

A Resolution Declaring Jefferson County Public Schools A Safe Haven School District

WHEREAS, the Supreme Court of the United States 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, 136 languages are spoken by students in Jefferson County Public Schools (JCPS), 7 percent of the 101,000 JCPS students have been identified as having Limited English Proficiency (LEP), and 6 percent receive English as a Second Language (ESL) services; and

WHEREAS, the student population requiring ESL services is the fastest growing student group in the district; and

WHEREAS, 55 percent of JCPS students are children of color, including 37 percent African American, 10 percent Hispanic, 4 percent Asian, and 4 percent two or more races; and

WHEREAS, JCPS embraces our 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 that responsibility; and

WHEREAS, JCPS is committed to ensuring that all of our schools are safe and welcoming places for all of our students and their families; 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 JCPS schools; and

WHEREAS, federal immigration law enforcement activities have the potential to affect the positive 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, we believe that it is in the best interests of the students, staff, families, and community we serve that the District takes action to assure all students and families that disruptions to the educational environment that may be created by Immigration and Customs Enforcement (ICE) actions will be opposed by all legal means available.

NOW, THEREFORE, BE IT RESOLVED:

1. The Jefferson County Board of Education declares every JCPS school to be a safe haven for students and families threatened by immigration enforcement or discrimination, to the fullest extent permitted by law.

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2. Unless specifically compelled by a valid court order, JCPS employees, contractors, volunteers and representatives will not use District resources for the purpose of detecting or assisting in the apprehension of persons whose only violation of law is or may be being an undocumented resident in the United States, or failing to produce documents authorizing residency in the United States.
3. JCPS employees, contractors, volunteers, and representatives shall refrain from inquiring about a student's, parent's, or guardian's immigration status.
4. JCPS employees, contractors, volunteers, and representatives shall refrain from requiring any student, parent, or guardian to produce documentation regarding immigration status.
5. JCPS employees, contractors, volunteers, and representatives shall not, unless compelled by a valid court order, or subsequent to receiving a signed release from a parent or guardian, disclose to Immigration and Customs Enforcement (ICE) officers or to any other person or entity any information about a student's or family's immigration status.
6. JCPS employees, contractors, volunteers, and representatives shall not, unless compelled by a valid court order, or subsequent to receiving a signed release from a parent or guardian, disclose to Immigration and Customs Enforcement (ICE) officers or to any other person or entity any information about any JCPS student that is protected by the Family Educational Rights and Privacy Act (FERPA).
7. No Immigration and Customs Enforcement (ICE) officers or other immigration law enforcement personnel shall be granted access to JCPS schools or facilities for the purpose of enforcing immigration laws unless:
 - a. The Superintendent is notified of the intention to enter, with adequate notice so that the Superintendent can take steps to provide for the emotional and physical safety of students and staff;
 - b. Those requesting to enter provide the Superintendent with credentials, the reasons for the requested entry, and written authorization, provided by law, for such entry; and
 - c. The Superintendent determines, upon consultation, as appropriate, with District legal counsel, that the requested access should be granted.
8. JCPS shall continue to provide strictly confidential counseling to all students, including those who fear what might happen to them or family members due to immigration status, 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.
9. No JCPS 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.

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10. JCPS shall distribute this Resolution to District students and parents and to all employees, contractors, volunteers, and representatives by effective means of communication and translate it into languages commonly translated by JCPS.

11. JCPS shall promptly review its existing policies and procedures and revise them to the extent necessary to comply with this Resolution.

IN WITNESS WHEREOF, we have set our hands, and caused the seal of the Board of Education of Jefferson County, Kentucky, to be affixed on the 7th day of February, 2017. This resolution shall take effect upon its passage.

I, _____, Assistant Secretary to the Board, do hereby certify that the above is a true and accurate copy of the resolution adopted at the February 7, 2017, meeting of the Jefferson County Board of Education at which a quorum was present and voted.

Chris Brady
Chairperson

Donna M. Hargens, Ed.D.
Superintendent

