

SUPERINTENDENT

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BOARD OF EDUCATION

Ruben Archuleta, President
Yolanda M. Salazar, Vice President
Gilbert A. Serrano, Secretary
Patrick Herrera, Member
Pablo E. Luján, Member

RESOLUTION 2017/2018- 001 Resolution Reconfirming Española Public Schools as Sanctuary Schools

WHEREAS, Española Public Schools (EPS) is committed to providing a welcoming, safe, and respectful environment for all of our students and families; and

WHEREAS, EPS is committed to its policies of non-discrimination and equal opportunity for all students; and

WHEREAS, EPS is committed to providing support to students who are experiencing stress or trauma; and

WHEREAS, the EPS Board of Education is concerned about the increase in hate crimes, bullying, and harassment in the United States currently; and

WHEREAS, current and proposed immigration enforcement policies of the presidential administration could undermine the safety and security of EPS students and their families; and

WHEREAS, according to U.S. Census, 5% of Rio Arriba's county population and 11% of Española are foreign born, and a study by the Hispanic Research Center shows that 10% of K-12 students in NM have at least one unauthorized parent, and

WHEREAS, the community in Rio Arriba has experienced an increase in immigration enforcement activity, resulting in separation of families and directly impacting the emotional, physical and financial well-being of EPS students, and

WHEREAS, Failure to enact a DREAM Act directly impacts many EPS students and staff, and the President's announcement to rescind Deferred Action for Childhood Arrivals Program (DACA) greatly limits their career goals and puts in peril their ability to stay in the country, and

WHEREAS, the Supreme Court of the United States in Plyer v. Doe (1982) has held that the 14th Amendment's Equal Protection Clause provides undocumented children with the same rights to primary and secondary education as citizens and permanent residents; and

WHEREAS, Mayor Alice Lucero has recently announced the City of Española's continuing commitment to being a sanctuary city; and

WHEREAS, the EPS Board of Education in 2018 passed a resolution stating that:

1. the EPS Board of Education upholds the right of every child to a public education and equal access to support services including health care, counseling, food and other services that support each child to do his or her best in the public education system, and
2. the EPS Board of Education will adopt a policy in accordance with the Federal Family Educational Right and Privacy Act (FERPA) which clearly informs all EPS employees that it is the policy of this district that employees not inquire into the legal status of pupils and their families, and

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3. the EPS Board of Education will adopt a policy which states that employees of this district will not violate the rights to privacy as guaranteed by FERPA which ensures that district employees will not reveal information provided to the district for the purpose of reporting the legal status of pupils and/or their families to the Immigration and Customs Enforcement (ICE) agency or any other agency or individuals;

NOW THEREFORE, BE IT RESOLVED THAT THE EPS BOARD OF EDUCATION REAFFIRMS ITS COMMITMENT TO BEING A SANCTUARY DISTRICT AND DIRECTS THE SUPERINTENDENT TO TAKE THE FOLLOWING ACTIONS, TO THE EXTENT LEGALLY POSSIBLE:

Section 1. Develop policies and procedures to make EPS schools sanctuary schools in order to protect the safety and security of our students and families.

Section 2. Protect student privacy and insure confidentiality by prohibiting the release of information about students' immigration status to law enforcement agencies and federal agencies.

Section 3. Instruct EPS staff to refrain from collaborating with or volunteering information to ICE for the purpose of immigration enforcement.

Section 4. Refuse access to schools and other EPS property to federal immigration officials for the purposes of immigration enforcement, except upon issuance and receipt of a signed judicial warrant.

Section 5. Implement staff training and programs on bullying and conflict intervention and how to support immigrant students.

Section 6. Provide counseling services for EPS students suffering from anxiety or trauma.

Section 7. Provide school space for workshops for students and families offered by community partners on immigrant rights and availability of legal services.

Section 8. Provide a Student Support Helpline for students and families to report incidences of bullying or harassment.

Section 9. Communicate to students and families that regardless of immigration status students who graduate from an accredited New Mexico high school or earn a GED are eligible in New Mexico for in-state college tuition and the NM Lottery Scholarship.

Section 10. To the extent possible, EPS will support local, state and federal efforts to create a legal path to citizenship for all our students and staff.

Section 11. Establish a Superintendent's Equity Advisory Council.

Section 11. Explore the possibility of providing an EPS immigrant student support ombudsman.

Section 12. Participate in an intergovernmental working group including NNMC, the City of Española and Rio Arriba County to coordinate and strategize sanctuary policies for our community.

Resolved and adopted by the Board of Education of Española Public Schools

this 24th day of January, 2018

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ESPAÑOLA BOARD OF EDUCATION

Attested by:

Ruben Archuleta, President

Gilbert Serrano, Secretary