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RESOLUTION NO. \_\_\_\_

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

WHEREAS, WCPSS 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 WCPSS 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, WCPSS 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 WCPSS fear and confusion about the continued physical and emotional safety of all students and the right to access a free public K-12 education through WCPSS 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 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 WCPSS Policy \_\_\_\_, attached to and incorporated in this Resolution, to ensure WCPSS 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 WCPSS to be a Safe Zone for its students, meaning that WCPSS 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 Superintendent shall, within 90 days of the date of this Resolution, 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 on school property and/or at school-sponsored events and functions and/or are attempting to enter school property. The plan shall 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 activity. This plan shall be communicated to all WCPSS families in the seven most-used languages by WCPSS students' families with interpretation and translation for additional languages provided upon request.

BE IT FURTHER RESOLVED, that it continues to be the policy of WCPSS 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

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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, WCPSS 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 that contracted campus security and/or school resource officers are also prohibited from inquiring about, or recording any information regarding an individual's immigration status or country of birth. Contracted campus security/resource officers shall acknowledge in writing to the Board that they have no authority to enforce federal immigration law and declare in writing that they will not participate in immigration enforcement efforts of federal authorities. School resource officers/campus police/security shall not hold anyone on ICE detainers, shall not respond to ICE notification or transfer requests, shall not make arrests based on civil immigration warrants, and shall not allow ICE to use campus facilities for immigration enforcement purposes.

BE IT FURTHER RESOLVED, the WCPSS shall post this Resolution at every school site and distribute it to WCPSS staff, students, and parents using usual means of communication, and that the Resolution will be translated into the seven most used languages spoken by WCPSS students at home with additional language interpretation available upon request; and after-school providers and other vendors and service providers who contract with the WCPSS shall be notified of this Resolution within 30 days and required to abide by it.

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

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

BE IT FURTHER RESOLVED, the Board affirms that certificated WCPSS employees have the academic freedom to discuss this Resolution during class time; and students are to be made aware that WCPSS counselors are available to discuss the subjects contained in this Resolution.

**Definitions:**

Citizenship or immigration status: all matters regarding questions of citizenship of the United States or any other country, the authority to reside in or otherwise be present in the United States, the time or manner of a person's entry into the United States, or any other civil immigration matter enforced by the

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Department of Homeland Security, or other federal agency charged with the enforcement of civil immigration law.

Immigration agent: an agent of U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C. §1357(g) or any other federal law, including 287g, other federal agents charged with enforcement of civil immigration laws, and any successors.

Enforcement actions: include arrests; interviews; searches; surveillance; obtaining records, documents, and similar materials; and other actions for the purposes of immigration enforcement.