

Protocols for Non-Local Law Enforcement Actions and Inquiries



The DOE and the Mayor’s Office are committed to protecting the right of every student to attend public school, regardless of immigration status, national origin, or religion. The DOE does not permit non-local law enforcement agents, including Immigration and Customs Enforcement personnel, to enter schools—except when absolutely required by law. Non-local law enforcement can be defined as any law enforcement agency that is not a New York City agency. Consistent with the rule of law, DOE must honor valid judicial warrants, court orders, and subpoenas. Because it is difficult for an untrained person to determine the validity of such documents, it is vitally important for school officials to show a copy of any warrant, court order, or subpoena to the Senior Field Counsel (SFC) before taking any action in response to non-local law-enforcement officials, including ICE personnel. Below is a summary of the protocol if such personnel request access to NYC DOE school facilities, students, or student records. For the full protocol, [see here](#).

DOE does not consent to non-local law enforcement accessing school facilities, and school principals and other school personnel may not permit access without legal approval.

General Process for Non-Principals:

1. The school safety agent should immediately alert the school principal or school principal’s designee and ask the officer to wait at the school safety agent desk.
2. Do not provide any information about an individual student, family member, or DOE employee, under any circumstances. Remain calm and limit communication to connecting the officer with the school principal at the school safety agent desk.

Protocols for Non-Local Law Enforcement Actions and Inquiries (Continued)

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General Process for Principals:

1. Meet the officer at the school safety agent desk.
2. Do not provide any information about an individual student, family member, or DOE employee under any circumstances.
3. At the school safety agent desk, request:
 - the name and badge/ID number of the officer
 - the phone number of the officer's supervisor
 - the purpose of the visit
4. Obtain any documentation from the officer, such as a subpoena, search warrant, or arrest warrant.
5. Advise the officer that prior to responding to the officer's request, you must notify and obtain guidance from counsel, and that the officer must wait outside the school building during that process.
6. Contact your Senior Field Counsel (SFC) and provide him or her with the details and documentation obtained from the officer. Do not take action until you obtain instructions from the SFC.
7. Contact the parent or guardian after consulting with the SFC as further described below).
8. If the SFC advises you against providing access or information to the officer:
 - Inform the officer that you have been told that you cannot comply with the request and ask him or her to leave the school area;
 - After the officer has left, notify the student's parent and the superintendent.
 - If the officer fails to comply with your instructions, do not physically attempt to interfere with any enforcement action. Notify the SFC, and have the school safety agent ask the NYPD Precinct or School Safety Division to send assistance.
9. If the SFC advises you to comply with the officer's request, consult with the SFC about when to contact the student's parent or guardian regarding the request.
10. Complete an OORS report, unless the request is only for information through a subpoena/court order.
11. For a subpoena or court order for information and/or records, inform the officer that the subpoena/court order has been forwarded to the appropriate DOE offices for review.