



Board Policy on Immigration and Citizen Status (AB 699) 20260604

Purpose and Scope

John Adams Academy (“JAA”) is required to adopt the Attorney General’s Model Policies to Assist California’s K-12 Schools in Responding to Immigration Issues (last updated in December 2025) or equivalent policies. (Ed. Code, § 234.7.) This policy, in conjunction with JAA’s Family/Scholar Handbook and other policies, provides the required protection. If there are any inconsistencies between this policy and other JAA policies, this policy shall apply. Any questions about the requirements set forth in this policy should be directed to JAA’s Superintendent.

Policies for Collecting and Retaining Scholar Information

Protecting scholar privacy is of utmost importance. JAA has adopted reasonable physical, administrative, and technical safeguards to protect scholar data. These safeguards include access control to school databases and the use of locks and similar mechanisms to protect physically stored student information. School staff will endeavor to ensure sensitive scholar records are not left out and are secured after use. School staff shall not disclose personally identifiable information from a scholar’s education record to other staff members or third parties unless there is a legitimate educational interest or other legally permissible reason. Requests for scholar information from third parties shall be reviewed consistent with school policies and applicable law to prevent unauthorized disclosure. Appropriate personnel shall receive training regarding these procedures to protect sensitive scholar data.

The Superintendent or designee shall maintain JAA’s policies and procedures for gathering and handling sensitive scholar information, and appropriate personnel shall receive training as appropriate and necessary, regarding those policies and procedures.

If JAA possesses information that could indicate immigration status, citizenship status, or national origin information, JAA shall not use the acquired information to discriminate against any scholars or families or bar children from enrolling in or attending school.

If parents or guardians choose not to provide information that could indicate their or their children’s immigration status, citizenship status, or national origin information,

JAA shall not use such actions as a basis to discriminate against any scholars or families or bar children from enrolling or attending school.

JAA shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status. This does not prohibit JAA from completing required data collections and submissions (e.g., CALPADS).

Policies for Inquiries Regarding Immigration Status, Citizenship Status and National Origin Information

JAA personnel shall not inquire specifically about a scholar's citizenship or immigration status or the citizenship or immigration status of a scholar's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a scholar's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of national origin-related information to satisfy the requirements of a special program, JAA staff shall solicit that documentation or information separately from the school enrollment process.

Where permitted by law, the Superintendent or designee shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include, among them, documentation or information that is available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status. JAA shall note the method of age verification in enrollment forms or policies, but JAA is not required to maintain a copy of the document used to show age.

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, JAA's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

Policies for Inquiries About Social Security Numbers or Cards

JAA shall not solicit or collect entire Social Security numbers or cards.

JAA shall solicit and collect the last four digits of an adult household member's Social Security number if required to establish eligibility for federal benefit programs.

When collecting the last four digits of an adult household member's Social Security number to establish eligibility for a federal benefit program, JAA shall explain the

limited purpose for which this information is collected and clarify that a failure to provide this information will not bar the scholar from enrolling in or attending the school.

JAA shall treat all scholars equitably in receipt of all school services, including, but not limited to, the gathering of scholar and family information for the free and reduced lunch program, transportation (if offered), and educational instruction.

Policies and Procedures Regarding Information Sharing

JAA shall avoid the disclosure of information that might indicate a scholar's or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or other applicable law.

JAA staff shall take the following steps upon receiving an information request related to a scholar's or family's immigration or citizenship status:

- Notify a designated JAA official about the information request.
- Provide the scholar and family with appropriate notice and a description of the officer or employee's request.
- Document any verbal or written request for information by an officer or employee of an agency for immigration enforcement purposes. JAA shall make a photocopy of any written request received in person.
- Unless prohibited, provide the scholar and parent/guardian with any documents provided by the officer or employee seeking the information.

Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the school prohibits disclosure, JAA shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

JAA shall require written parental or guardian consent for the release of scholar information, unless the information falls within an exception under FERPA or California Education Code 49076, is relevant to a legitimate educational interest, or includes only directory information. These exceptions do not permit disclosing information to immigration authorities solely for immigration enforcement purposes; no scholar information shall be disclosed to immigration authorities for immigration enforcement purposes without a court order or judicial subpoena.

Upon receipt of any information request related to immigration or citizenship status, JAA shall immediately consult legal counsel and/or a designated representative of the agency. No information regarding scholars, their families, teachers, or employees shall be disclosed, to the extent practicable, to an officer or employee of an agency conducting immigration enforcement without a judicial subpoena, judicial warrant, or

court order, and any disclosure must be in accordance with requirements set forth in Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations. If faced with an administrative subpoena, JAA shall consult legal counsel to determine how or whether to respond as there is no separate requirement in federal or state law to provide information to the Department of Homeland Security (DHS), ICE, or any other agency within DHS, without a court order, judicial warrant, or judicial subpoena.

JAA's request for written parental, guardian, or eligible scholar consent for release of scholar information for immigration enforcement purposes must include the following information: (1) the signature and date of the parent, guardian, or eligible scholar providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians, or eligible scholar, a copy of the records to be released. JAA shall permanently keep the consent notice with the record file.

The parent or guardian is not required to sign the consent form. If the parent or guardian refuses to provide written consent for the release of the scholar's information that is not otherwise subject to release, JAA shall not release the information.

If the request seeks information regarding JAA's staff, the same procedures as above should be followed, except that the Superintendent or designee should be consulted first.

For any requests for information, JAA is under no obligation to produce the records or information immediately. Rather, JAA will note any designated date for the production of records, if indicated in the request, and convey it to the Superintendent or designee.

JAA will obtain the contact information for the person to whom a response to the request for information should be directed and forward it to the Superintendent or designee.

Policies for Annual Information Notice to Parents and Guardians

JAA provides an annual notice to parents and guardians of the school's general information policies that includes:

- Assurances that JAA will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
- A description of the types of scholar records maintained by JAA (e.g., transcripts, academic records, immunization records, disciplinary records, enrollment documents, etc.)
- A list of the circumstances or conditions under which JAA might release scholar information to outside people or entities.

- A statement that, unless JAA is providing directory information or information permitted to be disclosed without parental consent under FERPA and the California Education Code, JAA shall notify parents or guardians and eligible scholars – and receive their written consent – before it releases a scholar’s personally identifiable information.

If JAA decides to release directory information, JAA shall provide an annual notice to parents and guardians, and eligible scholars in attendance, of JAA’s directory information policy that includes:

- The categories of information that JAA has classified as public directory information that may be disclosed without parental consent, and which should only include the information specifically identified in Education Code section 49061(c).
- A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where JAA receives consent as required under state law).
- The potential recipients of the directory information.
- A description of the parents’, guardians’, or eligible scholar’s ability to refuse release of the scholar’s directory information, and how to refuse release.
- The deadline by which the parent, guardian, or eligible scholar must notify the school in writing that they do not want the information designated as directory information.

Policies for Monitoring and Receiving Visitors on Campus

No outsider – including immigration enforcement officers – shall enter or remain on the school grounds of JAA during school hours without having registered with the Principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide, to the extent practicable, the following information to the Principal or designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity; and
- Any other information as required by law.

JAA shall adopt measures for responding to outsiders that avoid classroom interruptions and preserve the peaceful conduct of the school’s activities, consistent with local circumstances and practices. Where authorized, JAA shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for

registration.

JAA personnel shall report entry by immigration enforcement officers to the appropriate administrator (e.g., Principal or Superintendent) as would be required for any unexpected or unscheduled outside visitor coming on campus.

Policies for Responding to On-Campus Immigration Enforcement

As early as possible, JAA personnel shall notify the Superintendent or designee of any request by any officer seeking access to the school site or any scholar to conduct immigration enforcement, or any requests for review of school documents (including for the service of lawful subpoenas, petitions, complaints, warrants, etc.). The Superintendent or designee may contact legal counsel for support.

In addition to notifying the Superintendent or designee, JAA staff should take the following action steps in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that, before proceeding with their request, and absent exigent circumstances, school personnel must first receive notification and direction from the Superintendent or designee.
2. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also, ask for and copy or note the phone number of the officer's supervisor.
3. Ask the officer for their reason for being on school grounds and document it.
4. Ask the officer to produce any documentation that authorizes school access.
5. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, JAA staff should comply with the officer's orders and immediately contact the Superintendent or designee.
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration enforcement officer has:
 - a. *An ICE (U.S. Immigration and Customs Enforcement) administrative warrant*, JAA staff shall inform the officer that they cannot consent to any request without first consulting with the school's counsel or Superintendent.

- b. *A federal judicial warrant (search-and-seizure warrant or arrest warrant)*, prompt compliance with such a warrant is usually legally required. If feasible, consult with legal counsel or the Superintendent before providing the officer with access to the person or materials specified in the warrant.
 - c. *A subpoena for production of documents or other evidence*, immediate compliance is not required. Therefore, JAA staff shall inform the Superintendent, legal counsel, or another designated official of the subpoena and await further instructions on how to proceed.
- 8. While JAA staff should not consent access to an immigration enforcement officer, except as described above, they should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, JAA staff shall document their actions while on campus and if feasible, accompany them at all times.
- 9. After the encounter with the officer, JAA staff shall promptly take written notes of all interactions with the officer. The notes should include the following items:
 - a. List or copy of the officer's credentials and contact information;
 - b. Identity of all school personnel who communicated with the officer;
 - c. Details of the officer's request;
 - d. Whether the officer presented a warrant or subpoena to accompany their request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - e. JAA staff's response to the officer's request;
 - f. Any further action taken by the agent; and
 - g. Photo or copy of any documents presented by the agent.
- 10. JAA personnel shall provide a copy of those notes, and associated documents collected from the officer, to the school's legal counsel or Superintendent.
- 11. In turn, the Superintendent or designee and/or legal counsel shall submit a timely report to JAA's governing board regarding the officer's requests and actions and JAA's response(s).
- 12. E-mail the *Bureau of Children's Justice* in the *California Department of Justice*, at *BCJ@doj.ca.gov*, regarding any attempt by a law-enforcement officer to access a school site or a scholar for immigration enforcement purposes.

Policies for Parental Notification of Immigration Enforcement Actions

JAA staff must receive consent from the scholar's parent or guardian before a scholar can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

JAA staff shall immediately notify the scholar's parents or guardians if an officer or employee of an agency requests or gains access to a scholar for immigration enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

Policies for Responding to the Detention or Deportation of a Scholar's Family Member

JAA shall encourage that families and scholars have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors' contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.

JAA shall permit scholars and families to update scholars' emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available.

- JAA shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a scholar's parent or guardian is detained.
- JAA shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.

In the event a scholar's parent/guardian has been detained or deported by federal immigration authorities, JAA shall use the scholar's emergency card contact information and release the scholar to the person(s) designated as emergency contacts. Alternatively, JAA shall release the scholar into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the scholar. JAA shall only contact Child Protective Services if JAA personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver's Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

Policies for Responding to Hate Crimes and Bullying

JAA shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a scholar's actual or perceived nationality,

ethnicity, or immigration status. Those policies must be translated in the scholar's primary language if at least 15 percent of the scholars enrolled in the school speak a single primary language other than English.

All children have a right to a free public education, regardless of immigration status or religious beliefs. We encourage families to review the "Know Your Educational Rights" immigration enforcement guidance established by the Attorney General (<https://oag.ca.gov/system/files/media/appendix-g-know-your-educational-rights-english.pdf>.) JAA shall inform scholars who are victims of hate crimes of their right to report such crimes.

JAA has adopted a process for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on protected actual or perceived characteristics (e.g., disability, race or ethnicity, immigration status), through its Uniform Complaint Procedures. If you would like a copy of the Uniform Complaint Procedures, please ask the Principal or visit JAA's website (<https://www.johnadamsacademy.org/main/policies-notice>.)

The Uniform Complaint Procedures and JAA policies provide the following:

- A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so;
- A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by JAA schools;
- An appeal process afforded to the complainant should they disagree with the resolution of a complaint.
- JAA shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- JAA shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.

JAA shall educate scholars about the negative impact of bullying other scholars based on their actual or perceived immigration status or their religious beliefs or customs. JAA shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training provides school staff with the skills to do the following:

- Discuss the varying immigration experiences among members of the scholar body and school community;
- Discuss bullying-prevention strategies with scholars, and teach scholars to recognize the behavior and characteristics of bullying perpetrators and victims;
- Identify the signs of bullying or harassing behavior;

- Take immediate corrective action when bullying is observed; and
- Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.