

# KNOW YOUR RIGHTS

## Support for Undocumented Students, Families and Staff

We pledge ourselves as allies to our immigrant communities, especially those in our schools whom we serve and with whom we work. We also urge the Anne Arundel County Board of Education, County Council, and the Maryland General Assembly to set forth policies that will strengthen the protections and support for our immigrant community members who are now even more under threat.

At a time when the rights of marginalized communities are under attack, get to know your contract to ensure you are best protected.

### MSDE Guidance

#### **Requests from Immigration Authorities or Law**

**Enforcement at a School:** Various laws impose legal duties on the LEA with respect to law enforcement questioning students at school and the confidentiality of student records, including the Family Educational Rights and Privacy Act (FERPA) and the Code of Maryland Regulations (COMAR) 13A.08.02.

**School Registration:** The U.S. Supreme Court held in *Plyler v. Doe* (1982) that schools may not deny students a free public education on the basis of their undocumented or non-citizen status, or that of their parents or guardians.

**Resources for Families:** Parents/ guardians can update their child's emergency contact information at school, including secondary contacts, to identify a trusted adult who can care for their child if they are detained or deported. They can also identify a "standby guardian" to care for their child if they are detained or deported, by completing the Maryland Judiciary form and providing a copy to schools, health care providers, and family members.

**Learn more at the QR code.**



### AACPS Guidance

School leaders are asked to take the following steps in the event they are met with visits from anyone claiming to have the legal authority to obtain information regarding a student, to interview, gain access to or remove a student from a classroom due to the student's immigration status:

1. **Contact the Office of General Counsel if anyone appears at your school asking to obtain information regarding a student**, to interview, gain access to or remove a student from school premises if they are not a parent or guardian or someone authorized by a parent or guardian to take such actions.
2. **Be prepared to ask for identification and documentation** of anyone appearing with the aforementioned purposes in mind supporting their reason for being on school premises.
3. **Do not, under any circumstances, review any documentation and accept it as legitimate.** Please contact the Office of General Counsel so that the school leader may be connected with an AACPS attorney to properly vet any documentation provided.
4. **Advise the law enforcement official to wait outside the school building** while you obtain guidance from the Office of General Counsel.
5. **Wait for legal advice before complying** with any requests or directives from the law enforcement official.
6. **Contact the parents or guardians of the student(s) in question** immediately after you consult with the Office of General Counsel. Use of the parents'/ guardians' preferred language is best. Contact the AACPS Office of School & Family Partnerships for language support.



### State Legislation

The Maryland General Assembly has an emergency bill this session to protect undocumented residents:

- **Protecting Sensitive Locations Act** - establishes guidelines on the access ICE has to schools and other spaces where Maryland residents receive vital services and resources