

On November 7, 2017 the Board of Education passed the following resolution:

WHEREAS, every child, regardless of immigration status, has the right to access a free public education, grades kindergarten through 12 in accordance with Article 11 of the New York State Constitution, and the Onteora Central School District (hereinafter “the District”) supports that right; and

WHEREAS, the District has a legal responsibility to ensure that all students who reside within its boundaries, regardless of immigration status, and others as required by law, have the opportunity to attend school in the District; and

WHEREAS, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) agencies maintain policies that avoid enforcement actions at schools and school bus stops; and WHEREAS, through its policies and practices, the District 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, educational personnel are often the primary sources of support, resources, and information to assist students and student learning, which includes their social and emotional health; and

WHEREAS, the District is committed to complying with existing state and federal law;

THEREFORE, BE IT RESOLVED that consistent with New York State Education Department (SED) regulations and guidance, the District, when registering students, will not ask questions or request information that may reveal the student’s immigration status; and

BE IT FURTHER RESOLVED that any staff or faculty member that receives a request from the U.S. Immigration and Customs Enforcement Office (ICE) or any other federal immigration authority regarding a student or students will take no action, and will immediately forward the request to the Building Principal who will then consult with the Superintendent, who will forward to the school district attorneys for legal advice; and

BE IT FURTHER RESOLVED that the District will not allow law enforcement to interview, interrogate, or remove a student from school property except as consistent with applicable law and Board policy; and

BE IT FURTHER RESOLVED that the District, will comply with the federal Family Educational Rights and Privacy Act (FERPA) with regard to the release of student information to any immigration authorities and will consult with the school attorneys with regard to compliance with FERPA; and

BE IT FURTHER RESOLVED that the District is committed to addressing incidents of immigration-related harassment, bullying, and discrimination pursuant to the Dignity for All Students Act (DASA).