

KIPP:Public Schools

NORTHERN CALIFORNIA

POLICY REGARDING IMMIGRATION ENFORCEMENT ACTIVITY

I. PURPOSE AND COMMITMENT

KIPP Public Schools Northern California (“KIPP” or the “Charter School”) fosters a safe, welcoming environment where all students, educators, and staff feel supported and connected. KIPP supports all students' right to education regardless of immigration status. State law requires all public schools to adopt policies in this regard.

KIPP finds school facilities, official school activities (including those in public places), adjacent areas, and all property owned, controlled, or leased by KIPP as “sensitive locations” under state law, and seeks commitments from contractors and service providers (particularly school resource officers) not to facilitate immigration enforcement at these locations unless law requires it.

KIPP provides the California Attorney General's [Know Your Educational Rights](#) handout to all families upon enrollment. This handout is also posted in all campus administrative buildings and available on the school website. KIPP also provides the California Attorney General's “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”, which can be found at [Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California’s TK-12 Schools](#).

KIPP also provides all families with information about children's educational rights, as contained in this Policy, upon enrollment and/or in the Student/Family Handbook.

All notices, enrollment materials, registration information, and complaint procedures are language-accessible in accordance with state and federal law.

II. DEFINITIONS

- *“Immigration enforcement”* includes any efforts to investigate, enforce, or assist in investigating or enforcing federal civil immigration law, and any efforts to investigate, enforce, or assist in investigating or enforcing federal criminal immigration law that penalizes a person's presence in, entry, reentry to, or employment in the United States.
- *“Schoolsite”* means an individual school campus, a non-public area where we hold school-related activities, or school buses and other transportation we provide.

III. ANTI-DISCRIMINATION AND HARASSMENT

KIPP prohibits discrimination, harassment, intimidation, and bullying based on protected characteristics, including but not limited to immigration status, nationality, race, ethnicity, citizenship status, color, religion, national origin, ancestry, or association with any protected group. This applies to schoolsites, at school-related events, and through school-owned technology.

KIPP promptly and thoroughly investigates complaints of unlawful harassment or discrimination and takes appropriate corrective action when warranted. KIPP educates students to respect all peers regardless of protected characteristics and to understand the negative impact of bullying.

KIPP trains teachers, staff, and personnel to recognize their legal duty to eliminate hostile environments and respond to harassment incidents, and informs students who experience hate crimes of their right to report them.

KIPP's Uniform Complaint Policy and Procedures and Harassment, Discrimination, Intimidation, & Bullying Policy are available for review upon request and/or on the school's website.

IV. STUDENT INFORMATION COLLECTION AND PROTECTION

General Principles

KIPP does not request citizenship or immigration documents, information, or proof of citizenship or immigration status for enrollment, other than documents we might review but not retain to establish a child's birthdate. KIPP does not collect information about students' or families' citizenship or immigration status except when state or federal law requires it to administer education programs. KIPP does not:

- Allow school resources or data to create registries based on race, gender, sexual orientation, religion, ethnicity, or national origin
- Inquire about students' or parents' citizenship or immigration status
- Require documentation that may indicate immigration status (green cards, voter registration, passports, citizenship papers) to the exclusion of other permissible documents
- Use any information the school might possess about immigration status, citizenship status, or national origin to discriminate against students or families or bar children from enrollment

Enrollment Documentation

For Proof of Residency, KIPP accepts:

- Property tax bills
- Rental contracts, leases, or payment receipts
- Utility service contracts, statements, or payment receipts
- Pay stubs
- Voter registration
- Correspondence from government agencies
- Declaration of residency executed by parent or legal guardian

For Age Verification, KIPP accepts:

- Certified birth record
- Statement by local registrar or county recorder certifying date of birth
- Baptism certificate
- Passport
- When none are available, an affidavit from a parent, guardian, or custodian, or other appropriate proof

In most cases, any one document from each category is sufficient. Age-verification documents (e.g., birth certificates or passports) that reveal immigration or citizenship status will be used only to verify age and will not be retained in the student's education record.

Students experiencing homelessness may enroll even without typical documentation if otherwise eligible, consistent with the McKinney-Vento Homeless Assistance Act.

Special Program Information

When law requires national origin information for special programs (such as language instruction for English learners), KIPP collects it separately from enrollment. KIPP may ask for (but does not require) the place of birth, U.S. entry date, and the date of first attendance at a U.S. school. KIPP does not use this information to discriminate or prevent enrollment if families choose not to provide it.

Social Security Information

KIPP does not collect entire Social Security numbers or cards for enrollment. KIPP may request the last four digits of an adult household member's Social Security number only to establish eligibility for federal benefit programs (such as free or reduced-price meals). When such information is requested, KIPP explains this limited purpose and clarifies that not providing it does not bar enrollment.

For the Free and Reduced-Price Meals form, KIPP notifies parents that:

1. If any household member participates in CalFresh, CalWORKs, or FDPIR, no adult needs to provide Social Security number information.
2. If no household member participates in these programs and no adult has a Social Security number, the student can still qualify based on income by checking the "No SSN" box

KIPP treats all students equitably in the provision of school services, including lunch programs, transportation, and educational instruction.

V. SHARING STUDENT INFORMATION

General Policy

KIPP requires written parental consent (or consent from students aged 18+) before releasing personally identifiable student information, except when FERPA permits disclosure without consent (such as directory information or information relevant to legitimate educational interests).

KIPP's requests for written consent include:

- Parent, guardian, or eligible student's signature and date
- Description of records disclosed
- Reason for release
- Parties receiving the information
- If requested, a copy of the records

Parents may choose to withhold such consent, in which case KIPP does not release it. KIPP permanently keeps consent notices with record files.

KIPP avoids disclosing information that might indicate a student's or family's citizenship or immigration status unless the Family Educational Rights and Privacy Act (FERPA), other federal or state law, or a valid court order, warrant, or subpoena authorizes it. KIPP provides parent or guardian notification before responding to court orders, warrants, or subpoenas, except for child abuse/neglect investigations or when the subpoena, warrant, or order prohibits disclosure.

FERPA exceptions do not authorize disclosure for immigration enforcement purposes. Immigration enforcement does not serve a legitimate educational interest, and immigration status is not directory information.

Families can review our complete Education Records and Student Information Policy upon request and/or on the school website. KIPP provides an annual notice of this policy, including directory information and opt-out rights.

Immigration Enforcement Officers

Unless required by a valid judicial warrant or subpoena, or other court order, KIPP does not disclose student education records or any personally identifiable information about students or their families—in any form—to immigration enforcement officers conducting an immigration enforcement action without written parental consent, including students' home address and travel schedules.

When a valid judicial warrant, subpoena, or other court order requires disclosure, KIPP notifies parents or guardians as soon as practicable.

Response to Information Requests

When KIPP receives information requests related to the immigration or citizenship status of a student, KIPP will:

1. Notify a designated school official
2. Provide students and families with appropriate notice and description of the request
3. Document verbal or written requests from immigration authorities
4. Unless prohibited, provide students and parents copies of documents issued by immigration enforcement officers

VI. CAMPUS ACCESS FOR IMMIGRATION ENFORCEMENT

Consistent with California law, KIPP does not permit immigration enforcement officers to enter nonpublic areas of a schoolsite for immigration enforcement activity unless they present a valid judicial warrant or court order. If a law enforcement official presents such documentation, KIPP requests that they not interrupt students and faculty during class time and instead wait until a designated break period.

Response Procedures

Staff notifies the school's administrator or designee as soon as practicable of any request by an immigration enforcement official for student access, campus access, or document review.

Staff takes these steps when an immigration or any other law enforcement official arrives at a schoolsite:

1. **Initial Contact:** Explain to the official that staff must first notify and receive direction from the site administrator
2. **Purpose:** Ask and document the official's stated reason for being at the schoolsite
3. **Documentation:** Request and copy the officer's credentials (name and badge number), their supervisor's phone number, and any documentation authorizing schoolsite access.
4. **Record Keeping:** Make and retain copies of documentation that the official produces
5. **Exigent Circumstances:** If the official declares exigent circumstances (such as a felony in progress on the schoolsite) and demands immediate access, comply with orders and immediately contact the site administrator
6. **Levels of Response:** If no exigent circumstances exist, respond according to the official's documentation:
 - **ICE or other administrative warrant:** For warrants not signed by a judge, do not permit entry into nonpublic areas of the school site. Refer to the site administrator.
 - **Judicial/court-issued warrant or court order:** Compliance is usually required with the terms described in the order. When feasible, consult the school's administrator or legal counsel for next steps
 - **Subpoena:** Physical access to the schoolsite is not required. Subpoenas seek documents. Inform the schoolsite administrator and await instructions. Do not permit entry to nonpublic areas
7. **Cooperation Without Consent:** While staff should not consent to access except as described above, they should not physically impede law enforcement officials, even if officials appear to exceed the scope of their warrant authorization. Document law enforcement officials' actions if they enter without consent
8. **Parental Notification:** The schoolsite administrator may notify the student's parent or guardian of consent if a law enforcement official requests or gains access to a student for immigration enforcement, unless access is pursuant to a judicial warrant.
9. **Required Notifications:**
 - The CEO or designee submits a timely report to the Board of Directors regarding immigration enforcement requests, actions, and KIPP's responses, ensuring confidentiality of potentially identifying information
 - The CEO or designee emails the Bureau of Children's Justice at BCJ@doj.ca.gov regarding any immigration enforcement official's attempt to access the school site or a student

- KIPP follows its Comprehensive School Safety Plan procedures for notifying parents, guardians, students, teachers, administrators, and staff when KIPP confirms immigration enforcement presence on campus

VIII. SUPPORT FOR AFFECTED FAMILIES

Emergency Preparedness

KIPP encourages families to have emergency phone numbers and to know where they keep important documents (birth certificates, passports, Social Security cards, doctors' contact information, medication lists, allergy lists) to prepare for potential detention or deportation of a family member.

KIPP permits and encourages students and families to update emergency contact information throughout the school year and provide alternative contacts when no parent or guardian is available. Families may include a trusted adult guardian as a secondary or tertiary emergency contact in case parents or guardians are detained. KIPP uses emergency card information only for specified emergencies, not for other purposes.

Caregiver Authorization Affidavits

KIPP encourages families to support relative caregivers in completing a Caregivers Authorization Affidavit. KIPP will rely on a signed, completed Affidavit to allow an authorized caregiver to enroll a student in school and to consent to school-related medical care. A parent's signature is not required on the Caregiver Authorization Affidavit. This form is available [HERE](#).

When Parents Are Detained or Deported

If immigration authorities detain or deport a student's parent or guardian, KIPP:

- Uses the student's emergency card contact information to release the student to designated emergency contacts
- Releases the student to an adult presenting a Caregiver's Authorization Affidavit on the student's behalf
- Contacts child protective services if the school cannot arrange timely care through emergency contacts, a Caregiver's Authorization Affidavit, or other parent-provided information or instructions

Family Safety Plans

KIPP encourages families to develop Family Safety Plans to store at known locations. These plans identify trusted adults who can care for students if parents or guardians cannot. Students should know who their trusted adult is, that this person is their contact if parents are detained or deported, and how to reach them.

Additional Resources

When a family member is detained, KIPP may refer students and families to:

ICE Detainee Locator (<https://locator.ice.gov/odls#/search>)

- Helps determine if and where family members are detained
- Requires date of birth and Alien Registration Number (A-Number) if available
- **Note:** Use this only to locate detained individuals. KIPP never refers students, parents, or guardians to ICE or immigration enforcement for general immigration status questions

Legal Assistance

- Legal aid organizations may secure the release of detained parents or arrange student visits
- California organizations accredited by the Board of Immigration Appeals:
<https://www.justice.gov/eoir/recognition-accreditation-roster-reports>
- California court Self-Help Centers for family law assistance:
<http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>
- Legal aid offices and lawyer referral services: <http://www.courts.ca.gov/1001.htm>

Consulates or Embassies

- The parents' or guardians' country of origin may offer additional information and assistance

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NOTICE OF POLICY REGARDING IMMIGRATION ENFORCEMENT ACTIVITY

Important: This notice summarizes our Policy Regarding Immigration Enforcement Activity. The complete policy is available in the main office and at **[INSERT LOCATION]**.

OUR COMMITMENT TO ALL STUDENTS

We provide a safe, welcoming environment for all students regardless of immigration status or religious beliefs. We limit immigration enforcement activities at our facilities consistent with California law.

YOUR RIGHTS AND PROTECTIONS

Non-Discrimination: We prohibit discrimination, harassment, intimidation, and bullying based on immigration status, nationality, race, ethnicity, citizenship status, religion, national origin, or ancestry. We promptly investigate all complaints and take appropriate action.

Enrollment: We do not request citizenship or immigration documentation for enrollment; other than documents we might review but not retain to establish a child's birthdate. We accept various documents to establish residence (utility bills, rental agreements, pay stubs, declarations of residency) and age (birth certificates, baptism certificates, passports, or affidavits). Students experiencing homelessness may enroll even without typical documentation if otherwise eligible.

Privacy of Information: We do not collect or maintain information about students' or families' citizenship or immigration status except when required by law for specific education programs. If we do, we collect such information separately from enrollment and do not use it to discriminate or prevent school attendance.

Social Security Numbers: We do not require Social Security numbers for enrollment. We may request the last four digits of an adult household member's number only to establish eligibility for free or reduced-price meals. Students can still qualify without providing this information if they meet income requirements.

INFORMATION SHARING LIMITS

We do not share student information that might indicate immigration or citizenship status unless authorized by the Family Educational Rights and Privacy Act (FERPA) or required by valid court orders, warrants, or subpoenas. We provide parents with notice before responding to such requests (except in child abuse cases or when prohibited).

Immigration Enforcement Officers: Without written parental consent, we do not provide student information to immigration enforcement officers unless they present a valid judicial warrant, judicial subpoena, or court order signed by a judge. ICE administrative warrants do not authorize access to nonpublic school areas or student information.

CAMPUS ACCESS PROCEDURES

Immigration enforcement officers carrying out immigration enforcement activities may not enter nonpublic school areas without a valid judicial warrant or court order. In the event of an enforcement activity authorized by a judicial order, our staff will:

- Request credentials and documentation from any officer
- Contact the schoolsite administrator before granting access
- Request that officers not interrupt instruction
- Document all interactions and notify parents, staff, and students pursuant to the procedures outlined in our Comprehensive School Safety Plan
- Report attempts to access campus or students to the California Department of Justice and to the Charter School Board of Directors

ANTI-BULLYING AND HATE CRIMES

We educate students about respecting all peers and the harmful effects of bullying based on protected characteristics. We train staff to eliminate hostile environments and respond to harassment. Students who experience hate crimes have the right to report them. Review our complete Harassment, Discrimination, Intimidation, & Bullying Policy and Uniform Complaint Procedures in the main office.

SUPPORT FOR FAMILIES

Emergency Contacts: You may update your student's emergency contact information anytime. We encourage you to include a trusted adult or multiple adults who can care for your child if you become unavailable. We use this information only for emergencies.

Caregivers Authorization Affidavit: We encourage families to support relative caregivers in completing a Caregivers Authorization Affidavit. We will rely on a signed, completed Affidavit to allow an authorized caregiver to enroll a student in school and to consent to school-related medical care. A parent's signature is not required on the Caregiver Authorization Affidavit. This form is available [HERE](#).

If Parents Are Detained: We release students to emergency contacts or anyone with a Caregiver's Authorization Affidavit. We contact child protective services only if we cannot arrange care through the provided contacts.

Family Safety Plans: We encourage families to develop safety plans identifying trusted adults who can care for students and locations of important documents (birth certificates, passports, medical information).

Resources for Detained Family Members:

- **ICE Detainee Locator:** <https://locator.ice.gov/odls#/search>
- **Legal Assistance:** California organizations accredited by Board of Immigration Appeals at <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>; Self-Help Centers at <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>
- **Consulates/Embassies:** Contact your country of origin's consulate for assistance