

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 16-
COMMITMENT TO EDUCATION OF ALL CHILDREN
AND PROTECTION OF RIGHTS OF UNDOCUMENTED STUDENTS**

WHEREAS, the cities of Santa Monica and Malibu, like many cities in the United States, are the home and workplace of many immigrants, of both legal and undocumented status; and

WHEREAS, the Santa Monica-Malibu Unified School District (SMMUSD) desires to publically re-affirm our commitment to the values of treating one another with mutual respect, dignity, trust, and fairness; appreciation for the diversity of our community, students and workforce; and commitment to positive engagement of our school community in developing a deep appreciation of, and collegiality among, students and staff of all cultures; and

WHEREAS, the SMMUSD Board of Education recognizes that the right to a public education is deeply rooted in the fabric of our democratic society and that right extends to immigrants; and

WHEREAS, the United States Supreme Court has ruled 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 the fact 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; and

WHEREAS, large scale Immigration and Customs Enforcement (ICE) operations have not yet been carried out in Southern California, but the signaled shift in enforcement priority by the President-elect has created a climate of heightened fear and anxiety for many District students and their families; and

WHEREAS, ICE activities in and around schools, early education centers, and adult school facilities would cause a severe disruption to the learning environment and educational setting for students; and

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; and

WHEREAS, there is no written state or federal law mandating that local districts assist ICE in the enforcement of immigration laws; and

WHEREAS, the district supports the policies and practices of the Santa Monica Police Department (SMPD) as expressed in a statement from the Police Chief Jacqueline Seabrooks dated November 22, 2016, that it will leave the enforcement of immigration violations to the federal authorities, stressing that, "This policy has been in effect because, similar to other municipal law enforcement agencies, we are sensitive to the principle that effective law enforcement depends on a high degree of cooperation between the SMPD and the public we serve;"

NOW THEREFORE, BE IT RESOLVED, that the SMMUSD Board of Education declares that all students have the right to attend school regardless of the immigration status of the student or the student's family members; and

BE IT FURTHER RESOLVED, that SMMUSD values the diversity of our students, employees and the communities we serve, supports social justice through our districtwide commitment to Excellence through Equity, and the Board of Education stands united in continuing to provide a safe learning environment for all students; and

BE IT FURTHER RESOLVED, that District employees and volunteers shall treat all students equitably in the receipt of all school services, including but not limited to, educational instruction, the free and reduced lunch program, and transportation; and

BE IT FURTHER RESOLVED, that SMMUSD will partner with local agencies including the City of Santa Monica, City of Malibu, Santa Monica College, SMPD, Los Angeles Sheriff's Department and non-profit agencies and legal services agencies to provide resources and support to families with deportation concerns; and

BE IT FURTHER RESOLVED, that neither District employees nor volunteers shall inquire about or record a student's immigration status, nor that of family members, including asking for a green card, citizenship papers or social security number at initial enrollment or annual registration, or at any other time; and

BE IT FURTHER RESOLVED, that any request related to immigration status by ICE or any other group for information or to access a school site shall be immediately forwarded to the Superintendent, or designee; and

BE IT FURTHER RESOLVED, that the Superintendent shall inform all employees about this resolution and the availability of resources and support on this issue and that the Superintendent shall ensure a designated district director is trained and prepared to field questions from students and families; and

BE IT FURTHER RESOLVED, that copies of this Resolution shall be distributed to all school sites, parent groups, local, state and national officials representing the areas comprising the SMMUSD.

PASSED AND ADOPTED this 15th day of December 2016, at the regular meeting of the Santa Monica-Malibu Unified School District Board of Education by the following vote:

Ayes _____
Noes _____
Absent _____
Abstain _____

Laurie Lieberman, Member

Ralph Mechur, Member

Jon Kean, Member

Oscar de la Torre, Member

Craig Foster, Member

Maria Leon-Vazquez, Member

Richard Tahvildaran-Jesswein, Member

Christopher King, Co-Interim Superintendent

Sylvia Rousseau, Co-Interim Superintendent