

Responding to Requests for Access to School Grounds for Immigration-Enforcement Purposes

No outsider—which would include immigration-enforcement officers—shall enter or remain on school grounds of the Ocean Charter School during school hours without having registered with the principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:

- ✓ Name, address, occupation;
- ✓ Age, if less than 21;
- ✓ Purpose in entering school grounds;
- ✓ Proof of identity; and
- ✓ Any other information as required by law.

The Ocean 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.

The Ocean Charter School personnel shall report entry by immigration-enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

As early as possible, Ocean Charter School personnel shall notify the Executive Director 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 Executive Director, Ocean Charter School 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 Executive Director.
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, Ocean Charter School personnel should comply with the officer's orders and immediately contact the Executive Director.
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:

- an ICE (Immigrations and Customs Enforcement) administrative warrant, Ocean Charter School personnel shall inform the agent that they cannot consent to any request without first consulting with the school's counsel or other designated agency official.
- a federal judicial warrant, if feasible, Ocean Charter School will consult with the legal counsel or designated administrator before providing the agent access to the person or materials specified in the warrant.
- a subpoena for production of documents or other evidence, the Ocean Charter School personnel shall inform the legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.

8. While Ocean Charter School 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, Ocean Charter School personnel shall document his or her actions while on campus.

9. After the encounter with the officer, Ocean Charter School personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:

- ✓ List or copy of the officer's credentials and contact information;
- ✓ Identity of all 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;
- ✓ [Local educational agency] personnel's response to the officer's request;
- ✓ Any further action taken by the agent; and
- ✓ Photo or copy of any documents presented by the agent.

10. Ocean Charter School personnel shall provide a copy of those notes, and associated documents collected from the officer, to the school's legal counsel or other designated agency official.

11. In turn, the Ocean Charter School's legal counsel or other designated official shall submit a timely report to the Ocean Charter School's governing board regarding the officer's requests and actions and the school'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.

Ocean Charter School 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.

Ocean Charter School 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.