



Immigration Enforcement Procedures

Legal Authority and Scope

This policy is adopted pursuant to Education Code §234.7, as amended by AB 49 and AB 495, and applies to all programs operated by the charter school, including preschool, transitional kindergarten, afterschool, summer school, and all school-sponsored activities.

Education Code §234.7 applies to a school district, county office of education, or charter school.

“Immigration enforcement” is defined consistent with the California Values Act (SB 54) and Government Code §7284.4(f).

Monitoring and Receiving Visitors onto Campus

No outsider, including immigration enforcement officers, may enter or remain on school grounds during school hours without registering with the principal or designee.

If no exigent circumstances exist and no judicial warrant is presented, the officer must provide:

- Name, address, occupation
- Purpose for entering school grounds
- Proof of identity
- Any other information required by law

The school shall:

- Post signage at entrances stating registration requirements
- Report entry of immigration enforcement officers to administration or campus security as required for any outside visitor
- Take measures to avoid classroom disruption and preserve peaceful conduct of school activities

Immediate Response to Immigration Enforcement Presence

If an officer seeks access to the schoolsite, students, or records for immigration enforcement purposes, staff must

- Immediately notify the CEO, COO and/or CAO
- Request and copy officer credentials, including name, badge number, and supervisor contact information
- Ask the reason for the visit and document it
- Request documentation authorizing access and make copies

If exigent circumstances are declared:

- Comply with orders
- Immediately notify the Superintendent or designee

If no exigent circumstances exist:

- If presented with an ICE administrative warrant, staff shall not consent to access and must consult legal counsel.
- If presented with a federal judicial warrant signed by a judge, compliance is generally required; consult legal counsel when feasible.
- If presented with a subpoena, immediate compliance is not required; consult legal counsel.

An ICE administrative warrant does not authorize entry into nonpublic areas or access to school records. Staff shall not physically impede officers but shall document actions and, if feasible, accompany officers at all times.

Protection of Student and Employee Information

The school shall not collect or seek information regarding citizenship or immigration status. Personal information, as defined by Civil Code §1798.3, shall not be disclosed for immigration enforcement purposes without a judicial warrant, judicial subpoena, court order, or other lawful educational purpose. Disclosure in response to an ICE administrative warrant is not permitted because it is not a judicial warrant under FERPA or Education Code §234.7. All information requests must be copied, immediately reviewed with legal counsel, and logged and documented.

Documentation and Reporting

After any encounter with an immigration enforcement officer, staff must document:

- Officer credentials
- School personnel involved
- Details of the request
- Type of warrant or subpoena presented
- The school’s response
- Copies or photos of documents presented

Documentation must be provided to legal counsel or the designated administrator. The Superintendent or charter school principal must submit a timely report to the governing board regarding any request for access or information for immigration enforcement purposes. Reports shall protect the confidentiality of any identifying information.

The Bureau of Children’s Justice must be notified at BCJ@doj.ca.gov regarding any attempt to access a school site or student for immigration enforcement purposes.

Parent and Guardian Notification Procedures

- The school must notify parents or guardians immediately if a student is released to a law enforcement officer for immigration enforcement purposes.
- The school must notify parents or guardians before an officer questions or removes a student for immigration enforcement purposes unless a judicial warrant or court order restricts disclosure.
- Parental consent is required before a student may be interviewed or searched for civil immigration enforcement purposes unless a valid judicial warrant signed by a judge is presented.

Student Rights and Anti-Discrimination

Students may not be detained for investigation of non-criminal immigration violations by school police or security officers.

Students have the right to file complaints if subjected to discrimination, harassment, or bullying related to nationality, ethnicity, or immigration status.

Family Preparedness and Caregiver Authorization

The school shall provide information to families about:

- Family Safety Plans
- Caregiver Authorization Affidavits
- Maintaining updated emergency contact information

Staff Training

The school shall provide annual training to teachers, administrators, and staff regarding:

- Responding to immigration enforcement requests
- Protecting student information
- Parent notification procedures
- Student civil rights protections