

TULARE COUNTY OFFICE OF EDUCATION

Administrative Regulation

Students
AR 5145.13

Response To Immigration Enforcement

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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/#/>

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