

## **SAFE SCHOOLS**

The Albuquerque Public Schools (APS) provides admission and equal educational opportunities to all students that meet APS enrollment requirements, regardless of their immigration status or national origin. In accordance with federal law and the protections and rights afforded by the Constitution of the United States of America, immigrant or foreign-born students at APS will not be deterred or discouraged in any manner from attending school or from seeking the benefits of the educational opportunities afforded to non-immigrant students.

APS acts as in loco parentis while students are on school campus and is responsible for the safety and welfare of its students. Protecting the welfare and safety of students requires the close monitoring of all visitors to campus, including law enforcement and immigration officials. The Board directs the Superintendent to implement procedures to protect all students and their rights while they are on campus.

### **A. APS directives**

1. APS may not deny admission to a school age child on the basis of known or suspected undocumented status.
2. APS may not engage in any practice to deter or discourage the right of a student to attend public school.
3. Require students or parents to disclose or document their immigration status or make inquiries that would expose their undocumented status.
4. Require social security numbers.

### **B. Handling issues related to immigrant students:**

1. Any communication to an immigration agency or official initiated by a school or school personnel concerning any student in reference to his or her real or perceived immigration status is prohibited.
2. Any order or directive by immigration officials or local law enforcement officials to any school personnel to bring forth a student for interrogation on their immigration status or to provide any information about a student that may reveal the student's citizenship or immigration status should be denied and related immediately to the school principal and/or the superintendent's office. The school principal and/or superintendent will then determine, after consulting with APS attorneys whether such a request should be granted.
3. Any request by immigration officials for consent to enter a school to search for information or to seize students shall be initially denied and immediately conveyed to the school principal and/or the Superintendent's office who will then determine, after consulting with APS attorneys, whether such a request should be granted.
4. Should an immigrant parent or student, for whatever reason, voluntarily offer a document generated by the Department of Homeland Security or the Department of Justice – such as a passport, resident alien card, or I-94 – for identification purposes, the school should take special care to refrain from recording:

- 1) any personal information from the document;
  - 2) information concerning the type of document submitted;
  - 3) that a document generated by the Department of Homeland Security or Department of Justice was submitted. The school should only record that personal identification was presented.
5. Should a school or school personnel, for whatever reason, come across information regarding the immigration status of an immigrant student or his/her parents, such information is not to be provided to any outside agency, including any federal immigration agency. The disclosure of such information could potentially jeopardize the rights of immigrant students to attend public school and, absent permission from a student's parents to disclose such information, could result in a violation of the Family Educational Rights and Privacy Act (FERPA). Schools and school personnel should take immediate action to remove any information regarding the immigration status of a student or a student's parents from any and all school records.