



Supporting immigrant students and families Training for Educators



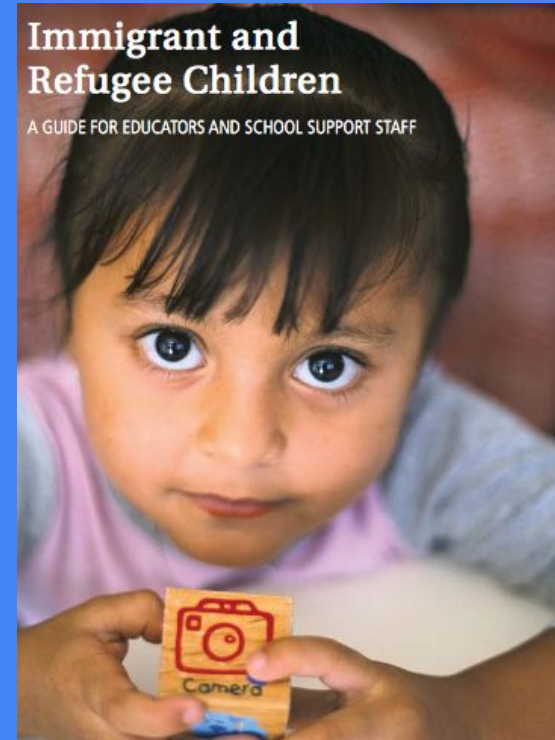
Montserrat Garibay
National Board Certified Teacher
Vice President for Certified Employees
Education Austin

Overview

1. What you need to know about the rights of immigrants and the threat of deportation
2. Things you can do to help protect undocumented students and their families
 1. Steps to help prepare families for an immigration raid
 2. Before a raid
 3. After a raid
 4. Resources

There are 4.1 million U.S.-born children with at least one parent or family member who is undocumented.

Guide for Educators and School Support Staff



Undocumented students

- Also known as DREAMERS
- Often don't know that they are undocumented until they begin the college application process.
- An undocumented student is an aspiring citizen who came to the U.S. without legal documentation or who has overstayed his or her visa.
- Don't qualify for federal grants or loans.
- Are racially and ethnically diverse, from all over the world and are part of the 11.5 million undocumented immigrants in the U.S.



Unaccompanied children

- Children who has no lawful immigration status in the U.S.
- Is under the age of 18
- Has no parent or legal guardian in the U.S.
- Has no parent or legal guardian in the U.S. available to provide in care and physical custody
- Since 2014, more than 100,000 children have sought refuge in the U.S., primarily from Central America.



Refugee children

A person who is unable or unwilling to return to the home country because of a “well-founded fear of persecution” due to race, membership in a particular social group, political opinion, religion, or national origin.



All children have a right to a public education

Plyler vs. Doe: A Landmark Supreme Court Case

- Under federal law, ALL children, regardless of their citizenship or residency status, are entitled to a K-12 education, including college services.
- Schools districts that either prohibit or discourage children from enrolling in schools because they or their parents are undocumented immigrants may be in violation of federal law.



ICE officers and agents are to refrain from enforcement actions at least at the following locations and events:

- Schools, colleges, universities and other learning institutions of learning.
- Hospitals
- Churches, synagogues, mosques and other institutions of worship
- Funerals, weddings, and other public religious ceremonies
- Public demonstrations, such as march, rally or parade

DHS Sensitive Locations Memo

2011 DHS Sensitive Locations Memo

What are sensitive locations?

Immigration enforcement actions generally are not to occur at sensitive locations, such as:



Hospitals

Hospitals



Schools

Schools (all levels from preschool through college, also vocational and trade schools)



Places of Worship

Places of worship or buildings rented for religious services



Funerals

Public religious ceremonies, such as funerals



Weddings

Public religious ceremonies, such as weddings



Demonstrations

During a march, rally, parade or other public demonstration

Special exceptions for sensitive locations

Actions may occur at these locations in special circumstances including:

- someone who poses an imminent threat, such as a national security risk
- immediate pursuit of a felon or person who poses danger to the public
- risk of destruction of property

ICE Officers' Conduct in Exceptional Circumstances

If actions may occur at these locations in special circumstances, ICE officers follow these guidelines:

- Officers must have obtained high-level ICE approval
- Officers must make substantial efforts to avoid alarming the community
- Officers must be discrete and limit their time at the sensitive location

Information about sharing student information with immigration authorities

- Under the Family Educational Rights and Privacy Act (FERPA), schools are prohibited, without parental consent, from providing information from a student's file to federal immigration agents if the information would potentially expose a student's immigrant status.
- For more on [FERPA](#)



Schools must be...

- Safe havens
- Welcoming places of learning
- Free from racism, discrimination and threat from deportation
- Schools are responsible for ensuring the safety and well-being of all their students.
- Educators and school support staff can work with community allies to reaffirm that their school and campus is a **safe zone**.



ICE Agents

Immigration and Customs
Enforcement

Enforces federal laws

Governs border
control, customs, trade
and immigration

Focuses on Enforcement
and Removal Operations
and Homeland Security



Austin Police Officers (APD)



Law enforcement agency in Austin

Searching, pursuing and detaining suspects

Making arrests

Enforcing traffic and parking laws

Working with other police department units as well as other local, state and federal entities

Conducting preliminary investigations at crime scenes

Responding to calls for service from the community

Border Patrol Agents

Federal law enforcement agency:

Detect and prevent undocumented immigrants, terrorist and terrorist weapons from entering the U.S.

Prevent illegal trafficking of people and contraband



1

Inform
students and
their families of
their rights

Know Your Rights!

**LEARN HOW TO PROTECT YOU AND YOUR FAMILY
DURING IMMIGRATION RAIDS**



2

Stress the importance of taking proactive steps to ensure the safety and well-being of children and entire communities



3

Distribute “know your rights” materials to students and families about what to do if a raid occurs or an individual is detained

**EN CASO DE REDADAS
¿QUÉ PUEDES HACER?**

 **NO ABRAS LA PUERTA**
La migra solo puede entrar a tu casa con una orden de arresto emitida por un juez de la corte criminal, o si tu le abres la puerta. ¡No abras la puerta!

 **GUARDA SILENCIO**
Tienes el derecho a permanecer callado/a. Si te confrontan agentes de inmigración, di:
*“Uso mi derecho bajo la quinta enmienda, y tengo el derecho a mantenerme callado/a”

 **NO FIRMES**
No firmes nada que te den los agentes de inmigración.

 **¡REPORTA Y GRABA!**
Reporta inmediatamente al 1-844-363-1423.
Toma fotos y videos, a menos que estes en suelo federal. Toma notas del número de placa, el número de los agentes, la hora, el tipo de carro, y exáctamente que sucedió.

 **¡HAZ UN PLAN Y PELEA!**
Si inmigración detiene a un ser querido, busca un abogado de confianza, y haz planes para que alguien cuide a tus hijos. Tu puedes pelear un caso de detención y tal vez recibir una fianza. Únete a un equipo local para defenderte de la migra.

unitedwedream.org/end 

ATTN: IMMIGRANTS & REFUGEES FROM IRAQ, SYRIA, IRAN, LIBYA, SOMALIA, SUDAN, YEMEN

If you are denied entry or detained by Customs and Border Protection (CBP) at an airport or other entry point, please remember:

YOU HAVE RIGHTS

GREEN CARD HOLDERS:

Resist any demands to give up your green card. Do NOT sign Form I-407, even if they say it will make things easier.

DEMAND A HEARING FROM A JUDGE:

You have the right to a hearing with an immigration judge. Do NOT relinquish this right.

DEMAND TO SPEAK TO AN ATTORNEY:

You have the right to be represented by an attorney. Ask to speak to an attorney, and discuss details of your case with only your attorney, not CBP.



4

Find out if there is
a local immigration
raid rapid response
team in your
community

Si ve a la migra en el area de
Austin, o si algún familiar está
detenido, llame al:

512-270-1515

¡Corran la voz!

Sus reportes son anónimos.
Miembros de la comunidad les pueden apoyar.

**¡REPORTA A LA MIGRA
EN TU CIUDAD!**
REDADAS Y RETENES



LLAMA AL 1-844-363-1423
O
**ENVÍA UN MENSAJE DE TEXTO
WATCHICE AL 877877**



5

Partner with a pro bono attorney, legal aid organizations or immigrant rights organization to provide “know your rights workshop

KNOW YOUR RIGHTS

FREE IMMIGRATION CLINICS & CONSULTATIONS

SATURDAY

FEBRUARY 25

11 AM - 2 PM

AKINS HIGH SCHOOL

10701 S 1st St
Austin, TX 78748

More information: [f/TexasHTS](#) TexasHereToStay@gmail.com



CONOZCA SUS DERECHOS

TALLER Y CONSULTAS DE INMIGRACION GRATIS

SABADO

FEBRERO 25

11 AM - 2 PM

AKINS HIGH SCHOOL

10701 S 1st St
Austin, TX 78748

MÁS INFORMACIÓN: [f/TexasHTS](#) TexasHereToStay@gmail.com



Request a Know Your Rights Training in Austin

6

Provide a safe place for students to wait if a parent or sibling has been detained



7

Provide counseling
for students who
have had a family
member detained
by ICE



8

Maintain a list of resources, such as names of social workers, pro-bono lawyers and local immigration advocates

TEXAS
HERE
TO
STAY

NON PROFIT IMMIGRATION LEGAL SERVICE PROVIDERS

Organizaciones de Asistencia Legal

TEXAS
NO
NOS
VAMOS

AUSTIN

Catholic Charities of Central Texas

Type of work: Do not take cases in detention or in removal proceedings
Immigration Legal Services
1625 Rutherford Lane
Austin, TX 78754
(512) 651-6100

Equal Justice Center

Type of work: DACA ONLY; also handles employment rights cases
510 S. Congress Ave., Ste. 206
Austin, TX 78704
(512) 474-0007

Texas RioGrande Legal Aid (TRLA)

Type of work: Various case types accepted; will represent clients in detention & removal proceedings
4920 N. I-35
Austin, TX 78751
512-374-2700 – Local
(888) 988-9996 – Statewide

Refugee Services of Texas

500 East St. John Ave
Suite 1.280
Austin, TX 78752
(512) 472-9472

Casa Marienella

Type of work: Asylum support (lodging, EADs); limited full service
821 Gunter Street
Austin TX 78702
T: 512-385-5571
Walk in consultations: Thursdays 1-5

American Gateways

Type of work: All immigration
HANDLING DACA CASES
One Highland Center
314 Highland Mall Blvd., Ste. 501
Austin, Texas 78752
(512) 478-0546

Bernardo Kohler Center

Type of work: Mostly immigrant youth
(Special immigrant juvenile, T and U visas)
P.O. Box 42185
Austin, TX 78704
(512) 831-4272

Texas Civil Rights Project

Type of work: Take a small number of mostly U-Visas, VAWA
(512) 474-5073

RAICES

Type of work: Family based, asylum, SIJ, DACA, Naturalization, U Visa, VAWA
611 Neches Street
Austin, TX 78701
512-994-2199
Walk-in consultations: Tuesdays starting at 9 (first come, first served)

Justice for Our Neighbors

Type of work: family immigration, naturalization, U visa/VAWA, and SIJ
2105 Parker Lane
Austin, TX 78741
(512) 270-9883
clinic@jfonAustin.org

AUSTIN

Revised 12/8/2016

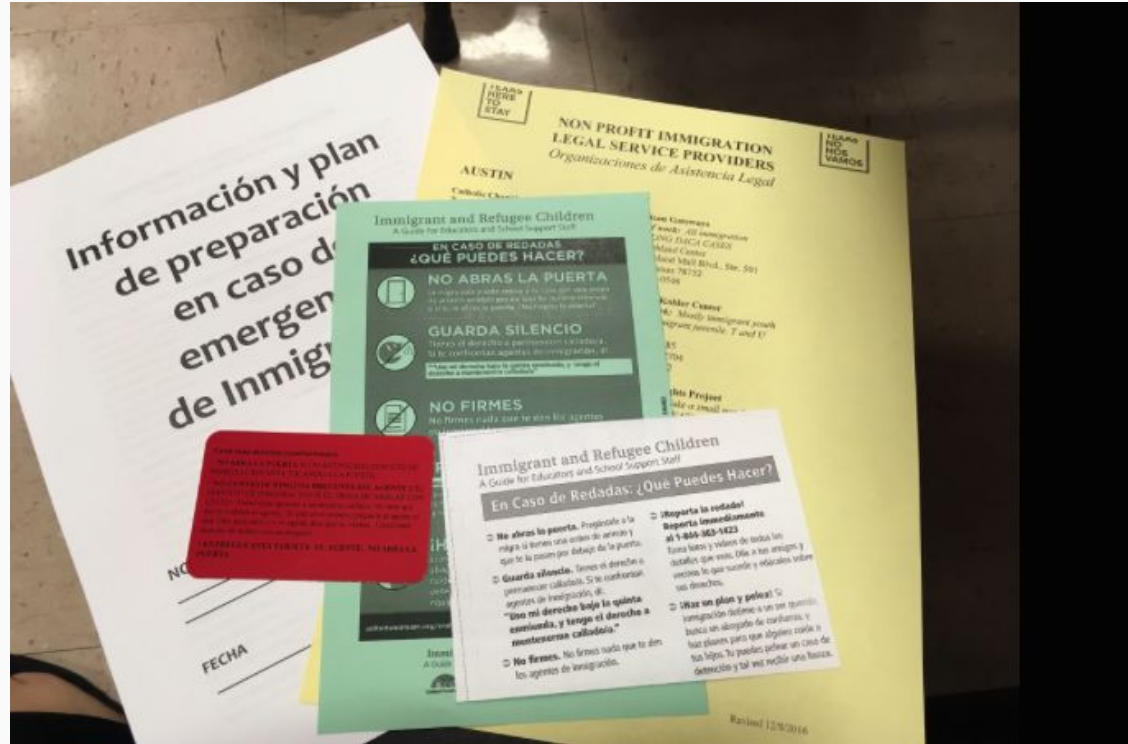
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Identify someone
at your school who
can serve as the
immigration
resources
advocate



10

Work with parents to develop a family immigration raid emergency plan



11

Make your school
an ICE-free safe
zone by pushing
for sanctuary
policies



12

Work with your school board to pass a resolution affirming schools as safe havens and welcoming places

Sample resolution:

<http://tsta.org/SafeZone>



The time to act is now! Every day, more students go to school fearing immigration raids that could divide families and halt their academic careers. Other students are subjected to taunts and bullying that violates their opportunity to learn. The Supreme Court has ruled that public schools must educate every child, without regard to their status. Join TSTA's campaign to urge local school boards to make every school a "Safe Zone for Learning," where every student can learn and achieve without fear. Click on the links below for more information about our Safe Zone campaign, a Safe Zone flyer and a sample school board resolution. All materials are available in English and Spanish.

[Safe Zone Fact Sheet \(English\) \(Spanish\)](#)

[Safe Zone Sample Resolution \(English\) \(Spanish\)](#)

[Safe Zone Frequently Asked Questions \(English\) \(Spanish\)](#)

[Safe Zone Flyer \(English\) \(Spanish\)](#)

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Issue statements
condemning raids
and calling for the
immediate release
of students



[Video by NEA Educators in Support of Wildin](#)

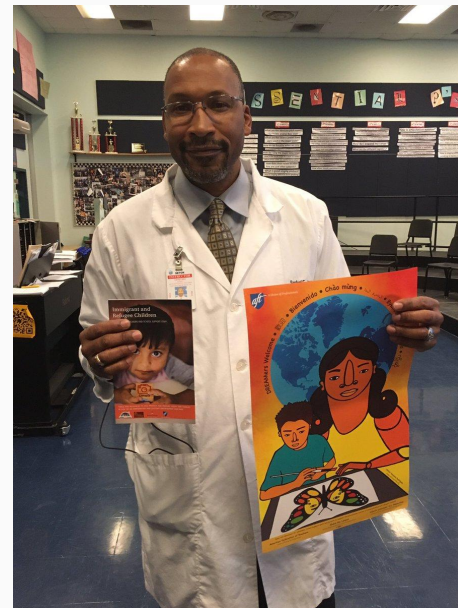
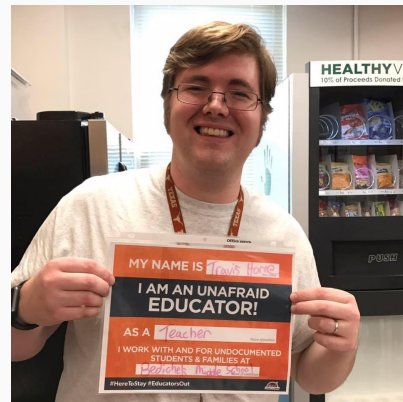
[NEA-Wildin Acosta](#)

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Participate in National
Educators Coming
Out Day.

Held annually January 9

[United We Dream-EducatorsOut](#)



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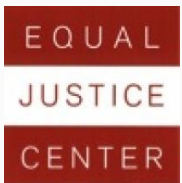
Participate in
National Institutions
Coming Out Day

Held annually on
April 7

National Institution Coming Out
Day



Help families and
students create a
family immigration
emergency plan



I. Identify a legal aid organization

- Legal advocate or pro bono attorney
- Write down the organization's or person's contact information





II. Identify at least two willing caregivers

- Write down their complete contact information
- Ask children to memorize their information
- Share the names with the teachers or administrators



III. Collect important documents for children

- Passports
- Birth certificates
- Social security cards
- School and medical records



IV. Save money for legal fees/bonds

Write down your information regarding

- Financial records
- Bank Statements
- Savings accounts
- Credit cards





**AUTHORIZATION AGREEMENT
FOR NONPARENT RELATIVE OR
VOLUNTARY CAREGIVER**

August 2011
Page 1 of 4

This authorization agreement is made in conformance with Chapter 34 of the Texas Family Code concerning the following Child:

Child's Full Name:

Date of Birth:

Parent completing this form:

Full Name:

Physical Address:

Telephone Number:

Other contact information:

Child's other parent:

Full Name:

Physical Address:

Telephone Number:

Other contact information:

Parent voluntarily authorizes the following relative or Parental Child Safety Placement voluntary caregiver to make certain decisions regarding the child, as listed on the next page of this authorization agreement.

Name:

Relationship to Child (check one):

Child's Grandparent ☐ Child's Adult Sibling ☐ Child's Aunt or Uncle ☐

Parental Child Safety Placement Voluntary Caregiver in accordance with Child Protective Services ☐

Physical Address:

Telephone Number:

IV. Consider establishing a power of attorney for a designated caregiver

- Authorizing that adult to care for your children under the age of 18
- Must be notarized

Power of Attorney Form



V. Don't carry any false documents

Don't lie. Tell the law enforcement agents you want to remain silent.

Don't sign any document that you don't understand

Don't discuss your citizenship or immigration status with anyone other than your lawyer

VI. Have your documents ready and organized

- Passports
- ID's
- Attorney contact information
- Financial records
- Letters from immigration
- Alien registration number

Documents must be organized in a folder or binder for easy access in a place where the children, housemates or trusted relatives will be able to access it in an emergency





VII. Don't drink and drive

- Be cautious when driving
- Make sure to have inspection and registration is up-to-date
- Make sure all lights in your car work
- Don't hang any objects from your rearview mirror. It may provide a pretext for police to pull you over.



VIII. If stop by the police officer

- Be CALM!
- Stop the car in a safe place as quickly as possible
- Turn off the car
- Turn on the internal light
- Open the window part way
- Place hands on the wheel

Deferred Action for Childhood Arrivals (DACA)

- Signed June 15, 2012 by President Obama
- Executive action
- Protects from deportation for two years
- Provides with a work permit
- Subject to renewal
- In most states students can apply for driver's license



DACA requirements for applicants

- Were under the age of 31 as of June 15, 2012
- Came to the U.S. before the age of 16
- Have lived in the U.S. continuously since June 15, 2012
- Entered without inspection before June 15, 2012
- Were physically present in the U.S. on June 15, 2012
- Are currently attending school, have a high school degree or GED
- Have not been convicted of certain crimes
- Pay application fee



DACA under the TRUMP presidency

- The president declared his intention to “cancel every unconstitutional action, memorandum and order issued by President Obama”. We are not sure what is going to happen in the future.
- If DACA is terminated, the effects on current DACA recipients will depend on the announcement by the president and how it will be implemented.

Recommendations

- If someone has never applied for DACA, it is not recommended that they submit a new application unless they are in deportation proceedings.
- Applicant must contact an immigration lawyer.

5 Important Things You Need To Know About DACA During a Trump Presidency

There is no doubt that we're in a difficult moment. Below is our best thinking on how to move forward if you have DACA.

1. DACA still stands.



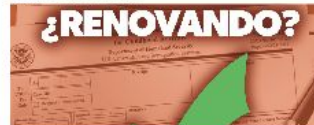
Deferred Action for Childhood Arrivals is a program under President Obama's administration and it will remain until the end of his administration, January 20, 2017. #RealTalk, Trump has said he will end all of Obama's executive actions, including DACA, and we won't know for sure what he will do until he comes into office. For now, DACA still stands.

2. First time applying for DACA? Hold off.



If you are applying for DACA for the first time, we recommend that you hold off. The reality is that we have 70 days until the end of the Obama administration, that is not enough time to process new applications.

3. Applying for a DACA renewal? Move forward.



If you're DACA is up for renewal we encourage you to apply for renewal.

4. Got Advance Parole? Go travel, BUT come back.



If you have an approved advanced parole take advantage of it! BUT you MUST return before January 20th, 2017. We recommend that YOU contact advocacy@unitedwedream.org if you have any problems coming back in. If you're planning on applying for advance parole, we recommend that you hold off!

5. You are not alone. We've got your back.



Immigrant young people like you made DACA happen when everyone thought it was impossible. The reason we succeeded is because we dared to dream together and we had each other. In this moment of uncertainty one thing is certain, we are not alone. Join us in our #HereToStay campaign to fight to protect DACA!

Text HereToStay to 877877.

Disclaimer: This resource does not constitute legal advice and does not establish an attorney-client relationship. www.UnitedWeDream.org



If family is arrested by ICE

Memorize the phone number of a person that can call a lawyer

Immediately inform officer

- If there are children or elderly family members
- If you have a medical condition
- If you need to coordinate care of children

Do not sign any documents given to you by immigration agents

Report the raid or arrest immediately

Find an attorney and connect with local advocates to investigate

Si ve a la migra en el area de Austin, o si algún familiar está detenido, llame al:

512-270-1515

¡Corran la voz!

Sus reportes son anónimos.
Miembros de la comunidad les pueden apoyar.

What is notario fraud?

- In some countries a “notary public” refers to an individual with training and authorization equivalent to a law license
- In the U.S. a notary public is authorized only to witness the signature of forms
- Only lawyers and BIA-accredited representatives (who work for certain non-profit agencies) can give legal advice
- Immigrant should never pay a “notario”, travel agent, tax preparer to advise them on immigration matters or to help fill out immigration forms

Before a raid, families should:

- Identify a local nonprofit organization that can help you
- Identify an attorney
- Obtain a “know your rights” card
- Advise family members who do not want to be questioned by ICE to stay away
- Start saving money
- Create a family immigration raid emergency plan



Tips and Strategies to Avoid Fraud

1. Get a recommendation
2. Check for credentials
3. Check for past disciplinary actions
4. Identify areas of expertise
5. Stay informed
6. Get a written contract
7. Keep copies

After a raid

Finding someone who has been detained by ICE:

- Use ICE's online detainee locator to find an adult who in immigration custody.
 - You can search by using the person's Alien Registration Number and country of origin or biographical information <https://www.ice.gov/contact/ero>
 - Call Executive Office for Immigration Review's hotline at 240-314-1500 or 800-898-7180

Mexican Consulate

Mexican Consulate Website

- **410 Baylor St, Austin, Texas 78703**
- Call free to
1-855-463-6395
- Emergency
512-922-7906

CÓMO ACTUAR EN CASO DE DETENCIÓN MIGRATORIA

1. Elabora un plan de emergencia:

Cuida de tu familia especialmente de las y los menores, si nacieron en EUA, acude a tu Consulado más cercano para registrarlos como mexicanos.

2. Investiga qué documentos debes llevar siempre a la mano y mantén una copia de toda tu documentación en un lugar seguro.

Para mayor información acércate a tu Consulado de México mas cercano o llama al CIAM.

Recuerda que una orden administrativa del ICE (forma I-200, I-205) no les da autorización para entrar a tu casa sin autorización.

6. Si las autoridades te detienen:

- Guarda silencio.
- No reveles tu situación migratoria.
- Pide hablar con tu Consulado de México más cercano.
- Comunícate con tu abogado.
- No firmes nada.
- Averigua quién te arrestó.
- Solicita un intérprete y derecho a fianza.
- No mientas.
- No entregues documentos falsos.

5. Si las autoridades entran a tu casa sin una orden de arresto y/o registro:

-De manera muy cortés, pide nombres y números de placas y diles que "no das tu consentimiento" para realizar el registro.

3. Si requieres orientación migratoria, acércate a tu Consulado, te brindarán información sobre abogados confiables de migración.

4. Conoce tus derechos en tu casa, lugar de trabajo o en la calle.

Si las autoridades llegan a tu casa:

- No abras la puerta.
- Mantén la calma.
- No huyas.
- No reveles tu situación migratoria.
- Pregunta para qué están ahí y solicita un intérprete en caso de necesitarlo.
- Pide la orden judicial de arresto y/o registro, si la tienen pide que la muestren por la ventana y revisa que tenga tu nombre, dirección y la firma del juez.
- Si no tienen una orden judicial puedes negarte a dejarlos entrar.



SRE
SECRETARÍA DE
RELACIONES EXTERIORES



CIAM
Centro de Información y
Asesoría Migratoria

Para más información llama sin costo al
1 855 4636 395

RESOURCES

National Education Association (NEA)

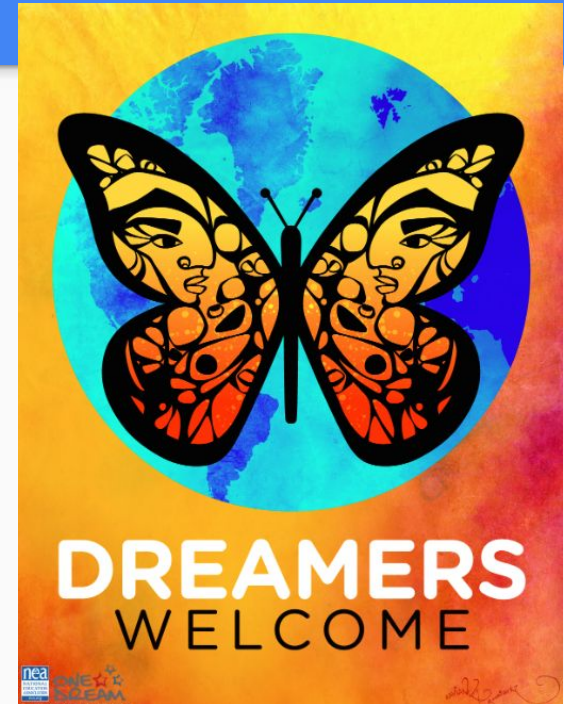
[NEA website](#)

[Download Welcome Dreamer Poster](#)

School Bullying and Harassment

[MALDEF/NEA Hostigamiento en la escuela](#)

[MALDEF/NEA Bullying in Schools](#)



United We Dream

[United We Dream](#)

[Educators K-12 Toolkit](#)

[Here to Stay Posters](#)



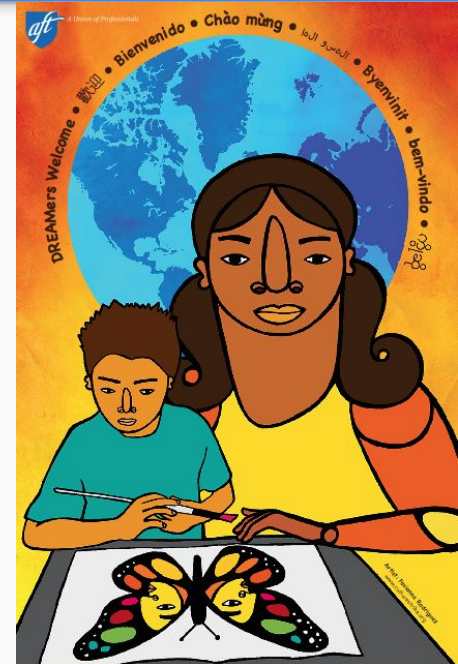
American Federation of Teachers (AFT)

[AFT-Immigration/ Know Your Rights](#)

[Immigrant and Refugee Children-Guide for Educators](#)

[DACA -Guide for Educators and School Support Staff](#)

[Download Dreamer poster in different languages](#)



Mexican American Legal Defense Fund (MALDEF)

Immigrants Rights Under a Trump Administration

[Immigrant Rights Under Trump Presidency](#)

[Derechos de Inmigrantes Bajo la Presidencia de Trump](#)

Immigration Thematic Units

[Immigration Lesson Plans and Resources](#)

[Pancho Rabbit and the Coyote-Lesson Plans](#)

[Educator helps Students share their immigration stories](#)

[Enrique's Journey by Sonia Nazario- Lesson Plans](#)

[Which Way Home Film](#)



Books about Immigration

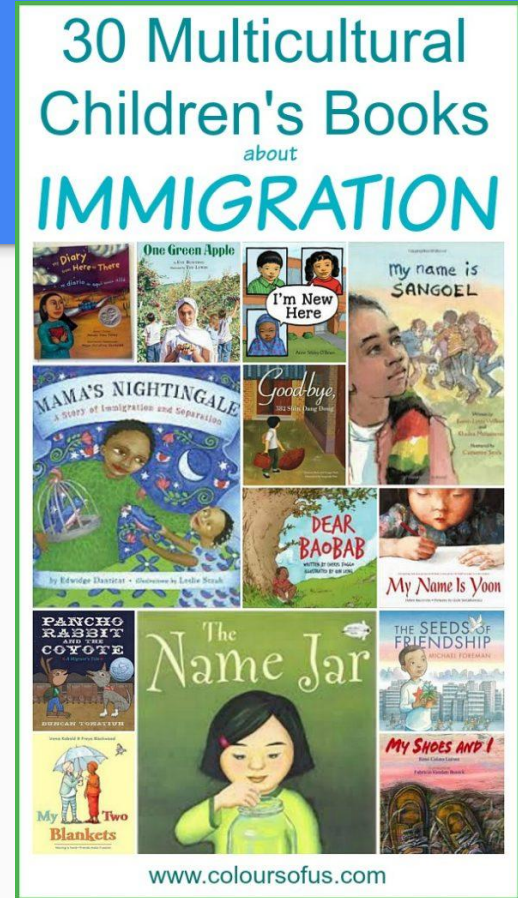
30 Multicultural Picture Books about Immigration

Books about immigrant experience

Muslim Kids as Heroes

Books to teach students about activism

First Book



Other Resources

[Colorin Colorado](#)

[KLRU/PBS Educational Services about how to talk about immigration issues with young children](#)

[Teaching Tolerance](#)

[Resource Guide:Supporting Undocumented Youth](#)

[Office of Refugee Resettlement directory of pro bono legal service providers](#)



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Thank you NEA and AFT for supporting our social justice work.



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Education Austin