



Corvallis

SCHOOL DISTRICT

Staff Training on Resolution: Rights of Undocumented Students

On December 5, 2016 the Corvallis School Board unanimously approved Resolution Number 16-1201: Rights of Undocumented Students and Protocols for Immigration and Customs Enforcement (ICE) Access to Schools.

Key things for staff to know in supporting our students:

- All children in the United States have a constitutional right to equal access to public educational opportunities regardless of their immigration status or that of their parent. That right was confirmed in the United States Supreme Court cases *Plyer v. Doe*. Discrimination is also prohibited by federal laws, including Titles IV, VI and IX of the Civil Rights Act of 1964.
- The Corvallis School District does not ask for or document students' immigration status when students enroll. Even if we became aware of a student's immigration status, we would not volunteer the information to Immigration and Customs Enforcement (ICE).
- The Family Educational Rights and Privacy Act (FERPA) generally prohibits school districts from providing third parties with student education records. Under FERPA, schools may disclose directory information without consent, but they are required to allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. (See Board policy JOA regarding directory information.)
- The Corvallis School Board adopted Resolution Number 16-1201 - Rights of Undocumented Students and Protocols for Immigration and Customs Enforcement (ICE) Access to Schools, which outlines certain procedural requirements that federal immigration officials must follow when seeking access to district property.

The resolution states:

- 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.
- 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.

- Any ICE official must provide written legal authority for entry into a 509J school. Such authority must document the purpose for such entry.
 - However, as with other law enforcement agencies, federal immigration officials may come onto campuses under exceptional circumstances, such as immediate public safety issues, or when there is a valid search warrant, subpoena, or court order.
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- Creating a safe space where students can come to you for support and advice is the best thing you can do for your students.
 - The person in our school/district who is the immigration resource advocate is:

Ryan Noss or Marcianne Koetje

- Reminder, as an employee you are expected to maintain the integrity of confidential information relating to a student, family, colleague, or district patron. For example, if an ICE official approaches you across the street from the school to ask about an immigration status of a student or family you are not to share any information and can refer them to the district office.