



# NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

## RESOLUTION No. 2025-05

### **A Safe and Welcoming Learning Environment Free from the Threat of Immigration Raids and Violent Detention**

Reported to the Caucus by the NHCSL Education Task Force  
Sen. Teresa Ruiz (NJ), Chair

**Sponsored by**  
**Sen. Dunixi Guereca (NE), Rep. Diana Gonzales Worthen (AR) and**  
**Rep. Arturo Alonso Sandoval (OK)**

Unanimously ratified by the Caucus on November 22, 2025

1 **WHEREAS**, the Supreme Court has recognized the constitutionally protected right of  
2 every child in the United States, regardless of immigration status, to a free K-12 public  
3 education;<sup>1</sup> and,

4 **WHEREAS**, in [Resolution 2017-18, Regarding the Impact of the Deferred Action for](#)  
5 [Childhood Arrivals Program on Educational Attainment and Community Stability](#),  
6 NHCSL highlighted the concern that “the removal of a child from school by the  
7 authorities with the intention of deporting said child is a traumatic event for the child  
8 and for all the children that associate with the child and the school community in  
9 general, that disrupts classes, distracts from school subjects, and can cause  
10 permanent psychological trauma and learning deficiencies in all school children  
11 impacted by the government’s action;” and,

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<sup>1</sup> *Plyler v. Doe*, 457 U.S. 202 (1982).

12 **WHEREAS**, immigration enforcement activities by ICE, and other law enforcement  
13 agencies performing immigration enforcement, at or near schools or school  
14 transportation routes—including surveillance, questioning, detentions, arrests and  
15 data collection—deeply disrupt the educational environment for all students, and the  
16 mere threat of them discourages the attendance of undocumented children and of  
17 many citizen children of mixed status families,<sup>2</sup> an effect tantamount to denying them  
18 their constitutional right to education; and,

19 **WHEREAS**, on January 20, 2025, the Department of Homeland Security issued a  
20 memorandum rescinding its Protected Areas enforcement policy and thus allowing  
21 immigration enforcement actions in schools, college campuses, playgrounds,  
22 hospitals, places of worship and other social services facilities;<sup>3</sup> and,

23 **WHEREAS**, criminals immediately started taking advantage of U.S. Immigration and  
24 Customs Enforcement’s newly broader powers by impersonating ICE officers to  
25 kidnap and sexually assault young victims and harass others they perceive as foreign,  
26 especially Hispanics, regardless of their actual citizenship status;<sup>4</sup> and,

27 **WHEREAS**, students, families, and educators have reported increased trauma,  
28 anxiety, and confusion in response to the presence or threat of immigration  
29 enforcement near schools is exacerbating the already precarious problem of  
30 absenteeism,<sup>5</sup> an equity issue of great concern that NHCSL took on in [Resolution](#)  
31 [2019-11, Addressing Chronic Absenteeism in Schools](#); and,

32 **WHEREAS**, school personnel<sup>6</sup> often serve as the first line of support for immigrant  
33 and refugee students and must be equipped with the guidance, protocols, and legal  
34 protections necessary to uphold student privacy and ensure a safe, stable learning  
35 environment; and,

36 **WHEREAS**, both the National Education Association (NEA) and the American  
37 Federation of Teachers (AFT), have issued guidance to their membership on the toll  
38 that immigration enforcement actions take on students and their families wellbeing;<sup>7</sup>  
39 and,

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<sup>2</sup> See for example, [Padres indocumentados en Los Ángeles evitan llevar a sus hijos a la escuela por temor a ser arrestados](#) (Univision, Jul 23, 2025).

<sup>3</sup> Available [here](#).

<sup>4</sup> See, [Fake ICE agents accused of evoking fear in LAUSD community](#) (Fox 11 Los Angeles, Feb 6, 2025). And see, Artemis Moshtaghian, Gloria Pazmino and Nick Valencia, [Multiple ICE impersonation arrests made during nationwide immigration crackdown](#) (CNN, Feb 5, 2025)

<sup>5</sup> See for example, Lexi Lonas Cochran, [Absent for ICE: Trump immigration enforcement hits school attendance](#) (The Hill, June 19, 2025)

<sup>6</sup> In this resolution, “personnel” means educators, teachers, administrators, superintendents, faculty, staff, professors, governing board, campus official, district contractors, service vendors, after- school providers, and any other education individual of authority.

<sup>7</sup> National Education Association, [Toolkit: Safe Zone School Districts](#) (updated May 24, 2023). AFT, [Standing United to Protect the Rights of Immigrant Students and Their Families: Toolkit](#).

40 **WHEREAS**, NEA and AFT strongly encourage educational institutions<sup>8</sup> to adopt a Safe  
41 Zones policy that outlines what school personnel and students should do if ICE or  
42 other law enforcement agency attempts to engage in immigration enforcement at  
43 schools.

44 **THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State  
45 Legislators urges all states to pass legislation to require educational institutions to  
46 adopt Safe Zone and Welcoming policies, if they have not already done so, that protect  
47 students' rights, ensure school personnel receive appropriate training, and prohibit  
48 any sharing of student information related to immigration status unless required by  
49 law and approved by legal counsel; and,

50 **BE IT FURTHER RESOLVED**, that NHCSL will advocate for the passage of the  
51 Protecting Sensitive Locations Act which would codify the sensitive locations into law  
52 prohibiting immigration enforcement actions in previously protected sensitive  
53 locations. Educational institutions should be places to learn, not grounds for  
54 deportation; and,

55 **BE IT FURTHER RESOLVED**, that NHCSL will advocate for state legislation that  
56 requires clear directives for educational institutions to adopt Safe Zone policies and  
57 protocols requirements, such as:

- 58 1. Safe Zone policies should clearly distinguish between public and private areas  
59 within educational institutions and communities to restrict ICE or law  
60 enforcement to public spaces and safeguard the privacy rights of students,  
61 personnel, and community members in nonpublic areas;
- 62 2. No third-party access, including by immigration or law enforcement, is allowed  
63 without site personnel approval. The governing body must deem such presence  
64 disruptive, and all requests must go to the designated contact for a legal review  
65 before any agent appears. Parents or guardians must be notified if students are  
66 involved;
- 67 3. Provide clear guidelines for handling all requests from immigration or other law  
68 enforcement agents as follows:
  - 69 3.1. Request agent identification, contact info, and written purpose; retain  
70 copies. Record student names named in the request and reasons cited;  
71 and notify parents/guardians. Do not share personal info or conjecture  
72 about the student without legal counsel.
  - 73 3.2. Require a judicial warrant and/or court order and photocopy it:
    - 74 3.2.1. **If a warrant is presented**, before granting access,  
75 personnel must verify it is a valid court-issued arrest  
76 or search warrant—not an ICE or DHS administrative  
77 warrant; Provide agents the educational institution's  
78 privacy policy and Board Resolution; Contact legal

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<sup>8</sup> In this resolution, “educational institutions” means schools, school districts, colleges, universities, campuses, or any educational facility.

counsel or designated personnel; and inform agents  
these steps are required first;

3.2.2. **If a judicial warrant and/or court order is NOT  
presented**, deny entry or information requested.  
Document the denial, note witnesses, request the  
reason for access, and contact legal or designated  
personnel;

3.3. Campus police are not required to comply with voluntary detainer or  
notification or transfer requests from federal immigration authorities;

4. Educational institutions should inform personnel, students, and parents or  
guardians, and train responsible parties, on the institution's policies and  
protocols related to immigration enforcement;

5. If ICE or law enforcement agents request student information, refer the  
request to the Superintendent's Office or governing board to ensure  
compliance with Family Educational Rights and Privacy Act (FERPA),  
student constitutional privacy rights, judicial warrant standards, and other  
disclosure limits. This review must occur promptly and before any  
information is released;

6. Prohibit educational institutions and personnel from disclosing or  
providing, in writing, verbally, or in any other manner, the education  
records of or any information about a student, student's family and  
household, or personnel to an immigration authority without a valid  
judicial warrant or court order directing the educational institution or its  
personnel to do so; and,

7. Any costs incurred by the educational institution for these potential state-  
mandated provisions shall be reimbursed to the educational institution by  
the state; and,

**BE IT FURTHER RESOLVED**, that NHCSL calls on states to pass legislation for  
educational institutions to review their record-keeping policies and practices and  
prohibit, to the extent possible, the collection of any data with respect to students' or  
personnel's immigration status or place of birth, if they have not already done so; and  
cease any such collection as it is irrelevant to the educational enterprise and  
potentially discriminatory; and,

**BE IT FURTHER RESOLVED**, that educational institutions are encouraged to create  
a response team/task force to create and update policy and protocol, and to address  
consequences of immigration enforcement for personnel or students, including  
referral to legal representation, impact on academic standing or employment, etc.  
Educational institutions should also coordinate with trusted community-based legal  
and immigrant rights organizations to establish Rapid Response Teams that support  
students and families affected by detention, deportation, or family separation; and,

**BE IT FURTHER RESOLVED**, that all relevant personnel be required to comply with  
these protocols and that the policies be communicated, posted, and translated into all  
languages spoken by the student body; and,

122 **BE IT FINALLY RESOLVED**, that NHCSL affirms its unwavering commitment to  
123 protecting immigrant youth, ensuring educational equity, and defending the legal and  
124 human rights of all students regardless of their immigration status.

125 IN ITS MEETING OF JULY 25, 2025, THE NHCSL EDUCATION TASK FORCE  
126 UNANIMOUSLY RECOMMENDED THIS RESOLUTION TO THE EXECUTIVE  
127 COMMITTEE FOR APPROVAL.

128 THE NHCSL EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS RESOLUTION  
129 ON AUGUST 5, 2025, AT ITS MEETING IN BOSTON, MA.

130 THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY  
131 AMENDED AND RATIFIED THIS RESOLUTION AT ITS ANNUAL MEETING OF  
132 NOVEMBER 22, 2025, IN OKLAHOMA CITY, OKLAHOMA.

