

Cohn, Gary

From: Superintendent
Sent: Tuesday, June 13, 2017 11:01 AM
To: EPS.MailList
Subject: Student Safety Message Follow-up

Dear Colleague:

In January, I shared [my personal commitment](#) to our district's mission ***to inspire, educate and prepare each student to achieve to high standards, contribute to our community and thrive in a global society.***

I emphasized success in this mission is only possible when, “ ... *we are vigilant in keeping our schools as safe places to learn, and grow – when we are doing ‘what it takes’ to ensure each student, family and staff member is safe when with us or in our care. This includes welcoming, honoring and respecting each child, family and staff member coming through our school doors, no matter religion, race ethnicity, sexual orientation or identity, country of origin, or immigration status.*”

Recently, comments at school board meetings and from parents in our community indicate to me an acute sense of anxiety persists among a number of our students and families – and among our staff concerned on behalf of families – especially about citizenship status.

A recent article in the [Snohomish Tribune](#) underscored for me and others the nature of this anxiety. This article, like others in local and national media, bares the hearts of families struggling with concerns about their safety and status in our communities.

Schools cannot solve societal turmoil our families face, but we must provide learning environments free from harassment, bullying and intimidation. I know that YOU do that work every day, and *I thank you for the multiple ways you reinforce safety and security on our campuses* – the ways you maintain schools as calm, safe places where families can be confident their children are protected.

Our emphasis and stance on student safety is grounded in policy and legal precedent. Following my January email, some folks asked for those foundational documents, so I am providing them today as references you can use in conversations about our work or to answer questions.

From OSPI

Full details of OSPI guidance about immigrant students is on the [agency website](#). In short, based upon a 1982 Supreme Court case, undocumented students have the same right to attend public schools as U.S. citizens and permanent residents. As a result of the ruling, public schools:

- *May not* deny admission to a student during initial enrollment or at any other time on the basis of immigration status.
- *May not* treat a student differently to determine residency.
- *May not* engage in any practices that might have a “chilling effect” on school enrollment.
- *May not* require students or parents to disclose or document their immigration status, including Social Security numbers.
- *May not* make inquiries of students or parents that may expose their undocumented status. Examples include asking for a student's status when enrolling the student as an English learner or when enrolling for free or reduced-price meals.

From Washington State's Attorney General

Our State Attorney General has made strong, legally-based statements and taken steps to protect our state's philosophy of being a welcoming place for immigrants and refugees. In response to recent federal immigration changes, our Attorney General and staff developed [Guidance Concerning Immigration Enforcement](#). Page 32 of the 104 page document reiterates the 1982 Supreme Court Case – undocumented students have the same right to attend public schools as U.S. citizens. We are reminded, as I know you understand, to protect students' confidential information and NOT to ask for demographic information we have no need or legal right to possess.

From U.S. Immigration and Customs Enforcement (ICE)

In its own agency guidance, ICE refers to schools as "sensitive locations." The [official guidance](#) specifies ICE enforcement actions NOT take place in these "sensitive locations" except in extreme circumstances involving national security or terrorism, imminent risk of death or violence, pursuit of dangerous felon or terrorist suspect or imminent risk of destruction of evidence in a criminal case.

From our district policy and procedure documents

Our responsibility for and dedication to student safety permeates our policies. Some of those relevant to today's topic are:

- [Policy 3204](#) – this 10-page document details steps and processes to protect students from harassment, intimidation or bullying
- [Policy 3213](#) – this procedure, adopted within the last two years, describes how we safeguard the rights and education of transgender students
- [Policy 4411](#) – outlines the circumstances and conditions and witnesses to be present when law enforcement interacts with a student on campus and what records are kept of such interactions. We respect and have a legal obligation to defer to law enforcement in certain circumstances, AND we maintain our obligation to protect student safety, security and rights.
- [Policy 4340](#) – this policy, and several linked to it, specific the privacy rights accorded student records, especially that information protected by the [Family Educational Rights and Privacy Act](#), or FERPA.

I usually do not include an abundance of legal and policy information in messages to you. I understand "policy wonkiness" is not everyone's highest passion, especially at the end of a very busy and successful school year. I also know societal unease of the moment and emotional angst can be unsettling and cause questions.

I sincerely hope having this framework of legal references to laws we follow and policies we've established will reinforce your ability to maintain welcoming environments for each student, irrespective of individual circumstances. This is among the most important aspects of the work we do, and I am ever so grateful, as are our families and communities, for your steadfast efforts to keep each student safe. With warmest regards,



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