

Community Relations

Superintendent's Rules and Procedures under Board of Education Immigration Enforcement Policy

- I. All employees receiving a law enforcement or agency official at a building entrance relating to immigration issues about any staff member or student, or their families, shall respond as follows:
 - A. If the official is physically present, explain that you are required to immediately notify the Superintendent's office of the contact and that you are not authorized to respond with any access to, or any information about, a staff member or student. You may let the official into the building but only into the principal's office or other designated private waiting area and only if the official agrees to wait in that area until the Superintendent or designee responds. Inform the official that it will take a few minutes to contact the appropriate administrator.
 - B. Immediately contact your building Principal or other lead building administrator, who should respond to the waiting area immediately. Immediately next, contact the Superintendent's office by telephone at 630-790-6400 and send an email to jmchugh@d41.org advising of the contact and, if applicable, that a law enforcement or agency official is present at the school building relating to an immigration issue. Your messages will be promptly forwarded to the Superintendent.
 - C. Ask for and collect from the individual(s) the following information:
 - Name
 - Identification
 - Badge NumberIf the individual has records related to the visit, such as but not limited to what appears to be a warrant, subpoena or court order, ask for a copy of the record and make copies of the paperwork. Send copies immediately to the Superintendent (or designee) and building Principal.
 - D. Do not otherwise engage with the official or provide any information, except for extending the courtesy which you would extend to any other visitor to the building, such as talking about the weather or offering water to drink.
 - E. If contact from the official is by telephone, email or other electronic means, advise the official that you are required to immediately notify the Superintendent's office of the contact, that you cannot respond with any access to, or information about, a staff member or student and that the Superintendent or designee will respond to the inquiry. Obtain contact information for the official and inform them that the Superintendent or designee will respond as soon as possible.
 - F. If the official is uncooperative or threatening, disengage with the individual.

G. Follow the directions of the Superintendent or designee and your Principal.

II. Superintendent and designee responses to inquiries from law enforcement and agency officials:

- A. The Superintendent or designee shall determine whether the law enforcement or agency official will be voluntarily permitted access directly to students. No other District employee may make such a determination. Access should not be voluntarily consented to where it would create a material disruption to the delivery of education or to the workforce's operations. In most cases, a previously unannounced or otherwise surprise visit from a federal law enforcement for the purpose of detaining an individual is reasonably expected to be significantly disruptive, to which the administrator should not consent. In such cases, the official's presence and activities should be permitted only pursuant to a valid judicial warrant.
- B. If a warrant, court order or other paperwork is presented, it must be shared with the Superintendent or designee for immediate evaluation. The Superintendent or designee shall, where circumstances permit, immediately contact legal counsel for review of the warrant.
- C. A valid judicial warrant is one that:
 - Is issued and signed by a federal court judge (either a district judge or magistrate judge);
 - Specifically identifies a district building an address as being subject to the judicial warrant and identifies the particular individual(s) who is the subject of the immigration enforcement action.
- D. If the official is authorized to engage a student under the age of 18 pursuant to a valid judicial warrant, or per the Superintendent or designee's decision to consent to such access, the following shall occur if at all practicable:
 - The student's parent or guardian must be notified and such notice documented;
 - Reasonable efforts to permit the student's parent or guardian to be present for the encounter shall be made;
 - If a parent or guardian is not present for the encounter, then a school administrator, social worker, psychologist, nurse or counselor is present.

III. Responses from the building Principal or lead building administrator

- A. If a valid judicial warrant is presented authorizing the activity of the agency official, or if the Superintendent or designee provides the necessary consent to the official to engage with a student or employee, the responding administrator shall not interfere or obstruct the official from carrying out the authorized activity(s). The administrator shall facilitate the official in conducting their business with an aim towards minimizing the disruption to the school or workplace. That may include facilitation in locating the subject of the warrant and suspending passing periods or other similar measures aimed at minimizing disruption.

- B. If an official submits a demand for access to student or employee records, either in person or remotely, the demand should be forwarded immediately to the Superintendent's office to work with legal counsel to determine whether disclosure is required by law and in accordance with the District's student records and confidentiality policies and procedures.

IV. Responding to inquiries from concerned employees, students (and families)

Employees shall respond to inquiries from employees or students (and their families), who seek guidance concerns over immigration issues as follows:

- A. Empathetically explain that the inquiry is very important to the District and that the Superintendent has required he be notified of the inquiry so that it can be addressed promptly and as confidentially as possible by the Superintendent, or a school administrator designated by him, and the building Principal.
- B. Promptly notify the Superintendent's office of the inquiry.
- C. If the inquiry involves an immediate threat to the safety or health of the staff member or student, contact the building Principal or Assistant Principal immediately for direction and then contact the Superintendent's.
Follow the directions of the Superintendent or designee and your Principal.

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