

STUDENTS

Response to Immigration Enforcement

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at any District schools, except as may be required by state and federal law and only after consultation with the District's Superintendent or designee. (Education Code 234.7)

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

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 his/her immigration status. (Education Code 200, 220, 234.1)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of citizenship or immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

(cf. 5145.6 - Parental Notifications)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer or agent for access to District records, school sites, or students for the purpose of immigration enforcement.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

Upon notice and verification that a law enforcement officer or immigration agent or officer has entered a District school, property, or at a District bus stop- seeking to enforce immigration law, the Superintendent or their designee shall issue notification to District employees and parents/guardians. The notice shall include the following information:

- Identify the presence of immigration enforcement;
- The location or area immigration enforcement is occurring;

- If enforcement is on District property or campus, identify the time of entry; and
- Identify the District's point of contact for additional questions.

Following the presence of law enforcement or immigration agent or officer on District property or schools, the Superintendent or their designee shall issue another notice identify the time the law enforcement officer, immigration officer, or agent left District property or school site.

The Superintendent or their designee shall use existing communication platforms to issue the required notices referred above. Notice shall be issued in all languages identified by District families. Notices shall be written in a manner easily understood by District staff and student families and in a manner that reduces school disruption.

Training to School Employees

Teachers, school administrators, and other school staff shall receive annual training regarding immigration issues, including information on responding to a request from an immigration officer or agent to visit a school site or to have access to a student.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Notice to Board of Trustees of Requests for Information or School Access

The Superintendent or their designee shall report to the Board as soon as reasonably possible, in a timely manner, and no later than within 24 hours of receipt or notice, any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing ~~the~~ immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information and delivery to the Board. (Education Code 234.7)

Legal Reference:

EDUCATION CODE

200 Educational equity

220 Prohibition of discrimination

234.1 Safe Place to Learn Act

234.7 Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

California Department of Justice: <http://www.justice.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <http://locator.ice.gov/odls>

Policy adopted: 7/10/18