



EL RANCHO UNIFIED SCHOOL DISTRICT
Resolution No. 30-2016/2017

(AUTHORED BY JOSE LARA)

**SAFE HAVEN SCHOOL DISTRICT
IN SUPPORT OF STUDENTS AND FAMILIES**

Whereas, the United States Supreme Court held in Plyler v. Doe (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing that children have little control over their immigration status, the harm it would inflict on the child and society itself, and equal protection rights of the 14th Amendment; and

Whereas, the California Education Code, Section 200 provides, “It is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, equal rights and opportunities in the educational institutions of the state,” and per California Education Code Section 212, “nationality” includes citizenship, country of origin, and national origin; and

Whereas, under the law, all students have the right to attend public school and enjoy access to equitable educational and programmatic services regardless of the immigration status of the student or of the student’s family members; and

Whereas, the El Rancho Unified School District Board of Education is committed to the success of all students irrespective of their immigration status, ethnicity, race, religion, sexual orientation, ability, sex and gender identity, socio-economic status or beliefs; and

Whereas, the change in federal administration has resulted in thousands of students and families in Los Angeles County expressing fear, uncertainty, sadness and concerns for student safety and stability heightened by recent national rhetoric and seeming intolerance; and

Whereas, youth and families across the district have already experienced increased levels of fear of hate speech based on their ethnicity, religion, or sexual orientation; and

Whereas, students of ERUSD have come forward to our School Board to express their fears and seek a resolution that addresses their concerns; and

Whereas, students’ ability to achieve is undermined by the removal of their family members during ICE raids and arrests that leave students without adults to supervise or care for them, and the District should have in place policies and procedures to protect and care for such

students until a guardian or other designated adult is contacted, and all teachers, administrators and staff should be trained on such procedures; and

Whereas, the Board of Education embraces the need for diversity of our students and families, 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, no written state or federal law mandates that local districts assist ICE in the enforcement of immigration laws;

Now Therefore Be It Resolved, that the Board declares its commitment that every District site be a safe and welcoming place for all students and declare the El Rancho Unified School District a safe haven school district for all students, families, and community.

Be It Further Resolved, the Board encourages the Superintendent to enhance partnerships with community-based organizations that provide resources for families facing immigration issues including Know Your Rights presentations for students and family members, as well as staff, to cover their rights regarding interactions with law enforcement and immigration agents.

Be It Further Resolved, any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Superintendent and General Counsel for review and a decision on whether to allow access to the site, and/or a decision on whether the information will ensure District compliance with Plyler v. Doe and other applicable laws. The request must be provided with adequate notice so that the Superintendent and General Counsel can take steps to provide for the emotional and physical safety of its students and staff.

- A) Should an immigration agent request access to a school site, the Superintendent and/or General Counsel shall ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge.
- B) Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.

Be It Further Resolved, the District will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.

Be It Further Resolved, the District and its staff, faculty, employees, and campus police will not honor any ICE detainers or requests.

Be It Further Resolved, campus security or school police are prohibited from inquiring about or recording any information regarding an individual's immigration status or country of birth.

Be It Further Resolved, District personnel shall treat all students equitably in the receipt of all school services, including, but not limited to, the free and reduced lunch program, transportation, and educational instruction.

Be It Finally Resolved, that the Board reaffirms El Rancho Unified School District's unequivocal commitment to ensuring a safe educational environment for all students, serving as a safe haven school district for students and families threatened by immigration enforcement or discrimination, to the fullest extent provided by the law.

Adopted by the El Rancho Unified School District Governing Board of Education in Pico Rivera, California by Resolution No. 30-2016/2017, on this 21st day of February, 2017.

VOTE: AYE: _____
 NAY: _____
 ABSENT: _____
 ABSTAIN: _____

Board President

Board Clerk