

St. HOPE Public Schools Response to Immigration Enforcement Policy

Responding to On-campus Immigration Enforcement

As early as possible, St. HOPE Public School (SHPS) personnel shall notify the Superintendent or school administrator of any request by an immigration-enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).

In addition to notifying the Superintendent or school administrator, SHPS personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration-enforcement purposes:

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 administrator.
2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
3. Ask the officer for his/her reason for being on school grounds and document it.
4. Ask the officer to produce any documentation that authorizes school access.
5. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, SHPS personnel should comply with the officer's orders and immediately contact the Superintendent or school administrator.
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration-enforcement officer has:
 - a. an ICE (Immigrations and Customs Enforcement) administrative warrant, SHPS personnel shall inform the agent that he or she cannot consent to any request without first consulting with the local educational agency's counsel.
 - 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 SHPS legal counsel 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, SHPS personnel shall inform SHPS legal counsel of the subpoena, and await further instructions on how to proceed.
8. While SHPS personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she 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, SHPS personnel shall document his or her actions while on campus.
9. After the encounter with the officer, SHPS personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
 - a. List or copy of the officer's credentials and contact information;
 - b. Identity of all school personnel who communicated with the officer;
 - c. Details of the officer's request;

- d. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - e. SHPS's personnel's response to the officer's request;
 - f. Any further action taken by the agent; and
 - g. Photo or copy of any documents presented by the agent.
10. SHPS personnel shall provide a copy of those notes, and associated documents collected from the officer, to the SHPS legal counsel.
 11. In turn, SHPS legal counsel shall submit a timely report to the SHPS governing board regarding the officer's requests and actions and SHPS's response(s).
 12. E-mail 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.

Parental Notification of Immigration-Enforcement Actions

SHPS 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.

SHPS personnel shall 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 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

SHPS shall encourage families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.

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

- a. SHPS shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.
- b. SHPS shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a student's parent/guardian has been detained or deported by federal immigration authorities, SHPS shall use the student's emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, SHPS shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. SHPS shall only contact Child Protective Services if SHPS personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.