



Lawrence Public Schools

Section E: Support Services

EBCE

Subject: Immigration and Customs Enforcement Requests

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POLICY STATEMENT

Amid mounting concern over Immigration enforcement raids in the city of Lawrence, questions have arisen regarding schools' sanctuary status and the need for a clear directive on how schools should respond to potential ICE requests for information, visits to a school, or demands to take a student or family member into custody. To address these concerns, and to reinforce the school district's commitment to equal access to public education for all students, the following policy has been created.

Nondiscrimination:

In keeping with a March 2, 2017 advisory issued by the Massachusetts Office of Attorney General which outlines relevant federal rulings, including a 1982 US Supreme Court ruling in the case, Plyler vs. Doe, Lawrence Public Schools will continue to provide all early education, elementary and secondary students with equal access to public education, irrespective of race, color, sex, gender identity, religion, national origin, sexual orientation, disability or immigration status. As such, the district cannot and will not exclude students based on national origin, including undocumented students. Toward that end, *the district does not require proof of US residency in order to enroll a student in school.* Please see the LPS Policy on Nondiscrimination for more details on this subject.

Targeted Information or Removal Requests

The US Supreme Court, in the same case, Plyler vs. Doe (1982), also found that school districts must avoid targeted information requests for specific students. The school district must also avoid giving access to immigration officials without a lawful subpoena. As such, the Lawrence Public Schools will comply with this ruling in the following ways:

- 1. The district will not allow Immigration and Customs Enforcement (ICE) officials to remove a student or family member from school premises based solely on his or her immigration status.**
 - Lawrence Public Schools staff may not comply with removal requests on school property for students or their family members made by ICE officials, unless the arrest warrant is certified by a court and involves national security or terrorism, immediate risk of death, violence or immediate harm to a person or property, arrest of an individual who presents an immediate danger to public safety, and/or an immediate risk of destruction of evidence material to an ongoing criminal manner.
- 2. School staff must immediately contact the Superintendent's Office and the Safety Office about any visit by ICE officials to a school.**

- A representative of the Superintendent's Office will make a final determination about any requests for access or information, using the above criteria.
- 3. Schools are only required to admit ICE officials if they present a lawful subpoena.**
 - For safety purposes, school doors remain locked when students are in the building, and staff should request visitors to identify themselves and, as necessary, show identification. At this point, and before any school staff member acts upon a request by ICE, the Superintendent's office and the Safety office must be contacted.
- 4. Under FERPA, school staff are not required to issue student records information without the consent of the parent or guardian, or a lawful court order.**
 - While schools are required to release directory information upon request, a school does not need to comply with a targeted request for information. I.e. The request is restricted to only immigrant students.
- 5. Educators on field trips with students must similarly contact the Superintendent's Office and the Safety Office should they be confronted by ICE officials.**
 - A representative from the Superintendent's office will respond with a determination and instructions. Under no circumstance should a student be released without instruction by one of these offices. Additionally, field trip permission slips should not be released to ICE officials.

Schools are currently considered Sensitive Locations and, as such, are typically off limits to ICE, excluding any national security or terrorism threat posed. However, this status can be revised under any Presidential Administration. Should there be new laws, executive orders or court rulings that impact the legality of this policy, a review will be initiated and any policy changes communicated to schools and families.

Inquiries pertaining to the assignment policy should be addressed to:

Office of the Superintendent
255 Haverhill Street
Lawrence, MA 01842
(978) 975-5900