

*Series 1000 – Community Relations***Response to Immigration Enforcement**

The Sutter County Superintendent of Schools is committed to the success of all students and to 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 Sutter County Superintendent of Schools (SCSOS) employee, personal information of any SCSOS 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 SCSOS, a nonpublic area of any SCSOS property or facility, or a nonpublic area where any SCSOS -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 SCSOS -provided transportation, a nonpublic area of any SCSOS property or facility, or a nonpublic area where any SCSOS -sponsored program or activity is occurring shall not be obstructed, interfered with, or otherwise impeded.

The SCSOS staff shall report to the Sutter County Superintendent of Schools, or designee, 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
2. Personnel records of any SCSOS employee, personal information of any SCSOS 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 SCSOS, a nonpublic area of any SCSOS property or facility, or a nonpublic area where any SCSOS -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, Sutter County Superintendent of Schools Policy 0410 - Nondiscrimination in County Office Programs and Activities, and Sutter County Superintendent of Schools 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 COE's 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 SCSOS 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.

Complaints alleging discrimination, harassment, intimidation, and bullying based on actual or perceived immigration status shall be filed in accordance with , Sutter County Superintendent of Schools Board Policy/Administrative Regulation 1312.3/SP 4144 - 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 Board policies and administrative regulations required by Education Code 234.7.

Legal Reference:

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
Civ. Code 1798.3	Information Practices Act of 1977; definitions
Ed. Code 200	Equal rights and opportunities in state educational institutions
Ed. Code 220	Prohibition of discrimination
Ed. Code 234.1	Student protections relating to discrimination, harassment, intimidation, and bullying
Ed. Code 234.7	Student protections related to immigration and citizenship status
Ed. Code 32282	Comprehensive school safety plans
Ed. Code 48204.4	Evidence of residency for school enrollment
Ed. Code 48906	Exception to parent/guardian notifications

Ed. Code 48980	<u>Parent/Guardian notifications</u>
Ed. Code 48985	Notices to parents/guardian in language other than English
Fam. Code 6552	Caregiver's authorization affidavit
Gov. Code 7285-7285.3	Prohibitions on Employer Cooperation with Immigration Enforcement Agents
Gov. Code 8310.3	California Religious Freedom Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 627-627.10	Access to school premises
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
34 CFR 99.30-99.31	FERPA Regulations
U.S. Constitution, Fourth Amendment	Unreasonable search and seizure
<b>Management Resources</b>	<b>Description</b>
CA Office of the Attorney General Publication	<u>Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes, December 2025</u>
Court Decision	Plyler v. Doe (1982) 457 U.S. 202
Website	<u>California Department of Education, Resources to Include Immigrant Families</u>
Website	<u>California Department of Education, LEA Immigration Enforcement Policy Submission</u>
Website	<u>California Civil Rights Department</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Immigration and Customs Enforcement, Online Detainee Locator System</u>
Website	<u>U.S. Immigration and Customs Enforcement</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>CSBA</u>
Website	<u>California Office of the Attorney General</u>
Website	<u>California Department of Education</u>
<b>Cross References</b>	
<b>Code</b>	<b>Description</b>
0410	<u>Nondiscrimination In County Office Programs And Activities</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1312.3-E(3)	<u>Uniform Complaint Procedures</u>
1340	<u>Access To County Office Records</u>
1340	<u>Access To County Office Records</u>
3555	<u>Nutrition Program Compliance</u>

3555-E(1)	<u>Nutrition Program Compliance</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.1	<u>Release Of Directory Information</u>
5125.1	<u>Release Of Directory Information</u>
5125.1-E(1)	<u>Release Of Directory Information</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>