



# Corvallis

## SCHOOL DISTRICT

### **Resolution Number 16-1201**

### **Rights of Undocumented Students and Protocols for**

### **Immigration and Customs Enforcement (ICE) Access to Schools**

#### **RECITALS**

- A. Since 1982, Supreme Court precedent (*Plyler v. Doe*, 457 U.S. 202) has required equal access to public education for all children, including those who are undocumented or come from families with members who are undocumented.
- B. The Board of Directors of the Corvallis 509J School District is committed to the success and safety of every student who attends our district's schools. Our goal is for every student to grow and ultimately to graduate, and it is the responsibility of our school district to give each student the opportunity and support to meet this goal.
- C. The Board believes that physical safety and emotional well-being are paramount to foster student success. Therefore, our schools must be safe and inviting places for all students and their families. Policies already in place prohibit any form of discrimination, harassment, or bullying. The district's anti-discrimination policies have both Federal civil rights law and Oregon law at their foundation.
- D. The Board knows that our children's safe and inviting educational environment would be disrupted by the presence of ICE officials who might come into district schools for the purposes of removing students or their family members or obtaining information about students or their families.
- E. The Board further believes that our students' ability to succeed would be negatively impacted by the removal of their family members by ICE, which could leave students without supervising adults to care for them. Therefore, the district will develop policies and procedures to protect and care for such students until a guardian or other designated adult is contacted, and that all teachers, administrators, and staff should be trained on such procedures.

#### **RESOLUTION**

1. Any ICE official intending to enter any Corvallis 509J school must first notify the Superintendent or designee, in person, of this intention, with adequate notice for the Superintendent to consult with legal counsel and take steps to provide for the emotional and physical safety of students and staff.
2. The Superintendent is authorized to ask for any ICE official's credentials, ask why he or she is requesting access to a school, and review the legal authority for the request.

3. Any ICE official must provide written legal authority for entry into a 509J school. Such authority must document the purpose for such entry.
4. Corvallis 509J staff shall not ask about or document any student's immigration status, or that of the student's family members, and pursuant to the Family Educational Rights and Privacy Act (FERPA) and relevant law, shall not disclose, without parental consent, the immigration status or other personal information about any student or his/her family.
5. Within the next 90 days the Superintendent shall develop a plan for training teachers, administrators, and other staff on how to respond to ICE personnel who may attempt to enter 509J property and/or request information about 509J students and families. Subject to applicable laws, the plan shall include procedures for notifying families about generalized ICE efforts to gain information about students and families, and how to protect and support students whose family members have been displaced because of ICE. This plan shall be communicated to all 509J families in all supported languages.

Adopted by the Board of Directors of School District No. 509J (Corvallis) of Benton and Linn Counties, Oregon, at its meeting this 5<sup>th</sup> day of December, 2016.

ATTEST:

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Alexis McQuillan, Board Chair

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Olivia Meyers Buch, Deputy Clerk