



GEORGETOWN PUBLIC SCHOOLS

Protocols for ICE (Immigration and Customs Enforcement) Arrival at Schools

If an ICE enforcement officer visits a school, we will follow past practices the District has had in place for similar situations.



A. Immediate Response: Contact School Administrator

- If an individual is at the door, keep them outside until the administrator can meet the individual.
- Notify the school principal/administration immediately upon an ICE agent's arrival.
- If the principal is not in the building, the designee should take responsibility for contacting the superintendent.
- School Principal will call the Superintendent (and General Counsel).
- Request Identification
 - Politely request the agent's badge and official credentials.
 - ICE agents should remain outside school buildings unless a judicial warrant or emergency circumstances allow entry. This will be verified by the Superintendent and Legal Counsel
- Request Documentation
 - Ask for the purpose of their visit and if they have a warrant.
 - "What is the reason for your visit and could I see any official documents you have for this visit?"

B. School Administrator contacts the Superintendent of Schools

- School administrator will scan a copy of the warrant/document and badge to the Superintendent's Office
- If the agent presents a warrant, the Superintendent will confirm with legal counsel that it is signed by a judge (judicial warrant).
 - The Superintendent will advise the school administrator of next steps after consultation with the District's legal counsel.

C. Verify Entry by Law Enforcement is warranted

- The Superintendent will advise the school of appropriate next steps
- ICE agents should remain outside school buildings unless a judicial warrant or emergency circumstances allow entry as determined by the Superintendent and Legal Counsel.
- Do not grant access to student records without proper authorization from family under FERPA (Family Educational Rights and Privacy Act). If asked a question regarding a student, you state that you cannot confirm or deny or otherwise and are not authorized to answer that question due to school record privacy laws and will refer them to the Superintendent and legal counsel.

- [Information for schools on ICE requests for access or information](#) (Source: Mass.Gov)
- Parents either need to provide consent for release of information, or if it is directory information, notice of such disclosure

Note - ICE is not permitted to enter school grounds to conduct a random search for undocumented students.

"School grounds" includes all places where educational activities or events are taking place and includes school bus stops during the times of the day when students are present.

Since the issuance of the new executive orders, the U.S. Department of Justice has issued a memorandum noting its interpretation that state and local actors must comply with the Executive Branch's immigration enforcement initiatives and cautioning that any resistance, obstruction, or other failure to comply will be met with legal action.

School Records and Student Privacy Under the Family Educational Rights and Privacy Act ("FERPA"), school districts must maintain the confidentiality of all personally identifiable information in education records related to students. 20 U.S.C. §1232g; 34 CFR Part 99; see also Massachusetts Student Record Regulations at 603 CMR 23.05. Generally, you should not release personally identifiable information of students to a third party without a valid legally enforceable subpoena, or explicit consent by a parent or guardian. Any and all records, including emails, student files, and personnel information, are generally exempt from disclosure, absent parental consent. However, schools may disclose "directory information" without consent, but they are required to allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them.

Exceptions FERPA permits school districts to disclose student information i) in compliance with a "judicial order or lawfully issued subpoena"; or
ii) in connection with a health or safety emergency. 34 CFR 99.31.

Decisions made regarding FERPA exceptions will be made by the Superintendent in collaboration with the district's attorney

Procedure Regarding School Records and Personally Identifiable Information

If school personnel receive a request from ICE or any federal agency seeking information regarding students for any reason, personnel should direct that request to the Superintendent who should then contact legal counsel to help develop a response.

As noted above, without a valid legally enforceable subpoena, or explicit consent by a parent or guardian, personally identifiable information of students will not be released.