

<h1>SEVEN GENERATIONS CHARTER SCHOOL</h1>	SECTION: PROGRAMS
	TITLE: 142.1 – IMMIGRANT STUDENTS
	ADOPTED: August 8, 2017
	REVISED:

Policy	<p>In response to increased immigration enforcement by the federal government, the Board of Trustees (“Board”) for the Seven Generations Charter School (“School”) adopts the following policy regarding students who are immigrants to the United States. A Memorandum was issued by the Department of Homeland Security (“DHS”) on February 20, 2017 increasing efforts to deport illegal immigrants from the United States.</p> <p>The purpose of this policy is to advise students, parents, and School board members, administrators, faculty, and staff of the rights of students who are undocumented immigrants.</p> <p>The Board declares it to be its policy to provide an equal opportunity and education for all students, including students who are undocumented immigrants. At no time shall the School, including the Board, fail to admit a child conditioned on the child’s immigration status. At no time, shall the Charter Schools’ board members, administration, faculty or staff, inquire regarding the immigration status of a student as part of the admission process.</p> <p>Furthermore, if the School is presented with a government warrant for immigration records, it should contact legal counsel for review before providing those records.</p>
Delegation of Responsibility	<p>The Board of Trustees of Seven Generations Charter School authorizes the Chief Executive Officer (CEO) or his/her designee to establish procedures which implement the below guidelines.</p>
Guidelines	<p>Pennsylvania regulations state that a child’s right to be admitted to a public school may not be conditioned on the child’s immigration status. Since a child’s right to be admitted may not be conditioned on his/her immigration status, a school cannot inquire about the immigration status as part of the admission process.</p> <p>In 1982, the United States Supreme Court held that students who are undocumented immigrants have an equal right to education as students who are citizens.</p> <p>The provision does not relieve a student who has obtained an F-1 visa (international students) from the student’s obligation to pay tuition under Federal law.</p> <p>In compliance with Pennsylvania and Federal law, no board member, administrator, faculty or staff member of the School should inquire about a student’s immigration status, before or after the admission process. The School may require proof of residency from the student’s parents, but that can be shown by means other than government-issued documentation.</p>

References	<p>Warrants:</p> <p>If the School is presented with a warrant from the Office of Immigration and Customs Enforcement (“ICE”) for immigration purposes, or for any purpose, the School should present that warrant to legal counsel for review before it complies with the warrant.</p> <p>ICE Administrative warrants are not warrants signed by a judge or judicial officers. These warrants are signed by federal immigration officials, and do not require the same burden of proof that a judicial warrant requires. The United States Supreme Court has held that constitutionally sufficient warrants are issued only upon oath or affirmation of facts submitted to a judicial officer, one who is neutral and detached from enforcement activities. <i>Coolidge v. New Hampshire</i>, 403 U.S. 443, 450 (1971). A warrant not signed by neutral judge is not constitutionally sufficient and may not need to be followed. If presented to the School, these warrants should be reviewed by legal counsel to determine whether the School must comply.</p> <p>School Code – 22 PA Code 11.11(d)</p>
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