

**RESOLUTION 26-047 –Approval of New Board Policy-KNA-Immigration Enforcement on
MESD Property**

Background: In 2026, the Oregon Legislature adopted Senate Bills 1538 and 1594 and House Bill 4079, establishing new requirements for schools and education service districts related to federal immigration enforcement. The legislation requires ESDs to adopt a policy consistent with model policies developed by the Oregon Attorney General’s Office by September 30, 2026. This new policy establishes MESD’s required procedures for responding to immigration enforcement activity, including designating a primary contact, providing required notifications to students, families, staff, and the community, establishing training requirements for designated staff, and ensuring the policy is accessible through student handbooks and MESD’s website in culturally appropriate languages.

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee reviewed and discussed Board Policy KNA-Immigration Enforcement on MESD Property;

WHEREAS, the Multnomah Education Service District Board of Directors Policy Committee recommends the Board adopt Board Policy KNA-Immigration Enforcement on MESD Property;

NOW THEREFORE BE IT RESOLVED, that Board Policy KNA-Immigration Enforcement on MESD Property.

BE IT FURTHER RESOLVED, that if no further discussion is required, Board Policy -KNA-Immigration Enforcement on MESD Property is approved as proposed and does not require a second reading.

Multnomah Education Service District

Code: **KNA**
Adopted: 9/15/26
Revised/Readopted:

Immigration Enforcement on ESD Property

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.

In the absence of a judicially authorized warrant, subpoena or court order, MESD staff must not allow federal immigration authorities access to the MESD'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. MESD 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 MESD's website². MESD will ensure a copy of the Oregon Attorney General's Model Public School Policies³ and this policy and accompanying administrative regulations are provided to staff.]

Designation of Primary Point of Contact

The Assistant Superintendent is the primary point of contact for coordinating interactions with federal immigration authorities occurring in MESD ("immigration liaison"). The Communications

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<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 MESD, as determined by the Board.

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

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 MESD's representative during encounters with federal immigration authorities;
2. Confirming when federal immigration authorities have entered MESD property for immigration enforcement purposes;
3. Ensuring federal immigration authorities engaging in enforcement activities at the MESD have notice of relevant MESD 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 MESD 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 MESD'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 MESD property for immigration enforcement.

Required Notice

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

1. Notice must be provided to:
 - a. Students who attend any MESD 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 MESD school where the federal immigration authority is confirmed to be on school property for immigration enforcement;
 - c. Staff of the MESD 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 MESD property for immigration enforcement. Community-based service providers can request to receive such notifications by contacting Assistant Superintendent.
2. Notice must include:
- a. The general location of the federal immigration authority; and
 - b. Whether classes or MESD operations were affected by the presence of the federal immigration authority.
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 MESD or is prohibited by a court order.

The required notice will be provided as expeditiously.

Unless otherwise prohibited by law or court order, the MESD will make reasonable efforts to provide notice to a student, or to the parent or guardian of a student, when the MESD 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 MESD 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 MESD from sharing or disclosing citizenship or immigration status or country of birth information⁴ that the MESD collects, unless one of the following exceptions applies:

1. The disclosure is required by state or federal law (other than federal immigration law);
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 MESD'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, MESD 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 MESD or occurring on MESD property. Staff should direct anyone with questions about immigration enforcement activities occurring on MESD property to the immigration liaison.

Training

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

⁴ 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.

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.

Upon the adoption of this policy and not less than once every two years thereafter, MESD will provide training to all current staff regarding federal and state laws, and MESD's policies, relating to interacting with federal immigration authorities and responding to immigration enforcement efforts.

END OF POLICY

Legal Reference(s):

[ORS 180.810](#)

[ORS 181.826](#)

[ORS 180.805](#)

[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).