

		SUBJECT	
		SAFE LEARNING ENVIRONMENT RESOLUTION	
DATE ISSUED 04/27/2017	DATE REVISED		NOVA POLICY #
ISSUED BY	REVIEWED BY	APPROVED BY NOVA BOARD	COA POLICY #

SUBJECT

BOARD OF DIRECTORS OF NOVA ACADEMY CHARTER SCHOOL RESOLUTION
MAKING NOVA ACADEMY A SAFE LEARNING ENVIRONMENT FOR ALL STUDENTS

RESOLUTION STATEMENT

WHEREAS, NOVA Academy Early College High School, a California nonprofit public benefit corporation (“NOVA Academy”) boasts a diverse student body;

WHEREAS, NOVA Academy 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 college-preparatory 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 NOVA Academy families every day, and a possible shift in ICE enforcement priority has created a climate of heightened fear and anxiety for many NOVA Academy 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, NOVA Academy 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 Board of Directors of NOVA Academy, (the “Board”) affirms the authority of NOVA Academy 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 Board affirms its support for every individual embracing education and that NOVA Academy campuses declare the NOVA Academy campus as a safe place for students to learn free from disruption, and such students and families can be assured that NOVA Academy 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, NOVA Academy shall abide by the following conduct:

- NOVA Academy personnel shall treat all students equitably in the receipt of all school services, including but, not limited to, the free and reduced lunch program, transportation, and educational instruction;
- NOVA Academy 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 a school site, NOVA Academy personnel will enforce both our visitor policy and procedures regarding law enforcement agents speaking to students on campus, and NOVA Academy personnel will immediately inform the Chief Executive Officer, who will follow up with legal counsel as needed; and
- Any requests by federal immigration officials for student records shall be forwarded to the Chief Executive Officer immediately.
- NOVA Academy 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 Board 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.