



STATE OF HAWAII  
BOARD OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

## RESOLUTION OF THE BOARD OF EDUCATION

1 DECLARING THAT HAWAII STATE DEPARTMENT OF EDUCATION SCHOOLS SHOULD BE  
2 PLACES WHERE ITS STUDENTS CAN LEARN AND THRIVE FREE OF FEAR, CONFLICT, AND  
3 STRESS  
4

5 **WHEREAS**, we take pride in our multi-faceted community especially here in the state of  
6 Hawaii'i, where the spirit of aloha is woven into our cultural fabric; and  
7

8 **WHEREAS**, the Hawaii'i State Board of Education (Board) is committed to preserving our  
9 schools as safe spaces for every student regardless of race, color, national origin, sex, disability, and  
10 religion, and believes that all children are equally deserving of a sound education, thereby upholding  
11 the letter of our country's civil rights laws; and  
12

13 **WHEREAS**, we believe in the mission of our public education system to provide the  
14 academic, social, and emotional support necessary for our students to thrive beyond their school  
15 years, and in its work to embrace, educate, and empower every student to innovate, serve, and lead;  
16 and  
17

18 **WHEREAS**, the United States Supreme Court case, *Plyler v. DOE*, 457 U.S. 202 (1982),  
19 held that states cannot constitutionally deny students a free public education on account of their  
20 immigration status; and  
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22 **WHEREAS**, the Fourth Amendment of the United States Constitution guarantees the right to  
23 be free from unreasonable searches and seizures; and  
24

25 **WHEREAS**, federal protections exist to safeguard the privacy of student education records  
26 through the Family Educational Rights and Privacy Act, and the Hawaii'i State Department of  
27 Education (Department) is authorized to disclose confidential student information only as permitted  
28 by law; and  
29

30 **WHEREAS**, the Department does not ask families for their immigration status and does not  
31 record such information in student records; and  
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33 **WHEREAS**, certain law enforcement activities may have a detrimental effect on and disrupt  
34 the educational environment to which all students are entitled, and significantly interfere with their  
35 ability to access their constitutional right to a free public kindergarten through grade 12 education;  
36 and  
37

38 **WHEREAS**, a longstanding United States Immigration and Customs Enforcement policy, as  
39 documented in a memorandum dated October 27, 2021, held that to the fullest extent possible,  
40 enforcement action should not be taken "in or near a location that would restrain people's access to



41 essential services or engagement in essential activities” – also referred to as “protected areas.” The  
42 memorandum emphasized this as a fundamental principle and reiterated the ability for the agency to  
43 accomplish its mission “without denying or limiting ... children access to their schools”; and  
44

45 **WHEREAS**, the safety and well-being of all our students are our top priority; now, therefore,  
46

47 **BE IT RESOLVED** that the Hawai'i State Board of Education hereby declares that Hawai'i  
48 State Department of Education schools should be places where its students can learn and thrive free  
49 of fear, conflict, and stress, regardless of their immigration status; and  
50

51 **BE IT FURTHER RESOLVED** that the definition of “schools” as used in this resolution  
52 includes scholastic or education-related activities or events, as well as buses and marked or known  
53 school bus stops during periods when school children are present at the stop; and  
54

55 **BE IT FURTHER RESOLVED** that the Board denounces immigration and customs  
56 enforcement activity at Department schools unless exigent circumstances exist, such as those that  
57 relate to preservation of life or prevention of catastrophic outcomes, as has been defined by the  
58 United States Department of Homeland Security, or applicable state and federal law; and  
59

60 **BE IT FURTHER RESOLVED** that the Department is urged to continue its policy not to ask  
61 families for their immigration status and not to record such information in student records; and  
62

63 **BE IT FURTHER RESOLVED** that the Department is urged to prohibit any Department  
64 personnel from initiating communication with federal agencies or officials that concerns confidential  
65 information about a student or student's family; and  
66

67 **BE IT FURTHER RESOLVED** that all Department personnel are urged to handle all  
68 questions and requests from law enforcement officials in accordance with guidance issued by the  
69 Department; and  
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71 **BE IT FURTHER RESOLVED** that the Department is urged to continue to develop, promote,  
72 and maintain policies and procedures that ensure the safety and well-being of our students in its  
73 response to law enforcement, including immigration enforcement; and  
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75 **BE IT FURTHER RESOLVED** that, unless exigent circumstances exist, such as those that  
76 relate to preservation of life or prevention of catastrophic outcomes, as has been defined by the  
77 United States Department of Homeland Security, or applicable state and federal law, the Department  
78 is urged to continue its policy to disallow any individual or organization from entering a school site if  
79 the educational setting would be disrupted by the visit; and  
80

81 **BE IT FURTHER RESOLVED** that the Department is urged to post this Resolution at every  
82 school site and share it with after-school providers and service providers who contract with the  
83 Department, students, and families using usual means of communication, and that this Resolution  
84 should be translated into the most commonly used languages in the state where feasible; and  
85

86 **BE IT FURTHER RESOLVED** that copies of this Resolution shall be transmitted to the  
87 Governor, President of the Hawai'i State Senate, Speaker of the Hawai'i House of Representatives,  
88 and other state and federal officials when deemed necessary.  
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90 This resolution was proposed and approved by the Board at its April 10, 2025, general business  
91 meeting.

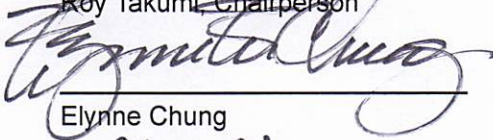


Roy Takumi, Chairperson



Bill Arakaki, Vice Chairperson

Kaimana Barcarse



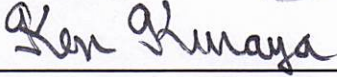
Elyne Chung



Kahele Dukelow



Mary Hattori



Ken Kuraya



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