**CCA SAFE SPACE GUIDELINES**

CCA is committed to creating environments where the school community feels safe, welcome, and excited to learn. The following guidelines provide procedures for addressing federal immigration enforcement efforts as well as safeguarding confidentiality and providing social-emotional support. Additional resources may be found at https://www.lausd.org/site/Default.aspx?PageType=7&SiteID=4.

CCA defines protected areas to include its childcare and development centers/schools, official activities of its schools, including those occurring in public places and adjacent areas, and all CCA property, including but not limited to, facilities owned, controlled by, or leased by CCA.

**Immigration and Customs Enforcement (ICE)**

The U.S. Immigration and Customs Enforcement (ICE) enforces Federal laws governing border control, customs, trade and immigration to promote homeland security and public safety. ICE consists of three directorates including Homeland Security Investigations (HSI), Enforcement and Removal Operations (ERO) and Management and Administration (“M&A”). Although ICE is the main immigration enforcement body, there may be other federal immigration officials or designated agents who may request access to school sites and facilities, students, or student records. These include Customs and Border Protection (CBP) agents and local law enforcement officers who may have an agreement with the federal government to enforce immigration laws.

**Overview of Law Enforcement Requests**

The typical circumstances under which law enforcement officers, including federal law enforcement officers, ICE agents, federal immigration officials, or designees may have a need to come to CCA campuses or facilities, when acting in the scope and course of their employment, include the following scenarios:

• Request for information or for general investigative purposes

• Service of a subpoena for student records

• Service of a search warrant

• Action pursuant to exigent circumstances

*Note: Exigent circumstances include, but are not limited to:*

• National security/terrorism

• Imminent risk of death, violence, or physical harm to any person

• Fresh pursuit of dangerous felon

• Protection of evidence in a criminal case

These exigent circumstances are no different for any other law enforcement agency that may come onto CCA property. Exigent circumstances are determined by law enforcement agencies.

**Warrants, Subpoenas, Court Orders Used for Immigration Enforcement**

An immigration enforcement officer may provide an administrative ICE warrant, federal court warrant, administrative subpoena, federal judicial subpoena, or court order, to search a school, interview a student, or obtain school records. It is important to determine whether CCA needs to comply with the warrant, subpoena, or court order. An administrative ICE warrant, for instance, does NOT grant an immigration officer any special power to compel a school official to cooperate, access school grounds, or interview a student. (From 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, California Attorney General, December 2024). It is important that the school site follow the procedures outlined below which includes consultation with the CCA Executive Leadership to determine appropriate action when presented with a warrant, subpoena, or court order.

For subpoenas or other lawful court orders for pupil records, Education Code section 49077 requires the school to make reasonable efforts to notify the parent/legal guardian of the student prior to complying with the order. CCA shall avoid the disclosure of information that might indicate a student’s or family’s citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA).

**CCA personnel shall take the following action steps upon receiving an information request related to a student’s or family’s immigration or citizenship status:**

● Notify your CCA Executive Leadership immediately about the information request.

● Notify the student(s) and family(ies) with appropriate notice and a description of the immigration officer’s request.

● Document any verbal or written request for information by immigration authorities.

● Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.

**Reporting Requirement to the California Department of Justice**

The CCA is required to inform the Bureau of Children’s Justice in the California Department of Justice, at bcj@doj.ca.gov, regarding any attempt by law enforcement officers to access a school site or information for immigration-enforcement purposes. Further, AB 699 requires the Program Director or designee to report to the Board of Education 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 enforcing immigration laws. These reports should be handled in a manner that ensures the confidentiality and privacy of any potentially identifying information.

**I. RESPONSIBILITIES OF SITE SUPERVISOR/DESIGNEE**

**A. A Site Supervisor/Designee must complete the following tasks if ICE agents or other federal immigration officials come to the site for any reason:**

1. Immediately notify your Education Coordinator and Vice President of Education at (323)470-3051.

2. Request the name and badge number of the ICE agent or Federal immigration official or designee, phone number of the agent’s supervisor and purpose of the visit.

3. Obtain any documentation from the agent (e.g., subpoena; search warrant; or, court order). Make copies and forward to the Vice President of Education and VP of Administration.

4. Advise the agent that prior to proceeding with their request, and absent exigent circumstances, notifications and direction from our corporate administrative office/Executive Leadership and CCA legal counsel, must take place.

5. Wait for further directions and advice from the Executive Leadership to appropriately respond to the ICE agent request.

6. Initiate and create an Unusual Incident Report, as soon as practicable: Indicate incident type as “Other” with the note reading “Immigration and Customs Enforcement (ICE) Inquiry/Investigation”. Do not include the name of the individual who is the subject of the inquiry/investigation.

7. Obtain additional guidance from the Executive Leadership/VP on any necessary notification to parents/caregiver of the persons who may be the focus of the ICE inquiry.

**Note: Should an agent declare that exigent circumstances exist and demand immediate access to the campus, site supervisors should comply with the order of ICE or federal immigration official and *immediately contact the Vice President of Education.***

Although site staff should not consent to access by an immigration enforcement officer except for a declaration of exigent circumstances, site staff 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 school premises without consent, a Site Supervisor or designee shall document the officer/s’ actions while on campus. (8 U.S.C. section 1373)

If the officer does not declare that exigent circumstances exist, respond according to the directions given to you by CCA Leadership, who will follow the appropriate requirements of the officer’s documentation. If the immigration-enforcement officer has:

* an ICE administrative warrant: CCA staff shall inform the agent that they cannot consent to any request without first consulting with the CCA Executive Leadership and CCA Legal Counsel.
* 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 CCA’s Executive Leadership who will confer with legal counsel 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. CCA personnel shall inform the CCA Executive Leadership of the subpoena and await further instructions on how to proceed.

If ICE agents or other federal immigration officials remove a student from a campus, the site staff must obtain the agent/official’s name and contact information and must immediately notify the student’s parent/legal guardian that the agent/official has taken temporary custody of the student. Although the law does not require parent/legal guardian notification when a law enforcement official interviews a student on campus, CCA staff MUST notify the parent/legal guardian of a student that an ICE agent or other federal immigration official has requested an interview, except when that agent/official has a judicial warrant or court order.

B. If ICE agents or other federal immigration officials/designees are rumored or verified to be in the community, and this information may have an impact on site operations or children attending school, the Site Supervisor/ Designee shall immediately notify their Education Coordinator and/or the Vice President of Education for further guidance and direction.

**II. RESPONSIBILITIES OF EDUCATION COORDINATORS AND VICE PRESIDENT**

**A. An Education Coordinator must complete the following tasks in all ICE-related situations:**

1. When an Ed Co is notified by any site that an ICE agent or Federal immigration official is on site or they have received an ICE request, immediately notify the Vice President of Education.

2. In conjunction with the site supervisor, Ed Co and VP of Ed, they will assess the situation, identify the level of crisis and respond as needed.

3. Ed Co is responsible for supporting site staff to ensure the site team is provided with guidance and support, as needed.

4. Ed Co must contact the Vice President of Education for guidance needed pertaining to access to student records, subpoena or search warrant service.

5. Verify that an Unusual Incident Report (UIR) has been created. If needed, assist the site supervisor/ designee in creating the UIR. Do not include the name of the individual who is the subject of the inquiry/investigation.

6. Follow up with affected school site supervisor to provide necessary direction or advice.

**B. On a case-by-case basis, the Ed Co & VP of Ed must do the following:**

1. Continue to assess and monitor the situation to determine if additional resources are needed.

2. Determine if other communication methods are needed (i.e., Learning Genie message, parent meeting, letters, resources, talking points).

**C. If ICE agents are rumored or verified to be in the community, the Ed Co & VP of Ed shall do the following:**

1. Attempt to verify that ICE is conducting enforcement actions/immigration raids in the area by contacting local law enforcement for confirmation.

2. Determine if this might affect the site or children attending the site.

3. If it is determined that ICE activity might affect the school-site operations, the Ed Co will execute responsibilities outlined above (Section II A) as needed.

**III. COMMUNICATION DURING NON-BUSINESS HOURS**

If an ICE agent is on-site during non-operating hours (weekdays or weekends), conducting official ICE business, the site supervisor/ designee on campus should immediately call the VP of Education. If a site supervisor/ designee is not on site, notify your Vice President of Education and they will coordinate further notifications and assist involved staff with providing support to the school.

**IV. COLLECTING AND RETAINING CHILD/FAMILY INFORMATION**

CCA shall treat all children and their families equitably in receipt of all certified services, including, but, not limited to, the gathering of child and family information for the CACFP program and educational programing. CCA 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.

CCA personnel shall not inquire specifically about a child’s citizenship or immigration status or the citizenship or immigration status of a child’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 person’s immigration status, such as a green card, voter registration, a passport, or citizenship papers. CCA staff shall not solicit or collect Social Security numbers or cards. CCA’s family enrollment and eligibility files and all contents are confidential and must be maintained in a locked cabinet when not in use for enrollment, recertification or updating purposes.

**V. RESPONDING TO DETENTION/DEPORTATION OF A CHILD’S FAMILY MEMBER**

CCA staff shall encourage families to have and know their emergency phone numbers and to 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 if a family member is detained or deported. CCA shall permit families to update children’s emergency contact information as needed and provide alternative contacts if no parent or guardian is available.

CCA shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a child’s parent or guardian is detained. CCA 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 child’s parent/guardian has been detained or deported by federal immigration authorities, CCA shall use the child’s emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, CCA shall release the child into the custody of an individual who presents a Caregiver’s Authorization Affidavit on behalf of the child. CCA shall only contact Child Protective Services if CCA 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.

**CCA SITE NOTIFICATION CHECKLIST**

**Responsibilities of Site Supervisor/Designee**

**A Site Supervisor /Designee must complete the following tasks if ICE agents or other federal immigration oﬃcials come on campus for any reason:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | 1. **Immediately Notify:**
 |  | Vice President of Education(323)470-3051 |
|  |  |  | Education Coordinator |
|  | 1. **REQUEST THE NAME AND BADGE NUMBER** of the ICE agent or federal immigration oﬃcial or designee, phone number of the agent’s supervisor and purpose of the visit.
 |  |  |
|  | 1. **OBTAIN ANY DOCUMENTATION FROM THE AGENT** (e.g., subpoena; search warrant) make copies of the documentation and send them to the VP of Education and VP of Administration who will forward to the CCA’s legal counsel.
 |  |  |
|  | 1. **ADVISE THE AGENT** that prior to proceeding with their request, and absent exigent circumstances, notiﬁcations and direction from speciﬁc CCA Executive leadership and CCA legal counsel must take place.
 |  |  |
|  | 1. **WAIT FOR FURTHER DIRECTION AND ADVICE** from the VP of Education or VP of Administration to appropriately respond to the ICE agent’s request
 |  |  |
|  | 1. **CREATE UNUSUAL INCIDENT REPORT**, as soon as practicable: Indicate incident type as on or oﬀ campus activity. In the Issue Type tab, select “Other” and write in “Immigration and Customs Enforcement (ICE) Inquiry/Investigation”
 |  |  |
|  | 1. **OBTAIN ADDITIONAL GUIDANCE FROM CCA VP of ED** on any necessary notiﬁcation to the family/parents/caregiver of the person who may be the focus of the ICE inquiry
 |  |  |

**ICE RUMORED OR VERIFIED IN COMMUNITY**

**If ICE agents or other federal immigration oﬃcials/designee are rumored or veriﬁed to be in the community, and this information may have an impact on site operations or children attending school, the Site Supervisor/Designee shall do the following:**

□ **1**. **IMMEDIATELY NOTIFY THE VP of EDUCATION** for further guidance and direction.



**NOTE:**

**Should an agent declare that exigent circumstances exist and demand immediate access to the campus, site supervisors should comply with the order of ICE or federal immigration official and immediately contact the Vice President of Education.**