



Cabrillo Point Academy

# Immigration Enforcement Policy

# Immigration Enforcement Policy

Cabrillo Point Academy is committed to ensuring that public schools remain safe and accessible to all California residents regardless of immigration status.

The purpose of the Cabrillo Point Academy Governing Board approving this Immigration Enforcement Policy is to accomplish the following:

1. Outline the Procedures for Responding to an Immigration or Law-Enforcement Officer
2. Outline the Procedures for Notifying Parents Before a Student is Interviewed or Searched by any Officer Seeking to Enforce Civil Immigration

- 1. Responding to an Immigration or Law-Enforcement Officer:** The Charter School personnel shall notify the Executive Director or Deputy Executive Director of any request by an immigration or law-enforcement officer for school or student access, requests for review of the Charter school documents, or requests of the services of lawful subpoenas, petitions, complaints etc., as soon as possible.

In addition, if an officer appears at a school function specifically for immigration-enforcement purposes, the Charter School personnel must take the following actions:

1. Advise the officer that the Charter School personnel must have the Executive Director or Deputy Executive Director review written notification prior to beginning with request;
2. Ask to see (and make a copy of or note) the officer's name and badge number;
3. Ask the officer for her/his reason for being at the Charter School event and document it;
4. Ask the officer to produce any documentation that authorizes school access;
5. Make copies and retain a copy of all documents provided by the officer. Retain one copy for the Charter School records;
6. If the officer asserts that special exigent circumstances exist and demands immediate access to the Charter school location, the Charter school personnel should comply and contact the Executive Director or Deputy Executive Director.

If the officer does not declare that exigent circumstances exist, the Charter School personnel shall inform the officer that the Charter School must consult its own legal counsel before proceeding. In the event the officer presents a federal judicial warrant (search and seizure warrant or arrest warrant), consultation with the Charter School's legal counsel shall be made before providing the agent access to the person or materials specified in the warrant if feasible.

The Charter School personnel should not consent to access by an immigration-enforcement officer, except as described above. At the same time, 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 without consent, personnel shall document his or her actions while on campus.

The Charter School personnel shall provide notes of the interaction to the Charter School's legal counsel and provide the governing board a report of the interaction as timely as

possible. These notes must include, but are not limited to:

1. List or copy of the officer's credentials and contact information;
2. List of all the Charter School personnel who communicated with the officer;
3. Details of the officer's request;
4. Information on whether the officer presented a warrant or subpoena to accompany his/her request, the information/access requested and proof that the warrant was/wasn't signed;
5. The Charter school personnel's response to the officer's request;
6. Any further action taken by the officer;
7. Photo or copy of all/any information presented by the agent.

Any attempt by a law-enforcement officer to access a school location or a student for immigration-enforcement purposes should be reported to the Bureau of Children's Justice in the California Department of Justice at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)

2. **Parental Notification:** Before a student can be interview or searched by any officer seeking to enforce civil immigration laws at the Charter School, the 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 a valid, effective court order, stating otherwise.

The Charter school personnel must 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 that access was in compliance with a warrant or subpoena that restricts the disclosure of the information to the parent or guardian.