

**FRESNO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 16-14

RECOGNITION OF A SAFE PLACE SCHOOL DISTRICT

Whereas, The Fresno Unified School 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;

Whereas, The Declaration of Independence of the United States of America recognizes every individual's right to life, liberty, and the pursuit of happiness;

Whereas, The United States of America was built by diverse peoples, both native and immigrant alike;

Whereas, Education has played a critical role in furthering tolerance and strengthening our society;

Whereas, All students have the right to attend school regardless of their immigration status. The United States Supreme Court in 1982 ruled in *Plyler v. Doe* that public schools are prohibited from denying students access to elementary and secondary public education based on their immigration status, citing that children have little control over their immigration status, that the denial of a public education inflicts long-term harm on the child and society itself, and violates the constitutional protection of equal rights;

Whereas, In accordance with federal and state law, more than 25 California school districts, counties, and higher education institutions have adopted policies that restrict entanglement with Immigration and Customs Enforcement ("ICE");

Whereas, ICE activities in and around Fresno Unified School District facilities, including schools, early education centers, and adult school facilities would be a severe disruption to the learning environment and educational setting for all students;

Whereas, Students ability to achieve is undermined by the removal of their family members during ICE enforcement activities may leave students without adults to supervise or care for them;

Whereas, The City of Fresno is one of the most racially/ethnically diverse major cities in the United States;

Whereas, Sixty-three different languages are spoken in Fresno Unified School District schools including, Spanish, Hmong, Armenian, Korean, Tagalog, Cantonese, Arabic, Vietnamese, and Russian;

Whereas, On October 23, 2013, the Board of Education adopted Board Policy 0411, Diversity, Equity and Inclusion; and

THEREFORE BE IT RESOLVED: That the Governing Board of the Fresno Unified School District hereby declares that every Fresno Unified School District site is a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about any safety concern, including enforcement of immigration laws.

Be it Further Resolved, that the Fresno Unified School Board of Education directs the Superintendent to support the creation of a safe place school district. This designation shall include:

- Designate Fresno Unified School District School sites, facilities, and equipment as safe places for students, families, and the community;
- Promote tolerance and acceptance over hate speech;
- To the fullest extent allowed by law, the District shall not facilitate or participate in any immigrant enforcement activities at school sites or any other district properties;
- ICE agents shall not be allowed to enter school sites or district properties without complying with the requirements applicable to other state and local law enforcement authorities;
- The District shall not release a student to ICE agents without the express consent of the child's parent and/or guardian unless the District is required by law to do so.
- In accordance with Fresno Police Department Policy 428, school resource officers shall not enforce violations of immigration law;
- Partner with community-based organizations and legal services organizations who provide resources for families facing deportation;
- Support and allocate resources for site based activities that support diversity, inclusion, and the values of a multicultural society including Dreamers; and
- Develop and implement a plan, in consultation with stakeholder groups, to fulfill the requirements outlined within this resolution and report back to the Board.

Be it Further Resolved: That the Board directs the Superintendent to seek partnerships that provide students, staff, and families with critical information in-language including those related to immigration.

Be it Further Resolved: That the Fresno Unified School Board work closely with the City, County and other state and local municipalities and community organizations to ensure our students and families have a safe place for learning at all of our schools.

Be it Further Resolved: In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the District shall continue to abide by the following conduct:

1. District personnel shall not inquire about or record any information regarding a student's or a family member's immigration status;
2. No school site or school district personnel may disclose any information about students' or family members' actual or perceived immigration or citizenship status without parental consent or unless expressly required by law or court order;
3. To the fullest extent possible under the law, no school site or school district personnel shall be permitted to voluntarily disclose student information with immigration agents; and,
4. 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 Board reaffirms its focus on promoting and elevating tolerance, inclusiveness, and kindness of all students, families, and staff at all district school sites, facilities and material property;

Be it Further Resolved, The Board reaffirms the authority of the Superintendent to protect the data and identities of any student, family member, or school employee who may be adversely affected by any future policies or executive action that results in the collection of any personally identifiable information to the fullest extent provided by the law; and, be it finally

Be it Further Resolved, The Board reaffirms Fresno Unified School District's unequivocal commitment to ensuring a safe educational environment for all students, serving as a safe place school district for students and families regardless of immigration status, to the fullest extent provided by the law.

ADOPTED this 8th day of March 2017

AYES: 7
NOES: 0
ABSENT: 0



Brooke Ashjian, Board President



Robert G. Nelson, Interim Superintendent