Linn Benton Lincoln Education Service District

Code: **KNA**
Adopted: 9/01/26
Readopted: 10/20/26

Immigration Enforcement on ESD Property

House Bill 4079 (2026) requires ESDs to "adopt a policy for providing notice when a federal immigration authority is confirmed to have entered ESD property for immigration enforcement." This policy must be "consistent with applicable model policies published by the Attorney General as provided by ORS 180.810."

The ESD complies with state and federal law, including Oregon Revised Statute (ORS) 180.805 and ORS 181.826, and this policy and accompanying administrative regulations KNA-AR(1) – Interactions with Immigration Enforcement and KNA-AR(2) – Federal Immigration Enforcement Request Log when responding to requests from federal immigration authorities regarding immigration enforcement. Absent a judicially authorized warrant, subpoena or court order, ESD staff must not allow federal immigration authorities access to the ESD's records or facilities not open to the public for the purposes of immigration enforcement and must verify the validity of any warrant, subpoena or court order involving immigration enforcement presented to them by federal immigration authorities to ensure it is judicially authorized. Examples of judicial and administrative warrants and subpoenas can be found in the Oregon Attorney General's Model Public School Policies.[1] The superintendent or designee must review and approve any response to a request involving immigration enforcement. The ESD will provide ongoing training to designated staff to ensure compliance with this policy.

This policy will be made available in the student handbook and on the ESD's website[2]. The ESD will ensure a copy of the Oregon Attorney General's Model Public School Policies[3] and this policy and accompanying administrative regulations are provided to staff.

Designation of Primary Point of Contact

The Superintendent [4] is the primary point of contact for coordinating interactions with federal immigration authorities occurring in the ESD ("immigration liaison" [5]). The Human Resources Director shall serve as an alternative point of contact during the immigration liaison's absence or unavailability ("alternate immigration liaison").

The immigration liaison's responsibilities include:

1. Serving as the ESD's representative during encounters with federal immigration authorities;

[1] https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf

[2] Must be provided in culturally appropriate languages that are used to communicate effectively with parents and guardians of students in the ESD, as determined by the Board. {The ESD is encouraged to evaluate language needs in the ESD in order to effectively communicate with all parents and guardians.}

[3] https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf

[4] House Bill 4079 (2026) requires the policy to "identify at least one administrator" for this purpose. The Board should consider whether a single administrator is sufficient for the ESD, or whether multiple administrators should be designated.

[5] The ESD can choose any title to use for this individual and should use it throughout this policy.

2. Confirming when federal immigration authorities have entered ESD property for immigration enforcement purposes;

3. Ensuring federal immigration authorities engaging in enforcement activities at the ESD have notice of relevant ESD policies: JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information, JOB – Personally Identifiable Information and this policy;

4. Assisting staff in performing their duties in response to immigration enforcement efforts, including ensuring compliance with all ESD policies and procedures related to interactions with federal immigration authorities and immigration enforcement efforts;

5. Reviewing and responding to requests from federal immigration authorities, in coordination with, and under the direction of, the superintendent or designee;

6. Facilitating the ESD's compliance with lawful immigration enforcement efforts in a manner that does not unnecessarily disrupt the environment or invade the privacy of students, staff, or volunteers;

7. Providing notice as required in this policy when a federal immigration authority has been confirmed to have entered ESD property for immigration enforcement.

Required Notice

When a federal immigration authority is reported to have entered ESD property for the purpose of immigration enforcement the immigration liaison shall confirm whether federal immigration authorities have entered ESD property for immigration enforcement and when confirmed, shall provide notice as follows:

1. Notice must be provided to:

    a. Students who attend any ESD school where the federal immigration authority is confirmed to be on school property for immigration enforcement and who are in grades 7 and above;
    b. Parents or guardians of students attending any ESD school where the federal immigration authority is confirmed to be on school property for immigration enforcement;
    c. Staff of the ESD where the federal immigration authority is confirmed to be on ESD property for immigration enforcement; and
    d. Community-based service providers that have requested to receive notice when a federal immigration authority is confirmed to be on ESD property for immigration enforcement. Community-based service providers can request to receive such notifications by contacting the immigration liaison at the ESD office.
    e. Parents or guardians of students who were present at an ESD facility for the purpose of a student evaluation when a federal immigration authority is confirmed to be on ESD property for immigration enforcement.

    Whenever possible, notice provided under this section shall be provided in the family's preferred home language.

2. Notice must include:

    a. The general location of the federal immigration authority; and

b. Whether classes or ESD operations were affected by the presence of the federal immigration authority. ESDs may include resources available to those impacted by immigration enforcement actions.

3. Notice must not disclose:

a. Personally identifiable information;
b. Other information that may not be legally disclosed; or
c. Other information when the disclosure may threaten the health or safety of students or staff of the ESD or is prohibited by a court order.

The required notice will be provided as expediently as possible using existing methods used for providing electronic communications.

Unless otherwise prohibited by law or court order, the ESD will make reasonable efforts to provide notice to a student, or to the parent or guardian of a student, when the ESD has provided information related to the student to a federal immigration authority.

Confidentiality of Records

Except when required by a judicially authorized warrant, subpoena, or order, Oregon law prohibits the ESD from disclosing protected information to federal immigration authorities for the purpose of enforcing federal immigration laws. Protected information includes information relating to a person's:

1. Address;

2. Workplace or hours of work;

3. School or school hours;

4. Contact information, including telephone number, electronic mail address or social media account information;

5. Known associates or relatives; and

6. Date, time or location of the person's hearings, proceedings or appointments with a public body that are not matters of public record.

Oregon law also prohibits sharing any of the above information about a person's relatives or known associates with federal authorities for immigration enforcement purposes.

Oregon law generally prohibits the ESD from sharing or disclosing citizenship or immigration status or country of birth information[6] that the ESD collects, unless one of the following exceptions applies:

1. The disclosure is required by state or federal law (other than federal immigration law);

[6] Citizenship or immigration status or country of birth information is any information concerning:
1. Where a person was born; or
2. Whether a person is a citizen of the United States; or
3. Whether a person has lawful authority to be present in the United States.

2. The disclosure is required by a judicially authorized warrant, order, or subpoena;

3. The information being shared with a person concerns only that person or their dependents; or

4. The information is aggregated and not personally identifiable.

In addition to the prohibitions described above, federal and state laws make records and information related to students confidential and permit disclosure only in limited circumstances. The ESD's policies with respect to student records can be found in Board policies JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information and JOB – Personally Identifiable Information. To ensure compliance with applicable federal and state law, ESD staff shall not disclose any records or information to federal immigration authorities except as provided in these policies.

Staff must also maintain the confidentiality of records and other information about students, staff, and volunteers when communicating with other students, parents, or community members about immigration enforcement activities involving students, staff, or volunteers of the ESD or occurring on ESD property. Staff should direct anyone with questions about immigration enforcement activities occurring on ESD property to the immigration liaison.

Training

The ESD will provide the immigration liaison and alternate immigration liaison with training as follows:

1. The training must include information on the requirements of House Bill 4079 (2026), any applicable model policies published by the Attorney General, and this policy; and

2. The training must be provided at the time of designation and at least once every two years thereafter.

[7]Upon the adoption of this policy and not less than once every two years thereafter, the ESD will provide training to all current staff of one hour or more regarding federal and state laws, and the ESD's policies, relating to interacting with federal immigration authorities and responding to immigration enforcement efforts. The ESD will provide the required training to all new staff within 30 days of beginning employment.

END OF POLICY

Legal Reference(s):

ORS 180.810
ORS 180.805
ORS 181.826
OAR 581-021-0371

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
Oregon Attorney General's *K12 School Model Policy*
Senate Bill 1538 (2026).
Senate Bill 1594 (2026).
House Bill 4079 (2026).

[7] This language is included in the Attorney General's *K12 School Model Policy*. House Bill (HB) 4079 (2026) requires that ESDs adopt policies that are "consistent with applicable model policies published by the Attorney General as provided by ORS 180.810."