

SUPERINTENDENT'S REGULATIONS 5600-R
ACCESS TO EDUCATION, STUDENT PRIVACY, LAW AND
IMMIGRATION ENFORCEMENT

12/6/17
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Approved upon Superintendent's Initials

12/6/17

Date

School personnel must not allow any third party access to a school site without permission of the site administrator (e.g. building principal, project director, administrator in charge). Absent lawful process (e.g. a warrant), the site administrator shall not permit third party access to the school site that would cause disruption to the learning environment.

Any such request for access to a school site by law enforcement personnel (e.g. local or state police, immigration law enforcement agents, customs and border patrol officials) should be referred to the Superintendent's Office and the General Counsel's Office immediately.

School personnel must contact the Superintendent's Office and Office of the General Counsel immediately if approached by law enforcement agents concerning a student or a student's family.

All school site administrators must process requests by law enforcement agents to **enter a school site or obtain student data** as follows:

1. Request identification from the officers or agents and photocopy it;
2. Request a judicial warrant and photocopy it;
 - a. If no warrant is presented, request the grounds for access, make notes, and contact legal counsel for the District;
3. Request and retain notes of the names of the students and the reasons for the request;
 - a. If school site personnel have not yet contacted the students' parents or guardians, do so;
 - b. Do not attempt to provide your own information or conjecture about the students, such as their schedules or citizenship/immigration status, for example, without legal counsel present;
4. Provide the agents with a copy of this Policy and a copy of the joint letter from the NYS Attorney General and Commissioner of Education, as attached hereto;
5. Contact legal counsel for the District for guidance consistent with Board policy *Access to Education, Student Privacy, Law and Immigration Enforcement (5600)*;

6. Request the agents' immediate contact information; and
7. Advise the agents you are required to complete these steps prior to allowing them access to any school site or student data.