



## California Workplace - Know Your Rights

As a worker in California, you are entitled to know and exercise your workplace and constitutional rights. Labor laws, including but not limited to standards for wages, hours, and health and safety, apply to all workers in the state *regardless of immigration status*.

### It is against the law for your employer to retaliate against you for exercising your rights, including:

- Filing a complaint with the Labor Commissioner, Cal/OSHA, the Civil Rights Department, or another government agency.
- Asking about your employer's compliance with federal, state, or local law.
- Talking with others about their rights or helping them exercise their rights under federal, state, or local law.

Examples of illegal retaliation include firing you, reducing your work hours, or threatening to report you or a relative to immigration authorities because you exercised your rights.



### Workplace Protections Related to Immigration Status

#### Your right to Notice of Immigration Inspections ([Labor Code § 90.2](#))

If your employer receives notice of an upcoming immigration agency's inspection of I-9 Employment Eligibility Verification forms or other employment records, your employer must post a notice informing workers and their union representative, if applicable, within 72 hours of receiving that notice.

## Your protections against unfair immigration-related practices ([Labor Code §§ 1019-1019.2](#))

Under California law, it is unlawful for employers to retaliate against you or threaten immigration-related action when you exercise your rights. An employer is prohibited from taking any of the following actions because you exercised your rights:

- Refusing to accept identification documents during the I-9 process (proof of ID and federal permission to work) that appear to be genuine.
- Using E-Verify in a way not required or authorized by law.
  - For example, using E-Verify to reverify employment eligibility for an employee when not legally required to do so or screening only specific workers rather than all workers in a workplace without a legitimate basis for doing so.
- Reporting or threatening to report you or your family to immigration authorities.
- Filing or threatening to file any false report to the police or a state or federal agency.



## Your right to designate an emergency contact ([Labor Code § 1555](#))

Your employer **must** allow you to provide them with emergency contact information and to indicate if you want the emergency contact to be notified if you are arrested or detained at work. If you are arrested or detained at work and your employer has knowledge of it, they **must** notify your designated emergency contact if you choose that option.



## Your right to organize a union or engage in protected activity in the workplace

Most employees in California have the right to organize, join, or participate in union activities. Employees also have the right to jointly act with co-workers to address work-related issues and concerns to improve working conditions or for the purpose of collective bargaining. **This means you have the right to join with coworkers to request better working conditions or raise work-related concerns, including about wages, hours, health and safety, and other terms of employment.** You also have the right to not participate in union activities or protected activities. It is illegal for your employer to:

- Interfere with or discourage your union activity or protected activities.
- Threaten you, or retaliate or discriminate against you, because of your union support or protected activities.



## Your rights when interacting with law enforcement, including immigration agents, in the workplace

California workers have certain rights and protections under the U.S. Constitution, **regardless of their immigration status**, including when law enforcement (including a federal immigration agent) approaches you. In addition, under California law, state and local law enforcement cannot assist federal agencies such as ICE with immigration enforcement in most circumstances.

### Your right to be free from unreasonable searches (U.S. Constitution, 4th Amendment)

- If law enforcement, including immigration agents, ask if they can search you or your personal belongings, unless they have a judicial warrant specifically authorizing a search of your person or your personal belongings, you have the right to say no.
- If the officer conducts the search, even if you say no – remain calm, do not physically resist, and do not run.

Law enforcement can enter *public areas* without a warrant. Public areas may include a lobby, waiting room, public dining area, or parking lot of a workplace. In most circumstances, law enforcement needs a [judicial warrant](#), signed by a judge, to enter *non-public areas* of your workplace without consent. Non-public areas may include a breakroom, employee restroom, workspace, or any area marked as employees only. Administrative forms, such as an I-200 or I-205, are not a judicial warrant.

In California, your employer is prohibited from providing voluntary consent to an immigration enforcement agent to enter *non-public areas* of the workplace. Without a judicial warrant, your employer must refuse entry to immigration enforcement to *non-public areas* of the workplace.

More detailed information can be found in the DOJ's and LCO's joint [Immigrant Worker Protection Act FAQ](https://oag.ca.gov/system/files/media/ab450-faqs.pdf) (<https://oag.ca.gov/system/files/media/ab450-faqs.pdf>).

### Your right to be free from unreasonable seizures (U.S. Constitution, 4th Amendment)

- You are protected against unreasonable seizures, which includes detaining or arresting you.
- Law enforcement must have a reasonable suspicion of wrongdoing before they can stop and question or search you. You can ask “Am I being detained?” or “Am I free to leave?” If the officer says that you are not being detained or you are free to leave, then you can walk away calmly.
- An arrest requires probable cause and occurs when a person is taken into custody by law enforcement officers.
- Law enforcement agents do not need a judge-signed warrant to arrest someone in public.
- You have the right to speak to a lawyer if you are arrested. You may be pressured to sign documents. You do not have to sign anything without speaking to an attorney.



## Your right to remain silent (*U.S. Constitution, 5th Amendment*)

- Anything you say to law enforcement officers can be used against you in court.
- You have the right to remain silent, even if you are asked about your immigration status.
- If you wish to remain silent, clearly state so, request to speak with an attorney **and then remain silent**.
- Do not provide false information, false identification, or false documents to an officer. Providing false documents is a federal offense and may carry severe immigration consequences for noncitizens.



## Your right to record interactions with law enforcement in public spaces under the 1st Amendment

The public has the right to observe and record officers and government officials carrying out their duties in public. If you choose to record, you should stand a safe distance away and do not interfere with the officer's actions. Physical obstruction or verbal escalation can put your safety at risk and may lead to criminal charges.

## Access to legal representation

If you are arrested, you have the right to an attorney. If you cannot afford an attorney, you can get a government-appointed attorney to represent you in a criminal case.

However, if you are arrested by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), which includes Border Patrol, for civil immigration violations, you have the right to consult with a lawyer, but the government is not required to provide a lawyer for you. If you are arrested by ICE or CBP, you may invoke your right to speak with an attorney before saying or signing anything. You may also ask to speak to your consulate who may provide assistance.



## Workers' Compensation

You have the right to workers' compensation benefits if you are injured or become ill because of your job. The benefits provide you with medical care for your injury/illness, partially replace the wages you lose while you are recovering, and help you return to work. For additional information, visit [www.dir.ca.gov/dwc/](http://www.dir.ca.gov/dwc/) or call 1-800-736-7401.



## Who can I contact if I believe my rights have been violated?

If you believe your rights have been violated, below is a list of government agencies where you can seek assistance:

### California Department of Industrial Relations (DIR):

#### California Labor Commissioner's Office (LCO)

Information: (833) LCO-INFO (833-526-4636)  
Immigration helpline: (855) 526-7775  
[www.dir.ca.gov/dlse/](http://www.dir.ca.gov/dlse/)

#### California Division of Occupational Safety and Health (Cal/OSHA)

(833) 579-0927  
<https://www.dir.ca.gov/dosh/>

#### California Division of Workers Compensation (DWC)

(800) 736-7401  
[dir.ca.gov/dwc/](http://dir.ca.gov/dwc/)

### Other California Agencies:

#### California Attorney General (AG)

(800) 952-5225  
[www.oag.ca.gov](http://www.oag.ca.gov)

#### California Civil Rights Department (CRD)

(800) 884-1684  
[civildrights.ca.gov/](http://civildrights.ca.gov/)

#### *California Agricultural Employees* Agricultural Labor Relations Board (ALRB)

(800) 449-3699  
[www.alrb.ca.gov](http://www.alrb.ca.gov)

#### *California Public Sector Employees* *and Transportation Network Company Drivers* Public Employment Relations Board (PERB)

(916) 322-3198  
[perb.ca.gov](http://perb.ca.gov)

### Federal Agencies:

#### *Private Sector Employees* National Labor Relations Board (NLRB):

(844) 762-6572  
[www.nlr.gov](http://www.nlr.gov)

#### *Federal Employees* U.S. Federal Labor Relations Authority (FLRA):

(771) 444-5801  
<https://www.flra.gov/>

#### *Railway and Airline Employees* National Mediation Board (NMB):

(202) 692-5000  
[https://nmb.gov/NMB\\_Application/](https://nmb.gov/NMB_Application/)

### Non-Governmental Organizations:

You may also contact a nonprofit legal or community-based organization for assistance. For a list of organizations that partner with state agencies to help workers to understand their rights, scan the QR code to the right, or visit [www.dir.ca.gov/dlse/Nonprofit-Legal-and-Community-Based-Organizations-Serving-Workers.html](http://www.dir.ca.gov/dlse/Nonprofit-Legal-and-Community-Based-Organizations-Serving-Workers.html).





## KNOW YOUR EDUCATIONAL RIGHTS

### **YOUR CHILD HAS THE RIGHT TO A FREE PUBLIC EDUCATION**

- All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status.
- All children in California:
  - Have the right to a free public education.
  - Must be enrolled in school if they are between 6 and 18 years old.
  - Have the right to attend safe, secure, and peaceful schools.
  - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

### **INFORMATION REQUIRED FOR SCHOOL ENROLLMENT**

- Schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency and schools are not required to keep a copy of the document used as proof of a child's age.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

### **CONFIDENTIALITY OF PERSONAL INFORMATION**

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If so, the school district must provide parents/ guardians with written notice of the directory information policy, and provide the option to refuse release of your child's information.

### **FAMILY SAFETY PLANS IF YOU ARE DETAINED OR DEPORTED**

- You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

### **RIGHT TO FILE A COMPLAINT**

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated or bullied because of his or her actual or perceived nationality, ethnicity, or immigration status.

*For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:*

Bureau of Children's Justice  
California Attorney General's Office  
P.O. Box 944255  
Sacramento, CA 94244-2550

Phone: (800) 952-5225  
E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>



# CHECKLIST FOR IMMIGRANT STUDENTS AND FAMILIES ATTENDING PUBLIC SCHOOLS

## 1. YOU DO NOT HAVE TO SHARE THE FOLLOWING INFORMATION WITH SCHOOL OFFICIALS:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
- When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
- If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
- If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of his or her SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

## 2. TAKE STEPS TO PROTECT STUDENT INFORMATION:

- Ask for the school’s written privacy policies regarding student information.
- Review the school’s policy for “directory information”—which allows for public release of basic student information—and consider whether to opt out of releasing of that information.

## 3. TAKE STEPS TO PREPARE FOR SITUATIONS WHERE ONE OR MORE PARENTS OR GUARDIANS ARE DETAINED OR DEPORTED:

- Develop and keep in a safe place a “Family Safety Plan” (example: [https://www.ilrc.org/sites/default/files/resources/family\\_preparedness\\_plan.pdf](https://www.ilrc.org/sites/default/files/resources/family_preparedness_plan.pdf)) that includes the following information:
- Name of a trusted adult to care for your child if no parent or guardian can.
- Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.)
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent or guardian is available.

## RESOURCES

The following resources are available to immigrant families responding to detentions or deportations:

- The Immigration and Customs Enforcement (ICE) detainee locator: <https://locator.ice.gov/odls/homePage.do>. Please Note: This site is intended only for locating individuals who are already detained, and not for general immigration status inquiries.
- Immigration lawyers in private practice, accredited representatives (who assist immigrants in immigration proceedings), or legal-aid organizations:
  - State Bar of California Attorney Search: <http://www.calbar.ca.gov/Attorneys>
  - California organizations accredited by Board of Immigration Appeals (BIA) to represent immigrants before the Department of Homeland Security (DHS) and Executive Office of Immigration Review (EOIR): <https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - California Courts Self-Help Centers: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Legal-aid offices and lawyer-referral services: <http://www.courts.ca.gov/getting-legal-help>.
  - The consulate or embassy of the parent’s or guardian’s country of origin.



## CONOZCA SUS DERECHOS EDUCATIVOS

### **SU HIJO TIENE DERECHO A UNA EDUCACIÓN PÚBLICA GRATUITA**

- Todos los niños tienen derecho a un acceso igualitario a la educación pública gratuita, independientemente de su estado de inmigración o el de sus padres o tutores.
- Todos los niños en California:
  - Tienen derecho a una educación pública gratuita.
  - Deben estar inscritos en la escuela si tienen entre 6 y 18 años.
  - Tienen derecho a asistir a escuelas seguras, protegidas y pacíficas.
  - Tienen derecho a estar en un entorno de aprendizaje escolar público libre de discriminación, acoso, hostigamiento, violencia e intimidación.
  - Tienen igualdad de oportunidades para participar en cualquier programa o actividad ofrecida por la escuela sin discriminación.

### **INFORMACIÓN NECESARIA PARA LA INSCRIPCIÓN ESCOLAR**

- Las escuelas deben aceptar una variedad de documentos de los padres o tutores del estudiante para demostrar la edad o residencia del niño y las escuelas no están obligadas a conservar una copia del documento utilizado como prueba de la edad del niño.
- La información sobre el estado de ciudadanía/inmigración nunca es necesaria para la inscripción en la escuela. Nunca se necesita un número de Seguro Social para inscribirse en la escuela.

### **CONFIDENCIALIDAD DE LA INFORMACIÓN PERSONAL**

- Las leyes federales y estatales protegen los registros educativos y la información personal de los estudiantes. Estas leyes generalmente requieren que las escuelas obtengan el consentimiento por escrito de los padres o tutores antes de divulgar información de los estudiantes, a menos que la divulgación de información sea para fines educativos, ya sea pública o sea en respuesta a una orden judicial de un tribunal o citación.
- Algunas escuelas recopilan y proporcionan públicamente “información de directorio” básica de los estudiantes. De ser así, el distrito escolar debe proporcionar a los padres/tutores un aviso por escrito de la política de información de directorio y brindarles la opción de rechazar la divulgación de la información de su hijo.

### **PLANES DE SEGURIDAD FAMILIAR EN CASO DE DETENCIÓN O DEPORTACIÓN**

- Puede actualizar la información de contacto de emergencia de su hijo, incluidos los contactos secundarios, para identificar a un tutor adulto de confianza que pueda cuidar de su hijo si lo detienen o lo deportan.
- Puede completar una Declaración Jurada de Autorización del Cuidador o una Petición de Designación de Tutor Temporal de la Persona para darle a un adulto de confianza la autoridad para tomar decisiones educativas y médicas para su hijo.

### **DERECHO A PRESENTAR UNA QUEJA**

- Su hijo tiene derecho a denunciar un delito de odio o presentar una queja ante el distrito escolar si es discriminado, acosado, intimidado u hostigado debido a su nacionalidad, etnia o estado de inmigración real o percibido.

*Para obtener más información sobre los recursos para responder a las actividades de control de inmigración en las escuelas de California, o para presentar una queja, comuníquese con:*

Oficina de Justicia de Menores  
Oficina del Fiscal General de California  
P.O. Box 944255  
Sacramento, CA 94244-2550

Teléfono: (800) 952-5225  
Correo electrónico: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)  
<https://oag.ca.gov/bcj/complaint>



# LISTA DE VERIFICACIÓN PARA ESTUDIANTES INMIGRANTES Y FAMILIAS QUE ASISTEN A ESCUELAS PÚBLICAS

## 1. NO ES NECESARIO QUE COMPARTA LA SIGUIENTE INFORMACIÓN CON LOS FUNCIONARIOS ESCOLARES:

- No tiene que compartir información, incluidos pasaportes o visados, sobre el estado de inmigración de estudiantes, padres, tutores u otros miembros de la familia.
- No es necesario que proporcione números de Seguro Social (SSN) ni tarjetas.
- Al completar el formulario “Comidas gratuitas o a precio reducido”, proporcione únicamente los últimos cuatro dígitos del SSN del miembro adulto del hogar que firma la solicitud.
- Si la familia cumple con los requisitos de elegibilidad de ingresos y ningún miembro adulto del hogar tiene un SSN, su hijo aún califica. Marque la casilla “Sin SSN” en los formularios cuando corresponda, para asegurarse de que las solicitudes estén completas.
- Si algún miembro del hogar participa en CalFresh, CalWORKs (Oportunidades de trabajo y responsabilidad para niños en California) o FDPIR (Programa de distribución de alimentos en reservas indígenas), ningún miembro adulto del hogar necesita proporcionar los últimos cuatro dígitos de su SSN para calificar para recibir comidas gratuitas o a precio reducido en la escuela.
- Al proporcionar información para comprobar la residencia o la edad de un estudiante, no es necesario utilizar documentos que puedan revelar información relacionada con el estado de inmigración.

## 2. TOME MEDIDAS PARA PROTEGER LA INFORMACIÓN DE LOS ESTUDIANTES:

- Solicite las políticas de privacidad escritas de la escuela con respecto a la información de los estudiantes.
- Revise la política de la escuela sobre “información de directorio”, que permite la divulgación pública de información básica de los estudiantes, y considere si debe optar por no divulgar esa información.

## 3. TOME MEDIDAS PARA PREPARARSE PARA SITUACIONES EN LAS QUE UNO O MÁS PADRES O TUTORES SEAN DETENIDOS O DEPORTADOS:

- Desarrolle y mantenga en un lugar seguro un “Plan de seguridad familiar” (ejemplo: [https://www.ilrc.org/sites/default/files/resources/family\\_preparedness\\_plan.pdf](https://www.ilrc.org/sites/default/files/resources/family_preparedness_plan.pdf)) que incluya la siguiente información:
- Nombre de un adulto de confianza para cuidar de su hijo si ningún padre o tutor puede hacerlo.
- Números de teléfono de emergencia e instrucciones sobre dónde encontrar documentos importantes (certificados de nacimiento, pasaportes, tarjetas de Seguro Social, información de contacto del médico, etc.)
- Asegúrese de que la escuela de su hijo siempre tenga información de contacto de emergencia actualizada, incluidos contactos alternativos si no hay ningún padre o tutor disponible.

## RECURSOS

Los siguientes recursos están disponibles para las familias inmigrantes que responden a detenciones o deportaciones:

- Localizador de detenidos del Servicio de Inmigración y Control de Aduanas (ICE): <https://locator.ice.gov/odls/homePage.do>. Tenga en cuenta: Este sitio está destinado únicamente a localizar personas que ya están detenidas, y no a realizar consultas generales sobre el estado de inmigración.
- Abogados de inmigración en la práctica privada, representantes acreditados (que ayudan a los inmigrantes en procedimientos de inmigración) u organizaciones de asistencia legal:
  - Búsqueda de abogados del Colegio de Abogados del Estado de California: <http://www.calbar.ca.gov/Attorneys>
  - Organizaciones de California acreditadas por la Junta de Apelaciones de Inmigración (BIA) para representar a inmigrantes ante el Departamento de Seguridad Nacional (DHS) y la Oficina Ejecutiva de Revisión de Inmigración (EOIR): <https://www.justice.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - Centros de autoayuda de los tribunales de California: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Oficinas de asistencia legal y servicios de referencia de abogados: <http://www.courts.ca.gov/getting-legal-help>.
  - El consulado o embajada del país de origen del padre o tutor.

# TULARE COUNTY OFFICE OF EDUCATION

## Board Policy

Students  
BP 5145.13

### Response To Immigration Enforcement

#### Response To Immigration Enforcement

The County Board of Education 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.

Information or documents shall not be solicited or collected, unless legally required, and shall not be sought or required to the exclusion of other permissible information or documents, regarding the citizenship or immigration status of a student or the student's family members. (Education Code 234.7)

In accordance with law, County Board Policy 0410 - Nondiscrimination in County Office Programs and Activities, and County Board Policy 5145.3 - Nondiscrimination/Harassment, no student shall be denied equal rights and opportunities, nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the Tulare County Office of Education's (TCOE) programs and activities on the basis of the student's or family's immigration status or for the refusal to provide information related to the student's or family's immigration status. (Education Code 200, 220, 234.1)

Resources and data collected by TCOE shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

Parents/guardians shall be notified regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

Staff shall be provided training regarding immigration issues, including information on responding to a request from a law enforcement officer to visit a school site or to have access to a student.

The County Superintendent of Schools or designee shall report to the County Board in a timely manner any requests for information or access to a school site by a law enforcement officer 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. (Education Code 234.7)

#### **Posting and Distribution of Rights Information**

The County Board and its schools shall provide information to parents and guardians regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This

information shall specifically include the Attorney General's "Know Your Educational Rights" Guide for Students and Families.

TCOE shall ensure that this guide is clearly and visibly posted in all administrative buildings and on the internet websites of TCOE and all its schools. This guide shall be posted in every language that the Attorney General makes available, and the posting must be updated the school year following any new updates published by the Attorney General.

*Legal Reference:*

EDUCATION CODE

200 – Equal rights and opportunities in state educational institutions

220 – Prohibition of discrimination

234.1 – Student protections relating to discrimination, harassment, intimidation, and bullying

234.7 – Student protections relating to immigration and citizenship status

48204.4 – Evidence of residency for school enrollment

48980 – Parent/Guardian 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

627-627.10 – Access to school premises

UNITED STATES CODE, TITLE 20

1232g – Family Educational Rights and Privacy Act (FERPA) of 1974

COURT DECISION

*Plyler v. Doe* (1982) 457 U.S. 202

*Management Resources:*

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATION

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, December 2025

WEB SITES

California Civil Rights Department (CRD): <https://calcivilrights.ca.gov/>

California Department of Education: <http://cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <https://www.ice.gov/>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <https://locator.ice.gov/odls/#/>

Policy Adopted: 2/4/26

Tulare County Board of Education  
Visalia, CA

# TULARE COUNTY OFFICE OF EDUCATION

## Administrative Regulation

Students  
AR 5145.13

### Response To Immigration Enforcement

#### Response To Immigration Enforcement

##### Responding to Requests for Immigration-Related Information or Documents

Upon receiving any verbal or written request for information or documents related to a student's or family's immigration or citizenship status, the following shall occur:

1. Record or otherwise document the request and notify the County Superintendent of Schools or designee about the request
2. Provide the student's parent/guardian or, if the student is at least 18 years old, the student, with notice, a description of the request, and any documentation provided to the Tulare County Office of Education (TCOE) describing the request, unless prohibited by a court order, judicial subpoena/warrant, or in cases involving investigation of child abuse, neglect, or dependency

TCOE and its personnel, to the extent practicable, shall not disclose or provide information in writing, verbally, or in any other manner, the education records of, or any information about a pupil or a pupil's family and household, to an officer or employee of an agency conducting immigration enforcement absent:

1. The pupil's parents' or guardians' written consent (or the student's consent if 18 or older) or
2. A valid judicial warrant, judicial subpoena, or court order directing the TCOE or its personnel to do so.

Prohibited information includes, but is not limited to, personal information, information about a pupil's home, and information about a pupil's travel schedule.

Any disclosure of a pupil's education records made pursuant to a valid judicial warrant, judicial subpoena, or court order shall be in accordance with the parent notification requirements set forth in federal student privacy regulations (Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations)

In accordance with law, parents/guardians shall annually be notified that TCOE will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena/warrant.

## **Responding to Requests for Access to Students or School Grounds**

School officials and TCOE employees shall not allow an officer or employee of an agency conducting immigration enforcement to enter a nonpublic area of a schoolsite for any purpose, unless the officer first presents a valid judicial warrant, judicial subpoena, or a court order.

A "schoolsite" includes an individual school campus, an area where a school-sponsored activity is currently being held, or a school bus or other transportation provided by TCOE.

TCOE staff shall, to the extent practicable, request and document the officer's credentials, including the officer's name and badge number, and the phone number of the officer's supervisor. Staff shall also request and retain a copy of any documentation, such as a warrant, subpoena, or court order, that authorizes the officer's access.

This prohibition on entry shall not be construed to limit TCOE's or the school official's right to consult with legal counsel or to challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction.

Parent/guardian consent or, if the student is at least 18 years old, the student's consent, must be received before the student is interviewed or searched by any law enforcement officer for immigration enforcement purposes, unless the officer presents a court order or a judicial warrant.

A student's parent/guardian shall be immediately notified when a law enforcement officer requests or is able to interview, search, detain, or otherwise interact with the student for immigration enforcement purposes, unless prohibited by a court order or a judicial warrant, or in cases involving investigations of child abuse, neglect, or dependency. (Education Code 48906)

As early as possible, the County Superintendent or designee shall be notified of any immigration enforcement-related request by a law enforcement officer for access to a student or to TCOE property, including service of lawful warrants, subpoenas, petitions, complaints, or other similar documents.

## **Responding to Law Enforcement Officers on County Office Property**

The presence of any law enforcement officer on TCOE property for immigration enforcement purposes shall be reported to appropriate administrators.

If an immigration enforcement officer presents a valid judicial warrant, judicial subpoena, or court order, the following actions shall be taken:

1. The County Superintendent or designee, and then TCOE's legal counsel, shall be contacted immediately.
2. The officer's orders shall be complied with, unless otherwise directed by TCOE's legal counsel.
3. No attempt shall be made to physically impede the officer.
4. The officer's activities shall be documented only to the extent that it does not impede the officer's actions.

After the officer leaves TCOE property, notes of all interactions with the officer shall be promptly written, including:

1. A list or copy of the officer's credentials and contact information, if known
2. The identity of all other TCOE staff known to have communicated with the officer
3. A description of the officer's request and activities
4. The type of documentation, such as a warrant or subpoena, that authorized the officer's request or actions, what was requested by the documentation, and whether the documentation was signed by a judge
5. Any response to the officer's request
6. Any further action taken by the officer
7. Copies of any documents presented by the officer

A copy of these notes and any associated documents collected from the officer shall be promptly provided to TCOE's legal counsel or other official designated by the County Superintendent.

The County Superintendent or designee shall report to the County Board of Education in a timely manner any requests for information or access to a schoolsite by an officer for the purpose of enforcing immigration laws, ensuring the confidentiality and privacy of any potentially identifying information.

The Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) shall be emailed regarding any attempt by a law enforcement officer to access a school site or a student for immigration enforcement purposes.

### **Responding to the Detention or Deportation of Student's Parent/Guardian**

Parents/guardians shall be encouraged to update their emergency contact information as needed at any time. Parents/guardians shall be notified that TCOE will only use information provided on the emergency cards in response to specific emergency situations and not for any other purpose.

All students and families may be encouraged to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a student's parent/guardian is detained or deported.

In the event that a student's parent/guardian is detained or deported, the student may be released to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. Child protective services may be contacted if arrangements for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit are not made.

A student or the student's family members may be referred to other resources for assistance, including, but not limited to, an U.S. Immigrant and Customs Enforcement detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

## Posting and Distribution of Educational Rights Information

TCOE shall provide information to parents and guardians regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall specifically include information relating to the Attorney General's guide, "Immigration-Enforcement Actions at California Schools Guide for Students and Families," also known as "Know Your Educational Rights".

TCOE shall ensure that the Attorney General's guide is clearly and visibly posted in the administrative buildings and on the internet websites of TCOE and each of its schoolsites. The guide shall be posted in every language that the Attorney General provides and shall be updated the school year following any updates published by the Attorney General.

### *Legal Reference:*

#### EDUCATION CODE

200 – Equal rights and opportunities in state educational institutions

220 – Prohibition of discrimination

234.1 – Student protections relating to discrimination, harassment, intimidation, and bullying

234.7 – Student protections relating to immigration and citizenship status

48204.4 – Evidence of residency for school enrollment

48980 – Parent/Guardian 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

627-627.10 – Access to school premises

#### UNITED STATES CODE, TITLE 20

1232g – Family Educational Rights and Privacy Act (FERPA) of 1974

#### COURT DECISION

*Plyler v. Doe* (1982) 457 U.S. 202

### *Management Resources:*

#### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATION

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, December 2025

#### WEB SITES

California Civil Rights Department (CRD): <https://calcivilrights.ca.gov/>

California Department of Education: <http://cde.ca.gov>

California Office of the Attorney General: <http://oag.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <https://www.ice.gov/>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <https://locator.ice.gov/odls/#/>

Regulation Approved: 2/4/26



Tulare County Superintendent of Schools  
Visalia, California