Maryland
STATE DEPARTMENT OF EDUCATION

Carey M. Wright, Ed.D.
State Superintendent of Schools

TO: Members of the Education Policy Committee

FROM: Carey M. Wright, Ed.D. State Superintendent of Schools

DATE: November 19, 2026

SUBJECT: COMAR 13A.02.11 *Access to School Property*
Permission to Adopt

Purpose

The purpose of this item is to request permission to publish a new regulation under the Code of Maryland Regulation (COMAR) 13A.02.11 *Access to School Property.* Specifically, this regulation outlines clear protocols for controlling general access to school property and formalizing procedures for public schools as protected "sensitive locations" under Maryland law.

Background

The regulatory framework brings together multiple statutes, including Education Art., § 26-102, which affirms the legal authority of school administrators to deny access to school property to unauthorized, disruptive, or suspended/expelled individuals.

The regulation also incorporates elements of the Maryland Values Act of 2026, which standardizes how state and local public entities coordinate with federal immigration agents, particularly within designated sensitive locations, which include nonpublic areas of public schools. Further, the Values Act legislation mandates the Maryland Attorney General to issue and annually update statewide guidance, which local school boards must use to construct their local policies. Lastly, the statute defines "public school personnel" and prohibits them from participating in immigration enforcement on school grounds or sharing student/employee data for immigration enforcement.

Executive Summary

The regulation has two distinct sections, Authority to Control Access to School Property and Denial of Access to Sensitive Locations, that seek to operationalize two key concepts -- general access control and immigration enforcement restrictions. Within general access, this regulation reinforces school leadership's explicit authority to manage who enters school property. The regulation restricts federal immigration actions on school grounds by prohibiting staff participation in enforcement activities and requiring a federal judicial warrant or the existence of exigent circumstances to access secure school areas or records. Any enforcement requests must be immediately escalated to district leadership and legal counsel, and all local school systems must adopt public policies to implement these standards.

Public Comment

MSDE has received five submissions of public comment which all favored the adoption of COMAR 13A.02.11. There were some recommendations contained in the public comment that included suggestions for minor language changes; accountability for LEAs' implementation, training, and family engagement efforts; and time for school personnel to receive advice from counsel before a search warrant is executed.

MSDE Guidance

In addition to the regulation, MSDE will provide guidance for principals and other school personnel to assist them in understanding the implications therein. This guidance is broken down in three sections, which include: general access to school property and denial of access, federal immigration enforcement in sensitive locations, and safety and immediate escalation protocols. Before finalizing and sharing the guidance, MSDE will meet with various principal focus groups for feedback.

Action

MSDE is requesting that the SBOE grant permission to adopt a new regulation under COMAR 13A.02.11 *Access to School Property.*

Attachments

COMAR 13A.02.11 Access to School Property Regulation

Access to School Property Draft Guidance

Access to School Property.pptx

Title 13A STATE BOARD OF EDUCATION

Subtitle 02 LOCAL SCHOOL ADMINISTRATION

Chapter 11 Access to School Property

Authority: Criminal Procedure Article, §2-104.2; Education Article, §§2-205, 7-1508.1, and 26-102; State Government Article, §6-111, Annotated Code of Maryland

.01 Purpose.

These regulations establish appropriate procedures for controlling access to public schools, which must be safe and secure and are sensitive locations for immigration enforcement under Criminal Procedure, §2-104.2, Annotated Code of Maryland.

.02 Definitions.

A. "School Property" means buildings, land that surrounds the buildings, and vehicles, that are owned or leased by a local school system.

B. "Public School Personnel" has the meaning stated in Education Article, §7-1508.1, Annotated Code of Maryland.

C. "Immigration Enforcement" has the meaning stated in State Government Article, §6-111, Annotated Code of Maryland.

.03 Authority to Control Access to School Property.

A. A local board of education, local superintendent of schools, school principal, school resource officer, or their designee may deny access to school property to a person who:

(1) Is not a currently registered student or public school employee at the school, and who does not have lawful business to pursue at the school;

(2) Is a currently registered student at the school who has been suspended or expelled, for the duration of the suspension or expulsion; or

(3) Acts in a manner that disrupts or disturbs the normal educational functions of the school.

B. To maintain safety and security and prevent disruptions or disturbances, the principal or their designee may, consistent with local policy, designate:

(1) Entry checkpoints;

(2) Security screening protocols;

(3) Hours of restricted access to school property; and

(4) A secure-campus protocol.

C. Administrative personnel, authorized public school personnel, and the individuals identified in §A of this regulation shall demand and document identification and evidence of qualification from any person operating in an official capacity who desires to use or enter school property.

D. Public school personnel may not be used for purposes of or otherwise engage in immigration enforcement on school property consistent with Regulation .04 of this chapter.

.04 Denial of Access to Sensitive Locations.

A. Public school personnel shall deny access to any portion of school property that requires a security screening or is not accessible to the general public to any individual seeking access for the purpose of federal immigration enforcement, unless:

(1) The individual presents a valid warrant issued by a federal court; or

(2) Exigent circumstances exist.

B. Public school personnel shall immediately contact the local superintendent or their designee and legal counsel for the local school system if presented with:

(1) A judicial warrant;

(2) A judicial subpoena; or

(3) A legal order to produce information or a document regarding a student, public school employee, or a student's or a public school employee's family or household for purposes of immigration enforcement.

C. If immigration officers proceed into a private space without exigent circumstances or a judicial warrant or deny a request to consult with the local school system's designated official, public school personnel shall:

(1) State that they do not consent to the officers' entry but should not block or impede their access; and

(2) Immediately notify the local superintendent or their designee and legal counsel for the local school system.

D. Each local school system shall adopt and publicly post an implementing policy that is consistent with applicable law, this regulation, and the guidance issued by the Attorney General pursuant to State Government Article, §6-111, Annotated Code of Maryland.



Access to School Property COMAR 13A.02.11

Permission to Adopt (New Regulation)

OFFICE OF THE CHIEF POLICY OFFICER

Presented By | Dr. Stefan Redding Lallinger, Chief Policy Officer
Ivan Arellan, Community Engagement Coordinator
Alexa Iraheta, LEE Policy Fellow

November 19, 2026

Maryland
STATE DEPARTMENT OF EDUCATION

MSDE Strategic Plan Goals

1

Every child has access to a high-quality early childhood program.



PILLAR 1: EARLY CHILDHOOD EDUCATION

2

Every school has high-quality and diverse teachers and leaders.



PILLAR 2: HIGH-QUALITY & DIVERSE TEACHERS AND LEADERS

3

Every student graduates high school college and career ready.



PILLAR 3: COLLEGE AND CAREER READINESS



Every student is matched with the resources they need to ensure their success.

4

PILLAR 4: MORE RESOURCES FOR STUDENT SUCCESS



Every school and district receives a rating of ___ or higher.

5

PILLAR 5: GOVERNANCE AND ACCOUNTABILITY

Visit the Maryland State Department of Education website to learn more about the Strategic Plan!

strategicplan.marylandpublicschools.org

STRATEGIC PLAN ALIGNMENT



GOAL 4

Every student is matched with the resources they need to ensure their success.

Purpose of 13A.02.11 Access to School Property

- Marries two concepts into one regulation to ensure local boards have policies that clearly define how school administrators **maintain safety and security for children on school grounds**
- Reaffirms the **authority of school administrators** to regulate access to school property
  - *Education Article § 26-102*
- Defines how public school personnel are to engage with **federal immigration enforcement**
  - *Maryland Values Act 2026 (SB 810) [Criminal Procedure, Education and State Government Articles]*

Public Comment on COMAR 13A.02.11

- Public Comments Received: 5
- **Overall Position: In Favor (5)**
- Additional Considerations from Public Comment:
  - Desire for accountability for LEA implementation
  - Recommendation to change language on 13A.11.04.B to say: ***"To enable legal counsel for the school system to review documentation and provide advice…"*** *before* a warrant is executed
  - Push for MSDE to establish procedures for monitoring LEA implementation, compliance, staff training, and family engagement

Departmental Guidance

- Access to School Property Guidance
- **Purpose:** To support principals and other public school personnel to understand and operationalize best practices relating to COMAR 13A.02.11
- **Three sections** in the guidance focus on:
  - General Access to School Property and Denial of Access
  - Federal Immigration Enforcement
  - Safety and Immediate Escalation Protocols
- Office of the Attorney General also released guidance in October that we reference in MSDE Guidance and have ensured aligns

Principal Listening Sessions

- **2 listening sessions** with principals and assistant principals from elementary, middle, and high school levels.
- **Purpose:** To provide space for principals and other participants to read and provide feedback on the guidance document
- **Feedback from Principals:**
  - Provide optional training for LEA personnel
  - Be mindful that schools have different types of building structures and entrances
  - Consider framing of how general access guidance differs from immigration enforcement guidance (especially public vs. private areas)
  - Consider protocols for after school hours and other times of day
  - Clarify the role of school personnel in distinguishing different types of legal documents

Board Member Feedback

- Adding a footnote directing school personnel to existing state law and/or resources regarding **non-immigration related law enforcement** and arrests on school property for students/staff
- Encouraging LEAs to **revisit** their **existing access policies** to ensure alignment
- Addressing how the regulation applies to school property during **non-school hours**
- Keeping the clear **"what to do"** action steps that keep principals and other school personnel safe

Next Steps

- Updating guidance based on feedback
- Bringing the regulation to the full board pending approval
- Considering dissemination of guidance and potential training

Questions?

October 30, 2026

Dear Dr. Redding Lallinger:

We Are CASA is a national powerhouse organization building power and improving the quality of life in working-class: Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities. With a membership of over 190,000 members, We Are CASA creates change with its power-building model blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. We provide multiple education services to youth and adult immigrants in Maryland including college and career readiness, leadership development, workforce and life skills ESOL, and vocational training.

We Are CASA members played an instrumental role in advancing immigrant protections in Maryland, including the passage of the Maryland Values Acts of 2025 and 2026. We strongly support the proposed amendments to COMAR 13A.02.11, Access to School Property, and view its adoption as an essential step toward ensuring that every Maryland student can access public education without fear that their school environment will become a site of immigration enforcement.

Schools must remain safe, welcoming, and protected spaces for every child, regardless of immigration status or family background.

In January 2025, the U.S. Department of Homeland Security rescinded its longstanding sensitive locations policy, removing an important federal protection that had historically limited immigration enforcement actions at schools and other designated locations. Since that policy change, immigration enforcement activity has occurred on or near school campuses across the country, raising serious concerns about student safety, family separation, educational disruption, and the psychological well-being of entire school communities.

Maryland has not been insulated from these developments. Caregivers from multiple school communities across the state have reportedly been abducted moments after dropping off their children at school. In June 2026, immigration agents pursued a family onto the campus of

Commodore John Rodgers Elementary/Middle School in Baltimore City and violently arrested both parents in front of their children and other members of the school community.

These incidents demonstrate that the threat of immigration enforcement at or near schools is not hypothetical. It is an immediate and deeply consequential concern for Maryland students, families, educators, and school administrators. When parents fear that taking their children to school could expose them to immigration enforcement, the consequences extend far beyond an individual encounter. Children may experience trauma, anxiety, chronic absenteeism, and disruptions to their educational development. Families may become reluctant to engage with school personnel, participate in school activities, or access the educational resources and services their children need.

At the same time, school administrators, teachers, and support staff are being placed in extraordinarily difficult positions. They need clear, consistent, and legally grounded guidance about how to respond when federal immigration agents seek access to school property or attempt to conduct enforcement activities on or near school grounds. Principals and other school leaders must understand their legal obligations, the limits of their authority, and the appropriate procedures for protecting students, staff, and families without inadvertently compromising their own legal responsibilities or the safety of the school community.

School personnel should not be left to navigate these high-stakes encounters without clear protocols, adequate training, and institutional support.

The same seriousness, preparation, and coordinated response that Maryland schools apply to other potential threats to student safety must extend to immigration enforcement encounters. School communities deserve established procedures that prioritize student protection, preserve the integrity of the learning environment, and ensure that individual school personnel are not forced to make complex legal determinations in the moment.

For these reasons, We Are CASA strongly supports the proposed amendments to COMAR 13A.02.11. These amendments represent an important opportunity to translate the protections established under the Maryland Values Acts of 2025 and 2026 into clear, actionable, and consistent requirements for Local Education Agencies (LEAs) throughout the state.

However, the adoption of regulatory language alone will not guarantee meaningful protection. The effectiveness of these amendments will depend on MSDE's commitment to ensuring that every LEA understands, implements, and consistently enforces the requirements. We therefore urge MSDE leadership to take the following steps upon adoption of the proposed amendments:

1. **Establish clear statewide implementation standards.** MSDE should provide all LEAs with comprehensive, standardized guidance outlining their responsibilities under COMAR 13A.02.11 and the Maryland Values Acts of 2025 and 2026. This guidance should eliminate ambiguity, promote consistency across districts, and ensure that protections do not vary depending on a student's school, county, or local leadership.

2. **Require comprehensive training for school-level personnel.** All school administrators, principals, teachers, front-office staff, school security personnel, and other relevant employees should receive mandatory training on the new protocols. Training must address how to respond to immigration enforcement requests, whom to notify, how to escalate concerns, and how to protect students and maintain a safe learning environment while complying with applicable law.

3. **Ensure meaningful family engagement and communication.** LEAs must proactively communicate these protections and procedures to students, parents, caregivers, and the broader school community in accessible languages and formats. Families should understand their rights, know what procedures schools are required to follow, and feel confident that their children's educational access and safety remain a priority.

4. **Create clear accountability and oversight mechanisms.** MSDE should establish procedures for monitoring LEA compliance, assessing implementation at the school level, and addressing failures to follow the adopted requirements. This should include regular reporting, opportunities for community feedback, and a transparent process for identifying and correcting implementation gaps.

5. **Provide ongoing technical assistance and institutional support.** LEAs and school leaders must have access to continued guidance, legal resources, and implementation support as they operationalize the new requirements. MSDE should ensure that schools are equipped not only to respond appropriately to an immigration enforcement encounter but also to prevent confusion, minimize disruption, and protect students from unnecessary exposure to traumatic situations.

These measures are essential to ensuring that the Maryland Values Acts are implemented not merely as policy commitments, but as meaningful protections experienced by students and families in their everyday interactions with Maryland's public schools.

Ultimately, every child deserves to attend school without fear that their parent or caregiver may be taken away, that their family may be targeted, or that their school will be unable to protect them during an immigration enforcement encounter. A student's ability to learn, grow, and thrive should never depend on their immigration status or that of their family members.

We Are CASA urges MSDE to move swiftly and decisively toward adoption and implementation of the proposed amendments to COMAR 13A.02.11. We further urge the MSDE to treat implementation, training, family engagement, and accountability as essential components of this regulatory process—not as optional or subsequent considerations.

Thank you for your attention to this critical issue and for the opportunity to provide public comment. We look forward to working with MSDE, LEAs, educators, families, and community partners to ensure that every Maryland school is a safe, welcoming, and inclusive environment where every child can access the education they deserve.

Sincerely,



Shannon Wilk de Benitez
Director of Education

Maryland

Stefan Redding Lallinger <stefan.reddinglallinger@maryland.gov>

Public comment COMAR 13A.02.11

Rachel McGrain <rmcgrain@aems-edu.org> Sun, Nov 1, 2026 at 8:00 AM
To: stefan.reddinglallinger@maryland.gov

November 1, 2026

Dear Dr. Redding Lallinger:

I am writing to express my strong support for the proposed amendments to COMAR 13A.02.11, Access to School Property.

In January 2025, the U.S. Department of Homeland Security rescinded its longstanding sensitive locations policy and has since conducted immigration enforcement activities on and in close proximity to school campuses across the country, raising serious concerns about escalating violence and disregard for public safety.

Here in Maryland, caregivers from multiple school communities across the state have been abducted just moments after dropping off their children at school, and in June 2026 immigration agents pursued a family onto the campus of Commodore John Rodgers Elementary/Middle School in Baltimore City and violently arrested both parents in front of their children and other members of the school community.

We have heard from colleagues that this has negatively impacted student attendance, which has also had implications on student participation in activities such as performing ensembles where afterschool attendance is often an important part of the experience. Students going through this challenging time can especially benefit from the arts to help them cope and express their emotions, and yet they and their families feel unsafe accessing the spaces that provide this opportunity.

At this time of increasingly aggressive immigration enforcement, school leaders, teachers, and support staff are seeking explicit guidance on how to protect students from the deeply damaging effects of encounters with immigration enforcement. Principals are struggling to understand the potential physical, psychological, and legal consequences of interacting with federal immigration agents.

The Maryland Values Act of 2026, which passed as emergency legislation, was signed into law on April 28, 2026. It reinforces the designation of public schools as sensitive locations, requiring a judicial warrant for access to school property and/or school data. It also prohibits school personnel at all levels across the state, including School Resource Officers (SROs), from collaborating with immigration agents. Additionally, it designates school bus stops, school buses, shelters, and food distribution sites as sensitive locations. The proposed amendments to COMAR 13A.02.11 are an essential step toward operationalizing this Maryland law.

Following adoption of the proposed amendments, we urge MSDE leadership to move quickly and decisively to ensure that all Local Education Agencies (LEAs) are held accountable for implementing the new protocols. Equally important, MSDE must ensure that school-level leadership provides robust staff training

and meaningful family engagement so that everyone in the school community understands the new safety protocols and is prepared to respond appropriately should the need arise.

We thank you for your attention to this critical revision of the current COMAR regulations and look forward to seeing how the consistent implementation of these protocols can strengthen school safety while fostering welcoming, inclusive, and supportive learning communities for all Maryland students and families.

Rachel McGrain *(she/her)*
Arts Education in Maryland Schools (AEMS)|Executive Director
www.aems-edu.org | Like Us | #Instagram | Shop AEMS | Donate

Co-chair, *2023-2026, State Superintendent's Fine Arts Education Advisory Panel*
President, *2025-2026, Council of Educational, Administrative, and Supervisory Organizations of Maryland*
Distinguished Service Outside the Profession, *2025, National Art Education Association*
Friend of MDEA, *2025, Maryland Dance Education Association*

MAREE
MARYLAND ALLIANCE FOR RACIAL EQUITY IN EDUCATION

November 1, 2026

Dear Dr. Redding Lallinger:

MAREE is in full support of the proposed amendments to COMAR 13A.02.11, Access to School Property.

In January 2025, the U.S. Department of Homeland Security rescinded its longstanding sensitive locations policy and has since conducted immigration enforcement activities on and in close proximity to school campuses across the country, raising serious concerns about escalating violence and disregard for public safety.

Here in Maryland, caregivers from multiple school communities across the state have been abducted just moments after dropping off their children at school, and in June 2026 immigration agents pursued a family onto the campus of Commodore John Rodgers Elementary/Middle School in Baltimore City and violently arrested both parents in front of their children and other members of the school community.

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Following adoption of the proposed amendments, we urge MSDE leadership to move quickly and decisively to ensure that all Local Education Agencies (LEAs) are held accountable for implementing the new protocols. Equally important, MSDE must ensure that school-level leadership provides robust staff training and meaningful family engagement so that everyone in the school community understands the new safety protocols and is prepared to respond appropriately should the need arise.

We thank you for your attention to this critical revision of the current COMAR regulations and look forward to seeing how the consistent implementation of these protocols can strengthen school safety while fostering welcoming, inclusive, and supportive learning communities for all Maryland students and families.

peace and truth,
sharlimar douglass
Lead Education Justice Policy Advocate

Village Baptist Church

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November 2, 2026

Dr. Stefan Redding Lallinger
Chief Policy Officer
Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201

Re: Strong Support for Proposed Amendments to COMAR 13A.02.11 — Access to School Property

Dear Dr. Redding Lallinger:

As members of a faith community committed to justice, compassion, and the dignity of every human being, we write to express our strong support for the proposed amendments to COMAR 13A.02.11, Access to School Property. We believe that protecting children, preserving family unity, and ensuring that schools remain safe and welcoming environments are not simply matters of educational policy; they are moral responsibilities that reflect our shared humanity.

At Village Baptist Church, our Beloved Community Committee seeks to put love into action by pursuing justice in our everyday lives and building authentic relationships through listening to and learning from one another and the communities around us. Our work is grounded in the conviction that every person deserves dignity, respect, and the opportunity to live without fear. These principles compel us to speak out when policies or practices threaten the safety and well-being of children and families.

The federal government's decision in January 2025 to rescind longstanding protections limiting immigration enforcement in sensitive locations has created an atmosphere of uncertainty and fear for many immigrant families. Subsequent enforcement activities on or near school campuses have raised troubling questions about the safety of children, the protection of families, and the ability of schools to fulfill their educational mission.

Here in Maryland, reports of parents being detained shortly after taking their children to school have brought these concerns painfully close to home. The June 2026 incident at Commodore John Rodgers Elementary/Middle School in Baltimore, where immigration agents pursued a family onto school grounds and arrested both parents in the presence of their children and members of the school community, underscores the urgency of establishing clear and consistent protections.

We cannot ignore the profound emotional and psychological consequences of such experiences for children. No child should have to wonder whether a parent will be waiting at the end of the school day. No family should be afraid to seek an education for their children, and no educator should be left uncertain about how to safeguard students when immigration enforcement activities threaten the security of the school community.

Our faith calls us to love our neighbors, welcome the stranger, and stand alongside those who are vulnerable. These teachings remind us that the measure of a just and compassionate

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society is reflected in how we treat those who may have the least power to protect themselves. Children should never bear the burden of immigration enforcement policies, nor should their access to a safe and nurturing education be compromised.

We commend Maryland's enactment of the Maryland Values Act of 2026, signed into law on April 28, 2026. Its protections concerning immigration enforcement in public schools, access to student information, and other sensitive locations represent an important affirmation of the state's responsibility to safeguard children and families. The proposed amendments to COMAR 13A.02.11 are essential to translating these protections into clear, consistent practices across Maryland's public schools.

We respectfully urge the Maryland State Department of Education to ensure that adoption of these amendments is followed by prompt and comprehensive implementation. Local Education Agencies must receive clear direction and be held accountable for establishing effective protocols. School administrators, teachers, School Resource Officers, and support staff must receive meaningful training so they understand their responsibilities and can respond appropriately to immigration enforcement activities. Families must also receive accessible, culturally and linguistically responsive information that explains the protections and procedures in place.

These efforts must extend beyond regulatory compliance. They should reinforce trust between families and schools, strengthen the sense of belonging within school communities, and affirm that every child is valued and worthy of protection.

The Reverend Dr. Martin Luther King Jr.'s vision of the Beloved Community challenges us to create a society in which justice, compassion, and respect for human dignity guide our collective actions. We believe that adopting and faithfully implementing these amendments is one meaningful way Maryland can advance that vision.

We therefore strongly encourage the State Board of Education to approve the proposed amendments to COMAR 13A.02.11 and ensure their consistent implementation throughout the state.

Thank you for your consideration and for your commitment to protecting Maryland's children, supporting families, and building school communities where all are welcomed, respected, and safe.

Sincerely,



Karen C. Woodson, PhD
Beloved Community Committee
Village Baptist Church
Bowie, Maryland

BALTIMORE CITY
PUBLIC SCHOOLS

Brandon Scott, Mayor
City of Baltimore
Robert Salley, Chair
City of Baltimore
Dr. Jermaine Dawson
Chief Executive Officer

November 4, 2026

Dr. Stefan Redding Lallinger, Chief Policy Officer
Maryland State Department of Education
200 West Baltimore Street
Baltimore, MD 21201
stefan.reddinglallinger@maryland.gov

Sent via email only

Re: Public Comment on Proposed New Regulation COMAR 13A.02.11 (Access to School Property)

Dear Dr. Redding Lallinger:

Baltimore City Public Schools ("City Schools") appreciates the opportunity to comment on the proposed new regulation regarding access to school property. City Schools acknowledges that this comment is being submitted slightly after the November 2 deadline but hopes that this comment will still be taken into consideration. As explained below, City Schools supports the proposed new regulation and has one suggestion about how the new regulation can be made more robust.

First, City Schools supports the inclusion of a clear and practicable definition of "school property." This clarification is important, as the Maryland Values Act did not define "school property," and having a definition in COMAR will ensure standardization across school systems. This definition also properly ensures that the requirements of the Maryland Values Act are not limited to school buildings, but also extend to the outdoor areas surrounding buildings that students regularly access and to the school-provided transportation that many students use to travel to and from school.

Second, City Schools appreciates that the proposed new regulation explicitly recognizes that public schools "must be safe and secure." Given changes in federal immigration enforcement and immigration policy, it is important for the Maryland State Board of Education to emphasize that every child, regardless of immigration status, has the right to an education, as guaranteed by the U.S. Constitution and upheld by the U.S. Supreme Court.

Third, City Schools supports the inclusion of the Maryland Values Act requirement that public school personnel immediately contact their school system's legal counsel if presented with a judicial warrant, judicial subpoena, or legal order to produce information or documentation for the purposes of immigration enforcement. In the interest of providing additional clarity on this point,

City Schools respectfully suggests adding language about a school system's legal counsel being given an opportunity to review any warrant prior to it being served and/or executed on school property. As the Maryland Office of the Attorney General noted in its most recent guidance on the implementation of the Maryland Values Act, there are significant legal distinctions between arrest warrants and search warrants. Because a judicial arrest warrant generally does not authorize law enforcement to enter private spaces (besides the home of the person named in the warrant), law enforcement typically needs a judicial search warrant to enter a private space (unless law enforcement receives consent or if there is an exigent circumstance). This is the type of distinction that a school system's legal counsel would raise when reviewing documentation provided by an immigration agent, and the advice given by legal counsel to public school personnel would likely vary depending on what kind of documentation was provided.

To better address the need for legal review of judicial warrants, City Schools proposes an adjustment to the current proposed language in 13A.11.04.B, as follows:

> ***To enable legal counsel for the school system to review documentation and provide advice,*** *public school personnel shall immediately contact the local superintendent or their designee and legal counsel for the local school system if presented with:*
>
> *(1) A judicial warrant;*
>
> *(2) A judicial subpoena; or*
>
> *(3) A legal order to produce information or a document regarding a student, public school employee, or a student's or a public school employee's family or household for purposes of immigration enforcement.*

City Schools appreciates MSBE's attention to this important issue and supports MSBE's efforts to ensure that schools remain spaces focused on student learning and growth.

Respectfully submitted,

Joshua Civin
Chief Legal Officer

Dr. Tracey L. Durant
Chief of Professional Learning and Pipeline Development

Tina Hike-Hubbard
Chief of Communications and External Affairs