



# THE PUBLIC SCHOOLS OF AMHERST, MASSACHUSETTS

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## **Amherst Public Schools Resolution:**

### Rights of Undocumented Students and Protocols for ICE Access to Schools

#### **PREAMBLE**

The Amherst School Committee is committed to the success of every student in each of our schools. The mission of the Amherst Public Schools is, “to provide all students with a high quality education that enables them to be contributing members of a multiethnic, multicultural, pluralistic society. We seek to create an environment that achieves equity for all students and ensures that each student is a successful learner, is fully respected, and learns to respect others.”

The Committee believes that the physical safety and emotional well-being of all children in the District, and ensuring that our schools are safe and inviting for all students and their families, are paramount to students being able to achieve. The district does not tolerate any form of discrimination, harassment or bullying (See Policy AC: Commitment to Nondiscrimination and Educational Equity).

This safe and inviting environment would be threatened by the presence of Immigration and Naturalization Service employees who come on to district property for the purposes of removing students or their family members, or obtaining information about students and their families.

The Committee further believes that students’ well-being and ability to achieve is negatively impacted by the removal of their family members during Immigration and Customs Enforcement Office (ICE) raids that leave students without supervising adults to care for them, and that the District should have in place policies and procedures to protect and care for such students until a guardian or other designated adult is contacted, and that all teachers, administrators and staff should be trained on such procedures.

#### **RESOLUTION**

1. Existing District practice requires all visitors to state the reason for their visit and be cleared for entry into a space with students. Consistent with that practice, any Immigration and Customs Enforcement (ICE) employee intending to enter any Amherst Public Schools property must first notify the Superintendent and the District’s General Counsel of its

intention, in person, with adequate notice and copies of a warrant signed by a judge or magistrate so the Superintendent and General Counsel can take steps to provide for the emotional and physical safety of its students and staff.

2. The Superintendent and/or General Counsel are authorized to ask for the ICE agent's credentials, ask the agent why he or she is requesting access, and ask the agent what evidence of reasonable suspicion exists via a warrant. If all of this information is not provided, the Superintendent will not allow access of ICE into the school setting.
3. Immigration and Customs Enforcement (ICE) personnel will be refused entry to District property unless the Superintendent and District Counsel are provided with a warrant signed by a judge or magistrate authorizing ICE entry onto the property.
4. Amherst Public Schools staff shall not ask about a student's immigration status or that of the student's family members, and pursuant to FERPA shall not disclose, without parental consent, the immigration status of any student.
5. Amherst Public Schools staff will not refer students or families to ICE if they inadvertently or intentionally disclose their immigration status.
6. Within the next 90 days, the Superintendent shall develop a plan:
  - for training teachers, administrators and other staff on how to respond to ICE personnel who are requesting information about students and families and are attempting to enter district property; and
  - describing procedures for notifying families about ICE efforts to gain information about students and families, and how to support students whose family members have been displaced because of ICE.
7. Additionally, the Policy Subcommittee of the Regional School Committee is charged with reviewing existing district policies regarding immigration and making any recommendations for new policies or changes to existing policies as are warranted.