

Federal & State laws Protect Ohio Students regardless of immigration status.



All school-aged children in Ohio have a constitutional right to attend free public schools, regardless of their immigration status.¹ This right remains unaffected by the President's recent Executive Orders.

Ohio law mandates that all school districts implement policies that prohibit bullying, harassment, or intimidation. Any threats or suggestions that immigrant children and their families are unwelcome may violate these policies.

Additionally, Title VI of the Civil Rights Act of 1964 reinforces these protections for all programs receiving federal funding, including schools, daycares, and other community centers.

5 Steps Schools Should Take to Prepare for Interactions with ICE:

1. Have a Plan

- Have a written plan or protocols in place and train ALL staff on how to implement it.
- Plans should include one or two designated staff to intercept ICE agents upon arrival at a school or building, and a protocol to call a parent or guardian before any interrogation of any student.

2. Limit Access

- Keep schools and buildings closed to the public and only allow individuals who can show official credentials to enter. Escort the ICE officer to a private area or office away from kids.
- Have clearly designated non-public areas where only students and staff are allowed.

3. Ask for a Warrant

- ICE requires the school's consent to enter nonpublic areas, and schools are free to refuse to allow them access unless presented with a judicial warrant signed by a court judge. (A document signed by a supervisor, immigration judge, or other government official is NOT enough.)
- Have a lawyer review the warrant prior to allowing ICE entry to your building. Make them wait outside or in the designated area until it has been reviewed.

4. Protect Student Records

- FERPA requires that schools keep student records confidential absent consent from a parent or guardian. A warrant is required for ICE to access records absent consent.
- No school staff, including SROs, should be allowed to share records with ICE without the request being reviewed by an attorney.
- Limit requests for information on school forms, such as place of birth, immigration status, or social security numbers.²

5. Make Schools Welcoming for All Students

- Make Know Your Rights information easily accessible, and place in public areas.
- Display positive and welcoming messages about diversity and inclusion. (This is legal!)

Contact Advocates for Basic Legal Equality, Inc. (ABLE) for more resources or legal assistance.



800-837-0814



immigration.ablelaw.org/know-your-rights

For more details, also see ACLU Ohio's Memo on Legal Rights of Immigrant Students in Ohio Schools: acluohio.org/sites/default/files/lettertoschoolofficials_immigrantsrights.pdf

1. Plyler v. Doe, 457 U.S. 202 (1982).

2. United States law requires that schools accept alternate documentation to show residency if families do not possess birth certificates or other residency documents.



Know Your Rights