

Policy – Student

E.29 – Disclosure of Information to Federal Immigration Authorities

The Board of Directors of Community Leadership Academy and Victory Preparatory Academy are committed to protecting the privacy and safety of students, staff, and families. In accordance with C.R.S. § 24-74.1-102, enacted through Senate Bill 25-276, the school prohibits the unauthorized disclosure of personal identifying information to federal immigration authorities and restricts the collection of immigration or citizenship status unless specifically required by law.

This policy applies to all school employees, contractors, volunteers, school representatives, and any law enforcement or security personnel acting on behalf of the school. Personal identifying information includes, but is not limited to, names, addresses, contact numbers, school identification numbers, Social Security numbers, biometric data, dates of birth, education records, and any data revealing immigration or citizenship status, as defined in C.R.S. § 24-74-102(1).

Federal immigration authorities include representatives of U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or any federal agency primarily responsible for enforcing immigration laws.

School staff and representatives shall not ask for, collect, or store information about a student's or staff member's immigration or citizenship status unless required by state or federal law. The school will not allow access to student or employee records, nor to school property or facilities, by any federal immigration authority without a valid judicial order. A valid judicial order refers to a court-issued subpoena, warrant, or writ signed by a judge and lawfully served.

If an employee is approached by a federal immigration officer on school property or during the course of school duties, the employee shall immediately refer the matter to the CEO or designated administrator. No information—verbal or written—shall be released, and no physical access shall be granted, unless a judicial order is presented and verified by legal counsel in consultation with the CEO or administrator.

All such requests from immigration authorities must be documented in writing, reviewed by legal counsel, and securely maintained in accordance with applicable privacy and records laws. If legally permissible, the school will make a reasonable effort to notify affected students or families when such a request is received.

Law Enforcement Standby Provisions

In the event that immigration enforcement personnel are present or anticipated on school grounds, staff shall not initiate contact with local law enforcement or request police standby solely to deter, delay, or confront immigration activity. However, if there is a credible and immediate threat to student or staff safety, the CEO or administrator may authorize contact with law enforcement or a school resource officer for protective purposes only. Law enforcement shall not be used to assist or

facilitate immigration enforcement actions. Any decision to contact law enforcement in such circumstances must be made in consultation with legal counsel and shall be documented.

No employee shall be retaliated against for complying with this policy or refusing to disclose information that would violate it. All staff will receive annual training on the content of this policy, including how to respond to requests from immigration officials, how to identify valid legal documents, and how to protect the privacy rights of students and staff.

Violations of this policy may result in disciplinary action up to and including termination. The school may also be subject to civil penalties or other enforcement actions under state law.

This policy will be reviewed annually and updated as necessary to remain in compliance with legal requirements.

LEGAL REFERENCES:

- C.R.S. § 24-74.1-102 (Protection of Personal Identifying Information; SB 25-276)
- C.R.S. § 24-74-102(1) (Definition of personal identifying information)
- C.R.S. § 18-9-313 (Criminal impersonation; restrictions on disclosure of personal info)
- C.R.S. §§ 22-16-101 through 22-16-112 (Colorado Student Data Transparency and Security Act)
- C.R.S. § 24-72-201 et seq. (Colorado Open Records Act)
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act – FERPA)
- 34 C.F.R. Part 99 (FERPA Regulations)
- Plyler v. Doe, 457 U.S. 202 (1982)