
FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

Community Relations
RESPONSE TO IMMIGRATION ENFORCEMENT

The County Superintendent and County Board are committed to the success of all students and providing a safe and welcoming place for students, their families, and staff irrespective of their citizenship or immigration status.

Unless required by state or federal law, required to administer a state or federally supported educational program, or presented with a valid judicial subpoena, judicial warrant, or court order, it is prohibited to do any of the following:

1. Solicit or collect information or documents regarding the citizenship or immigration status of a student or the student's family members (Education Code 234.7)
2. Seek or require information or documents, 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)
3. To the extent practicable, disclose or provide in writing, verbally, or in any other manner to an officer or employee of an agency conducting immigration enforcement:
 - a. The education records of or any information about a student or a student's family or household such as personal information as defined in Civil Code 1798.3, information about a student's home, or information about a student's travel schedule without parent/guardian written consent (Education Code 234.7)
 - b. The personnel records of any County Superintendent employee, personal information of any County Superintendent employee as defined in Civil Code 1798.3, or any other confidential employee information (Education Code 234.7; Government Code 7285.2)
4. Grant permission to an officer or employee of an agency conducting immigration enforcement to enter a school bus, any other transportation provided by the County Superintendent, a nonpublic area of any County Superintendent-operated site, or a nonpublic area where any County Superintendent and/or County Board-sponsored program or activity is occurring (Education Code 234.7; Government Code 7285.1)

However, an officer or employee of an agency conducting immigration enforcement who nonetheless enters County Superintendent-provided transportation, a nonpublic area of any County Superintendent-operated site, or a nonpublic area where any County Superintendent and/or County Board-sponsored program or activity is occurring shall not be obstructed, interfered with, or otherwise impeded.

The County Superintendent of Schools or designee shall report to the County Board in a timely manner any requests by an officer or employee of an agency conducting immigration enforcement for any of the following: (Education Code 234.7)

1. Education records of or any information about a student or a student's family or household

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2. Personnel records of any County Superintendent employee, personal information of any County Superintendent employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the County Superintendent, a nonpublic area of any County Superintendent-operated site, or a nonpublic area where any County Superintendent and/or County Board-sponsored program or activity is occurring

Such reports shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

In accordance with law and applicable policies, no student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in 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 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 the County Superintendent 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 provided with information and notifications as specified in Education Code 234.7, including information 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.)

The County Superintendent or designee shall develop procedures for, and may provide training on, interactions with an officer or employee of an agency conducting immigration enforcement, including a request for any of the following:

1. Education records of or any information about a student or a student's family or household
2. Personnel records of any County Superintendent employee, personal information of any County Superintendent employee as defined in Civil Code 1798.3, or any other confidential employee information
3. Permission to enter a school bus, any other transportation provided by the County Superintendent, a nonpublic area of any County Superintendent-operated site, or a nonpublic area where any County Superintendent and/or County Board-sponsored program or activity is occurring

The County Superintendent or designee may provide training to staff regarding immigration issues, including information on responding to a request from a law enforcement officer to visit a schoolsite or to have access to a student.

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Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with Superintendent and Board Policy 1312.3 and Superintendent Administrative Regulation 1312.3 - Uniform Complaint Procedures.

The California Department of Education shall be provided, upon request and in the manner requested, copies of this policy, any associated administrative regulation, and any other County Superintendent or County Board policies and administrative regulations required by Education Code 234.7.

Adopted: 07/19/2018

Amended: 11/20/2025, 02/19/2026 (renumbered from 5145.13 to 1445)

Legal ReferencesEducation Code

200 Educational equity
220 Prohibition of discrimination
234.1 Safe Place to Learn Act
234.7 Student protections relating to immigration and citizenship status
32282 Comprehensive school safety plans
48204.4 Evidence of residency for school enrollment
48906 Exception to parent/guardian notifications
48980 Parent/Guardian notifications
48985 Notices to parents in language other than English

Civil Code

1798.3 Information Practices Act of 1977; definitions

Government Code

7285-7285.3 Prohibitions on Employer Cooperation with Immigration Enforcement Agents
8310.3 California Religious Freedom Act

Penal Code

422.55 Definition of hate crime
627.1-627.10 Access to school premises

20 United States Code

1232g Family Educational Rights and Privacy Act

34 Code of Federal Regulations

99.30-99.31 FERPA Regulations

Court Decisions

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

Management ResourcesCSBA Publications

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

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California Office of the Attorney General Publications

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

Websites

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

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

California Civil Rights Department: <https://civildrights.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: <http://www.ice.gov>

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