



Darnall Charter School
Board Policy
#5013
Immigration Enforcement Policy

Introduction

Darnall Charter School is committed to providing a safe and inclusive learning environment for all students regardless of immigration status. Consistent with federal guidance recognizing schools as sensitive locations and the provisions of Education Code section 234.7,

Darnall Charter School limits access by immigration enforcement officers except as required by law. Darnall Charter School complies with the California Safe Haven Schools Act (Assembly Bill 49) and related state laws that limit assistance with immigration enforcement and require notification when immigration enforcement is present on campus. This policy is adopted in accordance with Assembly Bill 49, Education Code sections 234.7, 32282, 32288, and applicable guidance issued by the California Department of Education and the California Department of Justice.

Gathering and Handling Student and Family Information

Darnall Charter School does not collect or maintain information regarding a student's or family member's immigration status. Personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

If Darnall Charter School possesses information that could indicate immigration status, citizenship status, or national origin information, or if parents or guardians choose not to provide such information during the collection of personal information for purposes of enrollment and/or federal reporting requirements, Darnall Charter School shall not use the acquired information or such actions as a basis to discriminate against any students or families or bar children from enrolling in or attending school. Darnall Charter School shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status.

Where any law contemplates submission of national origin-related information to satisfy the requirements of a special program, Darnall Charter School personnel shall solicit that documentation or information separately from the school enrollment process. Where permitted by law, the Executive Director of Darnall Charter School shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not

reveal information related to citizenship or immigration status. Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, Darnall Charter School's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

Darnall Charter School shall not solicit or collect entire Social Security numbers or Cards and shall solicit and collect the last four digits of an adult household member's Social Security number only if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member's Social Security number to establish eligibility for a federal benefit program, Darnall Charter School staff shall explain the limited purpose for which this information is collected and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school. Darnall Charter School shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the free and reduced lunch program, transportation, and educational instruction.

Sharing Information Regarding Students, Their Families, and Employees

Student records are protected under the Family Educational Rights and Privacy Act (FERPA) and applicable state law and shall not be disclosed without parental consent, a valid judicial warrant, or court order. In cases where disclosing student records is required or allowed by law, Darnall Charter School shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status without first attempting to notify the parent or guardian in compliance with FERPA. Darnall Charter School personnel shall take the following action steps upon receiving an information request related to a student's or family's immigration or citizenship status:

- Notify the Executive Director or Designee about the information request, including who is making the request and the requested timeline for producing the information.
- Provide students and families with appropriate notice and a description of the officer or employee's request.
- Document any verbal or written request for information by an officer or employee of an agency for immigration enforcement purposes.
- Unless prohibited, provide students and parents/guardians with any documents provided by the officer or employee seeking the information.

Except for investigations of suspected child abuse, child neglect, or child dependency, or when the subpoena served prohibits disclosure, Darnall Charter School shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests. Darnall Charter School shall make every effort to receive written parental or guardian consent for release of student information, unless the information is for directory information

only. Darnall Charter School should make a photocopy of the request and immediately consult legal 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 employee of an agency conducting immigration enforcement without a judicial subpoena, judicial warrant, or court order, and any disclosure must be in accordance with 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, Darnall Charter School shall consult legal 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.

Darnall Charter School's request for written parental, guardian, or eligible student consent for release of student information must include the following information:

- The signature and date of the parent, guardian, or eligible student providing consent.
- A description of the records to be disclosed.
- The reason for release of information.
- The parties or class of parties receiving the information.
- If requested by the parents, guardians or eligible student, a copy of the records to be released.

Darnall Charter School shall permanently keep the consent notice with the record file. The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian, or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, Darnall Charter School shall not release the information.

If the request seeks information regarding an employee, the same procedures as above should be followed, except that human resources personnel should be consulted first.

Responding to On-Campus Immigration Enforcement

Darnall Charter School shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices, and train staff on those measures. Darnall Charter School shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.

Darnall Charter School personnel shall not voluntarily provide information about students, families, or school operations, including schedules, contact information, or locations, except as

required by a valid judicial warrant or court order. These procedures apply to all immigration enforcement requests, whether made in person, by telephone, electronically, on or off campus.

Immediately or as early as possible, Darnall Charter School personnel shall notify the school Executive Director or designee of any request by an immigration or law-enforcement officer seeking access to the school site or any student to conduct immigration enforcement, or any requests for review of school documents (including for the service of lawful subpoenas, petitions, complaints etc.).

In addition, if an officer appears on campus specifically for immigration-enforcement purposes, Darnall Charter School personnel must take the following actions:

- Advise the officer that before proceeding with the request, and absent exigent circumstances, Darnall Charter School personnel must first receive notification and direction from the Executive Director.
- Ask to see (and make a copy of or note) the officer's credentials (name and badge number), and ask for, and copy or note, the phone number of the officer's supervisor.
- Ask the officer for her/his reason for being on school grounds and document it.
- Ask the officer to produce documentation that authorizes school access.
- Make copies and retain a copy of all documents provided by the officer. Retain one copy for school records.
- If the officer declares that exigent circumstances exist and demands immediate access to the campus, Darnall Charter School personnel should comply with the officer's orders and immediately contact the Executive Director.

If the officer does not declare that exigent circumstances exist, Darnall Charter School personnel shall respond to the requirements of the officer's documentation as follows.

If the officer has:

- An ICE (Immigration and Customs Enforcement) administrative warrant: Darnall Charter School personnel shall inform the officer that they cannot consent to any request without first consulting with the Executive Director and the school's legal counsel or other designated agency official.
- A federal judicial warrant (search-and-seizure warrant or arrest warrant): Compliance with such a warrant may be legally required. Consult with the Executive Director or designee before providing the officer/agent access to the person or materials specified in the warrant. The Executive Director or designee may consult with the school's legal counsel prior to complying when appropriate.
- A subpoena for production of documents or other evidence: Immediate compliance is not required. Therefore, Darnall Charter School personnel shall inform the Executive

Director or designee (who may consult the school's legal counsel or other designated official of the subpoena) and await further instructions on how to proceed.

Darnall Charter School personnel shall not consent to access by an immigration-enforcement officer, except as described above. At the same time, Darnall Charter School personnel shall never physically impede an officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If the officer enters the premises without consent, Darnall Charter School personnel shall document his or her actions while on campus and if safe and feasible, accompany them at all times.

Documentation

After the encounter with the immigration officer, Darnall Charter School personnel shall promptly take written notes of all interactions with the officer. Darnall Charter School personnel shall provide notes, and associated documents collected, of the interaction to the Executive Director or designee, who may provide the notes and documents to the school's legal counsel. Darnall Charter School's legal counsel and Executive Director or designee shall submit a timely report to the governing board regarding the officer's requests and actions and Darnall Charter School's response(s). The notes taken by Darnall Charter School personnel must include, but are not limited to:

- List or copy of the officer's credentials and contact information.
- List of all Darnall Charter School personnel who communicated with the officer.
- Details of the officer's request.
- 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.
- Darnall Charter School personnel's response to the officer's request.
- Any further action taken by the officer/agent.
- Photo or copy of all/any information presented by the agent.

Any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes will be reported to the Bureau of Children's Justice in the California Department of Justice at BCJ@doj.ca.gov.

Notification Procedures (Senate Bill 98)

Pursuant to Education Code section 32282, as amended by Senate Bill 98 (Chaptered 2025), Darnall Charter School has established procedures for notifying parents, guardians, teachers, administrators, and Darnall Charter School personnel when the school confirms the presence of immigration enforcement on the school site. These procedures prioritize the safety and well-being of pupils, employees, and community members.

Parental Notification for Student Access

Before a student can be interviewed or searched by any officer seeking to enforce civil immigration laws at Darnall Charter School, Darnall Charter School personnel must receive consent from the student's parent or guardian, unless the officer presents a valid, effective warrant signed by a judge or presents a valid, effective court order.

Darnall Charter School personnel must immediately notify the student's parents or guardians if a law-enforcement officer or employee of an agency requests or gains access to a student for immigration-enforcement purposes unless that access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Mass Notification

Once the presence of immigration enforcement agents is confirmed on campus, the Executive Director or designee shall notify the following Darnall Charter School personnel using the most expedient method available (email, text message, two-way radio, or public address system):

- All school administrators and the executive secretary.
- All teachers and classroom staff.
- Campus security and facilities staff.
- School counselors and student support staff.
- Front office personnel.

As soon as is possible and practicable, after confirming the presence of immigration enforcement on campus, the Executive Director or designee shall notify all parents and guardians using one or more of the following communication channels:

- Email: Sent to all registered family email addresses using the school's mass communication system.
- Text Message: Sent to all registered family mobile phone numbers.
- Automated Phone Call: Delivered via the school's emergency calling system.
- Website: Posted on the school website homepage.
- Posted Notice: Displayed at main entrance or front office.

Notification Content

All notifications to parents, guardians, and Darnall Charter School personnel shall include the following information, as applicable and appropriate:

- Date and approximate time of immigration enforcement presence on campus.
- General nature of the immigration enforcement activity.
- Whether students were affected or present during the immigration enforcement activity.
- Assurance that the school is following its immigration enforcement assistance policy and limiting assistance to the extent permitted by law.

- Information about available support services, including counseling and mental health resources.
- Reference to the California Attorney General's 'Know Your Rights' resources.
- Contact information for questions or concerns.
- Reminder that the school does not inquire into immigration status and does not discriminate based on actual or perceived immigration status.

All notifications shall be provided in English and Spanish, and in any other language spoken by 15% or more of enrolled students' families.

The Executive Director or designee may also provide follow-up communication to parents, guardians, and school personnel to confirm that immigration enforcement agents are no longer on campus, share available support resources, and provide a point of contact for general questions or concerns.

Training

All Darnall Charter School personnel shall receive annual training on immigration enforcement procedures and the school's immigration enforcement policy. Training shall include:

- How to identify immigration enforcement agents.
- Procedures for immediately notifying administration.
- What to say and not say when interacting with immigration enforcement agents.
- Student and family rights under state and federal law.
- Notification procedures required under SB 98.
- Resources for supporting students and families affected by immigration enforcement.

Under the direction of the Executive Director, Darnall Charter School shall designate a staff member to coordinate staff training, provide families with non-legal information and referrals, and support communication with Darnall Charter School and relevant local and state government partners.

Designated Personnel

The following Darnall Charter School personnel are designated to handle immigration enforcement matters and facilitate training:

- Primary: Anne Mathews, Executive Director, amathews@darnallcharter.org.
- Secondary: Brian Rainey, Associate Director, brainey@darnallcharter.org.
- Administrative Support: Carol Hill, Executive Secretary, chill@darnallcharter.org.
- School personnel can also be reached via phone at (619) 582-1822

Support Services and Resources

Darnall Charter School is committed to supporting students and families affected by immigration enforcement activities. The following services and resources are available:

School-Based Services

- Counseling Services: Individual counseling for students experiencing stress or anxiety related to immigration concerns.
- Mental Health Support: Referrals to mental health professionals and community-based organizations.
- Academic Support: Flexible scheduling and academic accommodations for students affected by family immigration issues.
- Family Engagement: Designated staff available to meet with families to discuss concerns and connect them with resources.

External Resources

- California Attorney General – “Know Your Rights” Guidance.
 - Families and staff may access official “Know Your Rights” materials and immigrant community resources provided by the California Department of Justice. Resources include information on constitutional rights, interaction with law enforcement, family preparedness planning, and how to report potential civil rights violations.
 - Website: www.oag.ca.gov/immigrant/resources
- Legal Aid Organizations (Immigration Legal Services Referrals).
 - Legal Aid Society of San Diego
 - Phone: 1-877-534-2524
 - Website: www.lassd.org
 - Casa Cornelia Law Center
 - Phone: (619) 231-7788
 - Website: www.casacornelia.org
 - Pathways to Citizenship San Diego
 - Phone: (858) 509-2589
 - Website: www.pathwayssd.org
- San Diego County Office of Immigrant and Refugee Affairs
 - Phone: (866) 262-9881
 - Website: www.sandiegocounty.gov/oira
- Crisis Support and Emergency Services
 - Families experiencing emotional distress, crisis, or urgent needs may access 24/7 support services, including:
 - 988 Suicide & Crisis Lifeline (dial 988; multilingual support available)
 - San Diego Access & Crisis Line: 1-888-724-7240
 - 2-1-1 San Diego for referrals to housing, food, health, and legal resources
- Emergency services should be accessed by dialing 911 when there is an immediate threat to safety.

Notice to Parents and Guardians

At the beginning of each school year, Darnall Charter School shall provide notice to all parents and guardians informing them of:

- The school's immigration enforcement notification procedures.
- The school's immigration enforcement assistance policy.
- The school's commitment to providing a safe and inclusive environment regardless of immigration status.
- Available support services and resources.
- California Attorney General's 'Know Your Rights' information.

This notice shall be provided in English, Spanish, and any other language spoken by 15% or more of enrolled students' families. The notice shall also be posted prominently on the school website and in the administrative building.

In addition, Darnall Charter School must provide an annual notice to parents and guardians of its general information policies that includes:

- Assurances that Darnall Charter School will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
- A description of the types of student records maintained by Darnall Charter School.
- A list of the circumstances or conditions under which Darnall Charter School might release student information to outside people or entities.
- A statement that, unless Darnall Charter School is providing directory information or information permitted to be disclosed without parental consent under FERPA and California Education Code, Darnall Charter School shall notify parents or guardians and eligible students, and receive their written consent, before it releases a student's personally identifiable information.
- Even for those exceptions that permit the release of education records without parental consent, Darnall Charter School is required to notify the student and their family unless an exception exists. These exceptions do not require prior notification.

If Darnall Charter School decides to release directory information, it shall provide an annual notice to parents and guardians, and eligible students in attendance, of its directory information policy that includes:

- The categories of information that Darnall Charter School has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
- A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where Darnall Charter School receives consent as required under state law).

- The recipients of the directory information.
- A description of the parent's, guardian's, or eligible student's abilities to refuse release of the student's directory information, and how to refuse release.
- The deadline in which the parent, guardian, or eligible student must notify the school in writing that they do not want the information designated as directory information.

Policy Review and Updates

This immigration enforcement policy shall be reviewed and updated as part of the school's Comprehensive School Safety Plan review process, or more frequently as needed to ensure compliance with applicable state and federal laws.

Board Adoption: