**Operating Policy No. 4300
Community Relations**

**LIMITING IMMIGRATION ENFORCEMENT IN SCHOOLS**

**Applicably of Policies to Immigration Enforcement:**

* Puget Sound Educational Service District (PSESD) adheres to all requirements of federal and state law.
* The provisions of this policy shall apply to PSESD and all facilities, which include (but are not limited to) PSESD main office, ReLife School, adjacent sidewalks, parking areas, playgrounds, and entrances and exits from said building spaces and school buses.
* PSESD policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against students and their families, staff, and volunteers.
* PSESD personnel shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

**Access to Schools:**

* PSESD has a responsibility to ensure that all students served at ReLife School can safely access a free public K-12 education.
* PSESD does not exclude students from receiving an education or unlawfully discriminate against anyone because of their race, color, national origin, age, disability, gender identity, immigration or citizenship status, sex, creed, use of a trained dog guide or service animal by a person with a disability, sexual orientation, or on any other basis prohibited by federal, state, or local law.
* PSESD will uphold its responsibility to all students and ensure that all staff and volunteers are aware of the rights of immigrant students to an education.

**Immigration Enforcement on ReLife School Campus:**

1. PSESD does not grant permission for any person engaging in, or intending to engage in, immigration enforcement, including surveillance, to access the nonpublic areas of ReLife School facilities, property, equipment, databases, or otherwise on school grounds or their immediate vicinity. ReLife School staff shall direct anyone engaging in, or intending to engage in, immigration enforcement, including federal immigration authorities with official business that must be conducted on PSESD property or at ReLife School, to the school principal or authorized designee prior to permitting entrance to school grounds. ReLife School staff shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.
2. If anyone attempts to engage in immigration enforcement on or near PSESD property or ReLife School, including requesting access to a student, employee, or PSESD property:
3. Staff shall immediately alert and direct the person to the ReLife School principal or authorized designee, who shall: verify and record the person’s credentials (at least, name, agency, and badge number), record the names of all persons they intend to contact, collect the nature of the person’s business at the school, request a copy of the court order or judicial warrant, log the date and time, and forward the request to the Superintendent and/or legal counsel for review.
4. Staff shall request that any person desiring to communicate with a student, enter school grounds, or conduct an arrest first produce a valid court order or judicial warrant.
5. The Superintendent or authorized designee shall review the court order or judicial warrant for signature by a judge and validity. For PSESD to consider it valid, any court order or judicial warrant must state the purpose of the enforcement activity, identify the specific search location, name the specific person to whom access must be granted, include a current date, and be signed by a judge.
6. The Superintendent or authorized designee shall review written authority signed by an appropriate level director of an officer’s agency that permits them to enter PSESD property or ReLife School grounds , for a specific purpose. If no written authority exists, the Superintendent or authorized designee shall contact the appropriate level director for the officer’s agency to confirm permission has been granted to enter PSESD property or ReLife School for the specific purpose identified.
7. Upon receipt and examination of the required information, the Superintendent or authorized designee will determine whether PSESD shall allow access to contact or question the identified individual and will communicate that decision to ReLife School principal or PSESD or authorized designee.
8. The Superintendent or authorized designee shall make a reasonable effort, to the extent allowed by the Family Educational Rights and Privacy Act (FERPA), to notify the parent/guardian of any immigration enforcement concerning their student, including contact or interview.
9. The Superintendent, or authorized designee, shall request the presence of a PSESD or ReLife School representative to be present during any interview of a student. ReLife School shall not permit access to information, student records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

**Gathering Immigration Related Information:**

1. PSESD staff may review, but shall not inquire about, request, or collect any information about the immigration or citizenship status or place of birth of any person. ReLife School staff shall not seek or require, to the exclusion of other sufficient and permissible information, information regarding a student’s or his/her parent or guardian’s citizenship or immigration status.
2. PSESD Operating Policies and Procedures for gathering and handling student information during enrollment or other relevant periods shall be delineated in writing and made available to students and their parent or guardian(s) at least once per school year in a manner for households with individuals that have limited English proficiency (LEP) to understand.
3. PSESD relies on the student’s home district for enrollment information related to a student’s national origin (e.g., information regarding a student’s birthplace, or date of first enrollment in a U.S. school.
4. The PSESD Superintendent or authorized designee shall request the presence of an ESD representative to be present during any interview. ReLife shall not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

**Responding to Requests for Information:**

1. PSESD staff shall not share, provide, or disclose personal information about any person for immigration enforcement purposes without a court order or judicial warrant requiring the information’s disclosure or approval by a PSESD representative or ReLife School principal or authorized designee. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.
2. PSESD and ReLife School staff shall immediately report receipt of any information request relating to immigration enforcement to the ReLife School principal or authorized designee who shall document the request and refer the request to the Superintendent or authorized designee.
3. ReLife School principal shall, to the extent allowed by FERPA, notify an affected student’s parent(s) and/or guardian(s) immediately of any request for information relating to immigration enforcement unless advised otherwise by PSESD legal counsel.

**Use of School Resources:**

1. PSESD resources shall not be used for immigration enforcement.
2. PSESD ’s resources and policies regarding immigration enforcement shall be published and distributed to parent(s) and/or guardian(s) on an annual basis. These resources shall include, at minimum:
	1. The right of immigrant students to receive an education, including accommodations for limited English proficiency and special education programs;
	2. General information policies including the types of records maintained by PSESD or ReLife School and a list of the circumstances or conditions under which the PSESD might release student information to third parties, including limitations under FERPA and other relevant law;
	3. Policies regarding the retention and destruction of personal information;
	4. The process of establishing notice and/or consent from parent(s) and/or guardian(s), as permitted under federal and state law, prior to releasing a student’s personal information for immigration enforcement purposes;
	5. Name and contact information for PSESD’s designated point of contact on immigration related matters; and
	6. “Know Your Rights” resources and emergency preparedness forms to have completed in the event of a family separation.

Adopted: April 2021

Relevant Board Governance Policies: EL 3 Transformational Relationships

 EL 4 Treatment of Staff

Cross References: Operating Policy No. 3231 Student Records

Legal References: RCW 43.10.310 – Immigration enforcement model policies - Washington’s Office of Attorney General (AGO), Guidance, Model Policies, and Best Practices for Public Schools, 2019