

# Immigration Enforcement Guidance For Child Care Providers

As you may know, the federal administration is increasing its enforcement of immigration laws, and there have been some local concerns that immigration officials may come to schools, child care facilities, and other locations where immigration officials have historically not gone before.

CDD is charged with regulating child care facilities to promote safe, healthy, and inclusive child care programs. This guidance is intended to assist child care providers in ensuring the safety and well-being of children and families, including those from immigrant communities, if your facility is visited by immigration officials.

This guidance is not, and is not intended to be, a comprehensive response to all concerns that may arise in the context of immigration enforcement in a child care setting. Child care providers should consult with their legal counsel regarding any specific policy or guidance that they may wish to issue to their staff related to requests for information and/or compliance with immigration enforcement actions involving families enrolled in their program.

## 1. Privacy of Family Information

- Child care providers must ensure the confidentiality of all child and family information under CDD’s licensing regulations (CBCCPP Rule 3.8, ASP Rule 8.15, FCCH Rule 3.7). This includes maintaining secure records and limiting access to authorized personnel only. Child care providers should:
  - Limit the collection of sensitive information about families to what is required in regulations, and securely store any data collected for programmatic purposes only.
  - Only share information about children or families with explicit consent or when required by law, such as in response to a warrant. (Please note, not all warrants are enforceable and you may want to seek the assistance of your legal counsel if you have a question about any legal document presented to you.)

## 2. Maintaining a Safe and Secure Child Care Facility

- CDD recommends that child care providers clearly designate private areas that are not open and accessible to the public, such as classrooms, offices, and records rooms.

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**Child Development Division**

- CDD recommends that child care providers develop a formal policy to protect children, families, and staff during potential immigration enforcement actions. This policy should include:
  - *Staff Roles and Responsibilities*: Assigning specific staff members (e.g., the Director or Assistant Director) to handle interactions with immigration authorities.
  - *Measures to Minimize Disruption*: Ensuring that enforcement actions do not disrupt daily routines or expose children to distressing situations. Staff must not physically interfere with immigration authorities but should minimize disruptions to children's routines.

### **3. Interacting with Immigration Authorities**

- If immigration authorities arrive:
  - Verify their credentials: Politely ask for identification and the purpose of their visit.
  - Request to see a warrant. Please see the National Immigration Law Center link below for more information about immigration warrants.
  - Contact your legal counsel for guidance to determine what type of warrant has been presented and what is required of the child care program under the warrant.
  - Document all interactions thoroughly, including the immigration authorities' names, badge numbers and details of the visit. Please see the Immigration & ICE: Rights, Responsibilities & Support for Vermont Employers Webinar link below for more guidance on documenting interactions with immigration authorities.
  - Do not physically interfere with immigration authorities, even if they do not respond to your requests. Do not put your or another person's body at risk.
- The Vermont Asylum Assistance Project offers legal services and guidance for people who have questions about interacting with immigration authorities. More information can be found on their website ([vaapvt.org/legal-support](http://vaapvt.org/legal-support)).

### **4. Staff Training**

- CDD encourages child care providers to provide training to staff on:
  - Privacy and safety protocols, some of which can be found in the links below.
  - Procedures for handling visits from immigration authorities.
  - Recognizing valid warrants and understanding what constitutes public versus private spaces within the facility.
  - Nondiscrimination policies that ensure all children and families are treated with dignity and respect, regardless of national origin or immigration status (required under CBCCPP Rule 4.7, ASP Rule 4.7, FCCH Rule 4.7).

## 5. Family Communication and Support

- Inform parents about program policies to ensure their children’s safety. Inform parents promptly if immigration authorities visit the facility, detailing the steps taken to protect children and sensitive information
- Encourage families to create a family preparedness plan in case of detention or deportation. Provide resources such as legal aid directories or “[red cards](#)” that outline their rights.
- Ensure families keep emergency contact information updated with the child care program.

## 6. Additional Resources

- [A Guide to Creating “Safe Space” Policies for Early Childhood Programs](#)
- [Vermont Asylum Assistance Project](#)
- [Immigrant Legal Resource Center](#)
- [Immigration & ICE: Rights, Responsibilities & Support for Vermont Employers Webinar](#)
- [National Immigration Law Center: Warrants and Subpoenas](#)
- [Association of Africans Living in Vermont](#)
- [The Center for Justice Reform at Vermont Law and Graduate School](#)