

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS  
FRESNO COUNTY BOARD OF EDUCATION****Students****RESPONSE TO IMMIGRATION ENFORCEMENT**

The County Board and County Superintendent are committed to the success of all students and believe that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

County Superintendent staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at schools operated by the County Superintendent, except as may be required by state and federal law. (Education Code 234.7.)

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 his/her immigration status. (Education Code 200, 220, 234.1.)

The County Superintendent or designee shall notify parents/guardians 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.)

Consistent with requirements of the California Office of the Attorney General, the County Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to County Superintendent records, school sites, or students for the purpose of immigration enforcement.

The County Superintendent or designee shall report to the County Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency 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.)

Adopted: 07/19/2018

**Legal References**Education 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

48204.4 Evidence of residency for school enrollment

48980 Parental notifications

48985 Notices to parents in language other than English

Government Code

8310.3 California Religious Freedom Act

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Penal Code

422.55 Definition of hate crime

627.1-627.6 Access to school premises, outsiders

United States Code

1232g Family Educational Rights and Privacy Act

Court Decisions

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

**Management Resources**

CSBA Publications

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

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 Immigration Issues, April 2018

Websites

CSBA: <http://www.csba.org>

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

California Department of Justice: <http://www.justice.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>