

Model Policy Language Addressing Plyler Obligations and School-Based Law Enforcement

Preamble Language:

1. Recognizing that all students have the right to a public education regardless of immigration status, as established in *Plyler v. Doe*, 457 U.S. 202 (1982);
2. Recognizing that contact with the juvenile justice system can have life-long negative implications for young people, including diminished educational outcomes and potential immigration consequences;
3. Recognizing that law enforcement involvement in circumstances that can be safely handled by school employees undermines the relationship of trust between students and law enforcement;

Policy Provisions:

1. No officer or employee of the [law enforcement agency name] shall question students or family members on or near district property, or at education-related activities and events, including students and family members traveling to and from school or at school bus stops that are marked or known to the officer or employee, or during the course of their duties under this Agreement about their immigration status, or the status of their relatives, for any reason whatsoever. Students and family members shall not be removed from district property for the purpose of making inquiries that would otherwise violate this agreement.
2. No officer or employee of the [law enforcement agency name] will participate in school discipline in any form. Officers will not file a [criminal complaint, file a juvenile petition, or issue a citation (adjust according to state legal terminology)] against a student on school property or involved in education-related activities for any misdemeanor or status offense.
3. Absent probable cause to believe that a student has committed or is committing a crime, subject to Paragraph 2, no officer or employee of the [law enforcement agency name] will record information observed or obtained regarding students while attending school or involved in education-related activities for purposes of identifying students as suspected gang members or associates or including students in any law enforcement intelligence database. No officer or employee will seek to question, photograph, or search any student for purposes of identifying suspected gang members or associates.