Portland Board of Public Education
Resolution Affirming its Commitment to the Education of All Children &
Making Portland Public Schools a Safe Haven for Students and Families

WHEREAS, the United States Supreme Court ruled in *Plyer v. Doe (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, nearly one third of Portland Public School students do not speak English as their first language, and over 50 languages are spoken at home and at school; and

WHEREAS, Portland Public Schools enthusiastically embraces its responsibility to welcome and educate all students regardless of their immigration status, celebrates their contributions to our diverse learning community, and will not be impeded or intimidated from exercising our responsibility; and

WHEREAS, Portland Public Schools is committed to ensuring that each school is a safe and welcoming place for all its students and their families; and

WHEREAS, through its policies and practices, Portland Public Schools 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; and

WHEREAS, federal immigration law enforcement activities, on or around school property and transportation routes, whether by surveillance, interview, demand for information, arrest, detention, or any other means, have the potential to harmfully disrupt the 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, Portland Public Schools believes that it is in the best interests of the students, staff, families and community that it take action to assure all students and families that disruptions to the educational environment that Immigration and Customs Enforcement actions may create, will be opposed by all legal means available.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board declares Portland Public Schools to be a safe haven for students and families threatened by immigration enforcement or discrimination, to the fullest extent permitted by law.

2. Unless specifically required by a valid court order, Portland Public Schools 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. Portland Public School employees, contractors, volunteers, and representatives shall refrain from inquiring about a student’s or parent’s immigration status.

4. Portland Public School employees, contractors, volunteers, and representatives shall refrain from requiring any student or parent to produce documentation regarding immigration status.

5. Portland Public School employees, contractors, volunteers, and representatives shall not, unless compelled by a valid court order, or subsequent to receiving a signed release, 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. Portland Public School employees, contractors, volunteers, and representatives shall not, unless compelled by a valid court order, or subsequent to receiving a signed release, disclose to Immigration and Customs Enforcement (ICE) officers or to any other person or entity any information about any Portland Public School 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 public school facilities or records 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, and
   b. Those requesting to enter provides 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 acquiescence to the requested entry is required by law.

8. Portland Public Schools 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 Portland Public School 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.

10. Portland Public Schools shall distribute this resolution to all students, parents, employees, contractors, volunteers, and representatives by effective means of communication and translate it into languages commonly translated by Portland Public Schools.

11. Portland Public Schools shall promptly review its existing policies and procedures and revise them to the extent necessary to comply with this resolution.

Legal Effect: This resolution expresses the sentiment of the board but does not have the force of policy or rule by itself. The Superintendent will work with legal counsel to identify any new policies or rules that should be developed and existing policies or rules that should be modified based on the expressed intent of this resolution.