



Policy for Responding to On-Campus Immigration Enforcement

Da Vinci Schools

Purpose

This policy ensures that Da Vinci Schools complies with federal and state laws while safeguarding the rights of students, families, and staff. It outlines procedures for responding to on-campus immigration enforcement and protects sensitive student information and records.

Notification Requirements

1. Immediate Notification:

Any school personnel who receive a request from an immigration-enforcement officer for access to students, school grounds, or documents (including subpoenas, petitions, complaints, or warrants) must notify the Superintendent or designated administrator immediately.

Response Procedures

When an immigration-enforcement officer is present on campus for immigration-related purposes, school personnel must take the following actions:

1. Advise the Officer:

- Inform the officer that school personnel must notify and await direction from the Superintendent or designated administrator before proceeding with the request, except in cases of exigent circumstances.

2. Verify Credentials:

- Request the officer's credentials (name, badge number) and contact information for their supervisor. Make a copy or detailed notes of this information.

3. Document Reason for Presence:

- Ask the officer for the specific reason for their presence and document the explanation provided.

4. **Request Documentation:**

- Request and make a copy of any documentation authorizing the officer's access to the school or students. Retain a copy for school records.

5. **Exigent Circumstances:**

- If the officer declares exigent circumstances and demands immediate access, comply with the request and immediately notify the Superintendent or administrator.

6. **Evaluate Documentation:**

- If no exigent circumstances exist, evaluate the documentation provided:
 - **ICE Administrative Warrant:** Inform the officer that consent cannot be given without first consulting the school's legal counsel or a designated official.
 - **Federal Judicial Warrant:** Typically, compliance is legally required. Notify legal counsel or the Superintendent prior to providing access, if feasible.
 - **Subpoena:** Compliance is not immediate. Notify legal counsel or a designated official and await further instructions.

7. **Non-Interference:**

- Do not physically impede the officer, even if they appear to exceed the authorization in their documentation. Document their actions.

Documentation and Reporting

1. **Detailed Notes:**

After the encounter, school personnel must take detailed written notes, including:

- Officer's credentials and contact information.
- Names of school personnel who communicated with the officer.
- Details of the officer's request.
- Description of any warrant or subpoena, including whether it was signed by a judge.
- School personnel's response and the officer's actions.
- Copies or photos of all documents presented by the officer.

2. **Submission of Records:**

Provide all notes and collected documents to the school's legal counsel or designated official.

3. **Governing Board Report:**

The legal counsel or designated official shall submit a timely report to the governing

board detailing the officer's requests, actions, and the school's response.

4. Notification to State Authorities:

E-mail the Bureau of Children's Justice in the California Department of Justice at **BCJ@doj.ca.gov** to report any law-enforcement attempt to access the school or a student for immigration-enforcement purposes.

Commitment to Students and Families

This policy reflects our commitment to creating safe, secure, and inclusive environments for all students, regardless of nationality or immigration status. We strive to protect the rights and privacy of students while complying with applicable laws.

Approved by:
Erin Whalen, Assistant Superintendent of Student Services
Da Vinci Schools

January, 2025

Da Vinci Schools Preparedness Plan: Immigration and Education

- **Legal Rights and Protections:** Information on students' rights to education, confidentiality of personal information, and protections under federal and state laws.
 - [Know Your Rights Presentation \(Immigrant Relations\)](#)
 - [Juntos Seguros](#)
 - [People Over Papers](#)
- **Safe and Inclusive Environment:** Policies to prevent discrimination, bullying, and harassment, and to establish schools as safe zones and resource centers.
- **Emergency Preparedness:** Guidelines for developing family emergency plans, updating school emergency contact information, and identifying trusted adults and guardians.
 - [Immigrant Family Preparedness Plan \(English\)](#)
 - [Immigrant Family Preparedness Plan \(Spanish\)](#)
- **Access to Services and Resources:** Procedures for enrollment, access to nutrition programs, and health and mental health services.
 - [LACOE Immigrant Relations and Services](#)
 - [California Courts: Immigration resources: Help for children and families](#)
- **Community and Family Engagement:** Strategies for effective communication, parent and family workshops, and building community partnerships.
 - [Know Your Rights Fliers \(English\)](#)
 - [Know Your Rights Fliers \(Spanish\)](#)
- **Staff Training and Professional Development:** Training on cultural competency, legal rights and responsibilities, and crisis response.
 - [Immigrant Relations Training \(LACOE\)](#)
 - [Migrant Clinician: How to Talk to a Child Worried about Deportation](#)
 - [Healing and Resilience: An Activity Book for Latino Children Impacted by Deportation](#)
- **Monitoring and Evaluation:** Methods for assessing the effectiveness of the plan, gathering feedback, and implementing continuous improvement strategies.

Know Your Rights Newsletter

Our school district is committed to fostering secure and peaceful learning environments for all students, regardless of nationality or immigration status. In a state where nearly half of all children have at least one immigrant parent, it is critically important that schools and families work together to ensure the rights and safety of every student. Below, we are providing key information to support your family.

Your Child's Right to a Free Public Education

- Every child in the United States has a Constitutional right to equal access to free public education, regardless of immigration status.
 - In California:
 - All children ages 6 to 18 years must be enrolled in school.
 - Students have the right to attend schools that are safe, secure, and peaceful.
 - Schools must be free from discrimination, harassment, bullying, violence, and intimidation.
 - Students have equal opportunities to participate in all school programs and activities, without discrimination based on race, nationality, gender, religion, or immigration status.
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Information Required for School Enrollment

- Schools accept various documents to prove a child's age or residency.
 - You are not required to provide information about citizenship or immigration status, nor a Social Security number, to enroll your child in school.
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Confidentiality of Personal Information

- Federal and state laws protect student records and personal information. Schools generally require written consent from parents or guardians before releasing such information, except in limited cases, such as for educational purposes or in response to a court order.
 - If schools collect and provide public "directory information," they must notify parents/guardians annually and allow you the option to refuse the release of your child's information.
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Family Safety Plans

- You may provide emergency contact information to your child's school, including a trusted adult who can care for your child if you are detained or deported.

- Consider completing a Caregiver’s Authorization Affidavit or Petition for Appointment of Temporary Guardian to ensure a trusted adult can make educational and medical decisions for your child if necessary.
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Right to File a Complaint

- Your child has the right to report a hate crime or file a complaint with the school district if they experience discrimination, harassment, intimidation, or bullying based on nationality, ethnicity, or immigration status.
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Know Your Rights Guide: Interactions with Immigration Officials

Red Cards: [LINKED HERE](#)

If you or your family interact with Immigration and Customs Enforcement (ICE), remember:

- **DO NOT OPEN THE DOOR** if an immigration agent is knocking on the door.
- **DO NOT ANSWER ANY QUESTIONS** from an immigration agent if they try to talk to you. You have the right to remain silent.
- **DO NOT SIGN ANYTHING** without first speaking to a lawyer. You have the right to speak with a lawyer.
- If you are outside of your home, **ask the agent if you are free to leave**. If they say yes, leave calmly.
- **GIVE THIS CARD TO THE AGENT**. If you are inside your home, show the card through the window or slide it under the door:

“I do not wish to speak with you, answer your questions, or sign any documents based on my rights under the United States Constitution. I do not give you permission to enter my home. Please leave your contact information.”

We are proud to serve a diverse and vibrant community, and we are committed to protecting your child’s right to an education in a safe and inclusive environment. If you have any questions or need additional resources, please contact your school office.

Thank you for being an essential part of our community.

Sincerely,

Erin Whalen
Assistant Superintendent of Student Services
Da Vinci Schools