HUDSON CITY SCHOOL DISTRICT

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Immigration Authority Interactions & Student Protections

The Hudson City School District is committed to ensuring that every student who resides in the District, regardless of their actual or perceived immigration status, citizenship, nationality or country of origin, can attend its schools in a safe and welcoming environment, free from discrimination. Similarly, students' education should not be impacted by the actual or perceived immigration status, citizenship, nationality or country of origin of their parents or guardians.

Accordingly, the District has developed the following practices and procedures to protect students and families from unlawful discrimination, unauthorized disclosure of information, and disruption of a student's education based upon immigration status.

The District has designated the Superintendent of Schools, who is solely responsible for reviewing and authorizing or denying any request from immigration authorities to enter school property or take custody of a student. In the event that the Superintendent of Schools is unavailable, the District has designated the Executive Director of Curriculum, Instruction and Technology to review and authorize or deny such requests in accordance with these procedures. All such review and authorization of these requests by the Superintendent of Schools will be made in consultation with the District's legal counsel.

PROTECTION OF STUDENT INFORMATION

Restricting the Use of School Resources and Sharing Information

School personnel are prohibited from:

1. Using school resources for immigration enforcement purposes;

2. Disclosing, or threatening to disclose, information or records about actual or perceived citizenship or immigration status of a student or student's family, subject to the exceptions listed below;

3. Inquiring, or collecting information, about a student or student's family's citizenship, immigration status, nationality, or country of origin, subject to the exceptions listed below;

4. Disclosing to employees of an immigration authority personally identifiable information, including name, social security number, physical description, associated addresses, phone number, financial/medical info, place of employment of a student or family, subject to the exceptions listed below;

5. Designating immigration status, citizenship, nationality, or national origin as "directory information";

6. Using registration and enrollment requirements or procedures that have the intent or effect of delaying or denying the enrollment of non-citizen students, including delaying the enrollment and attendance in class of students if they cannot immediately provide all documents required for registration, including proofs of residency and age;

7. Implementing policies, procedures, practices, or actions that have the intent or effect of deterring a student from participating in or denying a student the benefits of programs or activities, or that exclude parents or guardians from participating in parental engagement activities, on account of perceived or actual citizenship or immigration status.

8. School Resource Officers ("SRO") may not detain or question students to determine their immigration status.

Exceptions to these prohibitions exist where disclosure is required by law, including, but not limited to:

1. Complying with a federal judicial warrant or court order signed by a Federal U.S. District Court or magistrate judge;

2. Administering a public program or benefit requested by the family;

3. Exchanging information regarding an individual's citizenship or immigration status with the United States Department of Homeland Security or any other federal, state, or local governmental entity, in compliance with law.

Any warrant or court order provided to school personnel must be given to the building principal who will then immediately forward the warrant or court order to the Superintendent of Schools. All warrants or court orders must be reviewed by the District's legal counsel prior to any compliance. Only warrants or court orders issued by a competent federal or state court will be complied with. Administrative or civil immigration orders, subpoenas or other documents are not legally sufficient for compliance purposes.

Any information that is to be exchanged regarding an individual's citizenship or immigration status with the United States Department of Homeland Security or any other federal, state, or local governmental entity, must be authorized by the Superintendent of Schools, who will consult with the District's legal counsel prior to any exchange of information.

Any information or documentation relating to actual or perceived immigration status, citizenship, nationality or country of origin necessary for the administration of a public program or benefit requested by the family must be reviewed with the Superintendent of Schools before school personnel will honor such family request.

Procedures for Immigration Authorities Entering School Property

In the event the District receives a request from an immigration authority to enter school property or take custody of a student, the building principal will:

1. Immediately notify the Superintendent of Schools. In the event that the Superintendent of Schools is not available, the Executive Director of Curriculum, Instruction and Technology will be notified.

2. The Superintendent of Schools shall seek guidance from the District's legal counsel before responding to any requests from immigration authorities;

3. Legal counsel will review the request to determine whether they are accompanied by a valid judicial warrant or court order issued by a federal U.S. District Court. Thereafter, direction will be provided as to how to comply with the specific request;

4. The Superintendent of Schools must notify the New York State Education Department when the request is made.

Procedures if a Parent/Guardian is Detained

In the event that a parent or guardian of a student is detained by immigration authorities or fails to pick up a student as scheduled, the building principal will:

1. Keep the student on school property in a safe location.

2. Delay contacting the statewide central registry for child abuse and maltreatment and/or local law enforcement until school personnel have made every reasonable effort to reach all other authorized emergency contacts of the student.

3. The District shall undertake efforts to encourage parents/guardians to update and expand emergency contact information to avoid situations where students will be referred to the statewide central registry and/or local law enforcement.

Notice to Families and Community

Distribution of Protections: The district shall formally distribute written notices to parents, guardians, and persons in a parental relationship outlining their statutory rights, privacy protections, and safety safeguards.

New York State Guidance on Safeguarding the Rights of Immigrant Students (PDF)

Safeguarding the Rights of New York State Immigrant Students (PDF)

Language Accessibility: Notification materials must be provided in the primary languages spoken within the district community to ensure full accessibility. ParentSquare has built-in translation to ensure families receive communications in their primary language.