

**CLASSIFICATION: Students****ADOPTED: 6/20/18****SUBJECT: Response To Immigration Enforcement****PAGE: 1 of 2**

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The County Board of Education and the County Superintendent of Schools are committed to the success of all students and believe that every school district in San Diego County should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

San Diego County Office of Education (SDCOE) staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at schools or programs under the jurisdiction of the County Superintendent of Schools, except as may be required by state and federal law.

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in school programs and activities under the jurisdiction of the County Superintendent of Schools on the basis of his/her immigration status.

The County Superintendent of Schools or his/her 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.

Consistent with requirements of the California Office of the Attorney General, the County Superintendent of Schools or his/her designee shall develop procedures for addressing any requests by a law enforcement officer for access to SDCOE records, students, or schools under the jurisdiction of the County Superintendent of Schools for the purpose of immigration enforcement.

Appropriate SDCOE staff shall receive training regarding immigration issues, including, but not limited to, information on responding to a request from an immigration officer to visit a school site or to have access to a student.

The County Superintendent of Schools or his/her designee shall report to the County Board of Education in a timely manner any requests for information or access to a school or program under the jurisdiction of the County Superintendent of Schools by an officer or employee of a law enforcement 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.

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Administrative Regulations: 5145, 5145.13

Legal Reference: Education Code

200, 220, 234.1, 234.7, 48204.4, 48980, 48985

Government Code

8310.3

Penal Code

422.55, 627.1-627.6

United States Code, Title 20

1232g

Court Decisions

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

Management Resources:

CSBA Publications: *Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status*, February 2017

California Office of the Attorney General Publications: *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*, April 2018

Web Sites:

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Justice: <http://www.justice.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System:

<http://locator.ice.gov/odls>