

Madrone Trail Public Waldorf School

Adopted: 10/15/26

K12 School Immigration Enforcement Policy

Purpose:

The purpose of this policy is to provide employees with guidance regarding their responsibilities when interacting with federal immigration authorities engaged in enforcement at Madrone Trail Public Waldorf School. Federal immigration authorities include agents of the Enforcement and Removal Operations section of US Immigration and Customs Enforcement (ICE) and agents of any other federal agency with the authority to detect, investigate, or enforce violations of immigration law.

Who Should Understand This Policy:

All employees of Madrone Trail Public Waldorf School.

Policy Summary:

Madrone Trail Public Waldorf School complies with state and federal law when responding to requests from federal immigration authorities regarding immigration enforcement. To maintain a coordinated, consistent, and lawful response to federal immigration enforcement activities, Director of Operations will serve as the primary point of contact for coordinating interactions with federal immigration authorities engaged in enforcement activities at or near Madrone Trail Public Waldorf School. Absent a judicially authorized warrant or court order, employees must not allow federal immigration authorities access to Madrone Trail Public Waldorf School's records or facilities not open to the public for the purposes of immigration enforcement and must verify the validity of any warrant or court order involving immigration enforcement presented to them by federal immigration authorities to ensure it is judicially authorized. The Appendices attached to this policy provide examples of judicial and administrative warrants and subpoenas. The superintendent or superintendent's designee must review and approve any response to a request involving immigration enforcement. Madrone Trail Public Waldorf School will provide ongoing training to employees to ensure compliance with this policy.

Policy:

Section 1. Designation of Primary Point of Contact.

Our Director of Operations is the primary point of contact for coordinating interactions with federal immigration authorities occurring at Madrone Trail Public Waldorf School. Our Director

of Education shall serve as an alternative point of contact during the Director of Operations's absence or unavailability.

Director of Operations's responsibilities include:

- (1) Serving as Madrone Trail Public Waldorf School's representative during encounters with federal immigration authorities;
- (2) Ensuring federal immigration authorities engaging in enforcement activities at Madrone Trail Public Waldorf School have notice of relevant Madrone Trail Public Waldorf School's and Medford School District's policies;
- (3) Assisting employees in performing their duties in response to immigration enforcement efforts, including ensuring compliance with all Madrone Trail Public Waldorf School's and Medford School District's policies related to interactions with federal immigration authorities and immigration enforcement efforts;
- (4) Reviewing and responding to requests from federal immigration authorities, in coordination with, and under the direction of, the superintendent or the superintendent's designee; and
- (5) Facilitating Madrone Trail Public Waldorf School's and Medford School District's compliance with lawful immigration enforcement efforts in a manner that does not unnecessarily disrupt the school environment or invade the privacy of students, employees, or volunteers.

B. Disclosure of Citizenship or Immigration Status or Country of Birth Information is Prohibited

Oregon law generally prohibits Madrone Trail Public Waldorf School from sharing or disclosing citizenship or immigration status or country of birth information that Madrone Trail Public Waldorf School collects, unless one of the following exceptions applies:

- The disclosure is required by state or federal law (other than federal immigration law).
- The disclosure is required by a judicially authorized warrant, order, or subpoena.
- The information being shared with a person concerns only that person or their dependents.
- The information is aggregated and not personally identifiable. Citizenship or immigration status or country of birth information is any information concerning:
 - Where a person was born; or
 - Whether a person is a citizen of the United States; or
 - Whether a person has lawful authority to be present in the United States.

C. Duty to Maintain Confidentiality of Records

In addition to the prohibitions described above, federal and state laws make records and information related to students confidential and permit disclosure only in limited circumstances. Madrone Trail Public Waldorf School's policy with respect to student records can be found here: Medford School District 549C Code: JO/IGBAB-AR. To ensure compliance with applicable federal and state law, Madrone Trail Public Waldorf School's employees shall not disclose any

school records or information to federal immigration authorities except as provided in Medford School District Policy 549C Code: JO/IGBAB-AR.

Employees must also maintain the confidentiality of school records and other information about students, employees, and volunteers when communicating with other students, parents, or community members about immigration enforcement activities involving students, employees, or volunteers of Madrone Trail Public Waldorf School or occurring at Madrone Trail Public Waldorf School. Employees should direct anyone with questions about immigration enforcement activities occurring at Madrone Trail Public Waldorf School to Director of Operations.

Section 3. Interactions with Immigration Enforcement.

School employees shall adhere to all Madrone Trail Public Waldorf School policies when interacting with federal immigration authorities.

Unless expressly authorized by the superintendent or the superintendent's designee, or by Director of Operations on behalf of the superintendent or the superintendent's designee, employees shall not:

- (1) Provide federal immigration authorities with records or information about students, employees, or volunteers;
- (2) Confirm whether a student, employee, or volunteer is present or make the student, employee, or volunteer available;
- (3) Allow access to non-public areas of Madrone Trail Public Waldorf School's facilities or property;
- (4) Sign documents presented by federal immigration authorities; or
- (5) Give consent to any immigration enforcement action.

Employees may not interfere with lawful immigration enforcement actions or physically obstruct federal immigration authorities in any manner. However, employees should immediately report to Director of Operations if they observe any conduct or enforcement activities by federal immigration authorities that violate state or federal law, or Madrone Trail Public Waldorf School policies, or that otherwise present a security threat or potential danger to students, employees, volunteers, or visitors.

Employees who receive a request related to immigration enforcement must immediately notify Director of Operations. Director of Operations is responsible for interacting with the federal immigration authorities until the matter is concluded or the federal immigration authorities have been referred to the superintendent or the superintendent's designee.

Director of Operations, or if Director of Operations is not immediately available, Director of Education should meet the federal immigration authorities at the school door or other area designated by the superintendent or the superintendent's designee for this purpose.

Director of Operations shall provide federal immigration authorities with a copy of this policy and explain that school employees are required to follow these steps in this policy. Director of

Operations should inform the immigration authorities that school employees must contact the office of the superintendent or the superintendent's designee for guidance before providing access to school facilities, records, or other information.

Director of Operations should direct an assistant to contact the superintendent or superintendent's designee while Director of Operations remains with the federal immigration authorities.

Director of Operations must document the request from federal immigration authorities to fullest extent possible under the circumstances. At a minimum, the documentation shall include the following information, if available:

- (1) The name, badge number, and agency of the law enforcement officer making the request;
- (2) The number of officers present;
- (3) Time, date, and location of the request;
- (4) The nature of the request;
- (5) The source of authority for the request, including whether the request is administratively or judicially authorized;
- (6) Whether the request requires an immediate response;
- (7) The identification of witnesses present; and
- (8) How the encounter concluded.

Director of Operations shall direct an assistant to transmit copies, photos, or other documentation provided by federal immigration authorities to the superintendent or the superintendent's designee, along with other information documented pursuant to this policy. The superintendent or the superintendent's designee must approve any response to a law enforcement request related to immigration enforcement as provided in Section 5 of this policy.

Section 4. Determination of Validity of Judicial Warrant or Order.

If presented with a warrant or order by federal immigration authorities, Director of Operations shall verify the validity of the warrant or order by determining whether the warrant or order is judicially authorized. An administrative warrant or other legal process that has not been authorized by a judicial officer does not authorize Madrone Trail Public Waldorf School to provide law enforcement with access to records or information, or facilities for purposes of immigration enforcement. A judicially authorized warrant or order contains the following key features:

- (1) A caption, near the top of the document, identifying the court that issued the order (typically the federal district court for the District of Oregon);
- (2) A signature block, near the end of the document, including the name of the person who signed the order, and identifying that individual as a judge, magistrate, clerk of court, or other person signing on behalf of a judge or magistrate, and the date of the signature; and
- (3) An indication that the warrant or order has not expired.

Examples of warrants and subpoenas are available in the Appendices attached.

Director of Operations shall notify the superintendent or the superintendent's designee of the warrant or order and whether the warrant or order appears on its face to be judicially authorized. Director of Operations should request a copy of the warrant or order and transmit a copy of the warrant or order for review by the superintendent or superintendent's designee, or legal counsel.

The superintendent or the superintendent's designee shall make the final determination regarding the validity of any warrant or court order and whether, and to what extent, federal immigration authorities will have access to Madrone Trail Public Waldorf School's records or information, or facilities as provided in Section 5 of this policy. If the superintendent or the superintendent's designee is uncertain as to the validity or scope of the warrant or order, the superintendent or the superintendent's designee should immediately consult legal counsel or a statewide or regional education organization.

Section 5. Approval of Response by Superintendent.

Director of Operations shall notify the superintendent or the superintendent's designee of a request related to immigration enforcement prior to responding to the request. The superintendent or superintendent's designee will only honor requests from immigration enforcement officers or other agencies enforcing federal immigration laws if the request is judicially authorized. If the superintendent or the superintendent's designee is uncertain as to the lawfulness or scope of the request, the superintendent or the superintendent's designee should immediately consult legal counsel or a statewide or regional education organization prior to approving a response.

If the superintendent or superintendent's designee determines that a response is not authorized by a judicial subpoena issued as part of a court proceeding or by another compulsory court-issued legal process, such as a warrant, the superintendent or the superintendent's designee shall direct Director of Operations to decline the request. Upon direction of the superintendent or superintendent's designee, Director of Operations shall decline the request, refer the federal immigration enforcement authorities to the superintendent or the superintendent's designee, and request that they leave the premises. Director of Operations shall ensure that the information documented pursuant to this policy is submitted to the Oregon Criminal Justice Commission as provided in ORS 181A.826.

If the request is accompanied by a subpoena, warrant, or order that appears on its face to be judicially authorized, the superintendent or the superintendent's designee must review and approve the Director of Operations of Madrone Trail Public Waldorf School's response to the request. The superintendent or superintendent's designee shall ensure that the Madrone Trail Public Waldorf School's response provides no greater access to records or information, or facilities, than that required by the subpoena, warrant, or order.

If the request involves a warrant that appears to be valid and authorizes the arrest of a particular person, the superintendent shall direct Director of Operations to request that the arrest be conducted in a manner that is the least disruptive to the school environment and to the student's wellbeing, which may include bringing the arrestee to the federal immigration authorities.

Section 6. School Sponsored Events.

If federal immigration authorities appear at a school-sponsored event open to the general public (field trip, athletic event, band event, etc.) employees should document their observations, notify Director of Operations and follow any guidance provided by Director of Operations

When alerted to the presence of federal immigration authorities at a school-sponsored event, Director of Operations shall notify the superintendent or the superintendent's designee.

Section 7. School Transportation/Buses.

If federal immigration authorities request to board a school bus or other vehicle transportation, the driver should ask them to wait outside the bus/vehicle, close the doors, and immediately call the Director of Operations and follow any guidance provided by Director of Operations.

Director of Operations shall notify the superintendent or the superintendent's designee and coordinate an approved response as outlined in this policy.

Section 8. Training.

Upon the adoption of this policy and not less than once every two years thereafter, Madrone Trail Public Waldorf School will provide training to current employees of one hour or more regarding federal and state laws, and Madrone Trail Public Waldorf School's and Medford School District's policies, relating to interacting with federal immigration authorities and responding to immigration enforcement efforts. Madrone Trail Public Waldorf School will provide the required training to all new employees within 30 days of beginning employment.

APPENDIX A

FEDERAL COURT WARRANT - JUDICIAL