



June 21, 2018

Rights Groups Sue BPS for Student Information Shared with ICE

District Refused to Comply with Records Request and State Order after Deportation Proceedings Reveal Student Information-Sharing.

BOSTON - Today, the Lawyers' Committee for Civil Rights and Economic Justice and a coalition of students' rights groups, together with Morgan Lewis, filed a lawsuit against Boston Public Schools (BPS) to obtain public records that are being improperly withheld regarding its disturbing practice of sharing student information with federal immigration officials, including U.S. Immigration and Customs Enforcement (ICE) via the Boston Regional Intelligence Center (BRIC). The Massachusetts Supervisor of Records has already ordered BPS to disclose records related to this school-to-deportation pipeline, but BPS refuses to share any information.

The initial public records request and this subsequent lawsuit seek to understand the extent to which BPS shares such student information with the BRIC.

The students' rights groups filed their initial public records request upon learning of an East Boston High School student who was deported based, in part, on the report of a run-of-the-mill school incident that was shared by Boston School Police with ICE via the BRIC. The report concerned an incident in which "two students attempted to start a fight but were unsuccessful." The matter was resolved without any physical altercation: "School administrators along with school police spoke with all the students involved and mediated this incident," it notes.

Nonetheless, the report, with an unsubstantiated gang allegation, was subsequently sent by Boston School Police to the BRIC, a network of local, state, and federal law enforcement agencies, which includes ICE, and was used as evidence against the student in the deportation proceedings. Immigrant families and children are now living in fear.

"BPS must be transparent about what it is sharing with federal immigration officials, particularly with records sent to the BRIC. An 'unsuccessful fight' should be referred to a principal's office, not ICE," said Matt Cregor, Education Project Director at the **Lawyers' Committee for Civil Rights and Economic Justice**.

"The public, and certainly parents of schoolchildren, have a right to know what student information is being shared with ICE and other law enforcement officials," said Kathy Boundy, Co-Director of the **Center for Law and Education** who spearheaded the original records request.

"Well-established US Supreme Court precedent made clear decades ago that undocumented youth cannot be denied an education on the basis of immigration status. BPS puts that education - and those students - at risk in sharing school incident reports via the BRIC. We have a right to know the extent of this practice," said Roger Rice, Executive Director of **Multicultural Education, Training, and Advocacy, Inc. (META, Inc.)**

"Massachusetts' law favors transparency. That is what the students' rights groups sought in filing their request. And it is what the Massachusetts Supervisor of Records supported in ordering BPS to comply with it. BPS refuses to share this information, and we file this suit to correct that," said Jonathan Albano, Partner at **Morgan Lewis** who filed the lawsuit *pro bono*.



The complaint can be found here: <http://lawyerscom.org/wp-content/uploads/2018/06/CLE-et-al-v.-City-of-Boston-Boston-Public-Schools.pdf>

A redacted version of the East Boston High School incident report can be found here:
<http://lawyerscom.org/wp-content/uploads/2018/01/Redacted-Boston-School-Police-Incident-Report.pdf>

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