



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.3

**Meeting Date:** May 17, 2018

**Subject:** First Reading of Draft Board Policy (BP) 5145.13: Immigration Enforcement Activities

- ☐ Information Item Only
- ☐ Approval on Consent Agenda
- ☐ Conference (for discussion only)
- ☒ Conference/First Reading (Action Anticipated: June 7, 2018)
- ☐ Conference/Action
- ☐ Action
- ☐ Public Hearing

**Division:** Board Office

**Recommendation:** Review draft Board Policy (BP) 5145.13: Immigration Enforcement Activities for approval on June 7, 2018.

**Background/Rationale:** The Sacramento City Unified School District has declared itself a Safe Haven School District, and continues to develop resources and supports for undocumented students and families in order to help secure and confirm their access to public education. This Immigration Enforcement Activities policy (BP 5145.13) outlines the role of the district and staff at protecting students and families to the fullest extent possible under the law.

**Financial Considerations:** None

**LCAP Goal(s):** College, Career and Life Ready Graduates; Safe, Emotionally Healthy and Engaged Students; Family and Community Empowerment; and Operational Excellence.

**Documents Attached:**

1. Executive Summary
2. Draft Immigration Enforcement Activities policy for review

**Estimated Time of Presentation:** 10 minutes

**Submitted by:** Nathaniel Browning, Manager II,  
Policy and Governance for the BOE

**Approved by:** Jorge A. Aguilar, Superintendent

# Board of Education Executive Summary

## Board Office

First Reading of Draft Board Policy (BP) 5145.13:

Immigration Enforcement Activities

May 17, 2018



### I. Overview/History of Department or Program:

Sacramento City Unified School District declared itself a Safe Haven School District in December 2016 with the passage of Resolution No. 2915: Recognition of A Safe Haven School District, and has since been recognized for such leadership. The district recommitted and increased the focus on Safe Haven efforts in January 2018 with the passage of Resolution No. 2980: Expanding Safe Haven Efforts. The continued commitment of the District's Safe Haven efforts has focused on a number of areas throughout the district, such as creating Rapid Responder protocols to potential immigration enforcement activities at our school sites as well as within our communities. The District is also engaged in partnerships with the city of Sacramento's F.U.E.L Network, California Rural Legal Assistance Foundation, the Mexican Consulate and others to provide trainings, workshops and supports for our student and families, as well as for our staff that support them.

The Immigration Enforcement Activities policy (BP5125.13) was developed in the spring of 2017 when protocols were designed, in partnership with the District's labor partners, to outline the process for staff to follow if Immigration and Customer Enforcement (ICE) came on to campus. This policy also incorporates the spirit and intent of California Senate Bill 54: Law Enforcement: Data Sharing (De León) and California Assembly Bill 450: Employment Regulation: Immigration Worksite Enforcement Actions (Chiu).

### II. Driving Governance:

- California Senate Bill 54: Law Enforcement: Data Sharing (De León),
- California Assembly Bill 450: Employment Regulation: Immigration Worksite Enforcement Actions (Chiu),
- Sacramento City Unified School District Board Resolution 2915: Recognition of A Safe Haven School District, and
- Sacramento City Unified School District Board Resolution 2980: Expanding Safe Haven Efforts.

### III. Budget:

None needed.

### IV. Goals, Objectives and Measures:

The Immigration Enforcement Activities policy (BP 5145.13) outlines the District's continued commitment to providing a safe, welcoming, and inclusive learning environment for immigrant students and their families. The District is also committed to protecting the rights of students, their families, and staff through this policy by prohibiting, to the fullest extent possible under the law, information sharing and access to individuals for immigration enforcement activities.

# Board of Education Executive Summary

## Board Office

First Reading of Draft Board Policy (BP) 5145.13:

Immigration Enforcement Activities

May 17, 2018



Specifically, this policy outlines:

- The guarantee to equal access to public education regardless of immigration status;
- Prohibition against immigration enforcement activities and requests for access to District property, information or individuals on campus;
- Requests for such information or access shall be handled by site and District staff;
- The Family Educational Rights and Privacy Act (FERPA);
- Staff collection and handling of sensitive personal information related to immigration;
- Parental notification when a request for information or access to a student has been made;
- Requirements for Memorandum of Understandings with local law enforcement agencies for School Resource Officers;
- The tracking of requests made by immigration officials for access to students or information; and
- Staff training and the distribution of the policy and accompanying Administrative Regulations that are forthcoming

### V. Major Initiatives:

The Immigration Enforcement Activities (BP 5145.13) has convened representatives from throughout SCUSD whose work focuses on supporting undocumented and DACA-eligible students, families and individuals from within the surrounding community. The policy was developed by staff and partners from the community through regularly-held meetings.

### VI. Results:

The Immigration Enforcement Activities policy was developed to support students, families, the community and staff in understanding the District's protections against immigration enforcement on District property, and to outline the process and protocols if requests are made for information for immigration enforcement officials.

### VII. Lessons Learned/Next Steps:

The next step is to bring this policy back to the Board for approval on June 7, 2018 as part of the Consent Agenda. Afterwards, the policy will be made available to staff and the community, staff trainings will be developed in relation to the policy, and Administrative Regulations will be developed as outlined within the policy.

# Sacramento City USD

## Board Policy

### Immigration Enforcement Activities

BP 5145.13

Immigration enforcement activities in and around schools create hardships and barriers to health and educational attainment for immigrant students, and establish a pervasive climate of fear, conflict, and stress that affects all District students, regardless of their background or immigration status.<sup>1</sup> The federal government has recognized the human cost associated with immigration enforcement on campus and declared that schools are “sensitive locations” at which immigration enforcement activity should not occur.<sup>2</sup> Accordingly, federal immigration enforcement activities in and around District property<sup>3</sup> would be a severe disruption to the learning environment and educational setting for students.

The District is committed to providing a safe, welcoming, and inclusive learning environment for immigrant students and their families. The District is also committed to protecting the rights of immigrant students and their families through policies that prohibit information-sharing with local law enforcement and federal immigration authorities<sup>4</sup> to the fullest extent possible under the law.

The District shall not adopt or implement policies, practices, or procedures that exclude students from school based on their or their parents’ or guardians’ actual or perceived immigration status. Furthermore, District personnel<sup>5</sup> shall treat all students equitably in the receipt of all school services, including, but not limited to, the free and reduced meal program, transportation, and educational instruction. The District will continue to enforce the Nondiscrimination in District Programs and Activities and Positive School Climate policies.

(*cf. BP 0410 Nondiscrimination In District Programs and Activities*)  
(*cf. BP 5137 Positive School Climate*)

The specific provisions of this policy, which limit the District’s participation in immigration enforcement to the maximum extent permitted by law, are necessary to fulfill the District’s obligation, under *Plyler v. Doe*,<sup>6</sup> to provide all students, regardless of their immigration status, equal access to education.

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<sup>1</sup> “Citizenship or immigration status” refers to all matters regarding citizenship, the authority to reside in or otherwise be present in the United States, the time or manner of a person’s entry into the United States, or any other civil immigration matter enforced by the Department of Homeland Security (“DHS”) or other federal agency charged with the enforcement of civil immigration law.

<sup>2</sup> Memorandum from United States Immigration and Customs Enforcement (“ICE”) Director, John Morton, “Enforcement Actions at or Focused on Sensitive Locations,” (Oct. 24, 2011).

<sup>3</sup> District property includes, but is not limited to, all school sites, early education centers, adult school facilities, school buses, and District administrative offices and all other properties, including all leased properties. New or revised lease agreements for District properties shall include language outlining this policy and its extension to those properties, as applicable. This policy applies to all district personnel that may be at an off-site school event.

<sup>4</sup> “Federal immigration authorities” means any officer, employee, or person otherwise paid by or acting as an agent of ICE or any division thereof, an officer, employee, or person otherwise paid by or acting as an agent of Customs and Border Protection (“CBP”) or any other officer, employee, or person otherwise paid by or acting as an agent of the DHS who is charged with the enforcement of civil immigration law.

<sup>5</sup> District personnel refers to any individual employed by the district in any capacity.

<sup>6</sup> *Plyler v. Doe*, 457 U.S. 202, 219-230 (1982).

## **Prohibition Against Immigration Enforcement Activities on District Property**

Involving the enforcement of Federal civil immigration law establishes a climate of fear, conflict, and stress, and it 1) creates the perception that District personnel and School Resource Officers (“SRO”) are exercising federal immigration enforcement authority; 2) decreases the likelihood that students will cooperate with staff SROs, and officials, based on fears that this could lead to their deportation or the deportation of family members; and 3) conflicts with the District’s constitutional obligation to provide equal educational opportunities to students regardless of their immigration status.

The District shall not enter into agreements with state or local law enforcement agencies, or any federal agency, to conduct or support immigration enforcement activities.

Current and future local law enforcement partners, including SROs, shall acknowledge, through a signed Memorandum of Understanding (“MOU”), that they will not enforce federal immigration law, as outlined by the City of Sacramento’s Sanctuary City Resolution and the State of California’s Values Act, and declare that they will not participate in immigration enforcement efforts with federal authorities. This means that law enforcement officers, including SROs, stationed at District schools shall not: hold individuals in custody on Immigration and Customs Enforcement (“ICE”) detainers,<sup>7</sup> respond to ICE notification or transfer requests,<sup>8</sup> make arrests based on civil immigration warrants,<sup>9</sup> or allow ICE to use campus facilities for immigration enforcement purposes.

## **Federal Immigration Authorities Request for Access to District Property, Information, or Students**

In accordance with these principles and general District policies restricting visitor access to school sites for school-related purposes only, any request by federal immigration authorities for access to District property, information, or students, including to arrest a student, made directly to District personnel on District property shall be forwarded to the Superintendent, District Legal Counsel, or other designees. Requests for access shall be initially denied until further direction from the appropriate staff who have the authority to approve or deny access, absent exigent circumstances.<sup>10, 11</sup>

- District personnel shall neither confirm nor deny to the federal immigration authorities the presence of any student, record, or other information.
- The request and any accompanying documents the federal immigration authorities present shall be immediately forwarded to the Superintendent, District Legal Counsel, or designee for review to decide whether to reverse the denial and allow access to the property, student, or information and/or a decision on whether such access will conflict with District compliance with the legal principles articulated in *Plyler v. Doe* and other applicable laws.

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<sup>7</sup> “Detainer” or “hold request” means a federal ICE request that a local law enforcement agency maintain custody of an individual currently in its custody beyond the time he or she would otherwise be eligible for release in order to facilitate transfer to ICE and includes, but is not limited to, DHS Form I-247D.

<sup>8</sup> “Notification request” means an ICE request that a local law enforcement agency inform ICE of the release date and time in advance of the public of an individual in its custody and includes, but is not limited to, DHS Form I-247N. “Transfer request” means an ICE request that a local law enforcement agency facilitate the transfer of an individual in its custody to ICE, and includes, but is not limited to, DHS Form I-247X.

<sup>9</sup> “Civil immigration warrant,” also known as an administrative removal warrant, means any warrant for arrest for a violation of federal civil immigration law, and includes civil immigration warrants entered in the National Crime Information Center database.

<sup>10</sup> As this applies to student information and access to students, parents, or staff, this policy should be followed by district personnel when off campus acting in an official school capacity.

<sup>11</sup> ICE policies state enforcement activities should not take place at “sensitive locations” such as schools, but they do not preclude enforcement actions at such locations. However, enforcement may take place without approval if exigent circumstances exist.

(cf. BP 5145.11 Questioning and Apprehension)

The Superintendent, District Legal Counsel, or designee, shall ask for the requesting agents' credentials, ask why the agents are requesting access, ask for written authorization from their employing agency instructing them to enter District property, and ask to see a warrant signed by a federal or state judge, which specifies the name of the person under arrest or property to be searched and/or seized. Any request for access to District property, information, or student by federal immigration authorities, in the absence of a judicial warrant<sup>12</sup>, other court order, or exigent circumstances shall be denied. If the officer declares that exigent circumstances exists and demands immediate access to the campus, District personnel should comply with the officer's orders and immediately contact the Superintendent or designee<sup>13</sup>. District personnel should not attempt to physically impede the agent, even if the agent appears to be exceeding the authorization given under a warrant or other document. If the agent enters the premises without consent, District personnel shall document his or her actions while on campus. District personnel should email the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

As soon as possible, the District shall explore all options for legal challenges to the demand, judicial warrant, or court order for access to students, records, or District property. If applicable procedural rules permit the District to challenge the demand before complying, the District shall take all necessary and lawful steps to oppose requests or demands that the District assist or cooperate with immigration enforcement actions.

In exploring a legal challenge, the District may consider a number of factors, including but not limited to: whether the terms of the warrant or court order conflicts with the District's responsibilities under *Plyler v. Doe* and other applicable laws; whether the terms of the warrant or court order conflict with federal and state privacy laws; and whether the District can honor the terms of the warrant or court order while providing for the emotional and physical safety of its students and staff. Nothing in this section shall be construed to direct District personnel to violate state or federal law.

If the Superintendent, District Legal Counsel, or designee determine that the federal immigration enforcement authorities presented a valid judicial warrant or other court order, the school site principal or his/her designee shall oversee the agents' investigation. Such oversight includes prohibiting access to information, records, students, and areas beyond that specified in the warrant. The principal or designee shall discourage federal immigration enforcement agents from escorting students through school hallways in view of other students.

This policy requires staff to develop Administrative Regulations that shall include, but not limited to the following elements:

1. A protocol for a principal or designee to follow if federal immigration authorities request access to District property, students, information, or records by directly going to that property.
2. A protocol for the superintendent or designee to follow in reviewing the viability of the federal immigration authorities request for access. That protocol should include:
  - a. A process for confirming the agents' credentials, purpose for access, written

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<sup>12</sup> "Judicial warrant" means a warrant based on probable cause and issued by a state or federal judge, or a federal magistrate judge that authorizes federal immigration authorities to take into custody the person who is the subject of the warrant or to search or seize property described in the warrant.

<sup>13</sup> According to ICE, exigent circumstances exist when there is: (a) an enforcement action involving a national security or terrorism matter; (b) imminent risk of death, violence, or physical harm to a person or property; (c) an enforcement action involving the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual posing an imminent danger to public safety; or (d) an imminent risk of destruction of evidence material to an ongoing criminal case.

authorization from employing agency, signed judicial warrant and other documentation instructing the agent to enter District property.

3. A protocol outlining next steps if a federal immigration enforcement agents satisfy the criteria for entering onto District property.
4. A protocol for the Superintendent or designee to monitor the agents' investigation. Such oversight includes prohibiting access to information, records, students, and areas beyond that specified in the warrant.

### **Federal Immigration Authorities Request for Access to Student Records**

The District shall refuse all requests by federal immigration authorities for voluntary access to student records including, but not limited to, student directory information,<sup>14</sup> and information that may be disclosed to law enforcement under the Family Education Rights and Privacy Act ("FERPA"), across all aspects of the District and to the fullest extent possible under the law.<sup>15</sup> As such, any request for student records by federal immigration enforcement authorities, in the absence of a court order or judicial warrant, shall be denied.

If the request for records is initially provided to District personnel on District property, it shall be denied in accordance with the District's general policy against sharing student records. District personnel shall neither confirm nor deny the existence of the requested record to federal immigration authorities, and shall immediately forward the request and any accompanying documents to the Superintendent, District Legal Counsel, or designee for review.

If presented with a subpoena for student records from federal immigration authorities, including an ICE Administrative Subpoena,<sup>16</sup> the Superintendent, District Legal Counsel, or designee will make a determination as to how to respond to the subpoena. Such a response may include objecting to the subpoena on procedural and/or substantive grounds, or filing a motion to quash. In the event the federal immigration authorities seek to enforce the subpoena in court, the District will oppose that motion and may appeal a court order enforcing the subpoena. The District will comply with any final court order enforcing an Administrative Subpoena issued to federal immigration authorities.

The District shall explore all legal challenges to any judicial warrant for student records as outlined in the previous section. If the Superintendent, District Legal Counsel, or designee determines that access to a student's record is required by judicial warrant or other court order, the school site principal or designee shall limit access to the express terms of the warrant and comply with corresponding Administrative Regulations on this matter,

*(cf. BP/AR 5125: Student Records)*

### **Student and Family Informational Privacy Pertaining to Immigration Status, Citizenship Status, and National Origin**

District personnel shall not require information that relates to students' or their families' immigration status, or country of birth/origin, including, a passport, birth certificate, green card, or other citizenship-related documents at any time. District shall not request entire social security numbers, but may collect the last four digits of a social security number of adult household members, if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member's social security

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<sup>14</sup> "Directory information" is defined in FERPA. See 20 U.S.C. § 1232(g)(5)(A).

<sup>15</sup> FERPA authorizes, but does not require, the District's voluntary disclosure of student directory information. The District will refuse any request for voluntary disclosure of student directory information.

<sup>16</sup> "ICE Administrative Subpoena" is a subpoena to require the testimony of witnesses or production of records.

number to establish eligibility for a federal benefit program, the District shall explain the limited purpose for which the information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.

The District shall permit alternative documents or information to establish a child's age for enrollment purposes, or eligibility for a specified program, which may include an affidavit from the parent or guardian, previously verified school records, or any other alternative specified in law.<sup>17</sup> Alternative documents shall be permitted to establish residency as well, to include a declaration of residency executed by the parent or guardian or the student, or any other alternative specified in law.<sup>18</sup> The District's enrollment forms and procedures shall describe and accommodate, all alternative documents specified in law and contained herein that may be used to determine a child's age, or residency of the child's parent or guardian.

District personnel and SROs, who learn of information related to student's or their family member's actual or perceived immigration status or place of birth, even if voluntarily offered by the parent, guardian, or student, must keep that information confidential and, therefore, shall not record or distribute that information at any time. Such information acquired by the District shall not be used to discriminate against any students or families, or bar children from enrolling in or attending school. Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, the District shall solicit that documentation or information separately from the school enrollment process.

District personnel shall take immediate action to remove any information regarding the immigration status of a student or a student's parents/legal guardians from any and all school records.

If students, parents, or guardians have questions about their immigration status, District personnel shall not refer them to ICE or any other law enforcement or government immigration agency.

*(cf. BP 4119.23, 4219.23, 4319.23: Unauthorized Release of Confidential/Privileged Information)*

*(cf. BP/AR 5125: Student Records)*

*(cf. BP/AR 5125.1: Release of Directory Information)*

Pursuant to FERPA, District personnel shall not disclose personally identifying information found in a student's education records without parental consent authorizing, or a court order mandating, the disclosure. Prohibited information-sharing under this policy includes, but is not limited to, disclosing information in a student's cumulative file relating to the student or their family member's immigration status, country of birth, or other personally identifiable information as defined by FERPA.<sup>19</sup> However, parental or guardian consent for the release of student information is not required if the information sought is relevant for a legitimate educational interest, or includes directory information only. Neither exception permits disclosing information to immigration authorities for immigration-enforcement purposes, unless there is a valid court order or judicial subpoena.

*(cf. BP/AR 5125- Student Records)*

*(cf. BP/AR 5116.1- Intradistrict Open Enrollment)*

*(cf. BP 5117- Interdistrict Attendance)*

*(cf. AR 5118- Transfers)*

District personnel, including SROs, shall not disclose or discuss with any non-District personnel, such as federal immigration authorities or local, state, or federal law enforcement, a student's or their family member's personal information, absent a valid court order, or consent by the student or student's parent or

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<sup>17</sup> See U.S. Dept. of J. and U.S. Dept. of Ed. Fact Sheet: Information on the Rights of All Children to Enroll in School, <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/08/plylerfact.pdf>.

<sup>18</sup> Ed. Code § 48204.1.

<sup>19</sup> Personally identifiable information is defined in the FERPA regulations. See 34 C.F.R. 99.3.



guardian. Categories of information about a student or family member that may not be shared include:

1. Gender identity;
2. Sexual orientation;
3. Status as a survivor of domestic violence;
4. Survivor of sexual assault;
5. Status as a crime victim or witness;
6. Recipient of public assistance;
7. Actual or perceived immigration or citizenship status;
8. National origin;
9. Religion;
10. Records of juvenile criminal allegations, arrests, convictions, or adjudications;
11. School discipline record; and
12. All information included in an individual's or household's income tax records.

The District shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

### **Parental Notification**

If any federal immigration authority requests or gains access to a student or their records held by the school or District, the Superintendent or designee must immediately notify the student's parent or guardian, in private, that the federal immigration authority sought access to the student or student record, unless the court order or subpoena relates to a federal grand jury investigation or law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or relates to domestic or international terrorism.<sup>20</sup> Generally speaking, the District shall notify the parent or guardian of any court orders, warrants, or subpoenas before responding to such requests, except for investigations of child abuse, child neglect, or child dependency.<sup>21</sup>

The Superintendent or designee shall record the time(s) of contact or attempted contact with the parent or guardian. The Superintendent or designee shall remind the parent or guardian that they have the right to authorize and send a designee to pick up their child on the parent's behalf. Unless prohibited, the Superintendent or designee shall provide students and parents or guardians with any documents issued by the federal immigration authority. The Superintendent or designee shall also direct the notified parent or guardian to District-approved resources, developed with organizations that specialize in immigrants' rights, regarding parents' rights when law enforcement authorities, including federal immigration authorities, question or detain their children. Parents shall also be encouraged to explore legal options to challenge the request on their own, in addition to the District's efforts to do the same.

The Superintendent or designee who provide parental notice are prohibited from inquiring into the parent or guardian's immigration status.

### **Response to Federal Immigration Authorities Arrest of a Student's Parent or Guardian**

In the event a parent or guardian has been arrested by federal immigration authorities, the District shall use the student's emergency card contact information and release the student(s) to the person(s) designated as emergency contacts by the student's guardian. Alternatively, the District will release the

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<sup>20</sup> See 34 CFR § 99.31(a)(9)(ii); Ed. Code § 49077.

<sup>21</sup> Pen. Code § 11174.3, subd. (a).

student(s) into the custody of any individual who presents a Caregiver's Authorization Affidavit<sup>22</sup> on behalf of the child. In the event there is no emergency contact listed or the emergency contact(s) are not able to take custody of the child, and no person with a Caregiver's Authorization Affidavit presents themselves on behalf the child, the District will release the student(s) to the appropriate authorities.

Students and families may update their contact information throughout the school year, and alternative contacts may be provided if no parent or guardian is available. Information provided within emergency cards shall only be used in response to specified emergency situations, and not for any other purpose. Caregiver Authorization Affidavits on file may be noted on emergency contact cards, and all siblings will be notified and released to the same designated caregiver what at all possible.

### **Prohibition Against Law Enforcement Partners' Information Sharing Agreements with Federal Immigration Authorities.**

District shall not employ officers from, or enter into agreements with, external law enforcement agencies that have agreements, policies, or procedures that promote or facilitate information sharing with federal immigration authorities.

District recognizes that policies and procedures authorizing information sharing between law enforcement agencies and federal immigration authorities are not necessarily formal agreements. Information sharing can occur through unofficial agreements, policies, and practices, or unintentionally on shared databases. Accordingly, to prevent disclosure of student information, District will review the information-sharing agreements, policies, and procedures of every local law enforcement agency with which District intends to enter into a formal agreement for security or other services. If District is currently under an agreement with a local law enforcement agency for services, District will review the local law enforcement agency's information sharing policies, procedures, and agreements for provisions that promote or facilitate information sharing with federal immigration authorities to ensure compliance with this policy to the greatest extent possible.

To determine whether a local law enforcement agency has a problematic information sharing agreement or practice, the District shall consider the following:

- Whether the local law enforcement agency shares information on shared databases; and
- Whether the local law enforcement agency communicates with federal immigration authorities and to what extent.

If the District employs officers from, or has agreements with, a law enforcement agency that shares information with any federal immigration authorities, the District shall determine whether the operative agreements with the local law enforcement agency adequately protect students' personal information. The District must immediately amend or render inoperative agreements, terms, and clauses that fail to ensure compliance with this policy.

### **Data Tracking**

Administrative Regulations shall outline how the District shall track and monitor each instance, if any, that federal immigration authorities request and/or receive access to District property, student records, or students, including arrests of students.

The school principal or designee shall also notify the Superintendent and enter a written Incident Report the same day to detail any immigration enforcement activity involving District students, property, and personnel as outlined in Administrative Regulations.

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<sup>22</sup> Use of the Caregiver's Authorization Affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

## **District Policies, Practices, and Programs to Ensure Equal Access to Public Education Regardless of Immigration Status.**

In order to provide all students, regardless of the immigration status, equal access to a quality public education, the District shall create, implement, and maintain the following policies, practices, and programs:

The District shall increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation;

The District shall ensure that students and their families are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships, and career opportunities, regardless of their status;

The District shall gather and provide information regarding earning opportunities, internships, and trainings that do not require a social security number;

The District shall provide contacts for resources for legal, medical, housing or other assistance available to all students;

The District shall train counselors and teachers on working with immigrant and undocumented students and their families;

The District shall train counselors and teachers on information, strategies, practices, and programs to assist undocumented students pursue college and careers.

The District shall create in-language Know Your Rights presentations for students, their family members, and District personnel, to cover their rights regarding interactions with federal immigration authorities;

The District shall express its public support for the continuation and expansion of Deferred Action for Childhood Arrivals (“DACA”) Program and all other pro-immigrant legislation that may be proposed at the local, state, and federal level;

The District shall provide free or low-cost legal assistance for DACA applications and renewals and access to available scholarship opportunities to subsidize DACA application fees through partnerships with appropriate community based, government, or non-profit organizations;

The District shall create community partnerships to provide legal screenings, advice, and representation for students and their families who may be undocumented or facing deportation, including: making opportunities available for legal clinics and screenings for students and families and continue connections and communication with the Sacramento citywide rapid response network to assist students who have been detained by federal immigration authorities or whose families have been detained.

## **Training and Distribution of Policy**

The Superintendent shall develop a plan for training District personnel on how to respond to federal immigration authorities who request information about students and families and/or attempt to enter school property. The training plan shall be outlined in the Administrative Regulations and include procedures for notifying families about federal immigration authorities’ efforts to gain information about students and families, and how to support students whose family members have been displaced because of immigration enforcement. The Superintendent shall create versions of this policy and accompanying Administrative Regulations in the District’s Top five threshold languages and distribute it to all District students, parents, guardians, District personnel, and SROs.

Policy SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
adopted: \_\_\_\_\_ Sacramento, California