

**Day Care Center Policy Template on Immigration Enforcement
and Child and Family Privacy**

Day Care Centers should establish a [Written Plan of Action](#) for interacting with immigration enforcement personnel. Day Care Centers are required to designate private spaces.

Private spaces in this day care center are:

Day Care Centers should select a designee to interact with immigration enforcement personnel. The designee for this center is:

Alternate Designee (not required): _____

Alternate Designee (not required): _____

Parental Consent for Disclosure of Confidential Information if Necessary: (Please fill in your center's policy on how parental consent will be obtained if it is needed or required by law enforcement and tracked in your center).

Procedures for interacting with immigration enforcement personnel: (Please fill in below your center's policy on how your center will interact with immigration enforcement personnel should they appear in person or contact the center in another manner).

Procedure for Notifying a Child’s Parent or Guardian of immigration enforcement activity at the Day Care Center: (Please place your center’s policy on parental/guardian notification below).

Emergency Contact Plan: (Please note your center’s emergency contact policy below).

Late Pickup Policy: (Please note your center’s late pickup policy below).

Examples Immigration Enforcement Documents

Immigration enforcement personnel may have different documents with them depending on the type of legal authority they are relying on to support their actions. Below is a list of documents that immigration enforcement personnel typically use to carry out different types of enforcement actions.

List of Documents Issued by a Court:

- **Federal Court Warrant:** Federal Court warrants are issued by a district judge or magistrate judge of a U.S. District Court. There are two types of federal court

warrants: a [search-and-seizure warrant \(Form AO 93\)](#) and an [arrest warrant \(Form AO 442\)](#).

- **Federal Judicial Subpoena:** Federal [judicial subpoenas](#) are issued by a district judge or magistrate judge of a U.S. District Court and order the production of documents or other evidence. Federal judicial subpoenas typically provide a date by which the recipient needs to respond, and immediate compliance is not usually required.
- **Federal Court Order**

List of Administrative Documents that are not Issued by a Court:

- **ICE Administrative Warrants (also called “civil immigration warrants”):** These documents authorize federal immigration officers to arrest or detain an individual as identified within the documentation. While an administrative warrant may give federal immigration agents the authority to arrest or detain an individual, day care centers have the right to refuse entry to any non-public areas when presented with an administrative warrant. ICE civil immigration warrants are not issued by a court. An ICE civil immigration warrant does not grant an immigration enforcement officer any legal authority to compel day care staff to produce documents or assist with efforts to locate or detain an individual. An ICE civil immigration warrant is not the same as a federal criminal warrant. Civil immigration warrants can be presented on a number of different forms, including:
 - [Form I-200: Warrant for the Arrest of Alien](#)
 - Form I-203: Order to Detain or Release Alien
 - [Form I-205: Warrant of Removal/Deportation](#)
 - Form I-286: Notice of Custody Determination
 - All warrants, hits, or requests contained in the "Immigration Violator File" of the FBI's National Crime Information Center database.
- **[Notice to Appear \(NTA\) \(Form I-862\):](#)** An NTA is a charging document issued by ICE, CBP, or U.S. Citizenship and Immigration Services. An NTA notifies an individual that they are expected to appear before an immigration judge on a certain date. An NTA does not authorize an individual’s arrest by immigration enforcement authorities nor local law enforcement authorities.

- [Administrative Subpoena \(Form I-138\)](#): An administrative subpoena is a document issued by an immigration enforcement officer, not a court or judicial officer, that requests production of documents or other evidence.

Other Resources:

[Illinois Immigration Information Hub](#)

Illinois Immigration Information Hub – [Know Your Rights Toolkit](#)

DCFS – [Immigration Enforcement Resources for Families and Day Care Providers](#)