Vista Charter School: Policy on Disclosure of Information to Federal Immigration Authorities

Purpose

This policy is adopted to comply with **Colorado Revised Statutes § 24-74.1-102** (enacted through SB 25-276). The purpose is to prohibit the unauthorized disclosure of personal identifying information to federal immigration authorities and to protect the privacy and safety of **Vista Charter School** students, families, and staff.

Scope

This policy applies to all Vista Charter School employees, contractors, volunteers, representatives, school resource officers (SROs), and any law enforcement or security personnel operating on school grounds or acting in an official capacity on behalf of the school.

Definitions

- **Personal Identifying Information:** As defined in C.R.S. § 24-74-102(1), this includes any information maintained by the school that identifies or describes an individual, such as names, addresses, telephone numbers, social security numbers, biometric records, school records, and citizenship or immigration status.
- **Federal Immigration Authorities:** Any officer, agent, or representative of **U.S. Immigration and Customs Enforcement (ICE)**, U.S. Customs and Border Protection (CBP), or any other federal agency enforcing immigration law.
- **Valid Judicial Order:** A court-issued subpoena, warrant, or writ signed by a judge and served in accordance with the law.

Prohibition on Disclosure and Collection

Vista Charter School employees and representatives shall not:

- Disclose, share, or permit access to any personal identifying information regarding students, parents, staff, or visitors to federal immigration authorities unless a **valid judicial order** is presented.
- The order must be reviewed and approved by the **Head of School** (or designee) in consultation with legal counsel before any information is released.
- Ask for, collect, or retain any information regarding an individual's immigration or citizenship status, unless explicitly required by federal or state law.
- Permit federal immigration authorities to enter school property or facilities without a valid judicial order that has been reviewed and approved by legal counsel.

Verification Requirement

No employee shall comply with any request for information from a federal immigration authority without:

1. Receiving a copy of the judicial order in **writing**.
2. Verifying the **authenticity and scope** of the order with legal counsel or the Head of School.

Response Procedures

If an employee is approached by a federal immigration officer:

- The employee shall **immediately refer** the request to the Head of School or designee.
- No verbal or written information shall be disclosed unless authorized under this policy.
- No physical access to school facilities or records shall be granted unless a valid judicial order is presented and approved.

Documentation and Notification

- **Documentation:** All requests from federal immigration authorities and the school's subsequent responses must be documented in writing, reviewed by legal counsel, and retained in school records consistent with privacy laws.
- **Family Notification:** If legally permissible, Vista Charter School will notify affected individuals or families when a request for information from federal immigration authorities is received.

Staff Training and Enforcement

- **Training:** The school shall provide **annual training** to all staff regarding the contents of this policy, how to respond to federal requests, and their legal obligations under state and federal law.
- **Non-Retaliation:** No employee shall be retaliated against for refusing to disclose information in violation of this policy.
- **Enforcement:** Violations of this policy may result in disciplinary action up to and including termination. Additionally, the school may be subject to civil penalties and legal injunctions under C.R.S. § 24-74.1-102.

Adopted: [Insert Date], 2026

LEGAL REFS.:

- C.R.S. § 24-74.1-102 (Protection of Personal Identifying Information)
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
- C.R.S. §§ 22-16-101 through 22-16-112 (Colorado Student Data Transparency and Security Act)