

New Bedford Public Schools, School Committee

Resolution No. _____

WHEREAS, it is the right of every child, regardless of immigration status, to access a free public preK-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 preK-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 policies and 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;

WHEREAS, parents and students have expressed to the District fear and confusion about the continued physical and emotional safety of all students and the right to access a free public preK-12 education through District schools and programs;

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 District shall interact with U.S. Immigration and Customs Enforcement (ICE), state or local law enforcement agencies acting on behalf of ICE, and any agents or officers of federal, state, or local agencies seeking to enforce federal immigration laws, strictly in accordance with the Massachusetts Attorney General's Guidance for Massachusetts Public Schools on Protecting Immigrant Students (attached and incorporated into this Resolution), to ensure that the District fulfills its legal and moral obligation to provide all students, regardless of immigration status, access to a free public K-12 education;

BE IT FURTHER RESOLVED, that the Committee 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, that the District shall, within 30 days of the date of this Resolution, create a Rapid Response Team to prepare in the event a minor child attending school in the District is deprived of adult care, supervision, or guardianship outside of school due to a federal law enforcement action, such as detention by ICE or a cooperating law enforcement agency;

BE IT FURTHER RESOLVED, 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 in the main office of every school and at all school sites, distribute it to District staff, students, and parents using the District's usual means of communication, and ensure that it is translated into all languages spoken in students' homes;

BE IT FURTHER RESOLVED, the District shall make resources—such as Red Cards, mock warrants, and mock subpoenas—available in the main offices, guidance offices, wraparound centers, and administrative buildings, and shall ensure that these resources are regularly restocked;

BE IT FURTHER RESOLVED, the District shall offer "Know Your Rights" trainings and family preparedness sessions in collaboration with immigrant advocacy organizations;

BE IT FURTHER RESOLVED, the District shall offer a Q&A session for all District employees on the Attorney General's Guidelines;

BE IT FURTHER RESOLVED, the Committee directs the Superintendent to review District policies and practices regarding bullying, harassment, and discrimination and report back to the Committee at its next meeting and communicate to staff, students, and parents the importance of maintaining a bullying/harassment/discrimination-free environment for all students;

BE IT FURTHER RESOLVED, the District shall work with department heads on integrating immigration-related content across disciplines;

BE IT FURTHER RESOLVED, the District shall minimize the presence of unfamiliar individuals—such as non-educators, police, security personnel, and other outsiders—on school sites;

BE IT FURTHER RESOLVED, the Committee affirms that licensed educators in the District 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;

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; and

BE IT FURTHER RESOLVED, the Superintendent shall report back on compliance with this Resolution to the Committee at its next meeting.