

Submitter: Bob Sowdon
On Behalf Of: Oregon Citizens lobby
Committee: Senate Committee On Education
Measure, Appointment or Topic: SB1538

Chair and Committee members,

This bill defends “illegal” behavior and lays responsibility on our education system for protecting illegal behavior. Adds additional and unnecessary burdens on public school educators and administrators with an extra layer of bureaucracy and compliance.

Based on the 14th Amendment of the U.S. Constitution, in 1982, the Supreme Court ruled in Plyler v. Doe that states cannot constitutionally deny students a public education based on their legal immigration status.

In 2023, Oregon’s immigrants paid \$2.1 billion in state and local taxes which helped fund this basic right. But the case did not include immigration enforcement.

This bill is an attempt to further obstruct the enforcement federal immigration laws deporting criminals. It incorrectly thrusts district superintendents and their designees (school employees) into the ad-hoc position of legal analyst & paralegal. There is absolutely no one qualified to even attempt “verifying the validity of any warrant or court order”, be it for immigration enforcement or any other purpose, other than an attorney serving as District Counsel. There is no logical reason to intentionally jeopardize the receiving of federal education funds. To do so is to ignore the legitimate needs of residents within the State legally, no matter their economic or education levels.

Immigration Enforcement Policies:

Mandates the Attorney General to create model policies limiting immigration enforcement at public schools

Requires all school districts, education service districts, and public charter schools to adopt these policies

Policies must include warrant verification processes, superintendent approval for responses to immigration requests, and legal consultation requirements

Schools must provide training and implementation and copies of adopted policies to all employees

Clarifies that “law enforcement” does not include federal immigration authorities when it comes to disclosing student records. Student information can only be shared with law enforcement for health/safety emergencies (excluding immigration enforcement).