

PHILADELPHIA SCHOOL BOARD

RESOLUTION No. XX

The Sanctuary Schools District Resolution

WHEREAS, Philadelphia is a **Sanctuary City** with an expressed public commitment to limit local cooperation with Immigration and Customs Enforcement (ICE);

WHEREAS, Philadelphia Public Schools are committed to providing **safe and welcoming spaces** where all students are able to focus on their education, secure in the knowledge that the District will support their safety and emotional well-being regardless of immigration status, national origin, race, gender identity, sexual orientation, familial status, religion or person's abilities; and

WHEREAS, the School Board is committed to protecting students' federal and state constitutional rights including their Fourth Amendment right **to be free from unreasonable searches and seizures** and their constitutional right to access a free public K-12 education; and

WHEREAS, the **Sensitive Locations ICE Memorandum** issued on October 24, 2011 states that the agency will not conduct immigration enforcement activity at any sensitive location, which includes schools, unless exigent circumstances exist, or special permission by specific federal law enforcement officials was granted; and

WHEREAS, the School Board acknowledges that immigration arrests can only take place in Philadelphia if the federal law enforcement agency has a valid arrest warrant signed by a federal judge or federal magistrate;

WHEREAS, the Board finds that federal immigration law enforcement activities at our schools, on our transportation routes, on our District property, or during our school activities **significantly disrupts the safe and welcoming learning environment** promised to all of our students; and

WHEREAS, **the Board finds that law enforcement activities at our schools** will significantly interfere with our students' constitutional rights to be free from unreasonable search and seizures and their ability to access a free public education without fear; and

NOW, **THEREFORE, BE IT RESOLVED**, that the District shall do everything in its lawful power to protect our students' confidential information and ensure that our students' learning environments are not disrupted by immigration or law enforcement actions, including but not limited to the following acts:

1. BE IT FURTHER RESOLVED: Any request by a federal immigration official (a) for entry into any District school or other District property, (b) to communicate with any student while that student is under the supervision of the District during any school activity or while using District transportation, or (c) for any information about our students, shall be immediately forwarded to the District's Office of General Counsel for consideration.
2. BE IT FURTHER RESOLVED The District will continue its practice to **not collect or maintain any information about our students' immigration status**. District employees, contractors, volunteers and representatives shall refrain from inquiring about a student's or parent's immigration status. In responding to such requests, the District's Office of General Counsel will

not share information or provide access to our students unless required by law and will do everything in the District's lawful power to protect the constitutional and legal rights of the District's students and their families.

3. BE IT FURTHER RESOLVED, the District and its staff, faculty, employees, and campus police will **not honor any ICE** detainers or requests as these are not valid judicial warrants under the Fourth Amendment of the U.S. Constitution.
4. BE IT FURTHER RESOLVED, that the District shall **create and train an emergency response team** composed of administrators, teachers, and community based organizations in order to help ensure the safety and emotional well-being of our students who may be impacted by enforcement actions; and
5. BE IT FURTHER RESOLVED, that if a local educational agency improperly detains an individual based on a civil immigration detainer or provides information to a state or federal enforcement agency outside of the procedures stipulated in this resolution, they will be held be liable for not adhering to above protocol, which **will result in their immediate termination**; and
6. FURTHER RESOLVED, The Board of Directors directs the Superintendent to **cease any contracts** to buy further criminalizing equipment including metal detectors, facial recognition software, data mining, and social media monitoring software as these tools increase the reach of federal and state law enforcement agencies in schools.
7. BE IT FURTHER RESOLVED, within 90 days the Superintendent shall develop a **district-wide policy** for regular professional development training of teachers, administrators and staff on how to respond to ICE personnel who are requesting information about students and families and/or are attempting to enter school property. The policy shall include a formalized community accountability process to notify families about ICE enforcement efforts within the district.
8. BE IT FURTHER RESOLVED, This plan is to be developed in cooperation with the **advisory council** established by the School Board and any other community-based organizations who may provide valuable input into the process.