

## **RESOLUTION**

### **CHELTENHAM SCHOOL DISTRICT BOARD OF SCHOOL DIRECTORS WELCOMING SCHOOLS RESOLUTION & SAFE ZONES POLICY**

**WHEREAS**, it is the right of every child, regardless of immigration status, to access a free public K-12 education and the Cheltenham School District welcomes and supports all students; and

**WHEREAS**, the Cheltenham School District has a responsibility to ensure that all students, regardless of immigration status who reside within its boundaries, can safely access a free public K-12 education; and

**WHEREAS**, in compliance with federal and state law, including 22 Pa. Code 11.11(d), the Cheltenham School District does not inquire into the immigration status of any student; and

**WHEREAS**, the Family Educational Rights and Privacy Act (“FERPA”) protects the privacy of student education records and prevents schools from releasing student information without appropriate consent; and

**WHEREAS**, federal immigration law enforcement may seek to enter school property, whether by surveillance, interview, demand for information, arrest, detention, or any other means; and

**WHEREAS**, such activities may harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled and significantly interfere with the ability of all students to access a free public K-12 education; and

**WHEREAS**, there is no written state or federal law that mandates local school districts to assist federal immigration enforcement agencies in the enforcement of immigration laws; and

**WHEREAS**, under the Tenth Amendment of the United States Constitution, the federal government cannot coerce localities to enforce immigration laws; and

**WHEREAS**, this school board recognizes that its duty to uphold students’ rights, including their Fourth Amendment rights against unreasonable searches and seizures and Fifth Amendment right against self-incrimination; and

**NOW, THEREFORE, BE IT RESOLVED** that the Cheltenham School District shall follow the policy and protocol, now incorporated into this resolution, to ensure that the Cheltenham School District meets its duty to provide all students, regardless of immigration status, access to a free public K-12 education.

**BE IT FURTHER RESOLVED**, that:

(1) It is the [policy](#) of the Cheltenham School District not to allow an Immigration and Customs Enforcement (“ICE”) agent or other person engaged in immigration enforcement to enter non-public areas of a school, school property, or a school-sponsored event, without a judicial warrant and to ensure that educational settings are not disrupted.

(2) It is the policy of the Cheltenham School District that only a designated Chief School Administrator, (Superintendent or Designee) (“Administrator”) shall respond to any requests by ICE or other agencies engaged in immigration enforcement.

(3) Upon notification, the Administrator shall request and review all documentation and identifications presented by immigration agents and shall immediately contact the attorney for the Cheltenham School District to determine, upon advice of counsel, whether to permit access to a non-public area of a school. A written legal determination based on advice of counsel must be made before any immigration agent enters a non-public area of any school.

(4) It is the [policy](#) of the Cheltenham School District that no data shall be collected with respect to students' immigration status or place of birth except in the case of a foreign exchange student and only when such information is required to be provided by law.

(5) It is the policy of Cheltenham School District, consistent with state law, that parents/guardians may establish a child's age and residency using a range of documents, and that schools are not permitted to inquire into the immigration status of students by requesting a U.S. passport or social security number and must be flexible in requesting documents to establish residency.

(6) It is the [policy](#) of Cheltenham School District to protect student privacy and ensure that student records are protected from disclosure in accordance with the Family Educational Rights and Privacy Act ("FERPA"). To that end, should ICE or other immigration law enforcement agents request any student information, the request shall be referred to the designated Administrator who shall contact legal counsel for advice. Based on advice of counsel and in compliance with all applicable FERPA protections, constitutional rights of students and parents/guardians, and other limitations on disclosure, a determination shall be made as to whether to disclose requested information. This review shall be conducted and a legal opinion rendered in writing before any production of information is made to law enforcement agents.

(7) The provisions of this Resolution shall apply to all individuals within the control of, or acting on behalf of, this district, including, but not limited to, district employees, after-school providers, contractors, consultants, volunteers, vendors, school security officers, school safety officers acting under contract with Cheltenham School District, or service providers. Such individuals shall be notified of this resolution, which may be in writing, via email, or via posting on the District's publicly accessible website.

(8) The Board further directs the Superintendent to communicate to staff, students, and parents/guardians the importance of this resolution. To that end, this resolution shall be posted at every school and distributed to all staff, students, and families using usual means of communication.

This resolution shall be translated on the district website into Spanish, Chinese (Mandarin), Vietnamese, Korean, Hindi, Russian, and Creole and Pidgin, the most common languages spoken by district students at home.

The superintendent shall report back to the board on compliance with this resolution at its next legislative meeting.

Adopted this 9th day of June 2026.

(Translation available at [Cheltenham.org](http://Cheltenham.org))