# RESOLUTION

**Declaring The [Name of the school district] As A Welcoming, SAFE and Inclusive SCHOOL DISTRICT, committed to providing a secure environment FOR ALL STUDENTS, EDUCATION personnel AND FAMILIES**

**WHEREAS**, the U.S. Supreme Court held in *Plyler v. Doe* (1982) that, under the Equal Protection Clause of the 14th Amendment, no public school district can deny children access to free public education based on their immigration status or the immigration status of their parents; and

**Whereas**, it is the right of every child in **[NAME OF THE STATE]** to access a free public K-12 education free from discrimination, and the **[NAME OF THE SCHOOL DISTRICT]** should affirm its position as a district that welcomes and supports all students, regardless of immigration status, race, color, religion, gender, or country of origin; and

**WHEREAS**, the Family Educational Rights and Privacy Act (FERPA) prohibits public schools from sharing educational records with outside agencies without parental consent, a court order, a subpoena or other exception as provided by law; and

**WHEREAS**, the **[NAME OF THE SCHOOL DISTRICT]** is a district with a large immigrant and foreign-born population, including mixed-status families; and

**WHEREAS,** the Department of Homeland Security’s January 20, 2025 memo rescinding the Protected Areas enforcement policy and thus allowing immigration enforcement actions in schools, college campuses, playgrounds, hospitals, places of worship and other social services facilities is causing concern among educators, students and families served by the school district.

**WHEREAS**, federal immigration law enforcement activities and raids on or around district property and transportation routes, whether by surveillance, interview, demand for information, arrest, detention or any other means, harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled and significantly interfere with the ability of all students, including U.S. citizens and students with lawful presence in the United States, to access a free public K-12 education; and

**WHEREAS**,through its policies and practices, the **[NAME OF THE SCHOOL DISTRICT]** has made a commitment to a quality education for all students, which includes a safe and stable learning environment, means of transportation to and from school sites, the preservation of classroom hours for educational instruction, screenings of who may enter the school and the requirement of school attendance; and

**WHEREAS**, educational personnel are often the primary sources of resources and information to assist students and support their emotional and physical health:

**RESOLVED**,that the **[NAME OF THE SCHOOL DISTRICT]** declares the district to be a safe haven for its students, meaning that the district is a place free from discrimination, harassment, bullying [and that does not participate in immigration enforcement activities].. The **[NAME OF THE SCHOOL DISTRICT]** is a place for students to learn, thrive and seek assistance, information and support, including responding to threats related to any immigration enforcement or other activity that interferes with their learning experience; and

**RESOLVED**, that immigration enforcement activities on school campuses shall be prohibited unless a judicial warrant is presented and follows the protocols established by [Name of the School District]; and

**RESOLVED**, that U.S. Immigration and Customs Enforcement, federal, state or local law enforcement agencies acting on behalf of ICE, and agents or officers for any federal, state or local law enforcement agency attempting to enforce federal immigration laws, are to follow district policy **[NAME OF POLICY]**, attached to and incorporated in this resolution, to ensure the district meets its duty to provide all students, regardless of immigration status, access to a free public K-12 education; and

**RESOLVED**, that the district prohibits immigration enforcement agents or other federal or state or local law enforcement agencies acting on behalf of ICE from visiting a school site without a judicial warrant and approval of the superintendent’s office; given the likelihood of substantial disruption posed by the presence of ICE or other federal or state or local law enforcement agencies acting on behalf of ICE, any request by ICE or other agencies to visit a school site should be presented to the superintendent’s office for review as to whether access to the site is permitted by law; and

**RESOLVED**, that, in its continued commitment to the protection of student privacy, the district shall review its record-keeping policies and practices to ensure that no data are being collected with respect to students’ immigration status or place of birth, and that the district shall cease any such collection, as it is irrelevant to the educational mission and is potentially discriminatory; and

**RESOLVED**,that, should ICE or other law enforcement agents request any student information, the request should be referred to the superintendent’s office to ensure compliance with the Family Educational Rights and Privacy Act, student constitutional privacy, standards for a judicial warrant, state and local privacy or confidentiality laws, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made; and

**RESOLVED**,thatthe **[NAME OF THE SCHOOL DISTRICT]** shall post this resolution at every school site and distribute it to district staff, students and parents using the usual means of communication, on the district website, and that the resolution will be translated into all languages spoken by students at home; and

**RESOLVED**, that the **[NAME OF THE SCHOOL DISTRICT]** shall provide teachers, administrators, school counselors and other school personnel with training opportunities on how to support the educational success and mental health of immigrant students, including undocumented students, refugee students, DACAmented students and students with temporary protected status (TPS), and on their rights and responsibilities in the event of ICE presence on or near schools; and

**RESOLVED**, that the board affirms that certified district employees have the academic freedom to discuss this resolution during class time provided it is age-appropriate, and that students are to be made aware that district counselors are available to discuss the subjects contained in this resolution; and

**RESOLVED**, that after-school providers and other vendors and service providers that contract with the district shall be notified of this resolution within 30 days and required to abide by it; and

**RESOLVED**, that the **[NAME OF THE SCHOOL DISTRICT]** hereby extends its support of the resolution and urges all schools, worksites, centers and departments within its jurisdiction to support the districtwide observance.