

What You Should Know

1982 U.S. Supreme Court case *Plyer v. Doe* that all students regardless of citizenship or migration status have a constitutional right to attend public elementary and secondary schools.

Education Code 32210: Any person who willfully hinders any public school or any public school employee is guilty of a misdemeanor, and shall be punished by a fine of not more than \$500.

Education Code 32212: The Legislature finds and declares that interruption of class time seriously hinders the educational process. It is the intent of the Legislature that each governing board of a school district formally address the problem of classroom interruptions and adopt a policy to control those interruptions.

CA policy states: "All children in the U.S. should be educated regardless of immigration status."

CA policy states: "Immigration policies should guarantee human rights and protect the integrity of the family unit without discrimination. Regardless of immigration status of students or their parents, every student has the right to a free public education free from harassment. Schools are a safe haven and that no police officer or any federal, state, or local agency shall enter the school building and/or school grounds for the purpose of

interrogating, questioning, arresting or taking into custody a student and/or parent unless upon lawful request."



Immigration issues can be controversial but must be addressed in California and throughout the country.

What Your District Can Do

- Develop policy that all students regardless of citizenship or immigration status who register for following services and meet the federal and state criteria are entitled to receive all school services, including free lunch or breakfast, transportation, and educational services.
- Contact ICE when agents arrive on school grounds (Federal immigration enforcement policy is "to attempt to avoid apprehension of persons and to tightly control investigative operations on the premises of schools").
- Ensure that a parent, guardian or designee is present if a student is questioned by an enforcement agent on school grounds and:
 1. Ask to see the enforcement agent's credentials and warrants.
 2. Ask enforcement agent why he or she wants to interview a student to make sure that the reason is within the scope of ICE's authority.
 3. Ask enforcement agent what evidence of reasonable suspicion he or she has to justify interview.
 4. Encourage enforcement agents to interview students outside of school hours and off school grounds.

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ICE Raids and their Impact on Public Education



Developed by the
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