

Immigration Enforcement Policy

Why adopt a policy related to Immigration Enforcement?

Each local education agency in California must adopt policies ensuring that public schools remain safe and accessible to all California residents regardless of immigration status. These policies need to comply with the originally adopted Model Policies, as well as the updated Model Policies from 2025.

The following policies are equivalent to the model policies drafted by the Attorney General's office and reference model policies already adopted by many charter schools. Please also see the policies on Admissions and Enrollment (Student Policy 1), Educational Records and Student Information (Student Policy 5), Anti-Harassment, etc., (Student Policy 12), Detention and Deportation (Student Policy 19) and Registration of Visitors/Guests (Facilities/Operations Policy 5) to ensure all of the required information is included in your board adopted policies.

Responding to On-Campus Immigration Enforcement

As early as possible, Charter School personnel shall notify the school Executive Director or designee of any request by an immigration or law-enforcement officer seeking access to the schoolsite or any student to conduct immigration enforcement, or any requests for review of school documents (including for the service of lawful subpoenas, petitions, complaints etc.).

In addition, if an officer appears on campus specifically for immigration-enforcement purposes, Charter School personnel must take the following actions:

1. Advise the officer that before proceeding with the request, and absent exigent circumstances, school personnel must first receive notification and direction from the Executive Director;
2. Ask to see (and make a copy of or note) the officer's credentials (name and badge number), and ask for, and copy or note, the phone number of the officer's supervisor;
3. Ask the officer for her/his reason for being on school grounds and document it;
4. Ask the officer to produce any documentation that authorizes school access;
5. Make copies and retain a copy of all documents provided by the officer. Retain one copy for school records;
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, school personnel should comply with the officer's orders and immediately contact the Executive Director.

If the officer does not declare that exigent circumstances exist, school personnel shall respond to the requirements of the officer's documentation as follows. If the officer has:

- **An ICE (Immigration and Customs Enforcement) administrative warrant:** Charter School personnel shall inform the officer that they cannot consent to any request without first consulting with the Charter School's legal counsel or other designated agency official;
- **A federal judicial warrant (search-and-seizure warrant or arrest warrant):** Prompt compliance with such a warrant is usually legally required. If feasible, consult with the Charter School's legal counsel or designated administrator before providing the officer/agent access to the person or materials specified in the warrant;
- **A subpoena for production of documents or other evidence:** Immediate compliance is not required. Therefore, the Charter School personnel shall inform the Charter School's legal counsel or other designated official of the subpoena and await further instructions on how to proceed.

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 the premises without consent, personnel shall document his or her actions while on campus and if feasible, accompany them at all times.

After the encounter with the immigration officer, Charter School personnel shall promptly take written notes of all interactions with the officer. The Charter School personnel shall provide notes, and associated documents collected, of the interaction to the Charter School's legal counsel or designated administrator. The Charter School's legal counsel or designated administrator shall submit a timely report to the governing board regarding the officer's requests and actions and the Charter School's response(s). The notes taken by personnel must include, but are not limited to:

1. List or copy of the officer's credentials and contact information;
2. List 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 his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge ;
5. Charter School personnel's response to the officer's request;
6. Any further action taken by the officer/agent;
7. Photo or copy of all/any information presented by the agent.

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

Parental Notification

Before a student can 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 or guardian, unless the officer presents a valid, effective warrant signed by a judge or presents a valid, effective court order.

Charter School personnel must immediately notify the student's parents or guardians if a law-enforcement officer or employee of an agency requests or gains access to a student for immigration-enforcement purposes unless that access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Training

The Charter School will establish training regarding immigration issues for teachers, school administrators, and school staff, including information on responding to a request from an officer enforcing immigration law to visit a school site or to have access to a student. The Charter School will designate an employee to facilitate training programs for staff, help provide non-legal advice to families and assist in communications with the Charter School and other stakeholders in local and state government.

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