



CAMBRIAN SCHOOL DISTRICT

Board of Trustees

Resolution No. 16-17-10

AFFIRMING SUPPORT OF EQUAL ACCESS TO EDUCATION REGARDLESS OF IMMIGRATION STATUS AT SCHOOLS

WHEREAS, all children in the United States are entitled to equal access to a public elementary and secondary education, and

WHEREAS, public schools in California are subject to all federal, state laws, and constitutional protections prohibiting discrimination on the basis of national origin, race, color, gender, sexual orientation, gender identity, transgender status, religion, ancestry, age, marital status, pregnancy status, veteran status, or disability; and

WHEREAS, The Governing Board is committed to the success of all students irrespective of their immigration status or citizenship, and believes that every school site should be a welcoming place for all students and their families;

WHEREAS, The California Department of Education (CDE) has declared California public schools as welcoming, safe places for learning and teaching for all students, regardless of immigration status. Reaffirming federal regulations and state law that prohibit educational agencies from disclosing personally identifiable student information to anyone, including law enforcement, without a court order or lawful subpoena, or consent of a parent or guardian, or in the case of a health emergency;

WHEREAS, it is not the mission, purpose, or role of the Cambrian School District to determine the citizenship or immigration status of any of its students or families, and Cambrian School District personnel should reaffirm their commitment to the success of all students and to promoting and elevating tolerance, inclusiveness and kindness for all students, families, and staff;

NOW, THEREFORE, BE IT RESOLVED, by the Cambrian School District, that the Cambrian School District reaffirms its commitment to the success of all students and to promoting and elevating tolerance, inclusiveness and kindness of all students, families, and staff;

BE IT FURTHER RESOLVED, that Cambrian School District personnel are encouraged to work with and support students and families who express concern about immigration enforcement actions at school, including students who may not be attending school because of such concerns;

BE IT FURTHER RESOLVED, that if any students or families have questions about their immigration status, Cambrian School District personnel shall provide referral to those families to community-based legal services organizations that provide resources for immigrant families;

BE IT FURTHER RESOLVED, that Cambrian School District personnel shall not treat any students differently based on undocumented status, including for district residency purposes. They shall also review the list of documents that are currently used to establish residency to ensure that any required documents would not unlawfully bar or discourage a student who is undocumented or whose parents are undocumented from enrolling in or attending school;

BE IT FURTHER RESOLVED, that Cambrian School District personnel shall treat all students equitably in the receipt of all school services, including, but not limited to, free and reduced breakfast or

lunch, transportation, extracurricular activities, athletics, awards, institutional scholarships, and educational instruction, so as to not infringe the equal rights of all students to public education; and

BE IT FURTHER RESOLVED, that the Cambrian School District reaffirms the authority of the Superintendent to protect the data and identities of students, their families, and personnel to the fullest extent provided by the law. Cambrian School District personnel shall not, unless compelled by a judicial order or lawfully issued subpoena, or by any required parental notification signed release, disclose any information about a student's or family's immigration status, or any information about a student that is protected by FERPA,

BE IT FURTHER RESOLVED, that all Cambrian School District schools and programs are safe places for learning for students.

- Cambrian School District personnel shall not:
 - Inquire about or record a student's or a family member's citizenship or immigration status, including by requiring documentation of a student's legal status, such as a green card or citizenship papers, at initial registration or at any other time;
 - Make unreasonable inquiries from a student or a student's family that could expose the immigration status of the student or student's family;

BE IT FURTHER RESOLVED, that the Superintendent shall develop a plan to:

- Distribute this resolution, translated into all appropriate languages, to:
 - All Cambrian School District, school sites, and personnel including: employees, contractors, volunteers, representatives, which are hereby directed to comply with the general guidelines and principles outlined herein; and
 - All students and parents, along with a renewed FERPA notice explaining when information may be shared and what information is classified as "directory" information and providing a renewed opportunity to opt out of directory information disclosure, also translated into all appropriate languages;
- Ensure that all Cambrian School District personnel are adequately trained to implement this resolution;

PASSED AND ADOPTED by the Board of Trustees of the Cambrian School District of Santa Clara County, State of California this 16th day of February 2017, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

I do hereby certify that the foregoing is a full true and correct copy of a resolution adopted by said Board at a regular meeting thereof held at its regular place of meeting at the time and vote stated which resolution is on file in the office of said Board.

Cambrian School District Board of Trustee