

Resolutions to Affirm Lynn Public Schools as Safe and Welcoming Sanctuaries for All Students

WHEREAS, the mission of Lynn Public Schools (“LPS”) is to maintain a multicultural school community dedicated to the realization of the full intellectual, physical, social, and emotional potential of its students;

WHEREAS, LPS is committed to providing a safe and welcoming learning environment in order to increase achievement and access for all students irrespective of their immigration status, national origin, ethnicity, race, religion, sexual orientation, sex and gender identity, socio-economic status, disability status, or beliefs;

WHEREAS, the City is enriched and strengthened by its diverse cultural heritage, multinational population, and welcoming attitude toward newcomers;

WHEREAS, education plays a critical role in furthering tolerance and inclusivity within our society;

WHEREAS, the United States Constitution prohibits states from denying students a public elementary or secondary education on account of their immigration status;

WHEREAS, the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin, among other factors, by public elementary and secondary schools (Title IV) and by recipients of federal financial assistance (Title VI);

WHEREAS, the Family Educational Rights and Privacy Act of 1974 (“FERPA”) and Massachusetts law generally prohibit school districts and their employees from disclosing information from a student’s education record to a third party without the prior written consent of a parent, a legal guardian, or the student;

WHEREAS, the U.S. Department of Homeland Security (“DHS”) and its predecessor have repeatedly affirmed as a general policy that federal immigration law enforcement officers must obtain prior approval from high-level DHS officials before conducting any enforcement actions — including arrests, interviews, searches, or surveillance — at or focused on schools, which DHS has designated as “sensitive locations”;

WHEREAS, LPS has custody of students during the school day and during hours of approved extracurricular activities, and it is the responsibility of LPS to protect each student’s rights regarding interactions with law enforcement officials;

WHEREAS, LPS does not ask for immigration status when families register children for schools; and

WHEREAS, the presence of federal immigration law enforcement officers on school premises or during school activities will disrupt the educational setting and will exert a chilling effect on student enrollment and attendance;

NOW, THEREFORE, be it:

RESOLVED: That all LPS students have the same right to a free public education and associated school services, and that all LPS students will be treated equally regardless of their immigration status;

RESOLVED: That LPS personnel shall not inquire about, record, or request information intended to reveal the immigration status of a student, or a family member of a student or prospective student. Pursuant to the family

education rights and privacy ("FERPA"), LPS personnel shall not disclose, without parental consent, the immigration status or other personally identifiable information of any student, prospective student, or family member of a student or prospective student. LPS personnel shall refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent permissible by the law.

RESOLVED: All federal immigration law enforcement officers, or other personnel acting to assist federal immigration law enforcement officers who request entrance to any Lynn Public School building or premises shall be brought to the main office of that building while notification is made to the superintendent. The superintendent will then notify the Attorney for the Lynn Public Schools and then immediately proceed to the subject school to meet with and ask for the immigration agent's credentials, the reason for the agents visit, and a copy of a warrant signed by a federal or state Judge or Judicial Magistrate. Access shall not be granted in the absence of a valid warrant signed by a federal or state Judge or Judicial Magistrate.

RESOLVED: That all subpoenas or other requests received by LPS for any information from a student's education record shall be forwarded immediately to the Attorney of the LPS who, in determining the response to such subpoenas or requests, shall consult with the Superintendent and shall exercise the full extent of the lawful authority of LPS to protect the constitutional and legal rights of LPS students;

RESOLVED: That within the next 90 days the Superintendent shall develop a plan for training teachers, administrators, and other staff on this policy and on best practices for ensuring the well-being of students who may be impacted by immigration by immigration enforcement actions. Such plan shall be implemented within the next five months, and shall be repeated annually;

RESOLVED: That LPS shall distribute a letter summarizing the contents of these resolutions to staff and parents in the most commonly-spoken languages of the City. This letter shall be posted at LPS Parent Information Center and provided in appropriate languages to parents or guardians of prospective students;

RESOLVED: That LPS will make available in each school for any family to access, and distribute to each student, a list of resources including community based organizations, legal service organizations, and other related information. When and where possible, translations of said materials, or access to translated materials will also be provided; and

RESOLVED: That a copy of these resolutions be delivered to the Massachusetts Attorney General and to Lynn's federal, state and local legislative representatives.

Adopted by School Committee: May 11, 2017