

COMMUNITY EDUCATION COUNCIL DISTRICT 3

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Resolution on Keeping Schools Safe

Co-Sponsors: Noah Odabashian, Ramata Sackho, Jill Rackmill, Noah Strote, Sharon Collins

Whereas 47th President Donald J. Trump on his first day in office (1/21/2025) took significant steps to limit immigrant rights by signing Executive Order 13768, titled “**Enhancing Public Safety in the Interior of the United States.**” An order that includes several actions aimed at increasing immigration enforcement, such as:

- **Cutting Federal Funding to Sanctuary Jurisdictions:** The order threatened to withhold federal grants from cities and jurisdictions that refused to cooperate with federal immigration authorities. This targeted sanctuary cities like New York City, which limit their cooperation with Immigration and Customs Enforcement (ICE).
- **Expanding Enforcement Priorities:** The executive order broadened the categories of immigrants prioritized for detention and deportation. This included individuals who were merely accused of crimes, as well as those who had committed minor infractions.
- **Empowering Local Law Enforcement:** The order encouraged local law enforcement agencies to collaborate with ICE through programs such as 287(g), which deputize local officers to perform immigration enforcement functions.
- **Restoring the Secure Communities Program:** This controversial program, which had been ended by the Obama administration, required local jails to share fingerprint data of detainees with ICE to identify individuals for deportation.

Whereas these actions immediately increased fear and anxiety within immigrant communities and set the tone for the administration's aggressive stance on immigration; and

Whereas Chancellor Ramos reaffirmed her and NYCPS' commitment to maintain safe and supportive environments for our students, staff, and families; and

Whereas Chicago Public Schools passed a resolution reaffirming their commitment to protect immigrant students by restricting ICE from access to school grounds without a criminal warrant and providing training to staff on how to handle immigration-related issues; and

Whereas, California has enacted comprehensive measures to protect immigrant children in schools, including the California Values Act (SB 54) and additional policies to ensure that schools remain safe zones and are not used for immigration enforcement; and

Whereas the New York City Public Schools (NYCPS) wholeheartedly embraces its commitment to creating and maintaining a safe and welcoming environment for all New York City Public Schools (NYCPS) students and staff; and

Whereas, NYCPS reflects the diverse population of the world, which the district celebrates in many ways through a student's daily experience; and

Whereas all NYCPS staff and students are entitled to their First Amendment right to free speech, but harassment, discrimination, and bias-based harm have no place in NYCPS school communities and will not be tolerated; and

Whereas NYCPS students, staff, and their families originate from many different countries besides the United States, may have received temporary legal status under Deferred Action for Childhood Arrivals (DACA), may be undocumented and/or may live in mixed-status households; and

Whereas, In Plyler v. Doe (1982), the United States Supreme Court held that all immigrant children are people "in any ordinary sense of the term" and hence protected from discrimination under the 14th Amendment, and that all children, regardless of their immigration status, have the right to a free public education; and

Whereas New York State guarantees the right to individuals aged 5- 21 to free public school education, regardless of nationalities or immigration status and prohibits discrimination; and

Whereas New York State Human Rights Law Section 4 states: "it shall be an unlawful discriminatory practice for an educational institution to deny the use of its facilities to any person otherwise qualified ... by reason of his... citizenship or immigration status."

Whereas, New York City Public Schools offers free public education to students of K- age 21(CR A-101), and protects them from discrimination (CR A-830, A-831,A-832); and

Whereas New York State as per Governor's Executive Order-170, and New York City by its Administrative Codes sections 9-131, 9-205, 10-178, and 14-154 limits the interaction of local law enforcement agencies with Immigration and Customs Enforcement; and

Whereas NYCPS adheres to Protocols for Non-Local Law enforcements and school administrators follow Chancellor Regulation A-412; and

Whereas, New York City Mayor Eric Adams has directed city workers, including those within the DOE, to yield to the U.S. Immigration and Customs Enforcement (ICE) if they feel "threatened;" and

Whereas Chancellor's Regulation A-780 defines the rights of Students in Temporary Housing, and along Chancellor's Regulation A-820 outlines the data and privacy protection NYCPS students are entitled to; and

Whereas ICE conducted enforcement actions near schools in Washington Heights during the last Trump administration, creating fear and anxiety among immigrant and undocumented families; and

Whereas immigrant children separated from their families have been placed in facilities such as the Cayuga Centers in Harlem, often under traumatic and uncertain circumstances. These children attended our district schools; and

Whereas The Panel for Educational Policy adopted two resolutions to protect all NYCPS students.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY COMMUNITY EDUCATION COUNCIL 3 (CEC3), THAT:

1. NYCPS will always welcome all students, staff and their families regardless of identity, gender, religious background and legal status.
2. NYCPS will work alongside its union partners and immigration advocates to provide training and support for students, staff and their families on immigrant rights, understanding various legal statuses, and the overall health and well-being of those affected.
3. NYCPS will make available on its website - Current Issues and Events page - multilingual resources for its students, staff, and their families in partnership with the City on legal assistance, immigrant rights, mental health care, and public safety, available for all NYCPS students and families.
4. NYCPS will include in its legislative agenda advocacy at the state and federal levels for Deferred Action for Childhood Arrivals, Temporary Protective Status, and Refugee Settlement Programs, as well as oppose any legislation for the creation of a Muslim, Latino, or any other registry system or eroding civil rights protections upon our communities.
5. In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the district shall abide by the following conduct:
 - 5a. NYCPS personnel shall not inquire about or record a student's or a family member's immigration status, and, pursuant to the Family Education Rights and Privacy Act ("FERPA"), shall not disclose, without parental consent, the immigration status of any student or other personally identifiable information.
 - Any communication to federal agencies or officials initiated by a school or school personnel concerning confidential information about a student or a student's family member, including but not limited to: information about gender identity; sexual orientation; status as a survivor of domestic violence; survivor of sexual assault; crime witness; recipient of public assistance; actual or perceived immigration or citizenship status; national origin; school discipline record; and all information included in an individual's or household's income tax records, is prohibited, unless permission is granted by the student or student's parent or guardian.

- 5b. NYCPS shall refuse all voluntary information sharing with immigration agents to the fullest extent possible under the law. Any request by immigration agents for information, or to access a school site shall be initially denied and immediately forwarded to the Superintendent and Senior Field Counsel for review and a decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will ensure District compliance with Plyler v. Doe and other applicable laws. The request must be provided with adequate notice so that the Superintendent and Senior Field Counsel can take steps to provide for the emotional and physical safety of its students and staff. Should an immigration agent request access to a school site, the Superintendent and/or Senior Field Counsel shall ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge. Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.

- 5c. NYCPS will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.

- 5d. NYCPS and its staff, faculty, employees, and School Safety Agents will not honor any ICE detainers or requests.

- 5e. School Safety Agents (SSAs) are prohibited from inquiring about or recording any information regarding an individual's immigration status or country of birth.

- School Safety Agents shall create a policy acknowledging that they have no authority to enforce federal immigration law and declaring that they will not participate in immigration enforcement efforts of federal authorities. This includes SSAs not holding people on ICE detainers, not responding to ICE notification or transfer requests, not making arrests based on civil immigration warrants, and not allowing ICE to use campus facilities for immigration enforcement purposes.

- 5f. NYCPS staff and administration will obtain at least three emergency contacts per family in the event an adult is held in ICE custody and therefore unavailable at dismissal. Having at least three trusted adult contacts per

family helps avoid children being entered into foster care or ICE custody themselves.

6. NYCPS will advocate for respectable Department of Homeless Services (DHS) shelter placement of as many of its students and families as possible.

7. That DOE and ACS not open case files against migrant and asylum-seeking families for absenteeism in schools during this challenging time, when immigrants may be afraid to enter schools for fear that ICE could tear their families apart

8. That the DOE and ACS fulfill the requests of Manhattan Borough President Mark Levine for anonymized data, broken down by school district, of absentee rates from October 2024 to date and that the DOE and ACS provide a breakdown of their policies on addressing absenteeism, when absenteeism results in an ACS case being open, and how immigration status is taken into account in such cases

9. That District 3 provides Know Your Rights training for families and students and distributes “red cards” to students so they can assert their rights to not speak or consent to a search if stopped by law enforcement

10.. Finally, NYCPS, PEP and Community Education Council 3 will work in collaboration with the mayor’s office and its various agencies to maintain the dignity and humanity of all of NYC’s residents, including our Newest New Yorkers.

This resolution was adopted by roll call vote of CEC3 on February 25, 2025, by a vote of 8-0-2.

Member	YES	NO	ABSTAIN
Sharon Collins	Yes		
Jill Rackmill,	Yes		
Ramata Sackho	Yes		
Noah Odabashian	Yes		
Jon Nassimi	Yes		
Noah Strote,	Yes		
Sharon Meiri Fox	Yes		
Ana Quiñones Greenfield			Abstain
Yael Denbo			Abstain
Kristin Savov	Yes		

VOTE: Yes 8 NO ___ ABSTAIN 2