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March 13, 2017

RESOLUTION NO. 16-17: 47

BE IT RESOLVED, That the Board of Directors, School District No. 52, Lane County, hereby adopts the following resolution affirming the commitment to an inclusive and supportive school environment for all students.

WHEREAS, the Bethel School District is committed to providing all students with an educational experience that provides an inclusive environment with access and opportunity to high-quality education; and

WHEREAS, ensuring that our schools are welcoming for all students and their families will help to facilitate the physical safety and emotional well-being of all children in Bethel School District, and is paramount to students' ability to achieve; and

WHEREAS, Bethel School District prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, national origin, ethnicity, cultural background, religion, veterans' status, genetic information, sex, gender, sexual orientation, marital status, mental or physical disability, socioeconomic status, source of income, familial status, physical characteristic, or linguistic characteristics of a national origin group, as per Bethel Board Policies AC, JB, JBA, JFCF, JFCFA, JFD; and

WHEREAS, Supreme Court precedent (*Plyler v. Doe*, 457 U.S. 202 (1982)) requires that all students be provided with equal access to public education, regardless of their immigration status or that of their parents or guardians; and

WHEREAS, we recognize that national events and changing federal policies, practices, guidelines and orders have caused uncertainty and anxiety for many in our communities, and that we share in the responsibility to respond to these circumstances on behalf of Bethel School District students, families and educational professionals; and

WHEREAS, under ORS 181A.820(1) "No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment, or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws"; and

WHEREAS, in these times, we recognize that the denial of an education goes against our core mission, values, policies, practices and procedures; therefore

Bethel School District acknowledges the work of other School Districts and Boards of Directors and their contributions to this document.

Bethel School District:

1. Will not ask about or record student immigration documentation status, or that of a student's family members.
2. Will not disclose student educational records containing immigration or citizenship status without parental permission, court order, or other legal authority, pursuant to the Family Educational Rights and Privacy Act (FERPA) and relevant law.
3. Will not permit law enforcement full access to school property or to remove a student from school for the purpose of immigration law enforcement without parental permission, court order, or other legal authority.
4. Will require that – to the maximum extent permitted by law and with adequate notice – any such court order or legal authority seeking student educational records, full access to school property, or a student's removal from school be presented directly to the Superintendent's office for response so that the Superintendent or designee can obtain legal advice and ascertain the legal validity of the request.
5. Will attempt to reach designated emergency contacts or appropriate state child protective services in the event that a student's parent or guardian is unavailable to provide for the student's care.
6. Will review and revise, as needed, relevant policies, procedures, and practices to the extent that they are permitted by law, and consistent with this Resolution and its intent, including those related to student registration, student records, and access to schools by law enforcement and Immigration and Customs Enforcement (ICE) representatives.
7. Will continue to provide all Bethel School District employees the necessary training to understand and follow the principles and practices supported and reaffirmed by this Resolution.

Bethel School District Board of Directors believes that it has a duty to respond to immigration enforcement laws and practices and their impact on students and families. This Resolution is intended to be consistent with the District's legal obligations and shall be interpreted as to not violate any requirement of federal or state law. Should federal or state law change, overruling any part of this Resolution, the remainder of this Resolution shall continue to be valid and enforceable.

ATTEST Chris Parra
Clerk – Chris Parra

Rich Cunningham
Chair – Rich Cunningham

MOVED BY Greg Nelson

SECONDED BY Paul Jorgensen

DATE March 13, 2017

RESOLUTION: Passed / Failed

BOARD MEMBERS	AYE	NAY	ABSTAIN	ABSENT
Rich Cunningham	✓			
Debi Farr				✓
Dawnja Johnson	✓			
Paul Jorgensen	✓			
Alan Laisure	✓			
Greg Nelson	✓			
Ginger Poage	✓			

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