

**Charter Council of River Oak Charter School
Resolution Making River Oak Charter School a Safe Learning Environment
For All Students**

WHEREAS, River Oak Charter School, a California nonprofit public benefit corporation, (“ROCS”) boasts a diverse student body;

WHEREAS, ROCS believes that all students, regardless of their demographics or background, will learn and achieve if given the right opportunities and support, and refuses to accept anything less than an excellent education for its students;

WHEREAS, the United States Supreme Court held in *Plyler v. Doe*, 457 U.S. 202 (1982) that no public school district has a basis to deny children access to education based on their undocumented status, if the district provides such education to others, absent showing a substantial state interest, citing that children have little control over their immigration status, the harm it would inflict on the child and society itself, and equal protection rights of the 14th Amendment;

WHEREAS, the Office of Immigration and Customs Enforcement (“ICE”) states in its 2011 policy #10029.2 that it will not conduct immigration enforcement activity at any sensitive location, which includes schools unless (1) exigent circumstances exist; (2) other law enforcement actions led officers to the sensitive location; or (3) prior approval is obtained;

WHEREAS, immigration enforcement affects ROCS families every day, and a possible shift in ICE enforcement priority has created a climate of heightened fear and anxiety for many ROCS students and their families;

WHEREAS, ICE activities in and around schools would be a severe disruption to the learning environment and educational setting for students;

WHEREAS, ROCS prides itself on creating a safe, welcoming, inclusive environment for all its students, regardless of race, religion, or immigration status;

NOW, THEREFORE, BE IT RESOLVED, the Charter Council of River Oak Charter School, (the “Charter Council”) affirms the authority of ROCS staff to maintain the confidentiality of student records and personally identifiable information consistent with student record laws such as the Family Educational Rights and Privacy Act (“FERPA”);

RESOLVED FURTHER, that the Charter Council affirms its support for every individual embracing education and declares the ROCS campus as a safe place for students to learn free from disruption, and such students and families can be assured that ROCS will not engage in activity that can lead to unreasonable or unnecessary collection or exposure of the immigration status of students or families;

RESOLVED FURTHER, in order to provide a public education, regardless of a child’s or family’s immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, ROCS shall abide by the following conduct:

- ROCS personnel shall treat all students equitably in the receipt of all school services, including but, not limited to, educational instruction;
- ROCS personnel shall not inquire about a student’s immigration status, including requiring any documentation of a student’s legal status at registration or any time thereafter;
- If federal immigration officials request access to the school site, ROCS personnel will enforce both our Classroom and School Volunteer, Visitation, and Removal Policy and procedures regarding law enforcement agents speaking to students on campus, and ROCS personnel will immediately inform the Superintendent/Principal, who will follow up with legal counsel as needed;
- Specifically, pursuant to our “Classroom and School Volunteer, Visitation, and Removal Policy,” visitors will be required to show adequate identification. If the visitor is a government officer/official (including but not limited to local law enforcement officers, immigration enforcement officers, social workers, district attorneys, or U.S. attorneys) the officer/official will also be asked to produce any documentation that authorizes school access. ROCS shall make reasonable efforts to notify parents or guardians prior to permitting a student to be interviewed or searched, consistent with the law and/or any court order, warrant or instructions from the officer/official. A copy of the documentation provided by the officer and notes from the encounter may be maintained by ROCS, consistent with the law. The ROCS Charter Council and Bureau of Children’s Justice in the California Department of Justice, at BCJ@doj.ca.gov, will be timely informed regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes, as recommended by the Attorney General.
- Any requests by federal immigration officials for student records shall be forwarded to the Superintendent/Principal immediately.
- ROCS personnel may provide students and their families who have questions regarding their immigration status with information regarding community-based and legal organizations that may assist.

RESOLVED FURTHER, that the Charter Council remains focused on teaching the academic skills, fostering the intellectual habits, and cultivating the character traits needed for all of our students to thrive in middle school, high school, college, and life.