

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 **and shall not seek or require information or documents to the exclusion of other permissible information or documents**, regarding the citizenship or immigration status of students or their family members ~~or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law.~~ (Education Code 234.7)

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 his/her immigration status: **or for the refusal to provide information related to the student's or family's immigration** (Education Code 200, 220, 234.1)

~~(cf. 0410—Nondiscrimination in District Programs and Activities)
(cf. 5131.2—Bullying)
(cf. 5145.3—Nondiscrimination/Harassment)~~

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)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of 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, t~~The Superintendent or designee shall develop procedures for addressing any **immigration-related** requests by a law enforcement officer for access to district records, school sites, or students. ~~for the purpose of immigration enforcement.~~

~~(cf. 5125—Student Records)
(cf. 5125.1—Release of Directory Information)~~

~~Teachers, school administrators, and other school staff shall receive~~ **The Superintendent or designee may provide training to staff** regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by ~~an officer or employee of a law enforcement~~ **officer** 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. (Education Code 234.7)

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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)~~

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

Ed. Code 200

Ed. Code 220

Ed. Code 234.1

Ed. Code 234.7

Ed. Code 48204.4

Ed. Code 48980

Ed. Code 48985

Gov. Code 8310.3

Pen. Code 422.55

Pen. Code 627-627.10

Description

Equal rights and opportunities in state educational institutions

Prohibition of discrimination

Student protections relating to discrimination, harassment, intimidation, and bullying

Student protections relating to immigration and citizenship status

Evidence of residency for school enrollment

Parent/Guardian notifications

Notices to parents in language other than English

California Religious Freedom Act

Definition of hate crime

Access to school premises

Federal

20 USC 1232g

Description

Family Educational Rights and Privacy Act (FERPA) of 1974

Management Resources

CA Office of the Attorney General
Publication

Description

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, December 2024

Court Decision

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

Website

CSBA District and County Office of Education Legal Services

Website	<u>U.S. Immigration and Customs Enforcement, Online Detainee Locator System</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>U.S. Immigration and Customs Enforcement</u>
Website	<u>California Department of Education</u>
Website	<u>California Civil Rights Department</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In District Programs And Activities</u>
1250	<u>Visitors/Outsiders</u>
1250	<u>Visitors/Outsiders</u>
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
3515.3	<u>District Police/Security Department</u>
3515.3	<u>District Police/Security Department</u>
3515.31	<u>School Resource Officers</u>
3555	<u>Nutrition Program Compliance</u>
3555-E(1)	<u>Nutrition Program Compliance</u>
5111	<u>Admission</u>
5111	<u>Admission</u>
5111.1	<u>District Residency</u>
5111.1	<u>District Residency</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.1	<u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u>
5125.1-E(1)	<u>Release Of Directory Information</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5142	<u>Safety</u>
5142	<u>Safety</u>
5145.12	<u>Search And Seizure</u>
5145.12	<u>Search And Seizure</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.6	<u>Parent/Guardian Notifications</u>
5145.6-E(1)	<u>Parent/Guardian Notifications</u>
6142.3	<u>Civic Education</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>