



Policy: AR 5145.13

Section: Article 5 - Students

Response to Immigration

Responding to Requests for Information or Access to Student Records

Student information, including directory information, shall not be disclosed to law enforcement authorities for immigration enforcement purposes without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the district will not release student information, including directory information, to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a valid court order or valid judicial subpoena.

Upon receiving any verbal or written request for information from law enforcement authorities related to a student's or family's immigration or citizenship status, district staff shall:

1. Notify the Superintendent or designee about the information request
2. Provide students and families with appropriate notice and a description of the request
3. Document any request for information
4. Provide students and parents/guardians with any documents provided by the law enforcement authority, unless such disclosure is prohibited by a subpoena served on the district or in cases involving investigations of child abuse, neglect, or dependency

When required by a valid judicial warrant or valid court order to provide access to a students' records for immigration enforcement purposes, the school site principal or their designee shall monitor the law enforcement investigation so that the law enforcement officers only access the information specified in the valid warrant or valid judicial order.

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

Responding to Requests for Access to Students or School Grounds

All visitors and outsiders, including law enforcement authorities for immigration enforcement purposes, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with their name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law. (Penal Code 627.2, 627.3)

District staff shall immediately notify a student's parent/guardian if a law enforcement officer provides a valid judicial warrant or subpoena for access to a student for immigration enforcement purposes, unless disclosure is restricted by the valid judicial warrant or subpoena.

District staff shall obtain parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order. When notifying student's parent or guardian, District staff shall also direct the parent or guardian to resources regarding parents' rights when law enforcement authorities, including federal immigration authorities, question or detain their children at school.

District staff shall immediately report the presence of law enforcement authorities for immigration enforcement purposes on campus to School Safety and other appropriate administrators.

District staff shall notify the Superintendent or designee of any request by a law enforcement authority for access to the school for immigration enforcement purposes or a student or for review of school documents, including service of lawful subpoenas, petitions, complaints, warrants, or other such documents for immigration enforcement purposes.

If an officer comes onto a school campus specifically for immigration enforcement purposes, district staff shall take the following actions:

1. Ask the officer for their reason for being on school grounds and document the response
2. Request to see the officer's credentials, including their name and badge number, the phone number of the officer's supervisor, and note or make a copy of all such information
3. Request that the officer produce any documentation that authorizes school access. Make a copy of all documents produced by the officer and retain one copy for school records
4. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent or designee. Send a copy of the documentation to the Superintendent or designee for review
5. District staff shall respond consistent with the documents presented as follows:
 1. **Judicial Warrant:** If the officer has a valid judicial warrant signed by a federal judge or magistrate, such as a search and seizure warrant or an arrest warrant which specifies the name of the person under arrest or the area to be searched, district staff shall promptly comply with the warrant. The school site principal or their designee shall monitor the officers' investigation and ensure the officers are not given access to information, records, and areas beyond that specified in the warrant.
 2. If feasible, district staff shall consult with the district's legal counsel or designated administrator before providing the officer with access to the person or materials specified in the warrant.
 3. **Administrative Warrant:** If the officer has an Immigrations and Customs Enforcement (ICE) Administrative Warrant, district staff shall inform the agent that they cannot comply to any request without first consulting with the district's legal counsel or other designated district official.
 4. **Subpoena:** If the officer has a subpoena for production of documents or other evidence, district staff shall inform the officer that the district's legal counsel or other designated official will review and respond to the subpoena accordingly.
6. The District shall deny all requests by law enforcement officers, including any officer or employee of a law enforcement agency with the purpose of enforcing immigration laws, for access to a school site or to interview a student regarding non-school-related matters absent a valid warrant signed by a judge which specifies the name of the person under arrest or the area to be searched. If the officer demands immediate access to the campus without a valid judicial warrant, District staff shall document the officer's actions, which may include video recording, and respond as follows:
 1. Inform the officer that the district does not consent to the officer's request to access the closed campus
 2. Ask the officer to state what authority permits the officer's access to the campus
 3. Document the officer's response.
 4. If the officer appears to be exceeding the authorization given under a valid judicial warrant or attempts to enter the premises without authorization or consent, do not attempt to physically impede the officer. However, district staff shall document the officer's actions while on campus, which may include video recording.
 5. Immediately contact the Superintendent or designee
7. After the encounter with the officer, District staff shall promptly document the interactions with the officer, including the following:
 1. A list or copy of the officer's credentials and contact information
 2. The identity of all school personnel who communicated with the officer
 3. Details of the officer's request
 4. Whether the officer presented a warrant or subpoena to accompany their request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge
 5. District staff's response to the officer's request
 6. Any further action taken by the officer
 7. A photo or copy of any documents presented by the officer
 8. Any other relevant details
8. District staff shall provide a copy of these notes and associated documents collected from the officer to the district's legal counsel or other designated district official

The district's legal counsel or other designated official shall submit a timely report to the Governing Board regarding the officer's requests and actions and the district's responses. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a school site or a student for immigration enforcement purposes.

Responding to the Detention or Deportation of Student's Family Member

The Superintendent or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The Superintendent or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

The Superintendent or designee shall also encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a family member is detained or deported.

If a student's parent/guardian is detained or deported by federal immigration authorities, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child

protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

The Superintendent or designee shall notify a student whose parent/guardian was detained or deported that the student continues to meet the residency requirements for attendance in a district school, provided that the parent/guardian was a resident of California and the student lived in California immediately before they moved out of state as a result of the parent/guardian's departure. (Education Code 48204.4)

The Superintendent or designee may refer a student or their family members to other resources for assistance, including, but not limited to, an ICE detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

Adopted: May 7, 2025

Legal References:

State	Description
Ed. Code 200	<u>Equal rights and opportunities in state educational institutions</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 234.1	<u>Student protections relating to discrimination, harassment, intimidation, and bullying</u>
Ed. Code 234.7	<u>Student protections relating to immigration and citizenship status</u>
Ed. Code 48204.4	<u>Evidence of residency for school enrollment</u>
Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 48985	<u>Notices to parents in language other than English</u>
Gov. Code 8310.3	<u>California Religious Freedom Act</u>
Pen. Code 422.55	<u>Definition of hate crime</u>
Pen. Code 627-627.10	<u>Access to school premises</u>

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