



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 12.2

Meeting Date: February 5, 2026

Subject: First Reading of Board Policy 1445: Response to Immigration

- ☐ Information Item Only
- ☐ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☒ Conference/First Reading (Action Anticipated: _____)
- ☐ Conference/Action
- ☐ Action
- ☐ Public Hearing

Division: Board of Education

Recommendation: NA

Background/Rationale: There have been recent changes to Education Code section 234.7 by the California legislature to address immigration enforcement actions near schools and against students, staff, and families. The changes to Education Code section 234.7 require that school districts update their policies on immigration enforcement no later than March 1, 2026. Therefore, the Board Policy Committee has determined that a review and revision of its Board Policy 5145.13 (renumbered to BP 1445) is appropriate to update and strengthen the language of the policy in compliance with the revised law. This is a first reading of the policy, with the second reading and request for approval scheduled for the February 19, 2026 Board meeting.

Financial Considerations: NA

LCAP Goal(s): Goal 1 – Graduation Outcomes; Goal 2 – Academic Outcomes; Goal 3 – Welcoming and Safety Outcomes

Documents Attached:

1. Board Policy 1445: Response to Immigration

Estimated Time of Presentation: 10 minutes

Submitted by: Board Office

Approved by: Lisa Allen, Superintendent

Policy 1445: Response To Immigration Enforcement

Status: ADOPTED

Original Adopted Date: | Last Reviewed Date:

The Board is committed to the success of all students and to providing a safe and welcoming place for students, their families, and staff irrespective of their citizenship or immigration status. Immigration enforcement activities in and around schools create hardships and barriers to health and educational attainment for immigrant students, and establish a pervasive climate of fear, conflict, and stress that affects all District students, regardless of their background or immigration status. Schools are “sensitive locations” at which immigration enforcement activity should not occur. Accordingly, immigration enforcement activities in and around District property would be a severe disruption to the learning environment and educational setting for students. This policy shall limit the District’s participation in immigration enforcement to the maximum extent permitted by law, to provide all students, regardless of their immigration status, equal access to education.

The District shall not adopt or implement policies, practices, or procedures that exclude students from school based on their or their parents’ or guardians’ actual or perceived immigration status. District personnel shall treat all students equitably in the receipt of all school services, including, but not limited to, the free and reduced meal program, transportation, and educational instruction. The District will continue to enforce the Nondiscrimination in District Programs and Activities and Positive School Climate policies.

In accordance with law, Board Policy 0410 - Nondiscrimination in District Programs and Activities, and Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district’s programs and activities on the basis of the student’s or family’s immigration status or for the refusal to provide information related to the student’s or family’s immigration status. (Education Code 200, 220, 234.1)

The specific provisions of this policy, which limit the District’s participation in immigration enforcement to the maximum extent permitted by law, are necessary to fulfill the District’s obligation, under *Plyler v. Doe*, to provide all students, regardless of their immigration status, equal access to education.

Prohibition Against Immigration Enforcement Activities on District Property

Involving the enforcement of Federal civil immigration law establishes a climate of fear, conflict, and stress, and it 1) creates the perception that District personnel are exercising federal immigration enforcement authority; 2) decreases the likelihood that students will cooperate with staff and officials, based on fears that this could lead to their deportation or the deportation of family members; and 3) conflicts with the District’s constitutional obligation to provide equal educational opportunities to students regardless of their immigration status.

The District shall not enter into agreements with state or local law enforcement agencies, or any federal agency, to conduct or support immigration enforcement activities. Current and future local law enforcement partners, including SROs, shall acknowledge, through a signed Memorandum of Understanding (“MOU”), that they will not enforce federal immigration law, as outlined by the City of Sacramento’s Sanctuary City Resolution and the State of California’s Values Act, and declare that they will not participate in immigration enforcement efforts with federal authorities. This means that law enforcement officers, including SROs, stationed at District schools shall not: hold individuals in custody on Immigration and Customs Enforcement (“ICE”) detainers, respond to ICE notification or transfer requests, make arrests based on civil immigration warrants, or allow ICE to use campus facilities for immigration enforcement purposes.

Federal Immigration Authorities Request for Access to District Property, Information, or Students

Unless required by state or federal law, required to administer a state or federally supported educational program, or presented with a valid judicial subpoena, judicial warrant, or court order, District staff shall not do any of the following:

1. Solicit or collect information or documents regarding the citizenship or immigration status of a student or the student’s family members. (Education Code 234.7)
2. Seek or require information or documents, to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student’s family members. (Education Code 234.7)
3. To the extent practicable, disclose or provide in writing, verbally, or in any other manner to an officer or

employee of an agency conducting immigration enforcement:

- a. The education records of or any information about a student or a student's family or household such as personal information as defined in Civil Code 1798.3, information about a student's home, or information about a student's travel schedule without parent/guardian written consent. (Education Code 234.7)
 - b. The personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information. (Education Code 234.7; Government Code 7285.2)
4. Grant permission to an officer or employee of an agency conducting immigration enforcement to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring. (Education Code 234.7; Government Code 7285.1)

The Superintendent, District Legal Counsel, or designee, shall ask for the requesting agents' credentials, ask why the agents are requesting access, ask for written authorization from their employing agency instructing them to enter District property, and ask to see a warrant signed by a federal or state judge, which specifies the name of the person under arrest or property to be searched and/or seized. Any request for access to District property, information, or student by federal immigration authorities, in the absence of a judicial warrant, other court order, or exigent circumstances shall be denied. If the officer declares that exigent circumstances exists and demands immediate access to the campus, District personnel should comply with the officer's orders and immediately contact the Superintendent or designee. District personnel should not attempt to physically impede the agent, even if the agent appears to be exceeding the authorization given under a warrant or other document. If the agent enters the premises without consent, District personnel shall document his or her actions while on campus. District personnel should email the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

As soon as possible, the District shall explore all options for legal challenges to the demand, judicial warrant, or court order for access to students, records, or District property. If applicable procedural rules permit the District to challenge the demand before complying, the District shall take all necessary and lawful steps to oppose requests or demands that the District assist or cooperate with immigration enforcement actions.

In exploring a legal challenge, the District may consider a number of factors, including but not limited to: whether the terms of the warrant or court order conflicts with the District's responsibilities under *Plyler v. Doe* and other applicable laws; whether the terms of the warrant or court order conflict with federal and state privacy laws; and whether the District can honor the terms of the warrant or court order while providing for the emotional and physical safety of its students and staff.

However, District staff shall not obstruct, interfere with, or otherwise impede an officer or employee of an agency conducting immigration enforcement who nonetheless enters district-provided transportation, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring.

If the Superintendent, District Legal Counsel, or designee determine that the federal immigration enforcement authorities presented a valid judicial warrant or other court order, the school site principal or his/her designee shall oversee the agents' investigation. Such oversight includes prohibiting access to information, records, students, and areas beyond that specified in the warrant. The principal or designee shall discourage federal immigration enforcement agents from escorting students through school hallways in view of other students.

This policy requires staff to develop Administrative Regulations that shall include, but not limited to the following elements:

- A protocol for a principal or designee to follow if federal immigration authorities request access to District property, students, information, or records by directly going to that property.
- A protocol for the superintendent or designee to follow in reviewing the viability of the federal immigration authorities request for access. That protocol should include:
 - A process for confirming the agents' credentials, purpose for access, written authorization from employing agency, signed judicial warrant and other documentation instructing the agent to enter District property.
- A protocol outlining next steps if a federal immigration enforcement agents satisfy the criteria for entering onto District property.
- A protocol for the Superintendent or designee to monitor the agents' investigation. Such oversight includes prohibiting access to information, records, students, and areas beyond that specified in the warrant.

Federal Immigration Authorities Request for Access to Student Records

The District shall refuse all requests by federal immigration authorities for voluntary access to student records including, but not limited to, student directory information, and information that may be disclosed to law enforcement under the Family Education Rights and Privacy Act ("FERPA") across all aspects of the District and to the fullest extent possible under the law. As such, any request for student records by federal immigration enforcement authorities, in the absence of a court order or judicial warrant, shall be denied.

If the request for records is initially provided to District personnel on District property, it shall be denied in accordance with the District's general policy against sharing student records. District personnel shall neither confirm nor deny the existence of the requested record to federal immigration authorities, and shall immediately forward the request and any accompanying documents to the Superintendent, District Legal Counsel, or designee for review.

If presented with a subpoena for student records from federal immigration authorities, including an ICE Administrative Subpoena, the Superintendent, District Legal Counsel, or designee will make a determination as to how to respond to the subpoena. Such a response may include objecting to the subpoena on procedural and/or substantive grounds, or filing a motion to quash. In the event the federal immigration authorities seek to enforce the subpoena in court, the District will oppose that motion and may appeal a court order enforcing the subpoena. The District will comply with any final court order enforcing an Administrative Subpoena issued to federal immigration authorities.

If the Superintendent, District Legal Counsel, or designee determines that access to a student's record is required by judicial warrant or other court order, the school site principal or designee shall limit access to the express terms of the warrant and comply with corresponding Administrative Regulations on this matter.

The District shall explore all legal challenges to any judicial warrant for student records as outlined in the previous section. If the Superintendent, District Legal Counsel, or designee determines that access to a student's record is required by judicial warrant or other court order, the school site principal or designee shall limit access to the express terms of the warrant and comply with corresponding Administrative Regulations on this matter,

The Superintendent or designee shall report to the Board in a timely manner any requests by an officer or employee of an agency conducting immigration enforcement for any of the following: (Education Code 234.7)

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring

Such reports shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

Student and Family Informational Privacy Pertaining to Immigration Status, Citizenship Status, and National Origin

District personnel shall not require information that relates to students' or their families' immigration status, or country of birth/origin, including, a passport, birth certificate, green card, or other citizenship-related documents at any time. District shall not request entire social security numbers, but may collect the last four digits of a social security number of adult household members, if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member's social security number to establish eligibility for a federal benefit program, the District shall explain the limited purpose for which the information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.

The District shall permit alternative documents or information to establish a child's age for enrollment purposes, or eligibility for a specified program, which may include an affidavit from the parent or guardian, previously verified school records, or any other alternative specified in law. Alternative documents shall be permitted to establish residency as well, to include a declaration of residency executed by the parent or guardian or the student, or any other alternative specified in law. The District's enrollment forms and procedures shall describe and accommodate, all alternative documents specified in law and contained herein that may be used to determine a child's age, or residency of the child's parent or guardian.

District personnel who learn of information related to student's or their family member's actual or perceived immigration status or place of birth, even if voluntarily offered by the parent, guardian, or student, must keep that

information confidential and, therefore, shall not record or distribute that information at any time. Such information acquired by the District shall not be used to discriminate against any students or families, or bar children from enrolling in or attending school. Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, the District shall solicit that documentation or information separately from the school enrollment process.

District personnel shall take immediate action to remove any information regarding the immigration status of a student or a student's parents/legal guardians from any and all school records.

If students, parents, or guardians have questions about their immigration status, District personnel shall not refer them to ICE or any other law enforcement or government immigration agency.

Pursuant to FERPA, District personnel shall not disclose personally identifying information found in a student's education records without parental consent authorizing, or a court order mandating, the disclosure. Prohibited information-sharing under this policy includes, but is not limited to, disclosing information in a student's cumulative file relating to the student or their family member's immigration status, country of birth, or other personally identifiable information as defined by FERPA. However, parental or guardian consent for the release of student information is not required if the information sought is relevant for a legitimate educational interest, or includes directory information only. Neither exception permits disclosing information to immigration authorities for immigration-enforcement purposes, unless there is a valid court order or judicial subpoena.

District personnel, including SROs, shall not disclose or discuss with any non-District personnel, such as federal immigration authorities or local, state, or federal law enforcement, a student's or their family member's personal information, absent a valid court order, or consent by the student or student's parent or guardian.

Categories of information about a student or family member that may not be shared include:

- Gender identity;
- Sexual orientation;
- Status as a survivor of domestic violence;
- Survivor of sexual assault;
- Status as a crime victim or witness;
- Recipient of public assistance;
- Actual or perceived immigration or citizenship status;
- National origin;
- Religion;
- Records of juvenile criminal allegations, arrests, convictions, or adjudications;
- School discipline record; and
- All information included in an individual's or household's income tax records.

The District shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

Parental Notification

The Superintendent or designee shall provide parents/guardians with information and notifications as specified in Education Code 234.7, including information regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement.

If any federal immigration authority requests or gains access to a student or their records held by the school or District, the Superintendent or designee must immediately notify the student's parent or guardian, in private, that the federal immigration authority sought access to the student or student record, unless the court order or subpoena relates to a federal grand jury investigation or law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or relates to domestic or international terrorism. Generally speaking, the District shall notify the parent or guardian of any court orders, warrants, or subpoenas before responding to such requests, except for investigations of child abuse, child neglect, or child dependency.

The Superintendent or designee shall record the time(s) of contact or attempted contact with the parent or guardian. The Superintendent or designee shall remind the parent or guardian that they have the right to authorize and send a designee to pick up their child on the parent's behalf. Unless prohibited, the Superintendent or designee shall provide students and parents or guardians with any documents issued by the federal immigration authority. The Superintendent or designee shall also direct the notified parent or guardian to District-approved resources, developed with organizations that specialize in immigrants' rights, regarding parents' rights when law enforcement authorities, including federal immigration authorities, question or detain their children. Parents shall also be encouraged to explore legal options to challenge the request on their own, in addition to the District's efforts to do the same.

The Superintendent or designee who provide parental notice are prohibited from inquiring into the parent or guardian's immigration status.

Response to Federal Immigration Authorities Arrest of a Student's Parent or Guardian

In the event a parent or guardian has been arrested by federal immigration authorities, the District shall use the student's emergency card contact information and release the student(s) to the person(s) designated as emergency contacts by the student's guardian. Alternatively, the District will release the student(s) into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the child. In the event there is no emergency contact listed or the emergency contact(s) are not able to take custody of the child, and no person with a Caregiver's Authorization Affidavit presents themselves on behalf the child, the District will release the student(s) to the appropriate authorities.

Students and families may update their contact information throughout the school year, and alternative contacts may be provide if no parent or guardian is available. Information provided within emergency cards shall only be used in response to specified emergency situations, and not for any other purpose. Caregiver Authorization Affidavits on file may be noted on emergency contact cards, and all siblings will be notified and released to the same designated caregiver what at all possible.

Prohibition Against Law Enforcement Partners' Information Sharing Agreements with Federal Immigration Authorities

District shall not employ officers from, or enter into agreements with, external law enforcement agencies that have agreements, policies, or procedures that promote or facilitate information sharing with federal immigration authorities.

District recognizes that policies and procedures authorizing information sharing between law enforcement agencies and federal immigration authorities are not necessarily formal agreements. Information sharing can occur through unofficial agreements, policies, and practices, or unintentionally on shared databases. Accordingly, to prevent disclosure of student information, District will review the information-sharing agreements, policies, and procedures of every local law enforcement agency with which District intends to enter into a formal agreement for security or other services. If District is currently under an agreement with a local law enforcement agency for services, District will review the local law enforcement agency's information sharing policies, procedures, and agreements for provisions that promote or facilitate information sharing with federal immigration authorities to ensure compliance with this policy to the greatest extent possible.

To determine whether a local law enforcement agency has a problematic information sharing agreement or practice, the District shall consider the following:

- Whether the local law enforcement agency shares information on shared databases; and
- Whether the local law enforcement agency communicates with federal immigration authorities and to what extent.

If the District employs officers from, or has agreements with, a law enforcement agency that shares information with any federal immigration authorities, the District shall determine whether the operative agreements with the local law enforcement agency adequately protect students' personal information. The District must immediately amend or render inoperative agreements, terms, and clauses that fail to ensure compliance with this policy.

Data Tracking

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)

Administrative Regulations shall outline how the District shall track and monitor each instance, if any, that federal immigration authorities request and/or receive access to District property, student records, or students, including arrests of students.

The school principal or designee shall also notify the Superintendent and enter a written Incident Report the same day to detail any immigration enforcement activity involving District students, property, and personnel as outlined in Administrative Regulations.

District Policies, Practices, and Programs to Ensure Equal Access to Public Education Regardless of Immigration Status

In order to provide all students, regardless of the immigration status, equal access to a quality public education, the District shall create, implement, and maintain the following policies, practices, and programs:

- The District shall increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation;
- The District shall ensure that students and their families are aware of opportunities to gain access to college, in-

- state tuition, financial aid, scholarships, internships, and career opportunities, regardless of their status;
- The District shall gather and provide information regarding earning opportunities, internships, and trainings that do not require a social security number;
- The District shall provide contacts for resources for legal, medical, housing or other assistance available to all students;
- The District shall train counselors and teachers on working with immigrant and undocumented students and their families;
- The District shall train counselors and teachers on information, strategies, practices, and programs to assist undocumented students pursue college and careers.
- The District shall create in-language Know Your Rights presentations for students, their family members, and District personnel, to cover their rights regarding interactions with federal immigration authorities;
- The District shall express its public support for the continuation and expansion of Deferred Action for Childhood Arrivals (“DACA”) Program and all other pro-immigrant legislation that may be proposed at the local, state, and federal level;
- The District shall provide free or low-cost legal assistance for DACA applications and renewals and access to available scholarship opportunities to subsidize DACA application fees through partnerships with appropriate community based, government, or non-profit organizations;
- The District shall create community partnerships to provide legal screenings, advice, and representation for students and their families who may be undocumented or facing deportation, including: making opportunities available for legal clinics and screenings for students and families and continue connections and communication with the Sacramento citywide rapid response network to assist students who have been detained by federal immigration authorities or whose families have been detained.

Training and Distribution of Policy

The Superintendent or designee shall develop procedures for, and may provide training to staff on, interactions with an officer or employee of an agency conducting immigration enforcement, including a request for any of the following:

1. Education records of or any information about a student or a student's family or household.
2. Personnel records of any district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information.
3. Permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring.

The Superintendent shall develop a plan for training District personnel on how to respond to federal immigration authorities who request information about students and families and/or attempt to enter school property. The training plan shall be outlined in the Administrative Regulations and include procedures for notifying families about federal immigration authorities' efforts to gain information about students and families, and how to support students whose family members have been displaced because of immigration enforcement. The Superintendent shall create versions of this policy and accompanying Administrative Regulations in the District's Top five threshold languages and distribute it to all District students, parents, guardians, and District personnel.

Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall provide to the California Department of Education, upon request and in the manner requested, copies of this policy, any associated administrative regulation, and any other Board policies and administrative regulations required by Education Code 234.7.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
Civ. Code 1798.3	Information Practices Act of 1977; definitions
Ed. Code 200	Prohibition of discrimination
Ed. Code 200	Equal rights and opportunities in state educational institutions
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 32282	Comprehensive School Safety Plan
Ed. Code 48204.4	Evidence of residency for school enrollment
Ed. Code 48906	Exception to parent/guardian notifications
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents/guardians in language other than English
Fam. Code 6552	Caregiver's authorization affidavit
Gov. Code 7285-7285.3	Prohibitions on Employer Cooperation with Immigration Enforcement Agents
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 627-627.10	Access to school premises

Federal

20 USC 1232g
34 CFR 99.30-99.31
U.S. Constitution, Fourth Amendment

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
FERPA Regulations
Unreasonable search and seizure

Management Resources

CA Office of the Attorney General Publication

Court Decision

Website

Website

Website

Website

Website

Website

Website

Website

Website

Website

Description

[Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes, December 2025](#)

[Plyler v. Doe \(1982\) 457 U.S. 202](#)

[California Department of Education, Resources to Include Immigrant Families](#)

[California Department of Education, LEA Immigration Enforcement Policy Submission](#)

[CSBA District and County Office of Education Legal Services](#)

[U.S. Immigration and Customs Enforcement, Online Detainee Locator System](#)

[California Office of the Attorney General](#)

[CSBA](#)

[U.S. Department of Education](#)

[U.S. Department of Education, Office for Civil Rights](#)

[U.S. Immigration and Customs Enforcement](#)

[California Civil Rights Department](#)

Cross References

0410

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1312.3

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1312.3-E(1)

1312.3-E(2)

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3515.3

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Description

[Nondiscrimination In District Programs And Activities](#)

[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

[Visitors/Outsiders](#)

[Visitors/Outsiders](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Uniform Complaint Procedures](#)

[Access To District Records](#)

[Access To District Records](#)

[District Police/Security Department](#)

[District Police/Security Department](#)

[Nutrition Program Compliance](#)

[Nutrition Program Compliance](#)

[Admission](#)

[Admission](#)

Cross References

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Description[District Residency](#)[District Residency](#)[Student Records](#)[Student Records](#)[Release Of Directory Information](#)[Release Of Directory Information](#)[Release Of Directory Information](#)[Bullying](#)[Bullying](#)[Health Care And Emergencies](#)[Health Care And Emergencies](#)[Child Abuse Prevention And Reporting](#)[Child Abuse Prevention And Reporting](#)[Safety](#)[Safety](#)[Search And Seizure](#)[Search And Seizure](#)[Nondiscrimination/Harassment](#)[Nondiscrimination/Harassment](#)[Civic Education](#)[Courses Of Study](#)[Courses Of Study](#)[Migrant Education Program](#)[Migrant Education Program](#)