



# Response to Immigration Enforcement

Board Approved: 3/19/2026

## Governing Board Policy Statement

Kinetic Academy is committed to the safety of all students, regardless of immigration status, and complies with AB 49 to maintain a safe learning environment.

### Policies for Collecting and Retaining Student Information

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

### Policies for Inquiries Regarding Immigration Status and Citizenship

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, **district staff shall not 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 district employee, personal information of any district employee as defined in Civil Code 1798.3, or any other confidential employee information (Education Code 234.7; Government Code 7285.2)

### **Policies and Procedures Regarding Information Sharing**

Kinetic Academy shall avoid the disclosure of information that might indicate a student's or family's citizenship or immigration status without first attempting to notify the parent or guardian in compliance with the Family Educational Rights and Privacy Act (FERPA).

- Kinetic Academy shall make every effort to receive written parental or guardian consent for release of student information, unless the information is for directory information only.

Upon receiving any request by an officer or employee of an agency conducting immigration enforcement for information about a student, a student's family or household, or a district employee as described in the accompanying Board policy, school **staff shall deny the request unless any of the following apply:** (Education Code 234.7; 34 CFR 99.30, 34 CFR 99.31)

1. The district is required to release the records or information by state or federal law, in order to administer a state or federally supported educational program, or due to a valid judicial subpoena, judicial warrant, or court order
2. For records or information about a student or a student's family or household, the parent/guardian has provided written consent unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency.

Kinetic Academy's request for written parental/guardian consent for release of student information must include the following information:

- (1) the signature and date of the parent/guardian 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, a copy of the records to be released.

For records or information about a district employee, the employee has provided written consent and the district's human resource personnel has been consulted

Such written consent shall include all of the following:

- (1) the signature and date of the employee;
- (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 employee, a copy of the records to be released.

Regardless of whether the district discloses the requested records or information, district staff shall do all of the following when such a request has been received:

1. Make a copy of the request and notify the Executive Director
2. For requests regarding student information, provide the student's parent/guardian with notice, a description of the request, and any documentation provided to the district describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order, or in cases involving investigation of child abuse, neglect, or dependency
3. For requests regarding district employee information, provide the employee with notice, a description of the request, and any documentation provided to the district describing the request, unless prohibited by a valid judicial subpoena, judicial warrant, or court order.

### **Policies for Annual Information Notice to Parents and Guardians**

Kinetic Academy shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a valid judicial subpoena, judicial warrant or court order.

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

Kinetic Academy 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.

If an officer or employee of an agency conducting immigration enforcement requests access to a student, such as for purposes of interviewing, searching, or detaining the student, or permission to enter a school bus, any other transportation provided by the district, a nonpublic area of any district property or facility, or a nonpublic area where any district-sponsored program or activity is occurring, **district staff shall take the following actions:**

1. Advise the officer or employee that before district staff can respond to the request, they must first receive notification and direction from the Executive Director
2. Request to see and record or otherwise document the officer's or employee's valid identification, including their name, badge number, the phone number of the officer's or employee's supervisor

3. Request that the officer or employee produce any documentation that authorizes the officer's or employee's request, make copies of all such documentation, and retain at least one copy for district records
4. Contact and consult with the district's legal counsel or Superintendent or designee
5. Follow the direction from the district's legal counsel or Superintendent or designee

For a request to access a student, the **district shall deny the request unless** any of the following apply: (Education Code 234.7)

1. The officer or employee provides a valid judicial warrant or court order
2. District staff receive parent/guardian consent unless the officer or employee presents a valid judicial warrant or court order that authorizes and directs the district to give such permission without parent/guardian consent.

Regardless of whether the officer or employee is given access to the student, the student's parent/guardian shall be immediately notified, unless prohibited by a valid judicial warrant or court order, or in cases involving investigations of child abuse, neglect, or dependency. (Education Code 48906)

Additionally, district staff shall notify the Executive Director as early as possible of any request by an officer or employee of an agency conducting immigration enforcement for access to a student. (Education Code 234.7)

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

When any officer or employee of an agency conducting immigration enforcement is actually or imminently present on district property, district staff shall notify staff working at the property and the parents/guardians of students at the school in accordance with. District staff shall report the presence of any officer or employee of an agency conducting immigration enforcement on district property to all appropriate administrators.

District staff shall not obstruct, interfere with, or otherwise impede any officer or employee of an agency conducting immigration enforcement, even if the officer or employee appears to be acting outside the law or in excess of the stated or documented authorization. If such an officer or employee enters the premises without consent, district staff shall document their actions but only to the extent that documentation does not impede their actions and shall, at all times, obey any direction from such officers or employees.

After all officers and employees of an agency conducting immigration enforcement leave, each district staff member who observed or interacted with them shall promptly

provide the following to the district's legal counsel or other district official designated by the Executive Director:

1. Copies of any information and documents collected from the officers or employees such as valid identification, name, badge number, phone number of the officer's or employee's supervisor, and documentation that authorizes the officer's or employee's request
2. The identity of all other district staff known to have communicated with the officers or employee
3. A description of all requests and activities by the officers and employees
4. The type of documentation, such as a warrant or subpoena, that authorized the officer's or employee's request or actions
5. District staff's response to the officer's or employee's request
6. Written notes of any other actions taken by and any other interactions with any officer or employee

The Executive Director shall email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a student or a school site for immigration enforcement purposes.

### **Policies for Parental Notification of Immigration Enforcement Actions**

Kinetic Academy personnel must receive consent from the student's parent or guardian before a student 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.

Kinetic Academy personnel shall immediately notify the student's parents or guardians if an officer or employee of an agency requests or gains access to a student 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.

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

Kinetic Academy shall encourage families and students 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 in the event that a family member is detained or deported.

Kinetic Academy 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. Kinetic Academy 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, Kinetic Academy shall use the student's emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, Kinetic Academy shall release the student into the custody of any individual who presents a Caregiver's Authorization Affidavit on behalf of the student. Kinetic Academy shall only contact a child protective services agency if Kinetic Academy 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.