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## What To Do if ICE Shows Up at Your School

(Adapted from the MnEEP Toolkit,  
*"Creating Safe & Supportive Schools for immigrant & English Learner (EL) Students"*)

### 1. Verify Legal Authority

- Ask to see a **judicial warrant** issued by a **state or federal court**, and **signed by a judge or magistrate**. It authorizes law enforcement officers to make an arrest, seizure or search.
- Say, ***"May I see a judicial warrant issued by a state or federal court?"***

### 2. Confirm the Validity of the Judicial Warrant

- Look for clear indicators:
  - Judge's signature**
  - Date
  - Specific authorization
  - Correct full name of student or person in question
  - Exact location of the school
  - Warrant applies **specifically to your school grounds and the student named**

### 3. Document & Clarify

- Write down the following for reporting purposes:
  - Agents' names
  - Badge numbers
  - Agency affiliation
  - Time, date, and details of request



#### 4. Decline Administrative Warrants

- An “administrative warrant” is issued by a federal agency, such as the Department of Homeland Security (DHS) or Immigration and Customs Enforcement (ICE). It is not the same as a Judicial Warrant
- Schools are NOT legally required to comply with search or enforcement actions on school grounds based on an administrative warrant. Access to school property or student information **requires a special judicial warrant signed by a judge**
- Say, ***“This is not a judicial warrant and does not provide legal authority to access school grounds.”***

#### 5. Protect Student Safety and Privacy

- Keep students safe - Assign staff to escort students and staff to a safe space as necessary
- Do not allow ICE agents** to approach or remove students.
- Safeguard student information - The Department of Education’s Family Educational Rights & Privacy Act (FERPA) prohibits the release of student immigration status, personal records, or any identifiable information without a warrant signed by a judge.
- If ICE requests information, refer them to the district’s legal counsel. Say, ***“I cannot give you any information. I will need to contact our legal counsel.”***

#### 6. Notify and Activate Crisis Response Protocols

- Inform school leadership
- Follow your school’s Crisis Response Plan
- Communicate to students, families and the community about your school’s commitment to protecting students’ rights and maintaining a safe and inclusive environment for every learner.

#### 7. Document the Incident

- Record and write down all the details including:
  - Names, badge numbers, and agency
  - Time, date, and location of incident
  - Requests made and documentation presented
- Share with school leadership and district’s legal team





## Legal Protections for Schools

- *Plyler v. Doe* (1982) – Guarantees all children – regardless of immigration status – access to free public K-12 education under the Equal Protection Clause.
- Minnesota Constitution, Article XIII, Section 1 – Establishes education as a fundamental right and requires the state to provide a “general and uniform” system of public schools.
- Minnesota Enrollment Policy – Minnesota schools cannot inquire about a student’s or their family’s immigration status during enrollment. Schools cannot require birth certificates or similar documents as a condition of enrollment
- Current ICE “Sensitive Locations” Policy (As of Jan. 21, 2025) – Prohibits ICE enforcement at schools, bus stops, and events without a judicial warrant.
- Minnesota Safe and Supportive Schools Act (2014) – Requires schools to implement anti-bullying policies to protect students from harassment based on race or national origin.
- Minnesota Human Rights Act – Prohibits discrimination in education based on race, national origin, or other protected characteristics.

For more detailed information about how you can support immigrant and English Learner students, families, and staff members, including how to **Define and Enforce Clear Roles for Police and SROs in Schools**, see the *MnEEP Toolkit*, “[Creating Safe & Supportive Schools for immigrant & English Learner \(EL\) Students](#)”

