

POLICY: Response to Immigration Enforcement (Education Code § 234.7)

1. Purpose

The Charter School is committed to maintaining a safe and welcoming learning environment for all students and families, regardless of actual or perceived immigration status. The Charter School shall limit assistance with immigration enforcement to the fullest extent possible consistent with federal and state law and shall follow the procedures in this policy when an immigration enforcement officer seeks access to school grounds, students, or student records.

2. Scope

This policy applies to all Charter School employees, contractors, volunteers, and any other individuals acting on behalf of the Charter School while on campus, at school-sponsored events, on school transportation, and when responding to requests for student information or records.

3. Definitions

For purposes of this policy:

- **Immigration enforcement** includes actions to investigate, detain, apprehend, or remove individuals based on immigration laws.
- **Immigration enforcement officer** includes federal officers or agents seeking access for immigration enforcement purposes.
- **School Leader** for purposes of this policy means the **Principal/School Leader and/or School Director (or designee)**, consistent with the site's emergency and command structure.

4. General Prohibitions and Commitments

A. Non-discrimination and access to education. The Charter School shall not discriminate against students on the basis of immigration status and shall ensure equal access to educational opportunities consistent with law.

B. No collection of immigration status information (unless required). School officials and employees shall not collect information or documents regarding citizenship or immigration status of pupils or their family members except as required by state or federal law or to administer a state or federally supported educational program.

C. **Minimum necessary information.** The Charter School will limit sharing of student and family information to what is legally required and will follow applicable privacy laws for education records.

5. Requests for Access to School Grounds (On-Campus Enforcement)

A. **Front office protocol.** If any person requests access to school grounds for immigration enforcement purposes, staff shall:

- Remain calm and professional.
- Request identification and the reason for the visit.
- **Immediately notify the School Leader (Principal/School Leader and/or School Director, or designee).**
- Advise the officer that school personnel must have the School Leader review written documentation prior to proceeding with the request.

B. **Verification required before access.** The Charter School shall not consent to entry onto campus for immigration enforcement purposes unless the School Leader (or designee), in consultation with legal counsel as appropriate, verifies lawful authority to enter.

C. Warrants and subpoenas; required document handling.

1. Staff shall request **written legal authority** (for example, a warrant, subpoena, or court order) and shall not attempt to interpret it.
2. The officer shall be asked to present identification (name and badge number), and staff shall **make a copy or record** the officer's name, badge number, and agency (if available).
3. Staff shall **make copies and retain a copy of all documents** provided by the officer and retain at least one copy for school records.
4. Any warrant/subpoena/court order shall be provided promptly to the School Leader (or designee), who will determine the Charter School's response in consultation with counsel as appropriate.

D. Exigent circumstances; do not impede.

1. If the officer asserts that **exigent circumstances** exist and demands immediate access to the campus, school personnel should comply and **immediately contact the School Leader**.
2. If the officer does **not** declare exigent circumstances, school personnel shall inform the officer that the Charter School must consult its own legal counsel before proceeding.
3. In the event the officer presents a **federal judicial warrant** (search and seizure warrant or arrest warrant), consultation with the Charter School's legal counsel shall be made before providing the officer access to the person or materials specified in the warrant, **if feasible**.
4. School personnel should not consent to access by an immigration-enforcement officer except as described above. At the same time, personnel shall **never physically impede** an

officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If the officer enters without consent, personnel shall document the officer's actions while on campus.

E. **No disruption to instruction.** If access is legally required, the Charter School will take steps to minimize disruption and protect student privacy and safety.

6. Requests for Student Records or Information

A. **Direct all requests to administration.** Any request (verbal or written) by an immigration enforcement officer for student records or information shall be immediately referred to the School Leader (or designee).

B. **Records disclosure only as legally required.** The Charter School will disclose student records only as authorized/required by law, and will follow required procedures for reviewing legal process and protecting confidential pupil records.

C. **Documentation of record requests.** The School Leader (or designee) shall document the request and maintain related records. Documentation shall include, as applicable:

- Requesting agency and officer name/badge number (if provided)
- Date/time and location of request
- The stated purpose of the request and the specific records/information requested
- Whether a warrant/subpoena/court order was presented, and any available proof that the warrant was or was not signed by a judge (as applicable)
- The Charter School's response and any further action taken by the officer
- Copies/photos of documentation presented by the officer

7. Notifications to Families and the School Community

A. **Parent/guardian notice of rights and resources.** The Charter School shall provide families with information about:

- the right to a free public education regardless of immigration status, and
- how the school will respond to immigration enforcement activity, including family resources and points of contact.

B. **Parental notification and consent (student interview/search; student access).**

1. **Consent before interview or search.** Before a student may be interviewed or searched by any officer seeking to enforce civil immigration laws at the Charter School, Charter School personnel must receive consent from the student's parent/guardian, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order stating otherwise.

2. **Immediate parent/guardian notice of access to a student.** Charter School personnel must immediately notify the student's parent/guardian if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless that access was in compliance with a warrant or subpoena that restricts disclosure of the information to the parent/guardian.

C. Site presence notifications (if required by law). The Charter School will follow any state-law notification requirements that apply when immigration officers are present on campus.

8. Training

The Charter School shall provide annual training (and onboarding training for new staff) for teachers, administrators, and front office staff on:

- how to respond to immigration enforcement requests,
- student privacy and confidentiality,
- how to avoid collecting unnecessary immigration-status information, and
- trauma-informed communication with students and families.

9. Reporting to the Governing Board

The School Leader (or designee) shall report to the Governing Board in a timely manner regarding any immigration enforcement request for access to campus, students, or student records, consistent with law and student confidentiality requirements.

In addition, school personnel shall provide notes of the interaction to the Charter School's legal counsel and provide the Governing Board a report of the interaction as timely as possible. These notes must include, but are not limited to:

1. List or copy of the officer's credentials and contact information;
2. List of all Charter School personnel who communicated with the officer;
3. Details of the officer's request;
4. Information on whether the officer presented a warrant or subpoena/court order to accompany the request, the information/access requested, and any available proof that the warrant was or was not signed by a judge (as applicable);
5. Charter School personnel's response to the officer's request;
6. Any further action taken by the officer;
7. Photo or copy of all/any information presented by the officer.

10. Relationship to Other Policies

This policy operates alongside Board policies and procedures related to:

- student records confidentiality,
- visitor access and campus safety,

TEACH Policy #9730

Immigration Enforcement Policy

Board Approved: 12/9/25

- nondiscrimination, bullying/harassment, and
- emergency response.

11. Legal References (non-exhaustive)

Education Code section 234.7; California Attorney General guidance/model policies regarding a safe and secure learning environment for all; applicable federal and state privacy laws governing pupil records.

12. Required External Reporting (Attempted Immigration-Enforcement Access)

Any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes should be reported to the Bureau of Children's Justice in the California Department of Justice at **BCJ@doj.ca.gov**.
