



Policy Brief

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IMMIGRATION
INITIATIVE

From Safe Zones to Uncertainty: State Responses to the Federal Rollback of Sensitive Location Protections in Schools

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Executive Summary

For over three decades, federal policy recognized schools as “sensitive locations,” restricting immigration enforcement in and around educational settings to protect student safety and ensure access to essential services. In January 2025, these long-standing protections were rescinded by the new presidential administration, granting federal immigration officers broader discretion to conduct enforcement in and around schools. Consequently, changes in guidance have raised urgent concerns about student wellbeing, educational access, and community trust.



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This policy brief provides the first comprehensive analysis of state-level guidance on immigration enforcement in schools in the wake of these federal changes. Our review of all 50 states and the District of Columbia reveals a deeply uneven landscape: half the states offer no identifiable guidance, and fewer than one-third provide comprehensive policies. Only a small group—including California, Delaware, New Jersey, New York, Oregon, Washington, and DC—set the bar with clear legal protocols, actionable procedures for staff, and accessible family-facing resources.

The consequences of this policy gap are significant. Research shows that heightened immigration enforcement—whether on or near school grounds or in the broader community—drives student absenteeism, erodes academic performance, and undermines trust in schools, with especially pronounced effects for immigrant and mixed-status families.¹ Educators and administrators, often lacking clear protocols or trauma-informed training, can struggle to support affected students and families.

In this context, this brief calls for urgent action at the state and local levels to fill the policy vacuum. We analyze state-level guidance, identify gaps, and offer actionable recommendations to ensure all students—regardless of immigration status—can access education in safe environments.

Model guidance should combine legal clarity, step-by-step protocols, robust privacy protections, and resources tailored to families' linguistic and cultural needs. By adopting these best practices, states and districts can help ensure that all students feel safe, supported, and able to learn.

HISTORY OF PROTECTED LOCATIONS

The origins of federal policy limiting immigration enforcement in certain “sensitive” locations can be traced back

WHAT IS A SENSITIVE LOCATION?

A place where immigration enforcement actions—such as arrests, interviews, searches, or surveillance—are generally restricted to protect access to essential services and uphold public trust.

Examples of sensitive locations include:

- Schools (including preschools, K-12, colleges, universities, and vocational programs)
- Medical treatment and healthcare facilities (such as hospitals and clinics)
- Places of worship (churches, synagogues, mosques, temples)
- Sites of religious or civil ceremonies (funerals, weddings)
- School bus stops during times when children are present

These protections are intended to ensure that all individuals, regardless of immigration status, can safely access education, healthcare, religious practice, and civic participation without fear of immigration enforcement.

over three decades. In 1993, the Immigration and Naturalization Service (INS, the predecessor agency to DHS) under the Clinton administration issued a memorandum titled “Enforcement Activities at Schools, Places of Worship, or at Funerals or Other Religious Ceremonies.”² This directive established the first formal guidelines instructing officers to avoid enforcement actions in these spaces except under exceptional circumstances and only with prior approval from senior leadership. While the initial rationale emphasized operational control and the need for supervisory oversight, the policy reflected a foundational understanding: that enforcement in certain settings carried broader implications for public trust and access to vital services.

Successive administrations, both Republican and Democratic, upheld and modestly expanded these protections. The Bush administration reaffirmed the original guidance while clarifying its application in cases involving national security or public safety. In 2011, the Obama administration formalized and broadened the policy, expanding the scope of protected locations to include funerals, hospitals, public demonstrations, and other ceremonial events. The policy also extended to a wider range of enforcement activities, including surveillance, interviews, and searches.

surveillance, interviews, and searches. Officers were required to obtain prior approval from senior officials before engaging in planned enforcement at these locations, with exceptions for exigent circumstances involving imminent harm or threats to public safety.

The Trump administration maintained the Obama-era policy during its first term. Data submitted to Congress by ICE show that from FY 2018 to FY 2020, only 68 enforcement actions took place in or near sensitive areas, and most were related to specific, serious investigations. Of those, only five were classified as exigent—emergency actions carried out without prior approval—indicating that most enforcement near sensitive areas remained limited and subject to oversight.³

See [The Sensitive Locations Policy](#) box on page 3.

In 2021, the Biden administration issued new guidance under Secretary Alejandro Mayorkas that significantly expanded the concept of “sensitive” locations, now also known as “protected areas.” This policy emphasized the importance of safeguarding access to essential services and discouraged enforcement in or near any location where such services or activities were taking place.

Rather than relying on a fixed list, the guidance encouraged officers to consider the nature of the activities occurring, with examples ranging from schools and hospitals to food pantries, playgrounds, and public gatherings. The policy did not define a specific radius for what constituted “near,” and instead instructed officers to consider whether enforcement might discourage people from engaging with vital services or community spaces.

However, in January 2025 the Biden-era policy was formally rescinded. The new directive by Acting U.S. Secretary of Homeland Security Benamine Huffman reverted to a narrower interpretation of protected areas, which reduced the scope to physical locations such as schools, hospitals, places of worship, and sites of active public demonstrations. Unlike previous policies, the new guidance does not require officers to seek prior approval before initiating enforcement in these areas, nor does it mandate post-action reporting. Instead, it delegates decision-making to local ICE and CBP leadership on a case-by-case basis. While officers are still encouraged to use discretion and “common sense,” there are no longer agency-wide constraints on when or how enforcement may take place near sensitive locations.

Over more than thirty years, these policies reflected a bipartisan consensus that certain spaces should be shielded from enforcement to preserve public safety, service access, and civic participation.

Instead, the 2025 rescission marks an unprecedented shift in federal enforcement strategy. Although unsurprising given the new administration's stance on immigration, it represents a departure from a long-standing tradition of limiting enforcement in settings viewed as essential to public trust, safety, and wellbeing.

IMPACT OF IMMIGRATION ENFORCEMENT ON SCHOOL WELLBEING

Immigration enforcement policies carry direct consequences for school communities—affecting student attendance,

The Sensitive Locations Policy is long-standing guidance which has existed in some form for over 30 years.

- 1993: First memorandum limiting enforcement in schools, places of worship, and funerals and other religious ceremonies
- 2008: Field guidance affirming the 1993 protections
- 2011: Sensitive Locations guidance established, strengthening and expanding on previous protections
- 2021: The Sensitive Locations policy is once again strengthened and expanded and renamed “Protected Areas”

Each of these policies acknowledged the need to limit immigration enforcement in some locations to preserve families’ access to essential services.

educator preparedness, and family trust in public institutions. A growing body of research links heightened enforcement activity to increased student anxiety, absenteeism, community distrust, and academic decline, particularly in schools serving immigrant and mixed-status families.⁴

These impacts are not limited to direct encounters with immigration enforcement. Local immigration policies can also affect student and family engagement with schools. In a national study, Dee and Murphy (2019) found that counties adopting 287(g) agreements (partnerships between ICE and local law enforcement) experienced a ten percent decline in Hispanic student enrollment within two years. These effects were concentrated in elementary schools and were not observed for non-Latinx students, suggesting that immigration enforcement led to widespread school withdrawal among Latinx families, including those with U.S.-citizen children.⁵

Fear and uncertainty also affect academic performance and emotional wellbeing inside classrooms. In California, counties with higher ICE arrest rates saw measurable declines in test scores, attendance, and perceived school climate and safety among Latinx students, with the most severe effects observed among English learners and students receiving special education services.⁶ Similarly, Ee and Gándara (2020) found that heightened

immigrant populations. Their analysis, drawing from national survey data and policy briefs, revealed that schools serving large immigrant populations witnessed increased absenteeism, reduced academic performance, and growing fear among students, even among U.S.-born children.⁷ Educators, despite often serving as critical emotional supports, reported lacking sufficient resources or training to effectively support affected students.

While quantitative studies demonstrate measurable educational harms, qualitative research highlights how families and school personnel experience enforcement-related disruption. Lovato and Abrams (2020) found that family separation due to deportation triggered cascading challenges for Latinx families, including financial instability, role shifts in caregiving, and withdrawal from public life. Even when children remained in the U.S., many felt pressured to take on emotional and logistical burdens in the home to support their remaining caregiver.⁸

Across several studies, school personnel, including educators and social workers, reported feeling underprepared to support students facing immigration-related distress.⁹ Rodriguez et al. (2024) found that school social workers often lacked clear guidance, trauma-informed training, or institutional protocols to respond effectively. Even when school staff were aware of the impacts, they frequently operated without formal structures or administrative support.¹⁰ Other studies emphasize that while educators recognize the emotional toll

of deportation-related disruption, schools lack culturally responsive interventions to meet their students' needs.¹¹

Even as families and communities demonstrate remarkable resilience in the face of enforcement-related disruptions, structural harms continue to undermine that strength.¹² Deportation policies can fracture caregiving networks, destabilize school routines, and erode trust between immigrant families and public institutions. For immigrant-origin students, these disruptions shape not only how they show up at school, but whether they feel seen, safe, and supported once they're there. As enforcement fears continue to rise, schools must be equipped to respond in ways that protect both access and belonging.

Making Sense of State Guidance on Responding to Federal Immigration Enforcement

With the rise in community fear and misinformation, district administrators and educators across the country have struggled to figure out the best practices for responding to immigration enforcement in or near school grounds. As federal protections for sensitive areas have shifted, many school districts have turned to their states for guidance. Yet in the absence of clear or consistent direction, schools are often left without the tools to respond confidently. Many also lack the information needed to communicate clearly with students and families about what protections, if any, are in place. This lack of clarity can undermine trust, disrupt attendance, and create uncertainty for both students and staff.

In response to this need, this policy brief compiles and analyzes state-level guidance across all 50 states to support school and district decision-making in a shifting enforcement

landscape.

METHODOLOGY

To assess how states support immigrant-origin students in the context of immigration enforcement, we conducted a systematic review of publicly available guidance documents—such as memos, FAQs, and resource toolkits—issued by state Departments of Education and Justice across all 50 states and the District of Columbia. Documents were identified through targeted state agency searches and screened for relevance to K–12 school protocols around immigration enforcement, particularly in response to the 2025 rescission of DHS's “sensitive locations” policy.

Each state was then evaluated and coded using a 5-point rubric developed from legal and practical standards. We assessed whether the guidance:

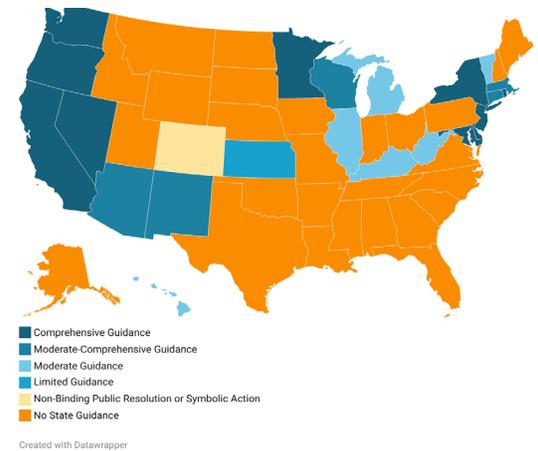
1. was grounded in relevant law (e.g., *Plyler v. Doe*, FERPA, Title VI);
2. provided clear protocols for responding to immigration enforcement (e.g., handling ICE visits or subpoenas);
3. offered actionable instructions for school staff;
4. included publicly accessible resources or outreach materials intended for families and communities; and
5. was publicly distributed and designed with statewide implementation in mind (e.g., issued by a state agency and directed to all schools or districts).¹

States were classified into six categories based on their total scores: Comprehensive Guidance (5/5), Moderate-Comprehensive (4.5/5), Moderate Guidance (3–4), Limited Guidance (1–2), Non-Binding Public Resolution/Symbolic Action,

“We need informed guidance on how to correctly respond to questions and how variances in state and federal law impact education decisions.”

– Mark MacLean, Executive Director of New Hampshire School Administrators Association

and No State Guidance (no identifiable materials). This framework prioritizes transparency and consistency while recognizing the varying levels of legal and logistical clarity across jurisdictions. A final visual map of each jurisdiction can be found [here](#).



Given the fast-moving nature of immigration enforcement policy, this data represents a snapshot in time. Guidance documents were reviewed as of April 7, 2025, and states may have released new materials or revised existing guidance after that date. Where possible, this brief includes links to publicly available documents to support future tracking and comparative analysis.

Finding 1: State Guidance Is Uneven and Inconsistent

Based on our review of public guidance documents across all fifty states and the District of Columbia, we found that immigration enforcement guidance for schools is deeply uneven. The variation spans not only whether states have issued guidance, but also the clarity, accessibility, and intended audience of

that guidance.

As of April 2025, half the country (25 states) lacked any identifiable guidance, and fewer than a third of states offered comprehensive guidance. A small number of states provided comprehensive, multi-agency protocols that equip both school staff and families with actionable steps. The majority provided only narrow legal memos, vague assurances, or no guidance at all.

Finding 2: Family-Facing Resources Are Inconsistently Included

While many high-scoring states offered some form of translated guidance or Know Your Rights (KYR) material, only a smaller subset provided meaningful family-facing tools—such as emergency contact planning forms, legal aid referrals, and/or trauma-informed outreach materials.

Of the twenty-three states that issued formal guidance documents reviewed in this brief, only twelve included concrete, publicly accessible tools designed to help families understand their rights and prepare for enforcement-related disruptions.

For the purposes of this analysis, we only counted guidance as family-facing if the state-level document itself included direct materials for families—such as translated handouts, KYR flyers/links, planning



templates, or legal aid resources. States that merely encouraged districts to develop their own outreach strategies were not included in this count.

Finding 3: A Small Group of States Set the Bar for Strong, School-Centered Guidance

Although many states offered limited or no direction on immigration enforcement in schools, a small number of states provided model guidance that can serve as blueprints for others. Fourteen states on our list met all five rubric criteria for comprehensive guidance; however, a smaller group—including Oregon, Washington, New York, New Jersey, and the District of Columbia—stood out for the depth, accessibility, and implementation focus of their materials.

These states combined clear legal grounding with step-by-step enforcement protocols, staff-specific instructions, and public-facing resources to help families prepare for potential immigration enforcement.

Some, like Oregon and Washington, also embedded trauma-informed practices, district planning templates, and translated materials into their official guidance, while others—such as New York and DC—outlined detailed procedures for school safety officers and legal compliance, including step-by-step staff instructions and referral pathways to legal aid services.

Together, these examples offer not only strong policy frameworks but a roadmap for other states. While the structure and language(s) of a guidance may vary, several common features consistently appeared in the strongest materials. At minimum, high-quality guidance included:



Common Features of Model Immigration Guidance for Schools

1. **Clear Legal Grounding:** Each guidance clearly explained students' constitutional rights (i.e., *Plyler v. Doe*), FERPA privacy protections, and other federal/state non-discrimination obligations.
2. **Step-by-Step Enforcement Protocols:** Strong guidance offered specific instructions for what school staff should do if approached by immigration agents—including warrant requirements, documentation procedures, escalation to leadership, and referral to legal counsel.
3. **Student and Family Privacy Protections:** Effective guidance reaffirmed strict confidentiality standards, detailing policies for handling subpoenas, administrative warrants, and student records.
4. **Family-Facing Resources and Communication Plans:** In addition to legal compliance, strong guidance prioritized accessibility by offering/including Know Your Rights (KYR) materials, translated notices, emergency planning guides, and resources to legal aid and/or immigrant-serving organizations.
5. **Attention to trauma-informed practices:** Some of the most forward-looking guidance (notably Oregon and Washington) incorporated mental health considerations, recommended proactive social-emotional supports, and recognized that enforcement actions have lasting impacts on school climate and student well-being.

RECOMMENDATIONS

Drawing on best practices from model state guidance and developmental research, the following recommendations are tailored to equip students, families, educators, social service providers, school administrators, and policymakers to safeguard student wellbeing and foster a climate of safety and belonging in the wake of rescinded federal protections

Students and Families should:

Plan for what will happen if a parent or caregiver is detained or unable to pick up a child from school

- Identify and speak with trusted adults in advance. In some cases, you may want to formally authorize a caregiver to make decisions for your child by completing a Caregiver's Authorization Affidavit or Power of Attorney form. Some schools may have their own forms—ask your school for guidance.
- Before signing, consult with a legal advisor to understand how the form could affect your family.

Keep all important documents in one safe, easy-to-access place:

In an emergency, trusted adults or schools may need access to your child's information to enroll them in a new school, authorize medical care, or prove guardianship. Prepare a folder (physical or digital) with copies of:

- your child's birth certificate
- school ID number and enrollment records
- immunization and medical records
- Caregiver's Authorization Affidavit or legal custody documents
- contact details for emergency caregivers and immigration attorneys

Ask your school how your child's information is protected

- Find out what kind of information your school collects, who it's shared with, and how you can opt out of sharing directory information (like address, phone number, etc.) You have a right to ask that immigration status is not recorded or shared.



Review Know Your Rights (KYR) materials as a family:

- Use trusted flyers, red cards, or guides from your child what to do if approached by immigration officers, especially on the way to or from school. For instance, students should know that they have the right to remain silent, and the right to speak with an attorney before making any decisions.
- Practice short scripts or safety plans so your child knows how to stay calm and safe
- Resources:
 - <https://www.aclu.org/know-your-rights/immigrants-rights>
 - <https://www.ilrc.org/resources/community/know-your-rights-toolkit>

Have a list of local legal aid or immigrant support organizations ready:

- Save numbers for groups that provide free or low-cost legal help, emergency support, or information in your language.
- Post the list somewhere visible in your home and keep it in your phone in case of emergency.



Educators and School Administrators should:

Advocate for and Implement Clear, Legally-Grouped Protocols

- Review and update district and school protocols to ensure they are grounded in relevant federal and state law, including Plyler v. Doe, FERPA, and Title VI protections. This should include explicit statements that all children, regardless of immigration status, have the right to a public education, and that student records are confidential except as required by law.
- If your state or district lacks clear guidance, advocate for the *adoption of model protocols* such as those used in Oregon, Washington, New York, and New Jersey, which provide step-by-step instructions for responding to immigration enforcement actions on or near school grounds.
- Ensure protocols specify that staff should not permit immigration agents on campus or share student information **without a judicial warrant or court order**. Administrative warrants or verbal requests are not sufficient.

Establish Step-by-Step Response Procedures

- Develop and disseminate clear, accessible procedures for all staff regarding what to do if approached by immigration agents. This should include:
 - Immediate notification of school or district leadership and legal counsel.
 - Verification and documentation of any warrants or subpoenas presented.
 - Refusal to provide access to students or records without proper legal documentation.
 - Communication protocols to ensure accurate, timely information is shared with staff and families.

Prioritize Student and Family Privacy

- Reaffirm strict confidentiality standards for student information. Train all staff on FERPA and state privacy laws, emphasizing that student records and personal information must not be shared with immigration authorities without a judicial order.
- Establish clear procedures for handling requests for information, including who is authorized to respond and how to escalate

concerns to district leadership or legal counsel.

Communicate Proactively and Accessibly with Families

- Provide families with clear, multilingual information about their rights, school policies, and available supports. This includes distributing Know Your Rights materials, emergency contact planning forms, and legal aid referrals in the languages most spoken in your community.
- Host information sessions (in-person or virtual) to address questions, dispel misinformation, and build trust with immigrant-origin families.

Embed Trauma-Informed and Culturally Responsive Practices

- Train all educators and staff in trauma-informed and culturally grounded approaches to recognize and respond to signs of distress related to immigration enforcement, such as withdrawal, anxiety, or changes in attendance and behavior.
- Foster a school climate that affirms the cultural and linguistic diversity of students and families, leveraging community partnerships to provide culturally relevant supports.

Strengthen School-Based Mental Health Supports

- Ensure school counselors, social workers, and psychologists are equipped to provide trauma-informed and targeted support to students affected by immigration enforcement, including access to peer support groups, drop-in counseling, and referrals to community-based mental health providers.
- Prioritize the mental health and wellbeing of all students, recognizing that the fear and uncertainty generated by enforcement actions can have widespread impacts across the school community.

Build and Sustain Community Partnerships

- Collaborate with local legal aid organizations, immigrant-serving nonprofits, and advocacy groups to provide comprehensive supports for students and families, including legal navigation, emergency planning, and mental health resources.

- Establish rapid response protocols through pre-planned, coordinated procedures developed with community partners to ensure timely and effective support when an immigration enforcement action (i.e., raid, detention, or deportation) affects a student or their family. These protocols should address urgent needs that may arise, including legal support, housing, or childcare.

Monitor, Evaluate, and Adapt Policies

- Regularly review and assess the effectiveness of school and district protocols, soliciting feedback from students, families, and staff to identify gaps and areas for improvement.
- Stay informed about changes in federal, state, and local policy, and update guidance and training accordingly.



Social Service Providers should:

- Proactively provide families with resources to understand their rights, access emergency planning support, and seek trauma informed mental health services particularly in school-based settings.
- Ground their work in trauma-informed care. This includes recognizing signs of trauma responses (e.g., withdrawal, anxiety, depression), fostering environments of physical and emotional safety, and validating the experiences of children and families.

Strengthen Family Preservation and Reunification Supports:

- Prioritize keeping families connected whenever possible, including facilitating transnational cross-border communication for separated



families and advocating for reunification efforts. Programs like parenting classes, family counseling, and kinship support groups tailored to the immigration context can help stabilize disrupted family systems.

Provide Culturally and Linguistically Responsive Services:

- Utilize culturally grounded frameworks, and leverage values like familismo and respeto, which should be central to service provision.
- Hire bilingual, bicultural staff. Offering services in families' preferred languages is critical for accessibility and trust-building in social service settings and in schools.

Enhance School-Based Mental Health Supports:

- Since many youth and families turn to schools for safety and stability (Lovato, 2019; Ee & Gándara, 2020), school based social workers and counselors should:
- Identify students impacted by deportation and offer targeted interventions. This may include peer support groups, drop-in counseling services, and partnerships with community-based mental health providers.

Expand Legal and Resource Navigation Services:

- Collaborate closely with immigration legal organizations to offer integrated “one-stop” service hubs where families can access legal aid, housing assistance, mental health care, and public benefits in one place.





Policymakers should:

Protect schools and other essential spaces from immigration enforcement.

- Support legislation—such as the federal Protecting Sensitive Locations Act—that would prohibit immigration enforcement actions at schools, health care facilities, places of worship, and other essential service sites without a judicial warrant.
- At the state level, policymakers should adopt model policies like California’s SB 48, which requires school officials to deny entry to immigration officers unless they present a court order. These protections are critical to ensuring that children can safely attend school, families can seek care, and communities can access vital services without fear.

Develop comprehensive guidance for schools and families.

- For policymakers in states that have not issued formal guidance, consider developing a statewide or local policy that clearly outlines how schools should respond to immigration enforcement activity.
- Effective guidance should not only clarify legal obligations and staff procedures, but also offer family-facing resources—such as translated Know Your Rights materials, emergency contact forms, and school response protocols.
- Refer to the Common Features of Model Immigration Guidance for Schools (see call out box above) for elements that can support clarity, accessibility, and implementation at both district and campus levels.

Affirm Local Autonomy on Immigration Enforcement

- Under the Tenth Amendment, the federal government cannot require states to implement or enforce federal programs. This principle—known as the anti-commandeering doctrine—has been reaffirmed by the Supreme Court in cases like *Printz v. United States* and *Murphy v. NCAA*. It protects state and local governments’ right to make independent policy decisions, including whether and how to cooperate with federal immigration authorities.

IN CONCLUSION

The rollback of federal sensitive locations protections marks a pivotal moment for schools and the communities they serve. Without clear, comprehensive state and local guidance, the risks to student safety, educational engagement, and public trust are profound and far-reaching. The evidence is clear: when students and families fear that schools are not safe havens, attendance drops, academic outcomes suffer, and the foundational trust between schools and communities erodes.

This brief identifies critical gaps in current state-level guidance and offers actionable recommendations for educators, school leaders, social service providers, and policymakers. Now more than ever, it is imperative for all stakeholders to work together to uphold the right to education and foster school climates where every child can thrive. Protecting access to safe, supportive learning environments is not only a legal and ethical obligation—it is essential to the healthy development and full participation of immigrant-origin children and youth in our society. By acting decisively, states and districts can reaffirm their commitment to the well-being of all students.



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Carola Suárez-Orozco, Ph.D. is a Professor in Residence at the Harvard Graduate School of Education and the Director of the Immigration Initiative at Harvard. Her research focuses on elucidating the child and youth experience of immigration—how is their development shaped by immigration and how are they changed by the process with a focus on school settings. She is also the recipient of a Guggenheim Fellowship and is a member of the National Academy of Education and American Academy of Arts and Sciences (AAAS).



About The Immigration Initiative at Harvard (IIH)

The Immigration Initiative at Harvard (IIH) was created to advance and promote interdisciplinary scholarship, original research, and intellectual exchange among stakeholders interested in immigration policy and immigrant communities. The IIH serves as a place of convening for scholars, students, and policy leaders working on issues of immigration—and a clearinghouse for rapid-response, non-partisan research and usable knowledge relevant to the media, policymakers, and community practitioners.

