STUDENTS

Response To Immigration Enforcement

The Superintendent is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

San Joaquin County Office of Education (SJCOE) 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 SJCOE 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 SJCOE programs and activities on the basis of his/her immigration status.

The Superintendent or 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 Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to SJCOE records, school sites, or students for the purpose of immigration enforcement.

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

The Assistant Superintendent or designee shall report to the Superintendent in a timely manner any requests for information or access to a school site 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.

cf: 0410 Nondiscrimination in Programs and Activities
    5111 Admissions
    5131.2 Bullying
    5145.3 Nondiscrimination/Harassment
    5145.6 Parental Notifications

Legal Reference:
EDUCATION CODE
200 Educational equity

Policy Adopted: May 29, 2018
San Joaquin County Office of Education
220  Prohibition of discrimination
234.1  Safe Place to Learn Act
234.7  Student protections relating to immigration and citizenship status
48204.4  Evidence of residency for school enrollment
48980  Parental notifications
48985  Notices to parents in language other than English
GOVERNMENT CODE
8310.3  California Religious Freedom Act
PENAL CODE
422.55  Definition of hate crime
627.1-627.6  Access to school premises, outsiders
UNITED STATES CODE, TITLE 20
1232g  Family Educational Rights and Privacy Act
COURT DECISIONS

(05/18)