

TUSD Commitments

TUSD is a place for students to learn and thrive in a safe environment free from investigations and enforcement of immigration status. This includes the ability for families to fully participate in the education of their students. Because immigration status is not relevant to the district's commitment to serve its students and their families, Tucson Unified does not collect their immigration information. TUSD does not prohibit its employees from making threats or negative statements pertaining to student or parent's immigration status. ([Governing Board Policy ACB](#)).

Law Enforcement (including ICE) Investigations/Activities on TUSD Campuses

Absent a valid judicial warrant or other specific court order, the law and Governing Board Policy provide law enforcement officers, including ICE, no greater access than any member of the public to TUSD facilities, students, staff, and campus visitors. ([Governing Board Policy JIH](#))

Whenever you interact with law enforcement seeking access to records or individuals at your school, you should:

1. Obtain identification from the requesting law enforcement officer;
2. Make and retain copies of any paperwork provided (warrants, subpoenas, etc.); and
3. Send paperwork to the TUSD Legal Department for review.

ICE Efforts to Obtain Student Record Information

Absent a health or safety emergency, federal law (FERPA) generally prohibits the release of information from a student's records to law enforcement officers, including ICE agents, except pursuant to a court order, lawfully issued subpoena, or with informed written consent of the student's parent/guardian or the student if they are 18 years of age or older. ([Governing Board Policy JR](#))

Schools are not required to provide information about students' attendance or address, or current whereabouts, or to make students available on the spot to law enforcement, including ICE agents, without the opportunity to consult with the Regional Assistant Superintendent and/or district legal counsel (see also "ICE Efforts to Access Students, Staff, Parents or Visitors" section below).

If any law enforcement officer, including an ICE officer, seeks access to student records, including addresses or phone numbers:

1. Contact the Legal Department to review any subpoena or court order provided by the law enforcement officer.
2. **Do not take action** until you receive instruction from the Legal Department.

ICE Efforts to Access Students, Staff, Parents, or Visitors on District Property

If ICE seeks access to a student or any other individual at school:

1. Staff should ask to see a judicial warrant. Please send any document provided by law enforcement to the Legal Department for review.
2. If ICE presents a valid warrant for a student or other individual, the principal should ask the agent to wait in a private space while the principal tracks down the individual named in the warrant. The principal can then escort the individual to the space in which the ICE agent is waiting.
3. If ICE does not present a valid judicial warrant, the principal should politely advise the agent that in compliance with district policy, we are unable to provide them access to the requested individual or to the school without a valid judicial warrant.

4. If ICE says they only want to speak with a student, the principal should advise that the school will need to obtain the permission of the parent before any interview will be conducted. ([Governing Board Policy JIH](#))
5. If ICE says they only want to speak with an adult, the principal may either (a) ask ICE to wait while the principal locates the adult and asks whether they would consent to the interview or (b) ask ICE to make other arrangements outside of school. Staff should not be pulled out of class or other duty time in order to speak with ICE agents.

If ICE wants to do a “sweep” of the campus to search for undocumented individuals:

1. The practice of an immigration “sweep” by ICE generally refers to the effort to verify the immigration status of a large group of people in a particular space. Absent a warrant, ICE agents have no greater access to your campus than any other member of the public who comes to your school. The warrant requirement should prevent wide-ranging immigration sweeps from proceeding on your campus.
2. If ICE presents a valid warrant for a particular student or other individual(s), refer to the procedure described above.

If ICE agents stand outside the school to question students and families about their immigration status:

1. The grounds outside of the school are considered public property so there is not a great deal we can do to prevent ICE agents from setting up shop outside. However, should this scenario arise, please communicate with your Regional and Legal.
2. The principal may approach the ICE agent in charge (if comfortable doing so), to request that they desist their actions based on the impact to the school.
3. Schools may advise families about the circumstances and provide information about their rights and resources.

If the law enforcement officer fails to comply with your instructions in any of the above scenarios, do not physically attempt to interfere with any enforcement action. Notify the Legal Department, the Regional Assistant Superintendent, and School Safety for assistance.

What to Look for in a Judicial Warrant:

While you should submit any warrant to the Legal Department for review, there are things you can look for in assessing whether a warrant is valid:

1. It is signed by a judge. ICE regularly uses documents called administrative warrants that are signed by an Immigration Officer or an Immigration Judge. A common example is DHS Form I-200, “Warrant for Arrest of Alien.” These are not judicial warrants and do not permit entry into the school to conduct a search or an arrest.
2. It identifies the agency (e.g., ICE) with the authority to conduct the search or arrest.
3. It correctly identifies the specific location for the search (e.g., the school) and/or the specific person to be arrested.
4. It includes the correct date and has not expired.

Resources for TUSD families involved in immigration enforcement

Tucson Unified School District maintains a list of available community resources that offer immigration assistance, information and support to families. TUSD shall refer Families in need of such assistance to a list of these resources ([List](#)). ([Governing Board Policy ACB](#)).