

**MOTIONS/RESOLUTIONS PRESENTED TO
THE LOS ANGELES CITY BOARD OF EDUCATION FOR CONSIDERATION**

SUBJECT: ~~LA Unified Identifying~~ Campuses as Safe Zones and Resource Centers for Students and Families Threatened by Immigration Enforcement (Res-032-15/16) (Waiver of Board Rule 72)

DATE NOTICED: 02-09-16

PRESENTED FOR ACTION: 02-09-16

PRESENTED BY: Mr. Zimmer, Dr. Rodriguez,
Ms. García

MOVED/SECONDED BY: Ms. Ratliff /
Dr. Vladovic

MOTION:

RESOLUTION: x

Whereas, The Governing Board of the Los Angeles Unified School District has repeatedly urged the federal government to enact humane comprehensive immigration reform ~~that includes a path to citizenship, keeps families together, and improved enforcement and border security;~~

Whereas, This call to action has been made most recently in 2014 with the unanimous passage of Mr. Kayser's Keeping LAUSD Families Together resolution, as well as Ms. García's 2013 Urge Action for Comprehensive Immigration Reform from the 113th Congress resolution;

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, the harm it would inflict on the child and society itself, and equal protection rights of the 14th Amendment;

Whereas, Recent media reports state that since the 2015 holiday season, at least 121 people, many of them from Central American countries, have been detained by the Office of Immigration and Customs Enforcement (ICE) in raids in Texas, Georgia, and North Carolina, ~~and Minnesota~~;

Whereas, Large scale ICE operations under the new directive have not yet been carried out in Southern California, although the fact that immigration enforcement affects LA Unified families every day, the Administration's shift in enforcement priority has created a climate of heightened fear and anxiety for many District students and their families;

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, Some government agencies have adopted policies that resist any government action that may lead to the discovery of a person's immigration status;

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;

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Whereas, There is no written state or federal law that mandates that local districts assist ICE in the enforcement of immigration laws;

~~Whereas, Precedence exists for government agencies rejecting certain actions with the objective of discovering the immigration status of a person. For example, Los Angeles Police Department Special Order No. 40 states “Officers shall not initiate police action with the objective of discovering the alien status of a person”; now, therefore, be it~~

Resolved, That the Governing Board of the Los Angeles Unified School District hereby restates its position that Congress act NOW to enact humane comprehensive immigration reform;

Resolved further, The Board declares that any school every site or office of Los Angeles Unified School District site is a safe place for all its students and their families and that students and their families can come to any District school or office to seek help, assistance, information, shelter and safety if faced with fear and anxiety about from any and all non-criminally related immigration enforcement efforts;

Resolved further, that the Superintendent shall establish all K-12, early ed centers, adult schools, and parent centers be established as resource and information sites for students and their families, and that the Board encourages the Superintendent to increase and enhance partnerships with community-based organizations and legal services 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,

Resolved further, In order to provide a public education, regardless of child or family’s immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, and in absence of proof of criminal proceedings as determined by a law enforcement agency, the District shall abide by the following conduct:

- ~~1.~~ District personnel shall treat all students equitable in the receipt of all school services, including but, not limited to, the free and reduced lunch program, transportation, and educational instruction;
- ~~2.~~ District personnel shall not inquire about a student’s immigration status, including that of family members;
- ~~3.~~ ~~If parents or students have questions about their immigration status, school personnel shall not refer them to any office or representative of the Immigration and Customs Enforcement Office (ICE);~~
4. 3. Any request by ICE for data information or to visit access a school site shall be immediately forwarded to the Superintendent and General Counsel for review and a decision on whether to allow access to the site, and/or the information to ensure District compliance with Plyler and other applicable laws;

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~~Resolved further, All K-12, adult schools, and parent centers be established as resource and information sites for students and their families, and that the Board encourages the Superintendent to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation and that a rapid response network be established to assist children whose family members have been detained,~~

~~Resolved further, That the Superintendent shall ensure all teachers, school administrators, and other staff will be trained on how to implement this policy and notification in multiple languages be distributed to families to fully inform them of their rights in the District; and, be it finally~~

~~Resolved further, that the Superintendent shall prepare an implementation plan defining partnerships with community organizations and training and support for school site employees to ensure rapid response and effective coordination and report back to the Board in 90 days, and be it finally~~

~~Resolved, The Board instructs the Superintendent and the Office of Legislative Affairs to forward a copy of this resolution to the Los Angeles delegation members of Congress.~~

AYES NOES ABSTAIN ABSENT

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|------------------------|----------|--|--|--|
| Ms. Garcia | X | | | |
| Dr. McKenna | X | | | |
| Ms. Ratliff | X | | | |
| Dr. Rodriguez | X | | | |
| Mr. Schmerelson | X | | | |
| Dr. Vladovic | X | | | |
| Mr. Zimmer | X | | | |
| TOTAL | 7 | | | |

ACTION: ADOPTED AS AMENDED