

## RESOLUTION

### **RESOLUTION DECLARING THE SOCORRO INDEPENDENT SCHOOL DISTRICT AS A WELCOMING, SAFE AND INCLUSIVE SCHOOL DISTRICT, COMMITTED TO PROVIDING A SECURE ENVIRONMENT FOR ALL STUDENTS, PARENTS, EDUCATION PERSONNEL, AND FAMILIES**

**WHEREAS**, the United States Supreme Court decision in *Plyer v. Doe* (1982) ruled that no public school district can deny children access to free public education based on their immigration status or that perceived of their parents, recognizing the equal protection clause of the Fourteenth Amendment;

**WHEREAS**, it is the right of every child in the State of Texas to access a free public school K–12 education, and the **Socorro Independent School District** should affirm their position as a district that welcomes and supports all students, regardless of immigration status, religion or country of origin;

**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, subpoena or other exception as provided by law;

**WHEREAS**, SISD is a district with a large immigrant and foreign born population, including mix status families where one family member is at risk of deportation;

**WHEREAS**, federal immigration law enforcement activities, ICE 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. citizen students and students who hold other legal grounds for presence in the U.S., to access a free public K-12 education;

**WHEREAS**, through its policies and practices, SISD 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, and the requirement of school attendance;

**WHEREAS**, increased enforcement actions sweeping the country have brought chilling and paralyzing fear and concern about the continued physical and emotional safety of all students and the right to access a free public K-12 education through District schools and programs;

**WHEREAS**, on September 5<sup>th</sup>, 2017 the Deferred Action for Childhood Arrivals (DACA) federal program was terminated by the administration leaving over 800,000 thousand beneficiaries of DACA at risk of deportation.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the SISD declares the District to be a Safe haven for its students, meaning that the District is a place free from discrimination, harassment, bullying and the threat of deportation. SISD is a place for students to learn, to thrive and to seek assistance, information, and support related to any immigration law enforcement that interferes with their learning experience;

**BE IT FURTHER RESOLVED**, that immigration enforcement activities will not be conducted on school campuses;

**BE IT FURTHER RESOLVED**, that the U.S. Immigration Enforcement Office (ICE), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local law enforcement agency attempting to enforce federal immigration laws, are to follow District Policy GRA Legal and Local, 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;

**BE IT FURTHER RESOLVED**, the District prohibits immigration enforcement agents or state or local law enforcement agencies acting on behalf of ICE to visit a school site without a judicial warrant and by approval of the Superintendent's office; given the likelihood of substantial disruption posed by the presence of ICE or state or local law enforcement agencies acting for 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.

**BE IT FURTHER RESOLVED**, 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 is being collected with respect to students' immigration status or place of birth; and cease any such collection as it is irrelevant to the educational enterprise and potentially discriminatory;

**BE IT FURTHER RESOLVED**, should ICE or other immigration law enforcement agents request any student information, the request should be referred to the Superintendent's Office to ensure compliance with Family Educational Rights and Privacy Act (FERPA), student constitutional privacy, standards for a judicial warrant, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made;

**BE IT FURTHER RESOLVED**, the District shall post this Resolution at every school site and distribute it to District staff, students, and parents using usual means of communication, and that the Resolution will be translated into all languages spoken by students at home;

**BE IT FURTHER RESOLVED**, the District shall provide teachers, administrators, and other school personnel with training opportunities on how to support the educational success of undocumented, refugee, students and address immigration customs enforcement (ICE) raids.

**BE IT FURTHER RESOLVED**, the Board affirms that certificated District employees have the academic freedom to discuss this Resolution during class time provided it is age-appropriate; and students are to be made aware that District counselors are available to discuss the subjects contained in this Resolution; and

**BE IT FURTHER RESOLVED**, after-school providers and other vendors and service providers who contract with the District shall be notified of this Resolution within 30 days and required to abide by it.

**NOW, THEREFORE BE IT RESOLVED**, that the Socorro Independent School District hereby extends its support of the resolution and urges all schools, worksites, centers and departments within its jurisdiction to support the District-wide observance.

Done this 12<sup>th</sup> day of Dec. two thousand seventeen, in El Paso, Texas.



Paul Guerra, Board President



Jose Espinoza, Ed.D., Superintendent of Schools