

Book	CHPA Board Policy Manual
Section	Chapter 2 General Institution
Title	BP 2220 Immigration Status
Number	BP 2220 Immigration Status
Status	Active
Legal	Chávez/Huerta K-12 Preparatory Academy Family Educational Rights and Privacy Act (FERPA) <i>Plyer v. Doe</i> , 457 U.S. 202, 219-230 (1982)
Adopted	December 12, 2017
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Guiding Principles

Law enforcement activities in and around schools, including immigration enforcement, create hardships and barriers to health and educational attainment for immigrant students; cause a sever disruption to the learning environment and educational setting; and establish a pervasive climate of fear, conflict, and stress that effects all CHPA students, regardless of their background, citizenship or immigration status.¹ The federal government has recognized the human cost associated with immigration enforcement on school campuses and declared that schools are “sensitive locations” at which immigration enforcement activity should not occur. For this reason, CHPA officials should not use school resources or personnel to facilitate law enforcement activities on campus unless those activities serve a particular education-related purpose.

CHPA is committed to providing a safe, welcoming, and inclusive learning environment for all students, including immigrant students and their families. CHPA is also committed to protecting the confidentiality of sensitive information about students and their families through policies that prohibit information-sharing with law enforcement, including federal immigration authorities,² to the fullest extent possible under the law.

¹ “Citizenship or immigration status” refers to all matters regarding citizenship, the authority to reside in or otherwise be present in the United States, the time or manner of a person’s entry into the United States, or any other immigration matter within the purview of the Department of Homeland Security (“DHS”) or other federal agency charged with enforcement of immigration law.

² “Federal immigration authorities” means any officer, employee, or person otherwise paid by or acting as an agent of United States Immigration and Customs Enforcement (“ICE”) or any division thereof, an officer, employee, or person otherwise paid by or acting as an agent of Customs and Boarder Protection (“CBP”) or any other officer, employee, or person otherwise paid by or acting as an agent of the United States Department of Homeland Security (“DHS”) who is charged with the enforcement of immigration law.

CHPA shall not adopt or implement policies, practices, or procedures that exclude students from school based on their or their parents' or guardians' actual or perceived immigration status or other actual or perceived characteristics, including nationality, race or ethnicity, religion, disability status, gender, gender identify, gender expression, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. Furthermore, CHPA personnel shall treat all students equitably in the receipt of all school services, including but not limited to, the free and reduced meal program, transportation, and educational instruction.

The specific provisions of this policy, which limit CHPA's participation in non-school-related law enforcement activities,³ including enforcing immigration law, to the maximum extent permitted by law, are necessary to fulfill CHPA's obligation to provide all students equal access to education, regardless of their actual or perceived immigration status.

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³ "Non-school-related law enforcement activities" are matters that are not related to a Federal or State supported education program or that regard a law violation that was committed off school property. District property includes, but is not limited to, all school sites, early education centers, adult school facilities, and District administrative offices.