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BURLINGTON SCHOOL DISTRICT PROCEDURE

PROCEDURE CODE F4P: ENCOUNTERS WITH LAW ENFORCEMENT AND ACCESS TO EDUCATION, STUDENT PRIVACY, AND IMMIGRATION ENFORCEMENT

Summary

BSD is committed to protecting our students' rights, creating a welcoming and inclusive environment free of barriers to the education of each student, regardless of a child's or family member's immigration status.

Consistent with the rule of law, BSD honors valid judicial warrants. Any request for Immigration and Customs Enforcement (ICE) or any other agency to come onto the property in search of a person or persons must be accompanied by a legal and valid warrant **signed by a judge**. Unless someone from immigration law enforcement (ICE and/or Homeland Security) presents a judicial warrant, they may not enter any school. **A DHS/ICE Administrative Warrant is not signed by a judge and as such cannot compel the school to permit entry**. See the procedure below for more details about what to do if ICE or any non-local enforcement comes to the school.

School personnel must not allow any third-party access to a school site without permission of the site administrator. The site administrator shall not permit third-party access to the school site that would cause disruption to the learning environment.

Without prior authorization from the Superintendent or their designee, Burlington School District does not consent to non-local law enforcement accessing school facilities; school personnel may not give consent without permission.

Procedure

The Superintendent's Office must process requests by immigration law enforcement officers to **enter a school site** or **obtain student data.** The procedure is as follows:

If a Non-Local Law Enforcement Officer, Including an ICE Officer, Comes to Your School for Any Reason:
1. Meet the officer at the school reception area or office.
2. Request and document the name and badge/ID number of the officer, phone number of the officer's supervisor, purpose of the visit, and reason(s) why the officer is visiting your school during school hours.
3. Obtain any documentation from the officer (e.g. subpoena; search warrant; arrest warrant).
   a. Because it is difficult for an untrained person to determine whether a warrant has been validly issued by a judge, it is vitally important to obtain a copy of the warrant and contact the Superintendent's Office before allowing any access pursuant to a warrant. If a non-local law enforcement officer, including an ICE officer, presents a warrant of any type, provide the warrant to the Superintendent's Office and await further instructions (see #5).
   b. Request and retain notes of the name(s) of the student(s) and the reasons for the request;
      i. Do not attempt to provide your own information or conjecture about the students, such as their schedule or behavior, for example, without legal counsel present.
4. Provide the officers with a copy of this procedure; advise the officers you are required to complete these steps prior to allowing them access to any school site or student data.

5. Advise the officer that they must wait **outside** the school building and **off** school property while you obtain guidance from counsel.
6. Notify the Superintendent's Office, and provide them with the details and documentation obtained from the officer. Do not take action until you obtain instructions from the Superintendent's Office or legal counsel.
    a. Start with Superintendent
    b. If cannot be reached, second call to Executive Director of School Leadership
    c. If still not available, contact Director of Equity
7. Contact the parent after consulting with the Superintendent's Office.
8. Notify the Burlington Police Department as appropriate.
9. If a non-local law enforcement officer fails to comply with instructions, do not physically attempt to interfere with any enforcement action. In these situations, obtain as much information as possible from the officer and notify the Superintendent's Office and the Burlington Police Department.

Clerical Information

BSD Version:	*BSD F4P Procedure*
Date Adopted:	*1/17/25*
Legal Reference(s):	*N/A*
Policy Reference:	*CODE F4: ACCESS CONTROL AND VISITOR MANAGEMENT*