

*Sodus Central School District
P.O. Box 220
Sodus, New York 14551-0220
Nelson Kise, Superintendent of Schools*

TO: Board of Education
FROM: Nelson Kise, Superintendent
DATE: March 9, 2018
RE: District Safe Zone Declaration

RESOLUTION

WHEREAS, it is the right of every child, regardless of immigration status, to access a free public K-12 education and the District welcomes and supports all students;

WHEREAS, the District has a responsibility to ensure that all students who reside within its boundaries, regardless of immigration status, can safely access a free public K-12 education;

WHEREAS, federal immigration law enforcement activities, 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 practices, the District 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;

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 health;

NOW, THEREFORE, BE IT RESOLVED that the U.S. Immigrations Enforcement Office (ICE), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws, are to follow District procedures 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, that the Board declares the District to be a Safe Zone for its students, meaning that the District 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, it continues to be the practice of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit; 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, a judicial warrant is required, or any other legal considerations apply; this review should be made expeditiously, but before any immigration law enforcement agent or officer appears at a school site;

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;

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.

SODUS CENTRAL SCHOOL DISTRICT PROCEDURE

District Office
Superintendent's Office

SUBJECT: DISTRICT SAFE ZONE

On April 12, 2018 the Board of Education passed a resolution declaring the Sodus Central School District a safe zone for all students.

It continues to be the practice of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit. Any request by the U.S. Immigrations Enforcement Office (ICE), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws to visit a school site will be:

1. Presented to the Superintendent's Office for review.
2. The Superintendent's Office will determine, in a timely manner, whether access to the site is:
 - a. permitted by law
 - b. requires a judicial warrant
 - c. other legal considerations apply
3. The District will 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. Such information is irrelevant to the educational enterprise and potentially discriminatory.
4. Should ICE or other immigration law enforcement agents request student information, the request will be referred to the Superintendent's Office for review. The Superintendent's Office will determine, in a timely manner, whether access to the information is:
 - a. in compliance with Family Educational Rights and Privacy Act (FERPA)
 - b. does not infringe on student constitutional privacy
 - c. requires a judicial warrant
 - d. encompasses any other limitation on disclosure
5. The Superintendent's Office will supply each building office a copy of the District Safe Zone Declaration Resolution for posting.
6. The Superintendent's Office will ensure that the District Safe Zone Declaration Resolution is posted on the District's website.
7. Each building office will supply all staff with a copy of the District Safe Zone Declaration Resolution at the beginning of each school year.