

NATOMAS UNIFIED SCHOOL DISTRICT

Resolution No. 17-04

IN THE MATTER OF: RECOGNITION OF A SAFE HAVEN SCHOOL DISTRICT

The following RESOLUTION was duly passed by the Board of Trustees of the Natomas Unified School District, at a regular meeting held on the 8th of February 2017 by the following roll call vote:

B. Teri Burns	_____
Scott Dosick	_____
Micah Grant	_____
Susan Heredia	_____
Lisa Kaplan	_____

Signed and approved by me after its passage:

Lisa Kaplan, President

Attest:

Micah Grant, Clerk

WHEREAS, under the law and Board Policy, 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 ([Board Policy 5111.1: Students, Admission](#));

WHEREAS, the Governing Board’s Vision states, “All NUSD students graduate as college and career ready, productive, responsible, and engaged global citizens,” ([Board Policy 0000: Vision](#)) and the Governing Board affirms that this Vision is irrespective of students immigration status, ethnicity, race, religion, sexual orientation, ability, sex and gender identity, socioeconomic status or beliefs;

WHEREAS, Natomas Unified School District is ranked as the second most diverse school district in the nation and first in Sacramento County as reported by The New York Times on December 6, 2016, as cited in the table below;

[United States](#) > [California](#) > [Sacramento County](#)

Natomas Unified

Natomas Unified ranks first of 17 in diversity in Sacramento County.

Students, in 2006	10,591	
White	2,580	24%
Black	2,696	25%
Hispanic	2,958	28%
Asian	2,253	21%
Native American	104	1%

WHEREAS, the Governing Board 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 ([Board Policy 0410: Nondiscrimination in District Programs and Activities](#));

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 a language other than English at home, and approximately 50 native languages are spoken by families whose children are enrolled in our District;

WHEREAS, recently, students and parents have expressed fear, anxiety, and confusion regarding the ability of the Office of Immigration and Customs Enforcement (ICE) to enter District property for the purpose of determining legal status of students and their families and the presence of such an agency may cause disruption in our schools;

WHEREAS, The United States Supreme Court held in Plyer 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, and noting the harm it would inflict on the child and society itself, and noting the equal protection rights of the 14th Amendment;

WHEREAS, ICE's 2011 policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission by specific federal law enforcement officials; unless exigent circumstances exist;

WHEREAS, "The Governing Board shall make every effort to maintain a safe, positive school environment and student services that promote student welfare and academic achievement,"([Board Policy 5000: Students, Concepts and Roles](#)) which is further supported by a Governing Board goal to, "Create safe and welcoming learning environments where students attend and are connected to their schools" ([Board Policy 0200: Board Goals](#)); and

NOW, THEREFORE, BE IT RESOLVED: That the Governing Board declares its commitment that every District site be a safe and welcoming place for all students and their families and encourages the Superintendent or designee to enhance partnerships with community-based organizations and legal support organizations who provide resources and support for families facing immigration enforcement or hate crimes and/or discrimination related to immigration status;

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

1. 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 or federal agencies/other authorities enforcing immigration laws to visit a school site should be forwarded to the Superintendent or designee for review, who, in consultation with District legal counsel, within legal boundaries, will take action to support students, families, and staff.
2. All requests for information or documents by ICE or federal agencies/other authorities enforcing immigration laws should be forwarded to the Superintendent or designee for review, who, in consultation with District legal counsel, shall determine if the information and/or documents must be released.

3. If ICE or federal agencies/other authorities comes to a school site unannounced to interrogate or take custody of a student, school site administrative staff will immediately notify the Superintendent or designee, who, in consultation with District legal counsel, within legal boundaries, will take action to support the student(s).
4. District legal counsel, and other District personnel as designated by the Superintendent, will review the impact of changes in federal immigration laws programs such as Deferred Action for Childhood Arrivals (DACA) and work to prevent and mitigate the negative impact on both students and employees from the collection or storage of any personally identifiable information for immigration enforcement purposes.
5. District personnel will take all reasonable measures so that after school providers and other service providers that have access to student, family or employee information will also follow the actions described herein.

BE IT FURTHER RESOLVED: That the Superintendent or designee shall provide teachers, school administrators and school and District office staff with appropriate and adequate training on how to implement this Resolution at the start of the year along with the annual mandated staff trainings; and parents/guardians will receive notification in various languages of this resolution to fully inform families of their rights in the District;

BE IT FURTHER RESOLVED: That the Superintendent or designee shall prepare appropriate updates to the Trustees as this resolution is implemented;

BE IT FURTHER RESOLVED: That the Governing Board instructs the Superintendent or designee to distribute copies of this Resolution within thirty (30) days of the Resolution's enactment date, translated into all appropriate languages, to all school sites (including District-authorized charter school sites), and the District's DELAC committee and Site ELAC committees; and finally

BE IT FURTHER RESOLVED: The Governing Board reaffirms Natomas Unified School District's commitment to create a safe educational environment for ALL STUDENTS, serving as a safe haven for students and families threatened by immigration enforcement or hate crimes and/or discrimination related to immigration status, to the fullest extent provided by the law.