**SCHOOL SYSTEM RESPONSE PROTOCOL REGARDING**

**IMMIGRATION ENFORCEMENT ACTIONS**

1. **Nondiscriminatory Service & Protected Spaces**
   1. The Howard County Public Schools System (HCPSS) strives to provide essential education services to members of the public, regardless of their immigration or citizenship status as required.
   2. All areas in each of the HCPSS schools and professional buildings are private spaces. The private spaces extend to parking lots, stadiums, school grounds (fields, playgrounds, portable classrooms, etc.) except for the following:
      1. School vestibules and the front office of each individual school
      2. The entry way and front office of professional buildings
   3. Private spaces shall be marked with clear signage.
   4. Access to private spaces is limited to school system staff, students, and parents (upon check-in and approval by the office and issuance of a visitor badge or accompanied by an escort). All visitors to the school must present identification and provide a reason for seeking entry to the building.
2. **Immigration Enforcement at HCPSS** 
   1. HCPSS does not consent to the conduct of civil immigration enforcement operations at any of its schools, offices or premises.
   2. HCPSS does not authorize any person seeking to enforce the immigration laws to enter private spaces, except pursuant to a judicial warrant or where exigent circumstances require such access, and upon consultation with HCPSS’ Office of General Counsel.
   3. The Office of General Counsel shall be the primary point of contact for issues related to immigration enforcement, and at the school level, the Principal will be point of contact for such issues.
   4. If United States Immigration and Customs Enforcement (ICE) agents or other federal immigration authorities appear at any HCPSS school, building, or office, staff shall presume that they are engaged in immigration enforcement. Staff shall proceed as follows:
      1. Contact the Office of General Counsel immediately. Ask the ICE agents to wait in a lobby or other public space.
      2. If the ICE agents demand immediate access to private spaces without waiting for the Office of General Counsel, staff shall state they do not consent to such access but should not attempt to stop or impede the officers. As promptly as possible, staff shall contact their Director or Executive Director of Schools or their division chief, and the Office of General Counsel, and make a record of the incident for the Office of General Counsel, including notes about the verbal exchange with the ICE agents, identifying details about the ICE agents, the ICE agents’ actions, any arrests or other results of those actions, and the identity of other staff witnesses.
      3. In no circumstances should staff interfere with the ICE agents, attempt to make them leave a public space, attempt to conceal any person from ICE, or attempt to assist any person in evading ICE.
   5. The Office of General Counsel shall make and maintain records of all immigration enforcement activity at HCPSS.
   6. The Office of General Counsel and/or the school Principal shall request and record the following information from any ICE agent or other federal official who appears at HCPSS on immigration business:
      1. Name
      2. Badge number or other official identifying information
      3. Agency
      4. Purpose of visit
      5. Proposed action to be taken at HCPSS
   7. If an immigration officer requests access to private spaces within a school or office within HCPSS in order to conduct enforcement action, the Office of General Counsel in consultation with the Principal and/or building supervisor may authorize such access only if the officer (1) asserts that exigent circumstances exist; or (2) possesses a valid judicial warrant. To confirm the existence of a valid judicial warrant, the Principal or Building supervisor shall:
      1. Obtain a copy of the document;
      2. Confirm that the heading shows the document was issued by a court;
      3. Confirm that a U.S. District Court Judge or Magistrate signed it;
      4. Confirm that it lists the requisite school or office building among the places to be searched for a wanted person or evidence; and
      5. Verify that the document is not expired

These documents shall be immediately forwarded to the Office of General Counsel by the Principal or building supervisor for review by sending to the [offficeofgeneralcounsel@hcpss.org](mailto:offficeofgeneralcounsel@hcpss.org) or via email to [Stephen\_cowles@hcpss.org](mailto:Stephen_cowles@hcpss.org), [amanda\_kennison@hcpss.org](mailto:amanda_kennison@hcpss.org) or [anna\_rungfarsangaroon@hcpss.org](mailto:anna_rungfarsangaroon@hcpss.org). The Principal or building supervisor shall also call the office (410) 313-6604 for assistance.

* 1. The Office of General Counsel will consult with the Principal and review the documents and any questions concerning a judicial warrant or the existence of exigent circumstances. If immigration officers deny Principal or building supervisor the opportunity to consult counsel about such questions, Principal or building supervisor shall state that HCPSS does not consent to ICE’s or other immigration officers’ entry but should not block or impede their access.
  2. If immigration officers proceed into a private space without exigent circumstances or a judicial warrant, Principal or building supervisor shall notify the Office of General Counsel, state that the officers lack permission, but make no effort to resist or block the officers.

1. **Requests by Immigration Officers for Records or Information** 
   1. The confidentiality of information about students served by HCPSS is generally protected by the Family Education Rights and Privacy Act (FERPA), including: Gen. Prov. §4-320.1. The “personal information” protected by Gen. Prov. §4-320.1 does not include information regarding citizenship or immigration status. HCPSS does not request or maintain any information regarding students or their families’ immigration status.
   2. HCPSS personnel are required to refer requests made by immigration officers for records or information about students, families, or staff to the Office of General Counsel, unless State or federal law otherwise requires an immediate response.
   3. If ICE agents or other immigration officers request records or information about individuals served by HCPSS, staff shall contact the Office of General Counsel. If the request is made at or from individual schools or offices, the ICE or other immigration officers shall be referred to the Office of General Counsel.
   4. The Office of General Counsel shall request and record the immigration officer’s identifying information as listed in Section B.6 of this policy. The Office of General Counsel shall also obtain a copy of any documentation supporting the officer’s request, such as an administrative subpoena, judicial subpoena, or court order.
   5. If immigration officers present a judicial search warrant or assert that exigent circumstances exist to search a private space, the Office of General Counsel and staff shall follow Section B.7 of this policy.
   6. If immigration officers proceed to search a private space without exigent circumstances or a judicial warrant, school or office staff shall notify the Office of General Counsel, state that the officers lack permission, but make no effort to resist or block the officers.