BOARD OF EDUCATION RESOLUTION DECLARING PEORIA PUBLIC SCHOOLS
A SAFE HAVEN SCHOOL DISTRICT

WHEREAS, the Board of Education Peoria School District No. 150 has a legal duty under laws of the State of Illinois to educate all students regardless of their immigration status; and

WHEREAS, the United States Supreme Court has declared (Plyler vs. Doe, 457 U.S. 202, 1982) 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, District students are at risk of having their education disrupted because of their immigration status; and

WHEREAS, the Board of Education is committed to ensuring that our school district is a safe and welcoming place for all its students and their families; and

WHEREAS, District employees 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, federal immigration law enforcement activities, in and around our school district, including the district property and transportation routes and places where district activities are conducted, whether by surveillance, interview, demand for information, arrest, detention, or any other means, have the potential to disrupt the educational environment to which all students, regardless of immigration status, are entitled; and

WHEREAS, until comprehensive immigration reform is enacted by Congress, it necessary and prudent to take action to prevent the above-described immigration activities from disrupting the educational environment and interfering with the right to an education guaranteed by the laws of the State of Illinois and the United States Constitution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Peoria School District No. 150 that:

Section 1: Peoria School District No. 150 shall be a safe haven for students and families regardless of their immigration status, so that District students may continue to receive an education as required by Illinois law and the United States Constitution.

Section 2: Unless specifically required by a valid court-issued criminal arrest warrant or unless exigent circumstances exist, District 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, failing to produce
documents authorizing residency in the United States, or whose sole violation is a violation of federal civil immigration laws or of any federal criminal statutes pertaining to immigration status.

Section 3: District employees, contractors, volunteers, and representatives shall refrain from inquiring about immigration status of students, parents, or legal guardians.

Section 4: District employees, contractors, volunteers, and representatives shall refrain from requiring any student, parent, or legal guardian to produce documentation regarding immigration status, including, but not limited to, requiring documentation of a student’s legal status, such as asking for a green card, citizenship papers, or social security number.

Section 5: District employees, contractors, volunteers, and representatives shall not, unless compelled by a valid court order, or subsequent to receiving a signed release, disclose to immigration officials or to any other person or entity any information about any District student that is protected by the Family Educational Rights and Privacy Act (FERPA) or the Illinois School Student Records Act (ISSRA).

Section 6: Immigration officials or other law enforcement personnel shall not be granted access to any District schools, property, or activities for the purpose of enforcing immigration laws unless:

(a) The Superintendent or designee is given adequate notice of their intention to enter, and

(b) The Superintendent or designee is provided with credentials, the reasons for the requested entry, and a valid court-issued criminal arrest warrant or evidence of the existence of exigent circumstances, and

(c) The Superintendent or designee determines, upon consultation, as appropriate, with District legal counsel, that acquiescence to the requested entry is required by law.

(d) The student’s parents or legal guardians are notified.

Section 7: District legal counsel and District personnel as designated by the Superintendent, will review the impact of changes in federal immigration law programs such as Deferred Action for Childhood Arrivals (DACA) and work to prevent or mitigate the negative impact on both students and employees, including any obligation to collect or store any personally identifiable information for immigration enforcement purposes.

Section 8: The School District shall continue to provide confidential counseling to all students, including those who fear what might happen to them or family members due to immigration status, and, without inquiring into the particulars of any student’s
immigration status, may refer such student, parent, or legal guardian to an appropriate local non-profit organization for assistance with both mental health and immigration issues.

Section 9: District employees, contractors, volunteers, and representatives shall treat students equally in the receipt of all schools services, including but, not limited to, access to rigorous courses, student extracurricular activities, support services, the free and reduced lunch program, transportation and educational instruction.

Section 10: The Board of Education and its employees, contractors, volunteers, and representatives shall not join those state and local law enforcement agencies that have entered into an agreement with, or undertake other joint efforts with federal, state or local law enforcement agencies, to investigate, detain or arrest individuals for violation of federal immigration law.

Section 11: The Board of Education, its employees, contractors, volunteers, and representatives shall not engage in conduct that creates a disincentive for students or their families to report a crime or disciplinary infraction, or to offer testimony as a witness to a crime, as a result of their immigration status.

Section 12: Nothing in this resolution prohibits the Board of Education and its personnel from sending to, or receiving from, any local, state, federal agency, information regarding an individual’s citizenship or immigration status as required by Federal law.

Section 13: The Superintendent or designee shall notify area School Districts, the City, County, area Congressional representatives that the Board of Education has adopted this Resolution and provide them with a copy of the resolution.

Section 14: The Superintendent or designee shall have this Resolution distributed 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 the District.

Section 15: The Superintendent or her designee shall recommend to the Board of Education policies and procedures for implementing this Resolution, and review and revise existing policies and procedures to ensure compliance with this Resolution.

Section 16: The Superintendent shall ensure that all teachers, school administrators and staff will be appropriately and adequately trained in the implementation of this Resolution and Board of Education policies and procedures.

Section 17: This Resolution shall be in full force and effect upon its passage.
Adopted this 25th day of September, 2017.

AYES:

NAYS:

ABSENT:

[Signatures]

Secretary, Board of Education  President, Board of Education