

Eugene School District 4J
School Board Resolution
February 15, 2017

Resolution affirming commitment to a safe, inclusive, and supportive school environment for all students, regardless of national origin, immigration status, or documentation status.

WHEREAS, the fundamental purpose of the Eugene School District 4J is to give **all** of our students an excellent education by providing them with equitable access to a high quality, well-rounded educational experience that is rigorous, culturally responsive, healthful, and engaging; and

WHEREAS, equity and access to education are core values of our district, manifested by a steadfast commitment to creating a welcoming school climate for all students and families, and direction of the supports and resources needed to eliminate barriers and promote student success; and

WHEREAS, Supreme Court precedent (*Plyler v. Doe*, 457 U.S. 202 (1982)), requires that all students be provided with equal access to public education, regardless of their immigration status or that of their parents or guardians; and

WHEREAS, under ORS 181A.820 Oregon law enforcement agencies are prohibited from expending agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws, subject to the exceptions of that law; and

WHEREAS, public schools and school districts in Oregon are subject to all federal and state laws and constitutional provisions prohibiting discrimination, and Eugene School District 4J promotes nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, marital status, age or disability as per District policies AC and JB; and

WHEREAS, we know that our children's safe and inviting educational environment would be severely disrupted by the presence of U.S. Immigration and Customs Enforcement (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; and

WHEREAS, 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; and

WHEREAS, we recognize that national events and the current political climate have caused uncertainty and anxiety for many in our communities, and that we share in the responsibility to respond to these circumstances on behalf of District students, families and educational professionals; and

WHEREAS, in these times, we recognize that our education mission is more critical than ever because we believe that our work with all students can help us bridge our differences and can help bring us together around respect and understanding rather than fear.

NOW, THEREFORE, BE IT RESOLVED THAT District policies, procedures and practices shall be consistent with the following. The District:

1. Will not ask about or document any student's legal immigration documentation status, or that of the student's family members.
2. Pursuant to the Family Educational Rights and Privacy Act (FERPA) and relevant law, will not disclose student educational records containing immigration or citizenship status without parental permission, court order, or other legal authority.
3. Will not permit law enforcement to access private areas of school property or take a student from school for the purpose of immigration law enforcement without parental permission, court order, or other legal authority.
4. To the maximum extent permitted by law, will require that any such court order or legal authority seeking student educational records, access to private areas of school property, or a student's removal from school be presented directly to the Superintendent's office for response with adequate notice so that the Superintendent or designee can ascertain legal validity of the request and obtain legal advice.
5. Will contact designated emergency contacts or appropriate state child protective services in the event that a student's parent or guardian is unavailable to provide for the student's care.

BE IT FURTHER RESOLVED THAT the Board of Directors of Eugene School District 4J directs the Superintendent to ensure that, within 90 days following adoption of this Resolution:

1. The District will review and strengthen as needed relevant policies, procedures, and practices, including those related to student enrollment practices, release of student records, and access to schools by law enforcement and other visitors, are, to the extent permitted by law, consistent with this Resolution and its intent.
2. District employees, including both administration and school-level staff, are provided with the necessary training to understand and follow the principles and practices supported and reaffirmed by this Resolution.
3. The District's policies, procedures, and practices that relate to support of all students, regardless of national origin, immigration status, or documentation status, are accessible by the District community, including students, parents and staff.

This Resolution is intended to be consistent with the District's legal obligations under federal and state law. Accordingly, this Resolution shall be interpreted as to not violate any requirement of federal or state law. Should federal or state law change so as to give rise to a conflict with any provision of this Resolution, such provision shall be of no further effect, and the remainder will continue to be valid and enforceable.

We, the signatories indicated below, pass this Resolution based upon our personal belief that we have an individual responsibility to respond to the current political climate on behalf of District students, families and education professionals.

Eugene School Board — Mary Walston, Chair • Eileen Nittler, Vice-Chair
Anne Marie Levis • Jennifer Geller • Beth Gerot • Alicia Hays • Jim Torrey

Unanimously approved by the Eugene School Board on February 15, 2017