
IMMIGRATION ENFORCEMENT POLICY

RESPONDING TO REQUESTS FOR INFORMATION

Unless authorized by the Family Rights and Privacy Act pursuant to 20 USC 1232g, student information shall not be disclosed to immigration law enforcement authorities without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the Academy will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena.

Upon receiving any verbal request for information related to a student's or family's immigration or citizen status, the Academy staff shall:

1. Notify the Superintendent or designee about the information request.
2. Provide students and families with appropriate notice and a description of the immigration officer's request
3. Document any request for information by immigration authorities
4. Provide students and parents/guardians with any documents provided by the immigration officer, unless such disclosure is prohibited by subpoena served on the Academy or in cases involving the investigations of child abuse, neglect, or dependency

Resources and data collected by the Academy 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.

REQUESTS FOR ACCESS TO STUDENTS OR SCHOOL GROUNDS

Academy staff shall receive parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective, warrant signed by a judge or a valid, effective court order. A student's parents/guardians shall be immediately notified if a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

All visitors and outsiders, including immigration enforcement officers, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with their name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law. (Penal Code 672.2, 672.3)

Academy personnel shall notify the Superintendent or designee of any request by an immigration or law-enforcement officer for school or student access, requests for review of school documents, or requests of the services of lawful subpoenas, petitions, complaints, warrants, or other such documents, as soon as possible.

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Original Adopted Date: 2/19/19 | Last Revised Date: 4/15/25 | Last Reviewed Date: 4/15/25

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

If the officer does not declare that exigent circumstances exist, school personnel shall inform the officer that the school must consult its own legal counsel before proceeding. If the immigration-enforcement officer has:

- In the event the officer presents a federal judicial warrant (search and seizure warrant or arrest warrant), signed by a federal judge or magistrate, Academy staff shall promptly comply with a warrant. If feasible, Academy staff shall consult with legal counsel or other designated administrator before providing the agent access to the person or materials specified in the warrant.
- If the officer has an ICE (Immigrations and Customs Enforcement) administrative warrant, The Palmdale Aerospace Academy personnel shall inform the agent that he or she cannot consent to any request without first consulting with the local educational agency's counsel; or other designated ~~agency~~ Academy official.
- If the officer has a subpoena for production of documents or other evidence, immediate compliance is not required. Therefore, The Palmdale Aerospace Academy personnel shall inform The Palmdale Aerospace Academy'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 without consent, personnel shall document his or her actions while on campus.

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 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 to accompany his/her request, the information/access requested and proof that the warrant was/wasn't signed;
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 agent;
8. Any other information as required by law.

Provide a copy of these notes and associated documents collected from the officer to the Academy's legal counsel or designated Academy official.

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

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 a valid, effective court order, stating otherwise.

Charter school personnel must immediately notify the student's parents or guardians 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 the disclosure of the information to the parent or guardian.

RESPONDING TO DETENTION OR DEPORTATION OF STUDENT'S FAMILY MEMBER

The Academy shall encourage families and students to be prepared in the event that a family member is detained or deported. The Charter School shall 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.
- The Academy 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.
- The Academy shall ensure that 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.
- The Academy shall communicate to families 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 shall be used in the

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event a student's parent or guardian is detained or deported and the student must be released to

an adult designated on that card. Alternately, the Charter School shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. The Charter School shall only contact Child Protective Services if school staff are unable to arrange for timely care through the methods outlined above or other instructions given by the parent or guardian.

The Superintendent or designee may refer a student or their family members to other resources for assistance, including, but not limited to, an ICE detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.