

Appendix A Quick Reference for School Officials

General Policy Regarding Registration of All Outsiders

1. A schoolsite's policies should include clear guidance regarding the registration of all outsiders. No outsider – which includes officers or employees of an agency conducting immigration enforcement – should be permitted to enter or remain on school grounds of the schoolsite during school hours without registering with the Executive Director or other designated person.
2. Schoolsites should clearly designate what areas of a schoolsite are nonpublic, and have a policy that no outsider should be allowed in nonpublic areas unless they register with the Executive Director or their designee, and their presence is authorized by the Executive Director or their designee.

What to do if an Immigration Enforcement Officer comes to your school?

1. Immediately notify the Executive Director or designee of the officer's presence and their request for school or student access, or any requests to review school records.
2. Advise the officer that, before proceeding with the request, and absent exigent circumstances, you must first receive notification and direction from the Executive Director or designee.
3. Ask to see, and make a copy of or note the officer's credentials (name and badge number), and the phone number of their supervisor.
4. Ask the officer for their reason for being on school grounds and document it.
5. Ask the officer to produce any documentation they claim authorizes school access. A judicial subpoena, judicial warrant, or court order may authorize access to specific areas. Therefore, school officials should consult with the Executive Director, designee, and/or legal counsel.
6. Make a copy of all documents provided by the officer to retain for school records.
7. If the officer declares that exigent circumstances exist and demands immediate access to the school, comply with their orders and immediately alert the Executive Director or designee.
8. If the officer does not declare that exigent circumstances exist, respond according to what the document(s) provided by the officer requires. If the officer has:
 - an ICE (Immigrations and Customs Enforcement) administrative warrant or a subpoena for production of documents or other evidence, inform the officer that you cannot consent to any request without first consulting with the local educational agency's legal counsel or other designated administrator.

- 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 your legal counsel or designated local educational agency administrator before providing the officer access to the person or materials specified in the warrant
9. Do not attempt to physically impede an officer, even if they appear to lack authorization to enter. If an officer enters the premises without consent, document their actions while on campus and, if feasible, accompany them at all times.
 10. After the encounter with the officer, promptly take written notes, including the following:
 - 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 court order, warrant or subpoena to accompany their request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - Your response to the officer's request;
 - Any further action taken by the officer; and
 - Photo or copy of any documents presented by the officer.
 11. Notify parents or guardians as soon as possible (unless prevented by a judicial warrant or subpoena), and do so before an officer questions or removes a student for immigration enforcement purposes (unless a judicial warrant has been presented).
 12. Provide a copy of those notes, and associated documents collected from the officer, to the local educational agency's legal counsel or other designated administrator.
 13. E-mail the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by any officer or employee of an agency to access a schoolsite or a student for immigration enforcement purposes

What to do if an officer or employee of an agency requests personal information about a student, their family members, or employees or teachers for immigration enforcement purposes?

Avoiding unauthorized information disclosure: Do not disclose information that might indicate a student's or family's citizenship or immigration status without consent of the parents, guardians, or students (if the student is 18 years of age or over), unless the information is for a legitimate educational purpose or is in response to a court order, judicial warrant, or judicial subpoena. Providing information about a student's or family's citizenship or immigration status to an officer or employee of an agency for immigration enforcement purposes is not for a legitimate educational purpose under federal or state law. Confer with the designated local educational agency administrator and/or legal counsel when presented with an ICE administrative warrant or administrative subpoena. Nothing in the law limits a local educational agency's or school official's right to consult with counsel or challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction

Procedure for responding to all information requests:

- Make a photocopy of the request and immediately consult 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 agent conducting immigration enforcement without a judicial subpoena, judicial warrant, or court order, and any disclosure must be in accordance with the notification 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, consult 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.

Take the following steps if you receive any information request related to a student's or family's immigration or citizenship status that is not supported by a judicial warrant or court order:

- Notify a designated local educational agency administrator about the information request.
- Provide students and families with appropriate notice and a description of the immigration officer's request.
- Document any verbal or written request for information by immigration authorities.
- Unless prohibited, provide students and parents/guardians with any documents issued by the immigration enforcement officer

Responding to court documents requesting student or family information: Notify the parents or guardians if you receive a court order, subpoena, or warrant requesting information regarding a student or family member, unless: (1) the warrant or subpoena concerns an investigation of suspected child abuse, child neglect, or child dependency, or (2) the subpoena prohibits disclosure.

Secure written consent from the parent/guardian/adult student before releasing information: You must get written parental or guardian consent authorizing disclosure of student information, unless the information is relevant for a legitimate educational interest or includes directory information only. Because neither exception permits disclosing information to any agency for immigration enforcement purposes, to the extent practicable, no student information shall be disclosed to officers or employees of such agencies for immigration enforcement purposes without written consent from a parent, guardian, or student (if over 18 years of age), or a court order, judicial subpoena, or judicial warrant. Any records that are produced pursuant to a valid judicial warrant, judicial subpoena, or court order must comply with the parent notification requirements set forth in FERPA's regulations, at 34 C.F.R. § 99.31, subd. (a)(9)(ii). (Ed. Code, § 234.7, subd. (b).)

The written consent for release of student information must include the following:

1. A description of the information to be released;

2. The reason for release of information;
3. The parties or type of parties receiving the information;
4. If requested by the parents, guardians or student (if the student is 18 years of age or older or in a postsecondary institution), a copy of the records to be released; and
5. Date and signature of the parent, guardian, or student (if 18 years of age or older or in a postsecondary institution) consenting to the release of information

Please Note: The parent, guardian, or student (if over 18 years of age or in a postsecondary institution) is not required to sign the consent form. Therefore, you cannot release the information if the parent, guardian, or student (if over 18 years of age) refuses to provide written consent for its release.

Once the parent, guardian, or adult student signs and dates the consent form, keep the consent notice with the record file. Also, notify the recipient of the student/family information that further transmission of the information to other individuals is prohibited, without the written consent of the parent/guardian/student (if 18 years of age or older)

What should you do if someone seeks information of records regarding an employee, teacher, or other staff?

- If the request seeks information or records regarding an employee or teacher of the local educational agency, consult with legal counsel and/or designated human resources representative before providing any information or access to records.
- To the extent practicable, do not provide any information regarding an employee or teacher without a valid judicial warrant, judicial subpoena, or court order. However, because employee records are subject to different laws, including Government Code section 7285.2, which has additional exceptions for access to employee records, it is important that you consult with legal counsel and/or designated human resources representative

The Heights Charter
Adopted 2/23/2026

Appendix A, from the California Attorney General Rob Bonta, California Department of Justice, "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes", December 2025