



West Linn-Wilsonville School District 3Jt

Guidelines for Protecting and Ensuring All Students' Safety and Privacy in our Schools

Our district is guided by a compelling mission question,

"How do we create learning communities for the greatest thinkers and most thoughtful people...for the world?"

Additionally, our Board has remained steadfast in upholding our first District goal:

"Grow student achievement, through the use of high leverage instructional strategies that raise rigor and generate equitable outcomes for all students while eliminating opportunity and achievement gaps."

These beliefs and calls to action serve as the foundation to our pedagogy, management, leadership and interactions with our students and families every day. We believe that to fulfill the promise of these two statements, we must build respectful, safe and inclusive relationships with all students, especially our diverse students, and their families. Our priority is that each child, every child succeeds in our schools.

The Superintendent and School Board wish to re-affirm these following policies:

1. Policy AC: Nondiscrimination

"The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race, color, religion, sex, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, economic status, veterans' status."

2. Policy JFCF: Hazing, Harassment, Intimidation, Bullying

"The Board is committed to providing a positive and productive learning environment. Hazing, harassment, intimidation or bullying, cyberbullying and teen dating violence by students, staff and third parties toward students is strictly prohibited."

The Superintendent and School Board also re-affirm and uphold the following legislative and judicial mandates:

A. Family Educational Rights and Privacy Act (FERPA)

FERPA prohibits school districts from releasing student education records without prior parental consent except in limited circumstances (e.g. court order, subpoena, imminent health and safety exemption). No person, including ICE (Immigration and Customs Agency) agents can be given a student's educational records or confirmation of their attendance in our schools, without parental consent, subpoena, or court order. School districts are not obligated to release an individual student's directory information to law enforcement agents without one of the exemptions applying. Exemptions also include the imminent health and safety of the student.

B. ORS 181A. 820 (1)

"No law enforcement agency shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws." This includes School Resource Officers.

C. *Plyler v. Doe*, 457 US 202 (1982)

In *Plyler v. Doe*, 457 US 202 (1982), the United States Supreme Court held that undocumented students are entitled to a free public education. The Court stated that "by denying these children a basic education, we deny them the ability to live within the structure of our civic institutions, and foreclose any realistic possibility that they will contribute in even the smallest way to the progress of our Nation."

In accordance with *Plyler*, schools must not deny undocumented students the right to attend school, nor should schools take actions that could discourage such students from attendance. For instance, a school district should not ask about a student's or family's immigration status, nor should the district maintain records about immigration status.

In upholding these policies and protecting the rights of our children, staff in the West Linn-Wilsonville School district will abide by these best practices:

West Linn-Wilsonville Safety Practices

1) Abide by FERPA, *Plyler v. Doe* (1982) and ORS 181A. 820 (1).

If someone enters a school and asks if child attends the school or wants a child's directory information or educational records, we will not confirm the child's attendance or provide any records. We will take the person's name and number and let them know that we will get back to them after checking with a supervisor. We will not engage in debates over the controlling legal principles.

Secretaries and teachers will contact and consult with their supervisor (principal, assistant superintendent). The supervisor will consult district policy including contacting parents for consent. All subpoenas and other court documents will be reviewed by legal counsel through the assistant superintendent assigned to the school level. This ensures proper and consistent handling in accordance with district policies and legal procedures.

We will not ask about or collect or maintain records related to immigration status.

If an adult or state agency or law enforcement officer enters the school to interview a student, staff will contact their supervisor (principal, assistant superintendent). Policies and practices regarding making students available to law enforcement during the school day will be followed. Parents will be notified prior to the interview and provided the opportunity to attend the interview, except in limited cases of child abuse, imminent harm or a warrant.

If an ICE agent comes to the school, we will take the agent's contact information and inform the district office immediately. Someone from the district office will handle the situation.

2) Abide by Policies AC and JFCF Nondiscrimination and Harassment/Bullying/Intimidation

Each school will actively reinforce the importance of a non-discriminatory and harassment-free environment. No student should feel unsafe physically or social-emotionally in our schools. Any act of discrimination or bullying/harassment/intimidation should be reported immediately and will be investigated and handled by the school and/or district administration in accordance with district policies and procedures.

The Superintendent and West Linn-Wilsonville School Board stand firm by these policies and legislative rulings that ensure each child, every child is safe and included fully into the life, education and promise that our schools and public education afford.

Submitted by:
Kathy Ludwig, D.Ed.
Superintendent of West Linn-Wilsonville School District

March 1, 2017; Updated September 6, 2017