

Resolution #17-17

A Resolution of the Governing Board of the Bassett Unified School District Committing to the Education of All Children and Making all Campuses a Sanctuary and Safe Zone for Students and Families Threatened by Immigration Enforcement and Hate Crimes

WHEREAS, President-Elect Trump has stated that he will cut federal funding to sanctuary cities and only by designating all K-12 schools as sanctuary schools and campuses can we guarantee safe and equitable educational environments for students of color, immigrants, Muslims, LGBTQ, differently-abled, and female students; and

WHEREAS, even before the November 8th presidential election, the Southern Poverty Law Center (SPLC) reported that more than two-thirds of 2,000 K-12 teachers surveyed nationwide said that students - mainly immigrants, children of immigrants, and Muslims - expressed concerns or fears about what might happen to them or their families after the election. In the aftermath of the election, these fears have been exacerbated with widespread reports of a disturbing rise in the targeting of students of color and of immigrant, Muslim, differently-abled, female, and LGBTQ students in schools, including:

Latino high school students in Redding were handed mock “deportation letters” by another student;

A middle school teacher in South Los Angeles was caught on audio telling sixth graders that their parents would be deported;

A hijab-wearing Muslim student at San Diego State University was robbed in an incident that university police are investigating as a hate crime; and

A Muslim student at San Jose State University was choked and had her hijab pulled off in a campus parking lot.

WHEREAS, unincorporated Los Angeles County, just like many major counties and cities in the United States, is the home and workplace of many immigrant communities and religious minority communities, including persons with both documented and undocumented immigration status; and

WHEREAS, all students have a right to attend school regardless of their immigration status. The United States Supreme Court in 1982 ruled in *Plyler v. Doe* that public schools were prohibited from denying students access to elementary and secondary public education based on their immigration status, citing that children have little control over their immigration status, the life-long harm it would inflict on the child and society itself, and constitutional equal protection rights; and

WHEREAS, the Governing Board of Education embraces the diversity of our students and families and the rich language and cultural assets they bring to our District and strongly supports and encourages the participation of all parents and families in our schools; and

WHEREAS, on November 8, 2016, California voters passed Proposition 58, which recognizes the value and importance of students graduating from our schools proficient in both English and one or more other languages and a diverse student population greatly helps in accomplishing this goal; and

WHEREAS, while there are no accurate numbers of how many undocumented children are enrolled in our District's public schools, approximately 30% of our District's students speak another language at home and more than 12 languages are spoken by families whose children are enrolled in our District; and

WHEREAS, in the last few months, federal, state and local government officials throughout the country have proposed or passed laws and ordinances that propose stemming the tide of undocumented immigrants and Muslim immigrants by cutting off opportunities for jobs, government benefits, housing, and imposing fines on companies employing undocumented immigrants, thereby increasing tensions in immigrant and Muslim communities; and

WHEREAS, reports of potential raids by the U.S. Immigration and Customs Enforcement Office (ICE) have caused immigrant and Muslim communities to fear sending and/or accompanying their children to schools and leaving their homes, even for needed medical services; and

WHEREAS, ICE activities in and around schools, early education centers, and adult school facilities would be a severe disruption to the learning environment and educational setting for students; and

WHEREAS, protecting all California students from being bullied, intimidated, harassed, or discriminated against on the basis of protected categories - under state and federal laws, California public schools must prevent and protect students from bullying, intimidation, harassment, or discrimination on the basis of protected categories, including actual or perceived immigration status, race, ethnicity, religion, disability, gender, gender identity, gender expression, and sexual orientation.

NOW THEREFORE, BE IT RESOLVED that the above recitals are true and correct; and

FURTHER BE IT RESOLVED that the Governing Board of Education of the Bassett Unified School District, in solidarity with our immigrant community organizations, in light of the increasing tensions in immigrant and Muslim communities, and the possible chilling effect on the educational rights of immigrant and Muslim students and families by reports about ICE raids and proposals like some of the foregoing, the Governing Board of Education hereby restates its position that all students have the right to attend school regardless of the immigration status of the child or of the child's family members; and

FURTHER BE IT RESOLVED that the Governing Board of Education states that all District students, who register for the following services and meet the federal and state criteria, are entitled to receive all school services, including free breakfast, free lunch, transportation, and educational services, even if they or their family are undocumented and do not have a social security number and that no school district staff shall take any steps that would deny students access to education based on their immigration status or any steps that would "chill" the *Plyler* rights of these students to public education; and

FURTHER BE IT RESOLVED that the Governing Board of Education declares that every District site is a safe place for all students and their families and encourages the Superintendent to increase and enhance partnerships with community-based organizations who provide resources for families facing deportation and that a rapid response network be created to assist children whose family members have been detained; and

FURTHER BE IT RESOLVED that in order to provide a public education, regardless of a child's or family's immigration status or religious affiliation, absent any applicable federal, state, local law or regulation or local ordinance or court decision, the District shall abide by the following conduct:

1. District personnel shall not treat students differently for residency determination purposes on the basis of their actual or perceived immigration status and shall treat all students equitably in the receipt of school services, including but not limited to, the free and reduced lunch program, transportation and educational instruction.
2. District personnel shall review the list of documents that are currently used to establish residency and shall ensure that any required documents would not unlawfully bar or discourage a student who is undocumented from enrolling in or attending school.
3. District personnel shall not inquire about a student's immigration status, including requiring documentation of a student's legal status, such as asking for a green card or citizenship papers, at initial registration or at any other time.

4. District personnel shall not make unreasonable inquiries from a student or his/her parents for the purpose of exposing the immigration status of the child or his/her family.
5. District personnel shall not require students to apply for Social Security numbers and only accept Social Security numbers on a voluntary basis by students and their families.
6. District personnel shall not inquire about a student's membership in any religion.
7. If parents and or students have questions about their immigration status or membership in any religion, District personnel shall not refer them to ICE but should instead refer them to community-based groups and legal organizations that provide resources for immigrant families, families facing deportation and families facing harassment or hate crimes due to their religion.
8. Because it is the general policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit, any request by ICE to visit a school site must be forwarded to the Superintendent's Office for review before a decision is made to allow access to the site.
9. All requests for information or documents by ICE should be forwarded to the Superintendent, who in consultation with District legal counsel, shall determine if the information and/or documents can be released to ICE.
10. The Superintendent shall resist to the fullest extent provided by the law to continue to protect the data and identities of any student, family member, or school employee who may be adversely affected by any future policies or executive action that results in the collection of personally identifiable information.

FURTHER BE IT RESOLVED that the Superintendent shall ensure that all teachers, school administrators and school and District office and other staff will be appropriately trained on how to implement this policy; and parents will receive notification in various languages of the new District policy to fully inform families of their rights in the District; and

FURTHER BE IT RESOLVED that the Superintendent is authorized to add the District as a signatory to any open letters to government officials reflecting the values stated in this Resolution and shall prepare an implementation plan defining partnerships with community organizations and training and support for school site employees and report back to the Governing Board of Education in 100 days; and

FURTHER BE IT RESOLVED that the Governing Board of Education declares that every District site is a Sanctuary for all students and their families and encourages the Superintendent to increase and enhance partnerships with community-based organizations who provide resources for families facing deportation and/or discrimination and that a rapid response network be created to assist children whose family members have been detained or harmed by hate crimes; and

FURTHER BE IT RESOLVED that every District site and school should refuse to comply with immigration authorities regarding deportations and raids, that the Governing Board of Education declares that every District should refuse to allow any immigration agents onto school campuses unless there is a judicial warrant. In addition, schools must guarantee privacy, refuse to release information regarding the immigration status of students, staff, and community members as well as refuse to identify Muslim students and families. It is also critical that resources and services such as immigration legal assistance, mental health counseling, and undocumented student support programs be provided; and be it finally

RESOLVED that the Governing Board of Education instructs the Superintendent to distribute copies of this Resolution, translated into all appropriate languages, to all school sites, and ensure that the District's DELAC – District English Learner Advisory Committee, ELACs – English Learners Advisory Committees, the Los Angeles Board of Supervisors' Office, and immigrant community and religious minority community organizations are consulted and involved in monitoring the successful implementation of this policy.

PASSED AND ADOPTED by the Governing Board of the Bassett Unified School District, Los Angeles County, California, on this 6th day of December, 2016, at a duly noticed meeting, by the following vote:

Aye: _____ No: _____ Abstain: _____ Absent: _____

Dolores Rivera, President

Natalie Ybarra, Member

Paul Solano, Vice-President

Armando Barajas, Member

Javier Romo, Clerk

I, Dolores Rivera, President of the Governing Board of the Bassett Unified School District, hereby certify that the foregoing is a full, true and correct copy of the Resolution adopted by said Governing Board on this 6th day of December, 2016.

Date: _____

Dolores Rivera
President of the Governing Board of the
Bassett Unified School District
Los Angeles County, California

Certified a True Copy

Javier Romo
Clerk of the Governing Board of the
Bassett Unified School District
Los Angeles County, California