

## Immigration Enforcement Policy 2025-26

### **Purpose and Scope**

The purpose of this policy is to establish procedures for responding to immigration enforcement actions at Bullis Charter School (BCS) in order to ensure that the school environment remains safe, orderly, and conducive to learning. This policy outlines the responsibilities of BCS personnel when interacting with immigration or other law-enforcement officers seeking access to school grounds, students, or school records for immigration enforcement purposes.

BCS is committed to protecting the educational rights, privacy, and well-being of all students, regardless of immigration status, and to complying with applicable federal and California laws governing school access and student records. This policy provides guidance to staff on how to appropriately respond to requests from immigration enforcement officers while minimizing disruption to school operations and ensuring that appropriate administrative and legal review occurs before access is granted, except where required by law.

### **Definitions**

- **BCS Personnel:** All employees, administrators, and authorized staff members of BCS, including but not limited to teachers, office staff, support staff, and site administrators.
- **Immigration Enforcement Officer:** Any officer or employee of a federal agency, including but not limited to the U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), or U.S. Customs and Border Protection (CBP), who is acting for the purpose of enforcing civil immigration laws.
- **Judicial Warrant:** A warrant issued and signed by a federal or state judge or magistrate that authorizes law enforcement to conduct a search, arrest, or seizure. A judicial warrant differs from an administrative immigration warrant issued by an immigration agency.
- **Administrative Warrant:** A document issued by an immigration enforcement agency, such as ICE, that authorizes immigration officers to take certain actions under civil immigration law but that is not signed by a judge.
- **Subpoena:** A legal document requiring the production of documents, records, or testimony. Subpoenas may allow time for review and response and do not typically require immediate compliance.
- **Exigent Circumstances:** Urgent situations in which immediate action is necessary to prevent imminent danger to life, serious damage to property, or the escape of a suspect, and where obtaining prior authorization or review would be impracticable.

- **School Grounds:** All property owned, leased, or operated by BCS, including school buildings, classrooms, offices, playgrounds, and any other areas used for school activities.

### **Collecting and Retaining Student Information**

BCS shall maintain in writing policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

If BCS possesses information that could indicate immigration status, citizenship status, or national origin information, BCS shall never use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.

If parents or guardians choose not to provide information that could indicate their or their children's immigration status, citizenship status, or national origin information, BCS shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling in or attending school. BCS shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status.

### **Inquiries Regarding Immigration or Citizenship Status, and National Origin Information**

BCS personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of national origin-related information to satisfy the requirements of a special program, BCS personnel shall solicit that documentation or information separately from the school enrollment process.

Where permitted by law, Executive Director of BCS shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status. BCS shall note the method of age verification but is not required to maintain a copy of the document used to show age.

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy,

BCS's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

### **Inquiries About Social Security Numbers or Cards**

BCS shall not solicit or collect entire Social Security numbers or cards. BCS shall solicit and collect the last four digits of an adult household member's Social Security number only 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, BCS shall explain the limited purpose for which this information is collected and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.

BCS shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the free and reduced lunch program, transportation, and educational instruction.

### **Procedures Regarding Information Sharing**

BCS shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status without first attempting to notify the parent or guardian in compliance with the Family Educational Rights and Privacy Act (FERPA).

BCS personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status:

- Notify the Executive Director about the information request.
- Provide students and families with appropriate notice and a description of the officer or employee's request.
- Document any verbal or written request for information by an officer or employee of an agency for immigration enforcement purposes.
- Unless prohibited, provide students and parents/guardians with any documents provided by the officer or employee seeking the information.

Except for investigations of suspected child abuse, child neglect, or child dependency, or when the subpoena served on the local educational agency prohibits disclosure, the BCS shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

BCS shall make every effort to receive written parental or guardian consent for release of student information, unless the information is for directory information only.

BCS should make a photocopy of the request and immediately consult legal counsel and/or a designated representative of the agency. No information regarding students, their families, teachers, or employees shall be disclosed, to the extent practicable, to an officer or employee of an agency conducting immigration enforcement without a judicial subpoena, judicial warrant, or court order, and any disclosure must be in accordance with requirements set forth in Section 99.31 (a)(9)(ii) of Title 34 of the Code of Federal Regulations.

If faced with an administrative subpoena, BCS will consult legal counsel to determine how or whether to respond as there is no separate requirement in federal or state law to provide information to the Department of Homeland Security (DHS), ICE, or any other agency within DHS, without a court order, judicial warrant, or judicial subpoena.

BCS's request for written parental, guardian, or eligible student consent for release of student information must include the following information: (1) the signature and date of the parent, guardian, or eligible student providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible student, a copy of the records to be released. BCS shall permanently keep the consent notice with the record file.

The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian, or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, BCS shall not release the information.

If the request seeks information regarding an employee or teacher of BCS, the same procedures as above should be followed, except that human resources personnel (hr@bullischarterschool) should be consulted first and immediately.

For any requests for information, BCS is under no obligation to produce the records or information immediately. Rather, BCS should note any designated date for production of records, if one is indicated in the request, and convey that to a designated person at the agency. The agency should designate a contact person to whom such requests for information should be directed.

The local educational agency should obtain the contact information of the person to whom a response to the request for information should be directed and forward such contact information to the person the agency has designated to receive such requests.

### **Annual Information Notice to Parents and Guardians**

BCS must provide an annual notice to parents and guardians of the school's general information policies that includes:

- Assurances that BCS will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
- A description of the types of student records maintained by BCS.
- A list of the circumstances or conditions under which BCS might release student information to outside people or entities.
- A statement that, unless BCS is providing directory information or information permitted to be disclosed without parental consent under FERPA and the California Education Code, BCS shall notify parents or guardians and eligible students - and receive their written consent - before it releases a student's personally identifiable information.
- Even for those exceptions that permit the release of education records without parental consent, the agency is required to notify the student and their family unless an exception exists. The agency's policy should explain these exceptions that do not require prior notification.

### **Monitoring and Receiving Visitors on Campus**

No outsider, which would include immigration enforcement officers, shall enter or remain on BCS school grounds during school hours without having registered with the principal or designee.

If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide, to the extent practicable, the following information to the Executive Director, Principal or Designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity; and
- Any other information as required by law.

BCS shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices. BCS posts signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.

BCS personnel shall further report entry by immigration enforcement officers to any on-site administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

## Responding to On-Campus Immigration Enforcement

BCS personnel shall notify the Principal, Executive Director and Chief of Staff of any request by an immigration or law-enforcement officer seeking access to the school site or any student to conduct immigration enforcement, or any requests for review of school documents (including for the service of lawful subpoenas, petitions, complaints, warrants, etc.) as early as possible.

In addition, if an officer appears on campus specifically for immigration enforcement purposes, BCS personnel must take the following actions in addition to notifying the Principal, Executive Director and Chief of Staff:

1. Advise the officer that that before proceeding with their request, and absent exigent circumstances, school personnel must have the Principal, Executive Director or Chief of Staff review written notification prior to beginning with request and must first receive notification and direction from either administrator;
2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number) and also ask for and copy or note the phone number of the officer's supervisor;
3. Ask the officer for their 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 asserts that special exigent circumstances exist and demands immediate access to the campus, school personnel should comply with the officer's orders and immediately contact the Principal, Executive Director and Chief of Staff;
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation.

If the officer has:

- a. an ICE (Immigrations and Customs Enforcement) administrative warrant BCS personnel shall inform the officer that **they cannot consent to any request** without first consulting with BCS's counsel or other designated agency official.
- b. 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 BCS's legal counsel or designated administrator before providing the agent access to the person or materials specified in the warrant.
- c. a subpoena for production of documents or other evidence, **immediate compliance is not required**. Therefore, BCS personnel shall inform the BCS's legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.

While BCS personnel should not consent to an officer seeking access for immigration enforcement purposes, except as described above, they should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document.

If an officer enters the premises without consent, BCS personnel shall document their actions while on campus and if feasible, accompany them at all times.

After the encounter with the officer, BCS personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:

- List or copy of the officer's credentials and contact information;
- Identity of all school personnel who communicated with the officer;
- Details of the officer's request;
- Whether the officer presented a warrant or subpoena to accompany their request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
- BCS personnel's response to the officer's request;
- Any further action taken by the agent; and
- Photos or copies of any documents presented by the agent.

BCS personnel shall provide a copy of those notes, and associated documents collected from the officer, to the Principal, Executive Director, Chief of Staff or BCS's legal counsel or other designated agency official.

In turn, BCS's legal counsel or other designated official shall submit a timely report to the BCS's board of directors regarding the officer's requests and actions and the BCS's response(s).

### **Parental Notification of Immigration Enforcement Actions**

BCS personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

BCS personnel shall immediately notify the student's parents or guardians if an officer or employee of an agency requests or gains access to a student for immigration enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or Guardian.

### **Responding to the Detention or Deportation of a Student's Family Member**

BCS will encourage families and students to be prepared in the event that a family member is detained or deported. Bullis Charter School will encourage families and students to:

- Know their emergency phone numbers;
- Know where to find important documentation such as birth certificates, passports, Social Security Cards, doctors' contact information, medication lists, and lists of allergies.

BCS shall permit students and families to update a student's emergency contact information as needed throughout the school year and to provide alternative contacts if no parent or guardian is available.

- Families may include the contact information of a trusted adult guardian as a secondary emergency contact in the event a student's parent or guardian is ever detained.
- Families will be informed that the information provided on the emergency cards will only be used to respond to emergency situations – and will never be used for any other purpose.

The student's emergency card contact information is the information that will be used in the event a student's parent or guardian is detained or deported and the student must be released to an adult designated on that card. Alternatively, BCS will release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. BCS shall only contact Child Protective Services if school staff is unable to arrange for timely care through the methods outlined above or other instructions given by the parent or guardian.

### **Reporting of attempts of immigration enforcement on campus**

BCS will e-mail the Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), regarding any attempt by an officer or employee of an agency to access a school site or a student for immigration enforcement purposes.