



Ohio TESOL Position Statement and Guidance on Immigration Enforcement Activities In and Near Schools

POSITION STATEMENT

At Ohio TESOL, we recognize that educators and students may encounter challenging and evolving circumstances that can affect safety and well-being. We encourage our members to remain informed about the available safeguards, resources, and appropriate actions, and to approach difficult situations with preparedness, care, and professional responsibility.

RESOURCE

We believe that the safety and well-being of students is a top priority for every educator. According to [Advancing Ohio's English Learners](#), "Administrators and teachers are encouraged to create safe and supportive environments and focus on visibly demonstrating that schools embrace and celebrate all students." Does your school district have a plan in case immigration officers arrive at your school? The following advice from the **National Education Association (NEA)** can guide school and district leadership to create their specific plan:

Immigration & Schools 101

If your school district has not yet adopted a Safe Zones resolution or other policy for all school staff to follow if immigration officers show up at school, the following information describes what educators should do.

- If immigration officers attempt to enter a school's campus, educators should direct ICE/CBP agents to the school district Superintendent. The Superintendent should request to see written legal authorization and verify the identity of the agents. It is important for the Superintendent to review, with legal counsel, what the immigration officer provides as such legal authorization. There is a distinction between an ICE administrative warrant and a federal court warrant. School districts may respond differently depending on the type of warrant.



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- An **ICE administrative “warrant”** is the most typical used by immigration officers. It authorizes an immigration officer to arrest a person suspected of violating immigration laws. It is not a warrant within the meaning of the Fourth Amendment of the U.S. Constitution because an ICE warrant is not supported by a showing of probable cause of a criminal offense and is not issued by a court judge or magistrate.
 - An ICE warrant does **not** grant an immigration officer any special power to compel school officials to cooperate and is not a “court order” that would, under FERPA, allow a school to disclose educational records without parent or guardian consent.
- A **federal or state court warrant** is issued by a federal or state court judge. A school official should act in accordance with district policy when presented with a federal or state court warrant.
- An **administrative subpoena** is a document that requests production of documents or other evidence and is issued by an immigration officer. School districts do not need to immediately comply with the ICE administrative subpoena. If an immigration officer arrives with an administrative subpoena, the school district may decline to produce the information sought and may choose to challenge the administrative subpoena before a judge.

For more information including the full text of this resource, please visit this resource:

National Education Association, Office of General Counsel (2025). *Immigration & Schools 101*.

<https://www.nea.org/sites/default/files/2025-01/immigration-schools-101-web.pdf>

Sample Safe Zone Resolution and Model Policy

If your school district has not adopted a definition of a Safe Zone, the National Education Association (NEA) has developed a sample resolution and district policy that can be used as a template or guidance for local school districts to create their own Safe



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Zones resolutions. The language is closely tied to the Supreme Court case Plyler v. Doe which is the foundational precedent that ensures access to K-12 education for all children regardless of immigration status. The model resolution contains reassurances for students, procedures for law enforcement, and information and support for families and staff.

Access the sample policies at the link below:

- National Education Association, Office of General Counsel (2025). *Sample Safe Zone Resolution and Model Policy*.
<https://www.nea.org/sites/default/files/2025-01/sample-safe-zone-resolution-and-model-policy-web.pdf>

Know Your Rights

How should you respond if you are approached by authorities in a public place/on the street, or you are pulled over in your car? Read the article below to know your rights.

National Education Association, Office of General Counsel (2025). *Know Your Rights*.
<https://www.nea.org/sites/default/files/2025-01/know-your-rights-web.pdf>