

Resolution to Designate Campuses as Safe Zones for Students and Families Targeted For Immigration Enforcement

WHEREAS: Ensuring that our schools are safe and inviting for all students and their families and ensuring the physical safety and emotional well-being of all children at Learning Community Charter School is a vital requirement for Charter School to advance its mission; and

WHEREAS: This safe and inviting environment would be disrupted by the presence of immigration agents who come onto Charter School property for the purposes of removing students or their family members, or obtaining information about students and their families;

WHEREAS: Immigration and Customs Enforcement (“ICE”) activities in and around schools, would be a severe disruption to the learning environment and educational setting for students;

THEREFORE BE IT RESOLVED: That the Learning Community Charter School Board of Trustees hereby declares that the Learning Community Charter School campus is a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts;

RESOLVED FURTHER: That the Board encourages the Head of School to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation;

RESOLVED FURTHER: That the Board directs the Head of School to create in-language Know Your Rights presentations for students and family members to cover their rights regarding interactions with law enforcement and immigration agents.

RESOLVED FURTHER: That the Board directs the Head of School to create a rapid response network to assist students or their family members who have been detained,

RESOLVED FURTHER: In order to provide a public education, regardless of a child’s or family member’s immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, Learning Community Charter School shall abide by the following conduct:

1. Learning Community Charter School personnel shall not inquire about or record a student’s or a family member’s immigration status, and pursuant to the Family Education

Rights and Privacy Act (“FERPA”), shall not disclose, without parental consent, the immigration status of any student or other personally identifiable information.

2. Any request by an immigration official (a) for entry into the Learning Community Charter School campus; (b) to communicate with any student while that student is under the supervision of the Learning Community Charter School during any school program or activity, or while using the Learning Community Charter School-sponsored transportation; or (c) for any information about our students, shall be immediately forwarded to Learning Community Charter School’s legal counsel for consideration. In considering such requests, Learning Community Charter School’s legal counsel will not authorize the sharing of information or access to students unless required by law and will prioritize the constitutional and legal rights of Learning Community Charter School’s students and families.
3. Learning Community Charter School shall refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent possible under the law.
4. Any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Head of School and legal counsel for review and a decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will ensure Learning Community Charter School’s compliance with applicable laws. The request must be provided with adequate notice so that the Head of School and legal counsel can take steps to provide for the emotional and physical safety of its students and staff.
 - a. Should an immigration agent request access to a school site, the Head of School and/or legal counsel shall ask for the immigration agent’s credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge.
 - b. Immigration agents must provide written authority from ICE instructing them to enter the Learning Community Charter School site and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.

5. Learning Community Charter School will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.
6. Campus security are prohibited from inquiring about or recording any information regarding an individual's immigration status or country of birth.
7. Learning Community Charter School personnel shall treat all students equitably in the receipt of all school services, including but, not limited to, the free and reduced lunch program, transportation, and educational instruction.
8. Learning Community Charter School will offer (a) legal support to immigrant students and their families; (b) counseling that adequately acknowledges the impact of immigration status on students and their family members; and (c) Know Your Rights presentations to students and parents in language; and (d) the District will ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.
9. Learning Community Charter School shall offer training to teachers and staff on the rights of immigrant and undocumented students, the importance of supporting the needs of immigrant students and families, and on policies adopted by the district to promote a safe and welcoming learning environment.

RESOLVED FURTHER: That the Head of school of designee shall ensure that all teachers, school administrators, and other staff will be trained on how to implement this policy and notification in no less than the top languages spoken by students throughout the District to be distributed to families to fully inform them of their rights in the District;

RESOLVED FURTHER: Within the next 90 days the Head of School shall develop a plan for training teachers, administrators and other staff on how to respond to ICE personnel who are requesting information about students and families and/or are attempting to enter school property. The plan shall also include procedures for notifying families about ICE efforts to gain information about students and families, and how to support students whose family members have been displaced because of ICE. This plan shall be communicated to all Learning Community Charter School families in all supported languages.

RESOLVED FURTHER: The Head of School shall prepare an implementation plan defining partnerships with community organizations and training and support for school site employees to ensure rapid response and effective coordination and report back to the Board in 90 days.