



## FORUM TOPIC REQUEST

Each Board Member may request two forum topics per meeting; **use this form for one topic.**

### TOPIC:

Developing a "School Trust Policy" that aligns with Fairfax County's recently adopted "Trust Policy" that prohibits voluntary cooperation by all Fairfax agencies with Immigration and Customs Enforcement (ICE).

Time Sensitive



Yes



No

### Desired Date/Time Frame and Reason

The Governance Committee should prioritize this work given the essential role FCPS plays in protecting vulnerable children and the importance of building trust with students and their families.

**BOARD MEMBER NAME** Ricardy Anderson and Karl Frisch

**Date Submitted** 2/26/2021

#### 1. Specify topic's relation to Student Achievement Goal, Operational Expectation, or policy:

A "School Trust Policy" will help ensure that our school division "promotes a responsive, caring, and inclusive culture where all feel valued, supported, and hopeful, and that every child is reached, challenged, and prepared for success in school and life."

#### 2. Objective of the topic/conversation:

On January 26, 2021, the Fairfax County Board of Supervisors (BOS), by a 9 to 1 vote, adopted the "Trust Policy" prohibiting voluntary cooperation by all Fairfax agencies with Immigration and Customs Enforcement (ICE). This Forum Topic directs the Governance Committee to develop a policy for Fairfax County Public Schools (FCPS) that aligns with Fairfax County agencies, just as it did with One Fairfax.

The COVID-19 crisis and a recent CASA survey show us that Fairfax County has failed to gain the immigrant community's trust. Many fear that any contact with the police can lead to their deportation. But the community is equally concerned that information collected by the government could be accessed for civil immigration purposes. Those who need help the most are afraid to apply for it.

The Migration Policy Institute estimates that there are about 750,000 undocumented school-aged children and another 5 million children living with unauthorized immigrant parents in the country as a whole. Although precise data is unavailable for FCPS families, Fairfax County has more than 12,000 residents in deportation proceedings. The attendant family separation has severe consequences for all aspects of the children's well-being.

The impact on students largely tracks that felt by the community at large. A former FCPS undocumented student told the School Board in July 2018 that he failed to report bullying and severe assaults due to fear that he would be reported to ICE.

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#### 3. Desired outcome:

a) ☐ Forum discussion only

c) ☒ Refer to committee for recommendation e) ☐ Other

b) ☐ more information/report from staff

d) ☐ Refer to a work session

Numerous studies by Stanford University and others show that concerns about information sharing by schools pose a significant barrier to educational success:

- Students are afraid to attend school for fear their family members will be targeted for deportation.
- Parents are afraid to pick up their children at school or participate in parent-teacher conferences and school activities.
- Families are afraid to access needed services, including critical medical care and food support, for fear of being identified for deportation.

While the Family Educational Rights and Privacy Act (FERPA) does maintain the confidentiality of student information, including immigration status, its exceptions are problematic. Disclosure of addresses and contact information is permitted in school directories unless parents opt-out. ICE can easily access this information to locate undocumented students and their parents. Other information in school files, such as place of birth, can be used as a proxy for immigration status. ICE has exploited the weakness of U.S. privacy laws with data-mining technologies run mainly by contractors. These companies collect information without the restrictions imposed on government data collection.

Even with existing commitment to privacy protection by our Board, the need for a “School Trust Policy” to rebuild trust with immigrant students and parents remains urgent.

***This Forum Topic directs the Governance Committee to prioritize development of a “School Trust Policy” that aligns with Fairfax County’s recently adopted “Trust Policy.” To that end, the Committee should review existing policies, regulations, and service-provider agreements with a particular focus on data collection, data disclosure, and access to school property. Additionally, any weaknesses or areas with needed clarifications in the current School Resource Officer (SRO) Memorandum of Understanding (MOU) or other agreements should also be addressed.***