

***Oak Park and River Forest High School
District 200
201 North Scoville Avenue • Oak Park, IL 60302-2296***

TO: Board of Education

FROM: Dr. Joylynn Pruitt-Adams

DATE: March 14, 2017

RE: Welcoming Community/Safe Zone Resolution

BACKGROUND

Today over 41.3 million foreign-born residents live in the United States and are contributing members of country and communities. In this time of uncertainty, anxiety, and fear, school districts across the country are joining the growing number of cities, communities and villages in the *Building Welcoming Communities Campaign*.

State and local governments as well as school districts are demonstrating their commitment to this initiative through Ordinances that are in alignment with the tenants of the campaign:

- Make the Commitment
- Enhance Collaborations
- Take Action

SUMMARY

Since the election, school districts across the nation have seen an increase in bullying, intimidation and harassment based on the status, religion and ethnic identity. Parents have an increased level of anxiety regarding the safety of their young ones and a fear of deportation. In response, boards of education have passed resolutions saying they'll resist requests for student data from immigration officials and or calling their schools/districts safe havens or safe zones for their immigrant/refugee students, faculty, and staff.

Student information is protected by federal and state privacy laws. Additionally, public schools are prohibited from asking about the immigration or citizenship status of students in order to establish residency status. District 200 acknowledges and accepts its responsibility to ensure through its policies and procedures that the students, faculty and staff are protected from discrimination based on race, religion, national origin, sex, sexual orientation, age, or citizenship status. It is our

job as a public school to remind families about existing laws that protect student records from questions about immigration status.

District 200 is committed to ensuring a safe zone for our students and families threatened by immigration enforcement or discrimination.

RECOMMENDATION

It is recommended that the Board of Education for District 200 review and discuss the submitted resolution declaring District 200 a Safe Zone for consideration of approval at its regular March 21, 2017 meeting. In doing so, District 200 would join others (Village of Oak Park, Oak Park Elementary District, Evanston Township Elementary District, Evanston Elementary District, Proviso Township High School District, and Chicago Public Schools) in letting parents know they are welcome on our campus regardless of immigration status and that they are key to the success of our students.

**OAK PARK AND RIVER FOREST HIGH SCHOOL
DISTRICT 200 BOARD OF EDUCATION RESOLUTION
DECLARING DISTRICT 200 A SAFE ZONE**

WHEREAS, the United States Supreme Court has declared that no public school district may deny any child access to a free public education on the basis of that child's immigration status; and

WHEREAS, District 200 enthusiastically embraces its responsibility to welcome and educate all students regardless of their immigration status, celebrates their contribution to our diverse learning community, and will not be impeded or intimidated from exercising our responsibility; and

WHEREAS, numerous students whose education, safety, emotional well-being, and family relationships are at risk because of their immigration status are, and will in the future be, enrolled in District 200; and

WHEREAS, District 200 is committed to ensuring that Oak Park and River Forest High School is a safe and welcoming place for all its students and their families; and

WHEREAS, federal Immigration law enforcement activities, on or around District property, whether by surveillance, interview, demand for information, arrest, detention, or any other means, have the potential to harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled; and

WHEREAS, no federal or state law obligates a public school district to devote any resources, financial or otherwise, to the enforcement of federal immigration laws; and

WHEREAS, educational personnel are often the primary source of support, resources, and information to assist and support students and student learning, which includes their emotional health; and

WHEREAS, the Board of Education believes that it is in the best interests of the students, staff, families, and community of District 200 to assure all students and families that it will oppose, to the maximum extent permitted by law, disruptions to the educational environment that U.S. Immigration and Customs Enforcement (ICE) actions, or immigration enforcement actions by other law enforcement personnel, may create.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Oak Park River Forest High School District No. 200, Cook County, Illinois, as follows:

1. The Board of Education declares Oak Park and River Forest High School to be a safe zone for students and families threatened by immigration enforcement or discrimination, to the fullest extent permitted by law.
2. Unless specifically required by federal, state or local law, District 200 employees, contractors, volunteers and representatives will not use District 200 resources for the purpose of detecting or assisting in the apprehension of individuals whose only violation of law is or may be unlawful presence in the United States, or failing to produce documents authorizing lawful status in the United States.
3. District 200 employees, contractors, volunteers, and representatives shall refrain from inquiring about a student's or parent's immigration status.

4. District 200 employees, contractors, volunteers, and representatives shall refrain from requiring any student or parent to produce documentation regarding immigration status.
5. District 200 employees, contractors, volunteers, and representatives shall not, unless compelled by federal, state, or local law, or subsequent to receiving a signed release, disclose to ICE officers or to any other person or entity any information about a student's or family's immigration status.
6. District 200 employees, contractors, volunteers, and representatives shall not, unless compelled by federal, state, or local law, or subsequent to receiving a signed release, disclose to ICE officers or to any other person or entity any information about any District 200 student that is protected by the Family Educational Rights and Privacy Act (FERPA) or the Illinois School Student Records Act (ISSRA).
7. District 200 shall rely upon, to the maximum extent possible, the 2011 policy issued by ICE, which designates schools as "sensitive locations" and notes that law enforcement and ICE officials should enter the campus for law enforcement purposes without the permission of an agent of the school *only* under the most exigent and compelling circumstances.
8. In the event that immigration enforcement seeks to enter the school for enforcement purposes, designated school administrators will:
 - (a) Request and record the identification of all agency or law enforcement officers making the request and the reasons for the requested entry;
 - (b) Notify the officers that they must have a criminal warrant authorizing them to enter the premises;
 - (c) Carefully assess any documents presented as authorization of entry by ICE or law enforcement in order to determine whether the warrant was issued by a judge and not an ICE supervisor;
 - (d) Inform the officers that they do not have authorization to execute an immigration arrest on school grounds if the authorizing document does not meet the standards for a court-issued warrant, which requires the signature of a judge; and
 - (e) If the document is a court-issued arrest warrant, request that the agent execute the arrest outside school grounds, request enough time to consider the emotional and physical safety of students and staff, and accompany the law enforcement agents while on the school grounds.
9. District 200 shall continue to provide strictly confidential counseling to all students, including those who fear what might happen to them or family members due to their immigration status or lack thereof, and will, without inquiring into the particulars of any student's immigration status, refer each student having such fears to organizations to provide them with accurate information about their rights and responsibilities under immigration law.
10. To the maximum extent possible, but subject to the requirements of state and federal law, District 200 shall assist students who are impacted by the deportation of a family member in continuing their education without disruption.
11. No District 200 student shall be denied equal access to any services, educational, or

otherwise, including access to awards or institutional scholarships, on the basis of the student's immigration status.

12. District 200 shall distribute this Resolution to District 200 students and parents and to all employees, contractors, volunteers, and representatives by effective means of communication and translate it into languages commonly translated by District 200.
13. District 200 shall promptly review its existing policies and procedures and revise them to the extent necessary to comply with this Resolution.
14. If any section, paragraph, or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Resolution.
15. This Resolution shall be in full force and effect upon its adoption.

ADOPTED March 21, 2017, by a roll call vote as follows:

Yes: _____

No: _____

ABSENT: _____

President, Board of Education

ATTEST:

Secretary, Board of Education