



Immigration Enforcement: Impact on Schools

Liza Hirsch

Director, Children's Justice Unit

Massachusetts Office of the Attorney General

This presentation is for informational purposes only. For legal advice, please contact an attorney.

Rights of All Students to Education Regardless of Immigration or Citizenship Status



- Schools must provide equal access to education to all students regardless of immigration or citizenship status.
- Schools must not employ policies that discourage or deny access to school on the basis of immigration status.
- Schools must not discriminate on the basis of: race, color, sex, gender identity, religion, national origin, **citizenship or immigration status, disability**, or sexual orientation. *Student Anti-Discrimination Act, M.G.L. 76 s. 5*

For more information:

- [Attorney General's Advisory Regarding Equal Access to Public Education for All Students Irrespective of Immigration Status](#) (updated April 2022).
- [Upholding the Rights of Immigrant Students to Enroll in School: Guidance for School Committees and Districts](#) (December 2024).

ICE Enforcement Activities Impacting Schools



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- Detention of **parents and family members** of students
- Detention of **students themselves outside of school hours** (very small numbers)
- Detention of students in connection with **School Resource Officer involvement and student arrests** (very small numbers)



Be Prepared *In Advance* – What Can You Do NOW?

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Preparing for Potential Enforcement Activities

- **Establish + communicate protocols**
 - Clarify school grounds
 - Establish clear protocol if law enforcement is present on school grounds
 - Establish clear protocols if ICE is requesting access to a student
- **Connect with community players**
 - Coordinate with local law enforcement
 - Prepare front office and school-based staff
 - Prioritize transportation safety

Supporting Students + School Community

- **Update emergency contact information, alternative caregiver contacts, and authorized pick-up contacts for all students**
- **Share 'plan ahead' resources with families**
- **Address food access and basic needs**
- **Provide counseling and social work support**
- **Support student health and belongings**
- **Use instructional and attendance flexibility, if able**
- **Exercise staff flexibility**

Be Prepared *In Advance* – Potential Enforcement Activities



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1. PLAN AHEAD FOR DETENTION OF A PARENT

- Update emergency contact information, alternative caregiver contacts, and authorized pick-up contacts for all students.
- Share 'plan ahead' resources with families.
- Establish clear protocols for school response in the event a student or their parent is detained by ICE.

Consider how to *train* or otherwise *inform* all relevant staff about these protocols once they are established.



Resources

Many family planning documents can be done without an attorney

Family Planning: [Resources for Immigrants in Massachusetts | Mass.gov](#) – MAAGO’s office website about family planning and non-discrimination, including worker’s rights.

- [Emergency Planning Guide](#) and [Fact Sheet](#)

ORI’s toolkit: [Community Resource Toolkit | Mass.gov](#) – Spanish, Haitian Creole, Portuguese family planning forms.

Community Support Initiative: Schedule a meeting between the community members you support, ORI and pro bono probate and immigration lawyers by clicking the link that says “Request a Meeting” <https://www.mass.gov/community-resource-toolkit>

Boston Medical Center Family Planning:
https://www.bmc.org/sites/default/files/Patient_Care/Specialty_Care/IRHP/family_preparedness_plan.pdf



Be Prepared *In Advance* - Supporting Students + School Community



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Engage in **repeated** outreach to families about steps they should take- who should be contacted- if the parent is unavailable, and to support the family with any other needs.

****Utilize different communication means, such as email, hard copy forms, phone calls, text messages, trusted community providers to reach families.**

Beyond outreach, schools can also offer events for families to plan ahead:



Family Resource Clinics to assist families to prepare caregiver affidavits (requires a notary)

Be Prepared *In Advance* – Potential Enforcement Activities



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2. ESTABLISH CLEAR COMMUNICATION PROTOCOL

ICE contact with school - Key Protocol Considerations:

- Designate an **on-call contact at central office** for school staff to reach immediately
- Superintendent or designee **consult with the district's legal counsel**
 - **Talk with your counsel about best and most expedient way to reach them in emergency situation
- With advice of counsel, **review documents provided by ICE** to determine if it has an administrative warrant or a judicial warrant, order, or subpoena
- Immediately **inform student's parent/guardian**

Consider how to *train* or otherwise *inform* all relevant staff about these policies once they are established.

Be Prepared *In Advance* – Potential Enforcement Activities



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3. ESTABLISH OR REVISIT RELEVANT POLICIES

- **Crisis response/ Lock-down policies:** Establish clear protocols to maintain safety of students when law enforcement, including but not limited to ICE, is present on school grounds. (Clearly define school grounds.)
- **School Bus Policies & Contracts:** Safety protocols regarding law enforcement presence at a bus stop
- **Student privacy policies** pursuant to FERPA. *Reference AGO Guidance: [Schools' Obligations to Protect Students and Their Information](#)*

Consider how to *train* or otherwise *inform* all relevant staff about these policies once they are established.

Be Prepared *In Advance* – Potential Enforcement Activities



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Consider also connecting directly with others within, and outside, the school community.

Coordinate with Local Law Enforcement

- Proactively meet with local police leadership to clarify roles, communication protocols, and de-escalation strategies related to ICE activity near schools and transportation routes.
- Request written guidance or shared understandings where possible.

Prepare Front Office and School-Based Staff

- Train front office, administrative, and security staff on protocols if ICE personnel arrive on school property if you haven't done so already.
- Reinforce that no access to school buildings or student information is granted without proper legal authority and district leadership involvement.

Prioritize Transportation Safety

- Treat transportation and bus stops as the most vulnerable points.
- Review safety protocols with bus companies, including procedures if stopped. Provide training to your support staff.
- Ensure plans explicitly address special education transportation.

Be Prepared *In Advance* - Supporting Students + School Community



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Beyond protocols, consider ways you can support your school community in this context.

Address Food Access and Basic Needs

- Anticipate possible increased food insecurity for families hesitant to leave home.
- Coordinate on-site meal availability and community-based food supports.
- Provide counseling and social work support to students experiencing increased anxiety, especially those whose families are directly affected by changes to federal immigration policy.

Support Student Health and Belongings

- Check for students who may have left essential items, including medications, in school buildings.
- Develop plans to safely reconnect students with needed belongings using trauma-informed outreach.

Exercise Staffing Flexibility

- Review district authority to adjust staff assignments or support employees impacted by enforcement activity. Schools may be working with fewer staff at times; consider contingency plans for day-to-day operations to continue.
- Act within existing policies while emphasizing stability and compassion.

Use Instructional and Attendance Flexibility

- Consider maintaining a single staff point of contact for each student, for ongoing communication.
- Approach attendance concerns with flexibility. Partner with and support families.



Other Steps for Schools to Take

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■ **When planning school events:**

- Consider holding events inside or in outdoor spaces that are demarked “private” open only to students, staff, and students’ families
- Post signage indicating the event is a “private event” for students and their families
- Consider a virtual streaming option for families who may wish to attend virtually

Student Directory:

- Provide opportunities for parents to opt out of including directory information. Schools may also limit what information is included in the directory, and limit disclosure of information to their school community and not to third parties.

Guidance Regarding Public Schools' Obligations to Protect Students and Their Information



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ANDREA JOY CAMPBELL
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108
(617) 727-2200
www.mass.gov/ago

GUIDANCE REGARDING K-12 SCHOOLS' OBLIGATIONS TO PROTECT STUDENTS AND THEIR INFORMATION

The Office of the Attorney General has heard concerns from school administrators and others about how potential changes to federal immigration policies might affect their students, communities, and classrooms. This guidance describes some of the issues that might impact immigrant students in K-12 schools, and describes some of schools' legal obligations as well as steps they can take to support students and families and maintain an environment conducive to learning for all. It includes information about the rights of all children to access a free public education regardless of immigration or citizenship status and the ongoing legal obligations of schools¹ to ensure that appropriate steps are taken when responding to requests for access to students or their information by U.S. Immigration and Customs Enforcement (ICE) agents.



[Guidance Regarding K-12 Schools' Obligations to Protect Students and Their Information \(January 2025\)](#)



Office of the Attorney General
Children's Justice Unit

Immigrant Students' Right to Attend School: A Guide for Families

01 All children have the right to a free public education.

- All school-aged children have the right to attend the public schools of the town where they live, regardless of the child's immigration status.
- When you enroll your child in school, the school district may **not** ask for your or your child's immigration status or ask that you provide immigration documents.
- The school district may ask you to provide documents to show your child's age and residence. Residence means the place where your child lives.
- Schools should accept a variety of documents to show your child's age and residence. School districts may not require you to provide government issued documents. For example, if you do not have a birth certificate showing your child's age, the district may accept an affidavit from the parent indicating the child's date of birth.
- There are many ways you can show your residence, such as a telephone or utility bill, rental lease, rent payment receipt showing your address, a letter from your child's doctor on letterhead listing your address, and more.
- Under federal law (the McKinney-Vento Homeless Assistance Act), schools **must** immediately enroll children who are experiencing homelessness or sharing housing with others due to economic hardship, with or without documents showing place of residency. After enrollment, schools can help you to verify your child's age and address.

02 Schools must protect student information.

- Under federal law, the Family Educational Rights and Privacy Act (FERPA), school districts **cannot** disclose to U.S. Immigration and Customs Enforcement (ICE) agents personally identifiable information about students and their families without a parent or guardian's specific, informed consent or a judicial order.
- Schools **cannot** provide ICE access to your child while in school without a judicial warrant. A judicial warrant **must** be signed by a judge or court magistrate.
- Parents and families may opt out of including some or all of their child's information in the school directory at any time during the school year.
 - Find out the categories of information that are included in your school's directory.
 - Ask about your school's policies on sharing directory information with third parties.

03 It is important to continue to send your child to school.

- All children between the ages of 6 and 16 (beginning in September of the calendar year in which they turn 6) are required to attend public school, private school, or an approved home-schooling program.
- Schools may file a Child Requiring Assistance application with a Juvenile Court if a child has more than 8 days of unexcused absences in a quarter.
- It is important to communicate with the school if there is a reason your child cannot attend school.
- If your child is anxious about attending school, you may ask for support from the school counselor or social worker.

04 Plan ahead and know your rights.

- Regularly update emergency contact information, alternative caretaker contact information, and authorized pick-up contacts for your child at the school.
- Make a plan and prepare documents should your child need to be in the care of another person.
- Each school district employs a homeless liaison to assist children and their families with the enrollment process. If you are homeless or sharing housing, ask to speak with the homeless liaison for assistance enrolling.
- Families have a right to translation and interpretation services to communicate with the school. Ask for an interpreter and translated documents.
- If your child is feeling fearful or anxious, **seek support** for your child from a school counselor, social worker, or another adult at the school whom you trust.



Office of the Attorney General
Civil Rights Division &
Children's Justice Unit

K-12 Schools are Obligated to Protect All Students and Their Information.

01 All Children are Entitled to a Free Public Education. Avoid School Policies that Discourage or Deny Access to School on the Basis of Immigration and Citizenship Status.

- Schools **must** enroll students and provide equal access to education regardless of immigration status.
- Schools should **revise** enrollment policies to collect only the information necessary to verify a child's age and residence. For example, as a general matter, districts should **not** collect purposes documents containing passport, visa, Social Security information.
- Districts should **accept** a range of documents, not limited to government issued ID. For example, districts may accept an affidavit indicating the child's date of birth from a parent.

02 Steps to take if ICE Requests Access to Students or Their Information:

- Refer the ICE agent to the district's central office to ensure proper protocol is followed.
- Superintendent or designee: Contact the district's legal counsel.
- Inform the student's parent or guardian.
- If presented with a warrant or other order, review the document in consultation with legal counsel.
 - Check whether it is a **judicial warrant** or order (signed by a federal or state judge or magistrate), or an administrative arrest or removal warrant (issued by ICE or DHS). An administrative warrant does **not** authorize entry into non-public spaces, including schools.
 - If it is a judicial warrant, or court order or subpoena, determine the scope of the search or arrest authority that the judicial warrant or order provides.

03 Protection of Student Information under the Federal Educational Rights and Privacy Act of 1974 (FERPA) and the Massachusetts Student Records Regulations.

- Schools **cannot** disclose to ICE agents, either orally or in writing, a student's personally identifiable information (PII) without the parent or guardian's specific, informed consent, or pursuant to a judicial warrant, court order or subpoena, or a health and safety emergency.
- PII includes a student's name, the name of the student's parents or other family members, address, student's social security number, student number, date of birth, place of birth.

Note: If ICE visits or contacts a school asking for student information, school personnel should either direct the ICE official to the district central office, or immediately contact the superintendent or designee and wait for their instructions before making any disclosure. Superintendents and their designees should consult legal counsel to ensure they are adhering to student privacy laws.

Student Directories

- Schools **may** disclose directory information to third parties, but may also **limit** the scope and disclosure of directory information to specific parties, purposes, or both. For example, schools may:
- Limit** disclosure to only members of school community, not other third parties.
 - Limit** the information included in the directory (to, for e.g., student name, phone number, grade level, dates of attendance, participation in activities and sports, or honors and awards received).

Schools must inform students and families what information is included in the directory at least annually and **allow parents to opt-out** of the directory entirely or opt to include only specific categories of information. These notice opportunities should be interpreted or translated into languages students and families can understand.

04 Share Plan-ahead Resources with Students and Families.

- Provide** regular opportunities to update emergency contacts, alternative caretaker contacts, and authorized pick-up contacts.
- Review** school policies to ensure they include steps if a student cannot return home due to a parent's ICE detention or arrest.
- Support** needs of students and families who are experiencing increased anxiety and/or have been directly affected by changes to federal immigration policy.

Find More Support from the Office of the Attorney General.

Flyer for K-12 Schools on Protecting Students and Their Information (January 2025)

Immigrant Students' Right to Attend School: A Guide for Families

[Español] [Português] [Kreyòl Ayisyen] [简体中文] [Tiếng Việt]



AGO Guidance on Immigrant students

- [Upholding the Rights of Immigrant Students to Enroll in School: Guidance for School Committees and Districts \(December 2024\)](#)
- [Attorney General's Advisory Regarding Equal Access to Public Education for All Students Irrespective of Immigration Status \(updated April 2022\)](#)
- [Guidance Regarding K-12 Schools' Obligations to Protect Students and Their Information \(January 2025\)](#)
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- [\[Español\]](#) [\[Português\]](#) [\[Kreyòl Ayisyen\]](#) [\[简体中文\]](#) [\[Tiếng Việt\]](#)
- [Guidance for Early Education and Care \(EEC\) Programs on their Obligations to Protect Child, Family, and Employee Information](#)
- [\[Español\]](#) [\[Português\]](#) [\[Kreyòl Ayisyen\]](#) [\[简体中文\]](#)

Resources for Immigrants in Massachusetts

Learn more about the rights afforded to immigrants under state law and resources available to immigrant communities in Massachusetts.



Feedback

[Know Your Rights: A Guide for Immigrants, Families, and Communities on ICE Enforcement](#)
[Spanish](#), [Portuguese](#), [Haitian Creole](#), [Chinese](#), [Vietnamese](#)



Additional Resources

HABEAS PROJECT



The Habeas Project allows for expedited filing of Habeas petitions in Federal Court

What?

Provides support for immigrants facing unlawful detention.

Who?

Office for Refugees and Immigrants (ORI)
MA Law Reform Institute (MLRI)
Over 300 Volunteer Federal Litigators

How?

Email: immigrationhabeasproject@gmail.com
A secure intake form will follow.
This inbox is monitored Monday–Friday, 9am to 9pm (excluding holidays).

Eligibility

The initiative serves unlawfully detained migrants who reside in or are detained in MA, NH and ME
Assistance for those detained throughout New England, including VT, ME, NH, RI and some CT

LEGAL REPRESENTATION FUND



The Legal Representation Fund is used for emergency detention cases

What?

- Initiative to help fund free legal representation to detained immigrants who are eligible to request an immigration bond

Who?

- Greater Boston Accompaniment Network (BIJAN)
- Attorney General's Office
- Office for Refugees and Immigrants

How?

- Detained Hotline: (617) 637-8195
- Family & Friends Hotline: (617) 396-7143

Eligibility

- Individuals who are:
 - Detained
 - Eligible for bond without significant criminal charges
 - Have ties to MA

MA ACCESS TO COUNSEL INITIATIVE (MACI)



The Legislature appropriated funds for Immigrant Legal Services in FY 2026

What?

Initiative to support detained and non-detained individuals in Massachusetts facing immigration court proceedings by providing full legal representation.

Who?

MA Immigrant and Refugee Advocacy Coalition (MIRA)
Network of Legal Providers

How?

Call the MACI intake line at (508) 505-4588

Eligibility

- Individuals who:
- Live, work or study in Mass
 - In Removal Proceedings
 - Meet Income Guidelines
 - Do not have serious criminal convictions.

For Families at risk of Homelessness or Homeless: Virtual Legal Consultations



Virtual Legal Consultations may also include assistance with application filing

What?

- Virtual legal consultations and assistance with legal service providers

Who?

- Immigration Legal Service Providers contracted by ORI

How?

- Eligible individuals need to fill out this form:
<https://forms.office.com/g/tYzYHCE0Yi>

Eligibility

- Current Emergency Assistance Family Shelter Resident;
- Left Emergency Assistance Family Shelter in the last 12 months; or
- Current enrollment in the HomeBASE program



Immigration Attorney Referral Resources

- Immigration Court list of legal services:
<https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>
- City of Boston free immigration consultations:
<https://www.boston.gov/departments/immigrant-advancement/free-immigration-consultations>
- MIRA immigration Helpline:
<https://miracoalition.org/news/immigration-helpline/>
- Massachusetts Legal Resource Finder:
<https://masslrf.org/en/home>
- The American Immigration Lawyers Association's online directory:
<https://www.ailalawyer.com/>
- The National Immigration Project of the National Lawyers Guild's "Find an Attorney" website: <https://nipnlg.org/work/find-attorney>



When to Reach Out to ORI or MA AGO CJU

MA AGO's Children's Justice Unit – liza.hirsch@mass.gov

- Immigration enforcement in or around schools
- Detention of young person under the age of 19

ORI – susan.church@mass.gov

- Immigration enforcement in or around EA shelters, schools, places of worship, or other sensitive locations
- Detention of a parent/caregiver for a child with significant disabilities
- Detention of a parent/caregiver for a child who is currently undergoing medical treatment for a serious medical condition (such as cancer)
- Detention of a teenager, younger person, student
- Detention of individual with no criminal record, United States Citizen children and significant long term US residence (more than 15 years approximately)
- Other cases where a significant humanitarian concern is presented, including larger scale workplace raids or immigration enforcement events