

Prohibition Against Voluntary Information Sharing Between District Personnel and Federal Immigration Authority

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Prohibition Against Information Sharing Between District Law Enforcement Personnel and Certain Local Law Enforcement Agencies

In order to fulfill its constitutional obligation to provide equal educational opportunity to all students regardless of their immigration status, and consistent with BP ### Immigrant Students' Rights on Campus – Information Sharing and BP ##### Federal Immigration Enforcement on Campus, District shall refuse all voluntary information sharing with federal immigration authorities¹ across all aspects of the District to the fullest extent possible under the law. District security officers shall not enter agreements to share student information with local law enforcement and federal immigration authority.

Prohibition Against Agreements for On-Campus Security Services with Local Law Enforcement Agencies with Inadequate Information Sharing Policies

District shall not employ officers from, or enter into agreements for security services with, external law enforcement agencies that have agreements, policies, or procedures that promote or facilitate information sharing with federal immigration authority.

District recognizes that policies and procedures authorizing information sharing between law enforcement agencies and federal immigration authorities are not necessarily formal agreements. Information sharing can occur through unofficial agreements, policies, and practices, or unintentionally on shared databases. Accordingly, to prevent disclosure of student information, District will review the information-sharing agreements, policies, and procedures of every local law enforcement agency with which the District intends to enter into a formal agreement for security or other services. If District is currently under an agreement with a local law enforcement agency for security services, District will review the local law enforcement agency's information sharing policies, procedures, and agreements for provisions that promote or facilitate information sharing with federal immigration authority to ensure compliance with this policy to the greatest extent possible.

Procedures for Identifying and Reviewing Information Sharing Agreements

To determine whether a local law enforcement agency has a problematic information sharing agreement or practice, the District shall consider the following:

¹ "Federal immigration authority" 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, 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 immigration enforcement.

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- Whether the local law enforcement agency shares information on shared databases;²
- Whether the local law enforcement agency communicates with Immigration and Custom Enforcement (“ICE”) in any capacity, including, but not limited to:
 - In response to ICE-initiated contact with local law enforcement agency; or
 - Upon learning of an individual’s immigration status.

If the District employs officers from, or has security agreements with, a law enforcement agency that shares information with federal immigration authority, the District shall determine whether the operative agreements with the local law enforcement agency adequately protect students’ personal information. The District must immediately amend or render inoperative agreements, terms, and clauses that:

- Establish no barriers to law enforcement officer access to students’ educational records as defined under the Family Educational Rights and Privacy Act;
- Do not limit the scope of a law enforcement officer’s access to student educational records to information directly relating to the officer’s reason for accessing the record;
- Give law enforcement officers indefinite access to students’ educational records; or
- Fails to ensure compliance with BP ### Immigrant Students’ Rights on Campus – Information Collection and BP #### Federal Immigration Enforcement on Campus.

Policy

Adopted:

Revised:

[District]

[Location]

² Known shared databases and mechanisms include, but are not limited to: CalGangs, Priority Enforcement Program (“PEP”), and Criminal Alien Program (“CAP”).