status. Indeed, over 40 years ago, the United States Supreme Court recognized that this right is protected by the U.S. Constitution. As a result, Connecticut schools have no obligation to collect or maintain the immigration status of students or their family members.

The Federal Education Rights and Privacy Act (FERPA) also protects personally identifiable student information, including student and family names and addresses. Therefore, if a school district receives any requests for student information, they should consult guidance provided by the district's legal counsel and adhere to the scope of these protections.

Update and Adhere to District Procedures

School districts routinely restrict access to school grounds during the academic day for the protection of students and staff and to limit disruptions to the learning environment. Standard procedures should address restrictions on access by individuals who come onto school grounds, obtaining proper identification, and determining the purpose of a visit. Districts are encouraged to consult legal counsel to ensure that procedures are complete and up to date, and to review these procedures with staff. Such procedures should seek to maintain a learning environment that protects the safety and privacy of students and their families.

Given the heightened concern in our school communities about the possibility of immigration enforcement activities occurring on school grounds, districts are encouraged to include protocols, consistent with district policies and procedures regarding third party access to information and non-public areas, that address these situations specifically to provide assurance that plans are in place, laws will be adhered to, and rights will be protected. Such protocols may include the following:

[continued](#) ►

- Request and record immigration agents' identification, including their name, badge or ID number, telephone number and business card.
- Designate a school official(s) as the point person for requests and visits by agents.
- Direct immigration agents who request access to records, information, non-public areas of a school, or a member of the school community to the designated school official.
- Ask an agent if they have a judicial warrant to support their request and, if so, to produce such warrant.
- Review any warrant or other materials produced carefully to determine what it authorizes the agent to do and who issued it. Note that immigration agents may have "administrative warrants" or orders that are not court orders issued by a United States district judge or magistrate and may not authorize agents to access materials or enter areas where access is restricted to the public.
- Consult with district legal counsel or guidance provided by legal counsel on how to proceed depending on:
 - the nature of a request;
 - whether a warrant is produced;
 - the details of a warrant;
 - the judicial or administrative nature of any such warrant;
 - whether an immigration agent claims exigent circumstances; and
 - any other considerations identified by legal counsel.
- Maintain a calm and cooperative manner to avoid: 1) escalating the situation; 2) increasing anxiety among the staff and students; or 3) being perceived as obstructing or interfering with any lawful activities.
- Record details regarding the visit, any access the agents gained to information, records, areas, or individuals, whether that access was granted and, if so, who granted such access.

Provide Student and Family Resources

School districts are encouraged to make resources available in multiple languages, informing students and families of their rights and the legal and social services that are available within the community. The Connecticut State Department of Education (CSDE) will curate and share resources in the near future to supplement district efforts.

Finally, information reported by the news, discussed on television, shared online or through social media, or circulated within a community can result in increased anxiety among our families, students, and educators. Therefore, districts are encouraged to make counselors and mental health support services available to students and staff who may be experiencing stress or anxiety stemming from this information and specific activity that may affect your school community.

The State of Connecticut remains unwavering in our support and appreciates the tremendous efforts made every day by school district administrators, staff and families to ensure that all Connecticut students feel safe and welcome in their classrooms, are present in our schools daily, and actively engaged in learning.