



**RESOLUTION OF THE
GOVERNING BOARD
SUPPORTING IMMIGRANT
STUDENTS AND FAMILIES
RESOLUTION 2017-02-09-01**

WHEREAS, the City of San José is rich in its diversity, with San José's over 1 million residents self-identifying as 34.2% Asian, 32.8% Hispanic, 26.7% White, 3.5% Other, and 2.8% African-American;

WHEREAS, the entire community, including the San José Unified School District, benefits from that diversity;

WHEREAS, the Supreme Court of the United States has ruled that no state may deny students a free public education based on their immigration status;

WHEREAS, California law mandates that all students between the ages of 6 and 18 attend school regardless of their immigration status;

WHEREAS, all students have a legal right to be in a public school learning environment that is free from discrimination, harassment, violence, intimidation, and bullying;

WHEREAS, questioning of immigration status, threats of separation, and deportation create severe emotional, psychological, and physical barriers to learning and education;

WHEREAS, U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) policies provide for restricted actions at schools; and

WHEREAS, the San José Unified School District (District) welcomes all of its students, regardless of their immigration status, and seeks to make clear its commitment to support all of its students and families, including those who are undocumented.

NOW, THEREFORE, BE IT RESOLVED, that the District shall not collect information regarding students' and families' immigration status.

BE IT FURTHER RESOLVED, that when the District or any of the District's school sites receives a request for information that implicates individual privacy rights (including with respect to immigration status and religion) the District shall take all legally permissible actions to protect the privacy rights of its students and families.

BE IT FURTHER RESOLVED, that, in particular, the District will not release information contained in pupil records to ICE and/or CBP unless required by law.

BE IT FURTHER RESOLVED, that any request for access to a school site from ICE and/or CBP be immediately forwarded to the Superintendent prior to any action being taken.

BE IT FURTHER RESOLVED, that the District will annually communicate with all parents or guardians to update emergency contact information for each student.

BE IT FURTHER RESOLVED, that the District will designate and prepare a contact person at each school site for any student seeking information, help, or support regarding students' and families' immigration status.

BE IT FURTHER RESOLVED, that the District will ensure that all child welfare and attendance counselors, all student support counselors, and the crisis support team are prepared and available to support students seeking information, help, or support regarding students' and families' immigration status.

BE IT FURTHER RESOLVED, that the District will work closely with other local government agencies and community groups on immigration issues to ensure that all students and families, including those that are undocumented, have access to accurate information and support.

FINALLY, BE IT RESOLVED, that the District will communicate this resolution and its commitments to all District families and District personnel.

PASSED AND ADOPTED by the Governing Board of the San José Unified School District, San José, California on this 9th day of February 2017.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

Nancy Albarrán
Secretary to the Governing Board
San José Unified School District

Pam Foley
President of the Governing Board
San José Unified School District