

LIMITING IMMIGRATION ENFORCEMENT IN SCHOOLS

Applicability of Policies to Immigration Enforcement:

- The district will adhere to all requirements of federal and state law.
- The provisions of this policy will apply to the district and all school facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, playgrounds, and entrances and exits from said building spaces and district properties.
- District policies prohibiting participation or aid in immigration enforcement and will not allow for enforcement activity against students and their families, staff members, and/or volunteers.
- District staff members will presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement

Access to Schools

- The district has a responsibility to ensure that all students who reside within their boundaries can safely access a free public K-12 education.
- The district does not exclude students from receiving an education or unlawfully discriminate against anyone because of their race, color, national origin, age, disability, gender identity, immigration or citizenship status, sex, creed, use of a trained dog guide or service animal by an individual with a disability, sexual orientation, or on any other basis prohibited by federal, state, or local law.
- The district will uphold its responsibility to all students and ensure that all staff members and/or volunteers are aware of the rights of immigrant students to a free public K-12 education.

Immigration Enforcement on School Buildings and/or Facilities

1. The district does not grant permission for any individual(s) engaging in, or intending to engage in, immigration enforcement, including surveillance, to access the nonpublic areas of district facilities, property, equipment, databases, or otherwise on school grounds or their immediate vicinity. District staff member(s) will direct anyone engaging in, or intending to engage in, immigration enforcement, including federal immigration authorities with official business that will be conducted on district property, to the Superintendent, building principal or designee prior to permitting entrance to school grounds or property. District staff member(s) will presume that activities by

federal immigration authorities, including surveillance, constitute immigration enforcement.

2. If anyone attempts to engage in immigration enforcement on or near district grounds or property, including requesting access to a student, staff member, or school property:
 - a. District staff members will immediately alert and direct the individual(s) to the Superintendent, building principal or designee, who shall: verify and record the individual's credentials (at least, name, agency, and badge number), record the names of all individuals intend to contact, collect the nature of the 'individuals business at the school or facility, request a copy of the court order or judicial warrant, log the date and time, and forward the request to the Superintendent and/or designee for review.
 - b. District staff member(s) will request that any individual desiring to communicate with a student or staff member, enter school grounds, or conduct an arrest first produce a valid court order or judicial warrant.
 - c. The Superintendent or designee will review the court order or judicial warrant for signature by a judge and validity. For the district to consider it valid, any court order or judicial warrant must state the purpose of the enforcement activity, identify the specific search location, name the specific individual to whom access must be granted, include a current date, and be signed by a judge.
 - d. The Superintendent or designee will review written authority signed by an appropriate level director of an officer's agency that permits them to enter district property, for a specific purpose. If no written authority exists, the Superintendent or designee will contact the appropriate level director for the officer's agency to confirm permission has been granted to enter district property for the specific purpose identified.
 - e. Upon receipt and examination of the required information, the Superintendent or designee will determine whether the district will allow access to contact or question the identified individual and will communicate that decision to the Superintendent, building principal or designee].
 - f. The Superintendent or designee will make a reasonable effort, to the extent allowed by the Family Educational Rights and Privacy Act (FERPA), to notify the parent/guardian of any immigration enforcement concerning their student, including contact or interview.
 - g. The Superintendent [or designee] will request the presence of a district] representative to be present during any interview. The district will not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

Gathering Immigration Related Information

1. District staff member(s) will review, but will not inquire about, request, or collect any information about the immigration or citizenship status or place of birth of any individual. District staff members will not seek or require, to the exclusion of other sufficient and permissible information, information regarding a student's or their parent/guardian's citizenship or immigration status.

2. District policies and procedures for gathering and handling student information during enrollment or other relevant periods will be delineated in writing and made available to students and their parents/ guardians at least once per school year in a manner for households with individuals that have limited English proficiency (LEP) to understand.
3. If the district is required to collect information related to a student's national origin (e.g., information regarding a student's birthplace, or date of first enrollment in a U.S. school) to satisfy certain federal reporting requirements for special programs, the district Superintendent or designee :
 - a. If feasible, consult with legal counsel to seek alternative, including alternatives to the specific program or documents accepted as adequate proof for the program;
 - b. Explain to the student and student's parent/ guardian, in their requested language, the reporting requirements, including possible immigration enforcement impact;
 - c. Provide notice to the student's parent/ guardian; and
 - d. Mitigate deterring school enrollment of immigrants or their student by collecting this information separately from the school enrollment process.

The Superintendent or designee will request the presence of a district representative to be present during any interview. The district will not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement

Responding to Requests for Information

1. District staff member(s) will not share, provide, or disclose personal information about any individual for immigration enforcement purposes without a court order or judicial warrant requiring the information's disclosure or approval by Superintendent, building principal or designee. Requests by federal immigration authorities will be presumed to be for immigration enforcement purposes.
2. District staff member(s) will immediately report receipt of any information request relating to immigration enforcement to the Superintendent, building principal or designee] who will 1 document the request and refer the request to the Superintendent or designee.
3. The district will, to the extent allowed by FERPA, notify an affected student's parent/guardian immediately of any request for information relating to immigration enforcement unless advised otherwise by the Superintendent or designee.

Use of School Resources

1. District resources will not be used for immigration enforcement.
2. District's resources and policies regarding immigration enforcement will be published and distributed to parents/ guardians on an annual basis. These resources will include, at minimum:

- a. The right of immigrant students to receive an education, including accommodations for limited English proficiency and special education programs;
- b. General information policies including the types of records maintained by the district and a list of the circumstances or conditions under which the district will release student information to third parties, including limitations under FERPA and other relevant law;
- c. Policies regarding the retention and destruction of personal information;
- d. The process of establishing notice and/or consent from parents/guardians, as permitted under federal and state law, prior to releasing a student's personal information for immigration enforcement purposes;
- e. Name and contact information for the district's designated staff member on immigration related matters; and "Know Your Rights" resources and emergency preparedness forms to have completed in the event of a family separation.

Cross References:

- 2022 - Electronic Information Systems
- 2110 - Transitional Bilingual Education
- 3110 - Admission and Attendance
- 3124 - Removal/Release of Student during School Hours
- 3126 - Child Custody
- 3140 - Release of Resident Students
- 3142 - International Exchange Students
- 3200 - Student Rights and Responsibilities
- 3210 - Nondiscrimination
- 3226 - Interviews of Students on School Premises
- 3230 - Student Privacy and Searches
- 3231 - Student Records
- 3232 - Parent/Guardian and Student Rights in
 - Administration of Surveys, Analysis or Evaluations
- 3241 - Student Discipline
- 3242 - Closed Campus
- 3246 - Use of Reasonable Force
- 3247 - Isolation and Restraint of Students with IEPs and
 - Section 504 Plans
- 4040 - Public Access to District Records
- 4200 - Safe and Orderly Learning Environment

4210 - Regulation of Dangerous Weapons on School
Premises

4218 - Language Access Plan

4230 - Contact with Students

4310 - Relations with the Law Enforcement, Child
Protective Agencies and the County Health
Department

4314 - Notification of Threats of Violence or Harm

5271 - Reporting Improper Governmental Action

6500 - Risk Management

6511 - Safety Program

6570 - Data and Records Management

6800 - Safety, Operations and Maintenance of School
Property

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