



**ASSEMBLY BILL 699 POLICY**

**ADOPTION OF THE FOLLOWING MODEL POLICIES IN  
RESPONDING TO IMMIGRATION ISSUES  
(PUENTE Board-Approved; September 6, 2018)**

***GUIDANCE FROM THE CALIFORNIA ATTORNEY GENERAL  
"PROMOTING A SAFE & SECURE LEARNING ENVIRONMENT  
FOR ALL"***

**Policies for Collecting and Retaining Student Information**

The Principal of PUENTE Charter School shall maintain in writing PUENTE Charter School policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

If PUENTE Charter School possesses information that could indicate immigration status, citizenship status, or national origin information, PUENTE Charter School shall not use the acquired information to discriminate against any students 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, PUENTE Charter School shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

PUENTE Charter School shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.

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

PUENTE Charter School personnel shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student'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 student'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, PUENTE Charter School personnel shall solicit that documentation or information separately from the school enrollment process.

Where permitted by law, the Principal of the PUENTE Charter School 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 are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.

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, PUENTE Charter School'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**

PUENTE Charter School shall not solicit or collect entire Social Security numbers or cards.

PUENTE Charter School shall solicit and collect the last four digits of an adult household member's Social Security number only 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, the PUENTE Charter School shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.

PUENTE Charter School shall treat all students equitably in the receipt of all school services, including, but, not limited to, the gathering of student and family information for the free and reduced lunch program, transportation and educational instruction.

#### **Policies for Monitoring and Receiving Visitors onto Campus**

No outsider—which would include immigration-enforcement officers—shall enter or remain on school grounds of PUENTE Charter School 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 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

PUENTE Charter School shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices. PUENTE Charter School shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.

### **Policies for Responding to On-Campus Immigration Enforcement**

As early as possible, PUENTE Charter School personnel shall notify the Principal or Principal designee of any request by an immigration-enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).

In addition to notifying the Principal, PUENTE Charter School personnel shall 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 his or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the Principal or Principal 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 his/her 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, PUENTE Charter School personnel should comply with the officer's orders and immediately contact the Principal or Principal 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:



- an ICE (Immigrations and Customs Enforcement) administrative warrant, PUENTE Charter School personnel shall inform the agent that he or she cannot consent to any request without first consulting with the PUENTE Charter School counsel or other designated agency official.
  - 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 the PUENTE Charter School legal counsel or designated administrator] before providing the agent access to the person or materials specified in the warrant.
  - a subpoena for production of documents or other evidence, immediate compliance is not required. Therefore, PUENTE Charter School personnel shall inform PUENTE Charter School legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.
8. While PUENTE Charter School personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she 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, PUENTE Charter School personnel shall document his or her actions while on campus.
9. After the encounter with the officer, PUENTE Charter School personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
- List or copy of the officer’s credentials and contact information;
  - Identity of all school personnel who communicated with the officer;
  - Details of the officer’s request;
  - Whether the officer presented a warrant or subpoena to accompany his/her request,
  - what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
  - PUENTE Charter School personnel’s response to the officer’s request;
  - Any further action taken by the agent; and
  - Photo or copy of any documents presented by the agent.
10. PUENTE Charter School personnel shall provide a copy of those notes, and associated documents collected from the officer, to the PUENTE Charter School legal counsel or other designated agency official.



11. In turn, PUENTE Charter School legal counsel or other designated official] shall submit a timely report to the PUENTE Charter School governing board regarding the officer's requests and actions and the PUENTE Charter School response(s).
12. E-mail the Bureau of Children's Justice in the California Department of Justice at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

### **Policies for Responding to the Detention or Deportation of a Student's Family Member**

PUENTE Charter School shall encourage that families and students 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.

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

PUENTE Charter School shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student's parent or guardian is detained.

PUENTE Charter School 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 student's parent/guardian has been detained or deported by federal immigration authorities, PUENTE Charter School shall use the student's emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, the [local educational agency] shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. PUENTE Charter School shall only contact Child Protective Services if PUENTE Charter School 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**

### **Adopting and Publicizing Anti-Bullying and Anti-Harassment Policy**

PUENTE Charter School shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student's actual or perceived nationality, ethnicity, or immigration status. Those policies must be translated in the student's primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.

PUENTE Charter School shall notify parents and guardians of their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to the "Know Your Rights" immigration enforcement established by the Attorney General (see Appendix G).<sup>99</sup>

PUENTE Charter School shall inform students who are victims of hate crimes of their right to report such crimes.

### ***Processing Complaints of Harassment and Bullying***

PUENTE Charter School shall adopt a process (PUENTE Charter School Uniform Complaint Procedure & Form) for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:

- disability
- gender
- gender identity
- gender expression
- nationality
- race or ethnicity
- religion
- sexual orientation
- association with a person or group with one or more of the aforementioned characteristics
- immigration status

The complaint process must include, but is not limited to, the following steps:

- 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 all schools under the jurisdiction of the local educational agency; and

- An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint.
- PUENTE Charter School shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- PUENTE Charter School shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.