

Immigration Guidance Review FAQ

Seattle Public Schools (“SPS”) recognizes its constitutional imperative to educate all students residing within its boundaries without regard to race, national origin, or immigration status. Consistent with this mandate and [guidance](#) from the Washington State Office of Superintendent of Public Instruction (“OSPI”), SPS has prepared this document for school leaders to answer some frequently asked questions regarding interactions with immigration enforcement authorities and supports for families.

Guiding Principles

1. **Access to Public Education.** The U.S. Supreme Court decision in *Plyler v. Doe* established the constitutional right of all children residing in the U.S. to attend public school, regardless of their immigration status.

SPS does not collect or require students or their families to provide information about immigration status, and staff will not disclose any student information unless required by law.

2. **Safe and Welcoming Schools.** [Seattle School Board Resolution No. 2016/17-12](#) affirms the District’s provision of safe, welcoming, and inclusive schools for all students without regard to race, religion, national origin, or immigration status. SPS will not take any action that might discourage students from attending school or lead to their exclusion based on immigration status.
3. **Keep Washington Working Act.** State Law, RCW 43.10.310, directs public school districts to adopt policies and procedures for limiting immigration enforcement at schools to the fullest extent possible consistent with federal and state law. This ensures schools remain safe and accessible to all Washington residents, regardless of immigration or citizenship status.
4. **Privacy Protections for Students.** With limited exceptions, the Family Educational Rights and Privacy Act (“FERPA”) prohibits the disclosure of student identifying information without prior written consent of the student’s parent/guardian.

OSPI further provides that Washington public schools must not initiate engagement with federal immigration authorities for the purpose of sharing student information.

5. **Washington State Non-Discrimination Laws.** The Washington State Constitution requires public schools to provide an education for all children residing within the borders of the state in a non-discriminatory manner. State law also prohibits school districts from discriminating on the basis of race, color, national origin, citizenship, or immigration status.
6. **SPS Visitor’s Policies.** [SPS Board Policy No. 4200](#), School Visitations and Maintaining Safe and Orderly Environments, permits school visitations provided that only minimal disruption of the program occurs and that such visits conform to District procedures. Unauthorized persons on district property are considered trespassers.

REQUESTS FOR ACCESS TO SCHOOLS

Are federal agencies allowed to conduct enforcement activities at school?

On January 21, 2025, the U.S. Department of Homeland Security (“DHS”) revoked its long-standing federal policy designating schools as “sensitive locations” where immigration enforcement action generally does not occur. However, constitutional safeguards still apply if Immigration and Customs Enforcement (“ICE”) or any other federal agency seeks access to a school for enforcement purposes. For this reason, it is critical for all school staff to follow the protocols detailed in [Superintendent Procedure 4310SP.B](#) to ensure any ICE requests are supported by the proper legal authority.

What should schools do if ICE comes onto school grounds for enforcement purposes?

School personnel should follow the protocols detailed in [Superintendent Procedure 4310SP.B](#) and related summary guidance. This includes denying immediate access to school facilities, alerting the principal, and forwarding the request to the SPS General Counsel’s office for review prior to permitting entry or disclosing any information.

What type of documentation must a federal immigration authority present?

Federal immigration authorities seeking access to information, students, or school facilities must present the legal authority for their request. Such legal documents may include a court order, subpoena, or judicial warrant. The General Counsel’s office must review these documents for validity and scope prior to granting the request. If an officer refuses to provide such documentation, they will be denied entry onto school grounds.

Can a judicial warrant allow for a general sweep of the school?

To be considered valid by SPS, the warrant must be signed by a judge, state the purpose of the enforcement activity, identify the specific search location(s), and name the specific person to whom access must be granted. School staff should avoid attempting to determine the validity of a warrant and should forward any such documents to the General Counsel’s office for review. Warrants and court orders are typically limited in scope, so it is important for staff to only permit access to individuals, information, or records as advised by legal counsel.

What is the procedure if there is no building leader present?

During school hours or school-sponsored events, there should be an administrator or designee available. If the principal is not available, an administrator and/or designee should follow the established procedures. Schools should ensure that all designees are familiar with the SPS procedures.

How should schools respond if ICE shows a warrant, subpoena, or court order and demands immediate entry?

Because these are legal documents that require careful review by counsel, schools must follow the protocols in [Superintendent Procedure 4310SP.B](#) and receive approval from the General Counsel’s office before taking any further action. The General Counsel’s office will conduct its review as promptly as possible.

What if an immigration officer refuses to comply with the protocol as instructed?

School personnel should not attempt to physically interfere with any enforcement action if an immigration officer refuses to leave or comply with the principal's instructions. The principal or designee should call the Security office (206-252-0707) for additional support as needed and contact the SPS 4-1-1 team (411@seattleschools.org) and the Regional Executive Director support email (REDSupport@seattleschools.org). School principals are also encouraged to TEAMS call either Dr. Marni Campbell or Tyler Hamilton to initiate the 4-1-1 process.

What security procedures should be considered if an ICE agent enters the building without proper legal authorization?

If any person – including an ICE agent – enters an SPS building without following the established procedure for obtaining permission, they may be treated as a trespasser. The school may consider entering into a lockdown in these situations and should immediately call for assistance from Safety & Security. As discussed above, staff should not attempt to physically interfere with any enforcement action.

What happens if staff interfere with immigration enforcement actions?

Schools should be aware that federal law prohibits any person from intentionally “harboring” individuals who are in the United States unlawfully. “Harboring” means concealing or shielding an individual from detection or any conduct tending substantially to facilitate that individual’s remaining in the country illegally. However, federal law does not prohibit schools from providing the type of support that they would ordinarily provide in emergency situations, including for students whose parents/guardians have been detained in an immigration enforcement action.

School staff should note that they are also prohibited from participating or aiding in immigration enforcement activities against students and their families, staff, and volunteers.

Who should school staff contact if another urgent issue arises while the principal is responding to the officer?

Administrators are generally responsible for overseeing the school’s response to emergency situations involving security, discipline, and student medical issues. Schools should follow their standard process for responding to such emergencies based on the particular circumstances. In the event that schools require immediate additional support while the principal responds to an immigration official’s request, this will be addressed via the 4-1-1 process.

When is the appropriate time to contact a student’s parent/guardian if ICE requests access to their student?

In all cases, school principals should make a reasonable effort to notify the parent/guardian of any immigration enforcement actions concerning their student. However, the timing of such notice depends on the nature, scope, and validity of the request. School staff must consult with the General Counsel’s office on a case-by-case basis, as the judicial warrant may prohibit prior notice.

If an immigration official seeks student records or information and presents a subpoena, staff should forward it to the General Counsel’s office for review. With limited exceptions, FERPA requires schools to make a reasonable effort to notify the student’s parent/guardian of the order or subpoena prior to disclosing the information so that they may seek protective action.

OFF CAMPUS AND AFTER-SCHOOL EVENTS

What should schools do if immigration officials attempt to access evening events such as school dances or parent meetings?

For after-school events that are not open to the public, staff should continue to follow the same protocols and should not permit entry to any immigration official without legal review and approval of the request.

What protocols apply to field trips and other off-campus school sponsored events?

Students are within the custody and control of SPS during school-sponsored events, such as field trips, that occur off-campus. While SPS does not control these off-campus locations, the principles of [Superintendent Procedure 4310SP.B](#) and *in loco parentis* continue to apply. Staff should not release students to any unauthorized individual and should follow the other steps detailed in the procedure regarding proper legal review and approval.

PRIVACY ISSUES AND RECORDS PRACTICES

How should schools respond if ICE asks whether a student is present at school?

Student information is protected under FERPA and should not be provided unless the officer has proper legal authority to obtain the information. For this reason, staff should consult with SPS General Counsel before providing any information about a student.

Should school staff collect information or inquire about students' immigration status?

No. Consistent with *Plyler v. Doe*, K–12 schools are not required by federal law to collect information about student immigration status, including social security numbers, and staff should refrain from requesting such information as it may deter student enrollment.

Seattle Public Schools does not require students or their families to provide information to school staff about their immigration status. School staff should avoid asking students or their families about immigration status, and they should avoid creating a record if a student or their family self-discloses such information.

Are schools required to report students' immigration status to other government agencies?

No. If school staff obtain information that a student is undocumented, there is no requirement to report to any other government agency. Doing so may violate *Plyler v. Doe*, by discouraging or denying those students access to public education.

How should schools respond to subpoenas or other requests for information about students' immigration status?

Schools must promptly forward all subpoenas and other record requests from federal immigration authorities to the SPS General Counsel's office for review. Schools should *not* release any information directly to the individual without legal approval.

With limited exceptions, FERPA prohibits schools from disclosing identifying information in student education records without written parental consent. While FERPA permits the release of student records to comply with a judicial order or lawfully issued subpoena, these documents require careful legal review prior to disclosure.

ATTENDANCE

How should schools approach attendance issues that relate to immigration concerns?

If a student is absent due to worry or fear related to their immigration status, these absences must be excused as they fall under the excused absence category of safety concerns. An attendance specialist should use code EA to code the absence. Schools should be flexible about their timeline for excusing these absences, even if retroactively or after the school's timeline for excusing absences has passed.

This will be communicated to attendance specialists in addition to guidance on how to engage with families regarding continued absences. Further information can be found in the guidance from OSPI under the header Compulsory Attendance and Truancy Considerations, linked [here](#).

INFORMATION SHARING

If a student is contacted by ICE at school, will we have support for staff and our communities?

Yes. This will be addressed on a case-by-case basis via the 4-1-1 process for that respective family and school community. Any response will be based on the specific circumstances.

Will SPS share information about immigration enforcement activity at our schools even if it's not my school?

Updates will be provided via the 4-1-1 process as ICE enforcement actions involve specific individuals and there may be FERPA implications to engaging in large-scale communications.

How will SPS community partners be informed of these protocols?

SPS will be working through communications to be shared with community-based organizations and partners with the goal of informing and aligning practices with SPS's established protocols to the greatest extent possible. Additionally, principals may share any guidance documents, summaries, and FAQs with community partner organizations.

SUPPORTS AND RESOURCES FOR FAMILIES

How should schools respond if they learn that a parent/guardian has been detained?

Schools should take proactive steps to support students impacted by an immigration enforcement action, just as they would in any other crisis situation. For example, if a school learns that a parent/guardian has been detained, school staff should reach out to the student's emergency contacts listed in PowerSchool, and ensure the student has adequate supervision before releasing them at the end of the school day. Schools should contact Legal and/or Security if needed and should connect students who are impacted by immigration enforcement actions with counselors, social workers, and other mental health supports as appropriate.

How can schools support students and families who are concerned about ICE enforcement?

Consistent with the Supreme Court's ruling in *Plyler v. Doe*, and Seattle School Board Resolution No. 2016/17-12, staff should affirm that SPS schools provide a safe, welcoming, and inclusive learning environment for all students without regard to race, religion, national origin, or immigration status. When communicating with families, staff should avoid inadvertently intensifying fear within their school communities or discouraging school attendance based on immigration status.

Can schools share immigration resources with families?

Yes. Schools are encouraged to connect students and their families with community resources as needed. Given the complex nature of immigration issues, school staff should not offer legal advice, and instead, should encourage students and their families to consult with immigration experts.

What else can schools do to proactively help families?

Schools may provide general reminders to the entire school community about the importance of preparing for family crisis situations and other emergencies, including but not limited to immigration enforcement actions. Such communications should be careful not to create unnecessary panic within the community and should not single out any family or group of families.

Schools may also suggest that families develop a plan for care and custody of a student in emergency situations. All families should be encouraged to check PowerSchool and ensure the emergency contact information on-file is up to date, along with any authorizations to pick up their students.

What other resources are available?

The City of Seattle's Office of Immigrant and Refugee Affairs provides [links](#) to a host of services and programs for immigrants and refugees, including legal assistance resources and know your rights information.

KEY SPS CONTACTS

General Counsel's Office: (206) 252-0110 or legal@seattleschools.org

4-1-1 Team: 411@seattleschools.org or *via Teams to:* Dr. Marni Campbell or Tyler Hamilton

Regional Executive Director Support: REDSupport@seattleschools.org

Security Office: (206) 252-0707 Security_office@seattleschools.org