

SOUTHERN CALIFORNIA FLEX ACADEMY

Policy Regarding Protection of Immigrant Students and Procedures Regarding Immigration Enforcement

POLICY STATEMENT

Southern California Flex Academy ("SCFA" or "the School") is committed to providing a safe, secure, and peaceful learning environment for all students and staff, regardless of nationality and immigration status. This policy has been adopted pursuant to California Education Code Section 234.7 and is based on the Policies published by the California Attorney General in December 2025.

This policy addresses: (1) gathering and handling student and family information; (2) sharing information regarding students, families, and employees; (3) responding to requests for access to school sites and students; (4) responding to the detention or deportation of a student's family member; and (5) responding to hate crimes and bullying based on immigration status.

Legal Authority

This policy is adopted pursuant to:

- California Education Code Section 234.7 (as amended by AB 49 and AB 495)
- California Education Code Section 32282 (as amended by SB 98)
- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g

Applicability for Virtual, Non-Classroom-Based Charter School

SCFA operates as a virtual, non-classroom-based charter school that does not maintain permanent physical facilities. In that context, this policy applies to all School operations, including:

- Virtual learning platforms and online instruction
- Rented or temporary facilities used for state-mandated testing, events, or activities
- School-provided transportation
- Digital student information systems and records
- Administrative offices and work locations

For purposes of this policy, as a nonclassroom-based charter school, "schools site," "campus," "school grounds" includes any location where School-sponsored activities are occurring, including rented testing centers during assessments, temporary venues for school events, and school-provided transportation.

Responsible Administrator

The Chief Executive Officer is designated as the administrator responsible for overseeing implementation of this policy and serving as the primary contact for all matters related to immigration enforcement at SCFA.

Know Your Educational Rights Checklist

In accordance with Education Code Section 234.7(e)(1)(C), SCFA has adopted the "Know Your Educational Rights" checklist provided by the California Attorney General (Appendix G of the December 2025 Policies). This checklist is posted:

- At SCFA's administrative offices
- On the SCFA website
- In every language provided by the Attorney General

The checklist is available at: <https://oag.ca.gov/system/files/media/school-guidance-model-k12.pdf>

SECTION 1: GATHERING AND HANDLING STUDENT INFORMATION

1.1 Policies for Collecting and Retaining Student Information

The following policies are adopted from the California Attorney General's Policies (December 2025):

- The Chief Executive Officer shall maintain in writing SCFA policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.
- If SCFA possesses information that could indicate immigration status, citizenship status, or national origin information, SCFA 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, SCFA shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling in or attending school.
- SCFA 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.

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

- SCFA 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, SCFA personnel shall solicit that documentation or information separately from the school enrollment process.

- Where permitted by law, the Chief Executive Officer of SCFA 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. Local educational agencies shall note the method of age verification but are not required to maintain a copy of the document used to show age.
- 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, SCFA's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

1.3 Policies for Inquiries About Social Security Numbers or Cards

- SCFA shall not solicit or collect entire Social Security numbers or cards.
- SCFA 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, SCFA 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.
- SCFA 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.

SECTION 2: SHARING INFORMATION REGARDING STUDENTS, FAMILIES, AND EMPLOYEES

2.1 Policies and Procedures Regarding Information Sharing

The following policies are adopted from the California Attorney General's Policies (December 2025):

- SCFA 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).
- SCFA 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 a designated SCFA official about the information request.
 - ✓ Provide students and families with appropriate notice and a description of the officer or employee's request.

- ✓ Document any verbal or written request for information by an officer or employee of an agency for immigration enforcement purposes.
- ✓ Unless prohibited, provide students and parents/guardians with any documents provided by the officer or employee seeking the information.
- Except for investigations of suspected child abuse, child neglect, or child dependency, or when the subpoena served on SCFA prohibits disclosure, SCFA shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.
- SCFA shall make every effort to receive written parental or guardian consent for release of student information, unless the information is for directory information only.
- SCFA should make a photocopy of the request and immediately consult legal counsel and/or a designated representative of the agency. No information regarding students, their families, teachers, or employees shall be disclosed, to the extent practicable, to an officer or employee of an agency conducting immigration enforcement without a judicial subpoena, judicial warrant, or court order, and any disclosure must be in accordance with requirements set forth in Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations. If faced with an administrative subpoena, consult legal counsel to determine how or whether to respond as there is no separate requirement in federal or state law to provide information to the Department of Homeland Security (DHS), ICE, or any other agency within DHS, without a court order, judicial warrant, or judicial subpoena.
- SCFA's request for written parental, guardian, or eligible student consent for release of student information must include the following information: (1) the signature and date of the parent, guardian, or eligible student 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 or eligible student, a copy of the records to be released. SCFA shall permanently keep the consent notice with the record file.
- The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian, or eligible student refuses to provide written consent for the release of student information that is not otherwise subject to release, SCFA shall not release the information.
- If the request seeks information regarding an employee or teacher of SCFA, the same procedures as above should be followed, except that human resources personnel (a designated person) should be consulted first.
- For any requests for information, SCFA is under no obligation to produce the records or information immediately. Rather, SCFA should note any designated date for production of records, if one is indicated in the request, and convey that to a designated person at the agency. The agency should designate a contact person to whom such requests for information should be directed.
- SCFA should obtain the contact information of the person to whom a response to the request for information should be directed and forward such contact information to the person SCFA has designated to receive such requests.

2.2 Policies for Annual Information Notice to Parents and Guardians

2.2.1 General Information Policy

- SCFA shall provide an annual notice to parents and guardians of the school's general information policies that includes:
 - ✓ Assurances that SCFA will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
 - ✓ A description of the types of student records maintained by SCFA.
 - ✓ A list of the circumstances or conditions under which SCFA might release student information to outside people or entities.
 - ✓ A statement that, unless SCFA is providing directory information or information permitted to be disclosed without parental consent under FERPA and the California Education Code, SCFA shall notify parents or guardians and eligible students—and receive their written consent—before it releases a student's personally identifiable information.
 - ✓ Even for those exceptions that permit the release of education records without parental consent, the agency is required to notify the student and their family unless an exception exists. The agency's policy should explain these exceptions that do not require prior notification.

2.2.2 Directory Information Policy

- If SCFA decides to release directory information, SCFA shall provide an annual notice to parents and guardians, and eligible students in attendance, of SCFA's directory information policy that includes:
 - ✓ The categories of information that SCFA has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
 - ✓ A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where SCFA receives consent as required under state law).
 - ✓ The recipients of the directory information.
 - ✓ A description of the parent's, guardian's, or eligible student's abilities to refuse release of the student's directory information, and how to refuse release.
 - ✓ The deadline in which the parent, guardian, or eligible student must notify the school in writing that they do not want the information designated as directory information.

SECTION 3: RESPONDING TO REQUESTS FOR ACCESS TO SCHOOL SITES

3.1 Policies for Monitoring and Receiving Visitors onto Campus

The following policies are adopted from the California Attorney General's Policies (December 2025):

- No outsider—which would include immigration enforcement officers—shall enter or remain on school grounds of SCFA during school hours without having registered with the Chief Executive Officer 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, to the extent practicable, the following information to the Chief Executive Officer 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.
- SCFA 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.
- SCFA shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.
- SCFA personnel shall report entry by immigration enforcement officers to any on-site school police, security officers, or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

3.2 Policies for Responding to Immigration Enforcement

- As early as possible, SCFA personnel shall notify the Chief Executive Officer of any request by any officer seeking access to the schoolsite or any student to conduct immigration enforcement, or any requests for review of school documents (including for the service of lawful subpoenas, petitions, complaints, warrants, etc.).
- In addition to notifying the Chief Executive Officer, SCFA 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 their request, and absent exigent circumstances, school personnel must first receive notification and direction from the Chief Executive Officer.
 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 their 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, SCFA personnel should comply with the officer's orders and immediately contact the Chief Executive Officer.
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the officer has:
 - an ICE (Immigrations and Customs Enforcement) administrative warrant, SCFA personnel shall inform the officer that they cannot consent to any request without first consulting with SCFA's 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 SCFA's legal counsel or Chief Executive Officer 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, SCFA personnel shall inform SCFA's legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.
 1. While SCFA personnel should not consent to an officer seeking access for immigration enforcement purposes, except as described above, they 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, SCFA personnel shall document their actions while on campus and if feasible, accompany them at all times.
 2. After the encounter with the officer, SCFA 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 their request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - ✓ SCFA 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.
 3. SCFA personnel shall provide a copy of those notes, and associated documents collected from the officer, to SCFA's legal counsel or other designated agency official.
 4. In turn, SCFA's legal counsel or other designated official shall submit a timely report to SCFA's governing board regarding the officer's requests and actions and SCFA's response(s).
 5. E-mail the Bureau of Children's Justice in the California Department of Justice, at BCJ@doj.ca.gov, regarding any attempt by an officer or

employee of an agency to access a schoolsite or a student for immigration enforcement purposes.

3.3 Policies for Parental Notification of Immigration Enforcement Actions

- SCFA 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.
- SCFA 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.

SECTION 4: RESPONDING TO DETENTION OR DEPORTATION OF FAMILY MEMBER

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

The following policies are adopted from the California Attorney General's Policies (December 2025):

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

SECTION 5: RESPONDING TO HATE CRIMES AND BULLYING

5.1 Policies: Adopting and Publicizing Anti-Bullying and Anti-Harassment Policy

The following policies are adopted from the California Attorney General's Policies (December 2025):

- SCFA 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.
- SCFA 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 "Know Your Educational Rights" guide established by the Attorney General
 - ✓ SCFA shall inform students who are victims of hate crimes of their right to report such crimes.

5.2 Policies: Processing Complaints of Harassment and Bullying

- SCFA shall adopt a process 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 SCFA; and
 - ✓ An appeal process afforded to the complainant should they disagree with the resolution of a complaint.

- ✓ SCFA shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
- ✓ SCFA shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.

5.3 Policies: Training Students, Teachers, and Staff

- SCFA shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs.
- SCFA shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training should, at minimum, provide agency personnel with the skills to do the following:
 - ✓ Discuss the varying immigration experiences among members of the student body and school community;
 - ✓ Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
 - ✓ Identify the signs of bullying or harassing behavior;
 - ✓ Take immediate corrective action when bullying is observed; and
 - ✓ Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

SECTION 6: ANNUAL NOTIFICATION AND REPORTING REQUIREMENTS

6.1 Annual Notification to Parents and Guardians

Pursuant to Education Code Section 234.7(e)(1)(A)(ii) and (B), SCFA shall provide annual notification to all parents and guardians regarding this policy and related rights. This notification shall be provided through SCFA's annual notification pursuant to Education Code Section 48980 or other cost-effective means determined by the School. The annual notification shall include the topics specified in Section 2.2 of this policy.

6.2 Governing Board Reporting

In accordance with Education Code Section 234.7(b) and the Policies in Section 3.2 above, SCFA's designated official shall submit a timely report to SCFA's governing board regarding any officer's requests for access or information and SCFA's response(s). All such reports shall ensure confidentiality and privacy of any potentially identifying information about students, families, or employees.

SECTION 7: POLICY REVIEW AND UPDATES

This policy shall be reviewed annually and updated as necessary to reflect changes in federal or state law or California Attorney General guidance. The Chief Executive Officer shall be responsible for ensuring policy compliance and coordinating updates.

Any updates to the California Attorney General's "Know Your Educational Rights" checklist shall be posted by the school year following such updates.