



# Segue Institute for Learning Charter School

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## SEGUE INSTITUTE FOR LEARNING CHARTER SCHOOL SAFE SCHOOL POLICY

### **PURPOSE OF POLICY:**

Segue Institute for Learning Charter School provides admission and equal educational opportunities to all students that are selected by lottery and meet proof of address and age requirements for enrollment, 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 (new-comer) or foreign-born students at Segue Institute for Learning (SEGUE) 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.

SEGUE team members act in loco parentis while students are in the school or on school grounds. As such, SEGUE is responsible for the safety and welfare of all its students while in school or on school grounds. Protecting the welfare and safety of students requires the close screening and monitoring of all visitors to the school, including law enforcement and immigration officials.

### **Segue Institute for Learning Directives Relative to Citizenship Status and/or Immigration Information**

- SEGUE officials **will not** request information about an individual's (parent, student, legal guardian, potential student or otherwise) citizenship or immigration status to determine residency status within a Rhode Island school district.
- SEGUE officials **will not** prevent or discourage a child from enrolling in or attending the SEGUE because he or she lacks a birth certificate or has records that indicate a foreign place of birth.
- SEGUE officials **will not** require social security numbers from individuals (parent, student, legal guardian, potential student or otherwise).
- SEGUE officials **will not** bar a child from enrolling in or attending the SEGUE if a parent or legal guardian decides not to provide a child's race or ethnicity information.
- SEGUE and its personnel are **prohibited** from initiating communication to an immigration agency or official regarding a student, parent, family, or legal guardian's real or perceived immigration status or other personal confidential information, such as, known address or whereabouts, unless legally required to do so.

### **Procedures in Handling Interactions with Immigration Officials**

The following procedures are in place to protect all students and their rights while they are in school:

- If an immigration official or local law enforcement official requests that any SEGUE team member bring forth a student for questioning or interrogation regarding their immigration status or to provide any information about a student or family that may reveal the student or family's citizenship or immigration status such a request **will be denied**. The SEGUE team member will be immediately



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referred to one of the members of Administration. Administration will then determine, after consulting with the Board and legal counsel, whether such a request should be granted. The request will not be granted unless it is determined that SEGUE is legally required to do so.

- Any request by immigration officials for consent to enter the SEGUE to search for information or to seize students or property or records related to students or families **shall be initially denied** and immediately conveyed to the school Executive Director and/or Head of Middle School. They will then determine, after consulting with the Board and legal counsel, whether the request should be granted. The request will not be granted unless it is determined that SEGUE is legally required to do so.

## Procedures in Handling Inadvertent Citizenship or Immigration Status Disclosure

- Should SEGUE team members, for whatever reason, come across information regarding the immigration status of a new comer or current student or his/her family, 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 new comer 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 and the Rhode Island Educational Records Bill of Rights.
- If an SEGUE team member comes across information regarding the immigration status of a new comer or current student or his/her family, SEGUE team members **will 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 to the extent the team member can do so in alignment with appropriate legal parameters and other applicable school policies.
- Should a new comer 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, SEGUE team members **will take** special care to refrain from recording:
  - Any personal information from the document
  - Information concerning the type of document submitted
  - That a document generated by the Department of Homeland Security or Department of Justice was submitted.
  - Team members **shall only record that “personal identification” was presented.**



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### NOTE TO FAMILIES:

Parents should feel free to visit or call the school where assistance will be provided.

### References:

United States Supreme Court, Plyler, v. Doe, 457 U.S. 202, 102 S Ct. 2382 (1982)

Santa Fe Public Schools, Board of Education Policy Manual (adopted July 12, 2007)

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts, U.S. Department of Justice & U.S. Department of Education (2014, May 8).

Fact Sheet: Information on the Rights of All Children to Enroll in School, U.S. Department of Justice & U.S. Department of Education.

Lhamon, C. et al., (2014 May 8). Dear Colleague Letter. Washington DC: U.S. Department of Education, Office for Civil Rights, Office of the General Counsel, U.S. Department of Justice, Civil Rights Division.

Title IV, 42 U.S.C. § 2000c *et seq.*

Title VI, 42 U.S.C. § 2000d *et seq.*

Discrimination Prohibited, 28 C.F.R. § 42.104(b) (2)

Discrimination Prohibited, 34 C.F.R. § 100.3(b) (2)