

PASADENA UNIFIED SCHOOL DISTRICT
Pasadena, California



RESOLUTION 2386

**SAFE ZONES FOR STUDENTS
THREATENED BY IMMIGRATION ENFORCEMENT**

WHEREAS, the United States Supreme Court held in *Plyler 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; and

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

WHEREAS, although large scale ICE operations under any new directive have not yet been carried out in Southern California, immigration enforcement does affect Pasadena Unified School District 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; and

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 already adopted policies that resist any government action that may lead to the discovery of a person's immigration status; and

WHEREAS, in order to provide students a supportive and non-threatening environment in which their learning flourishes, the physical safety and emotional well-being of all Pasadena Unified School District students must be supported by assuring that our schools are safe and inviting for all students. The Pasadena Unified School District has previously taken many steps to achieve these goals, such as policies that it will not tolerate any form of discrimination, harassment or bullying; and

WHEREAS, student educational achievement is strengthened by parental involvement with the Pasadena Unified School District and parental participation in the various parental activities and contacts that occur at its school sites. The mission of Pasadena Unified School District is harmed when parental involvement with the school district or participation in school site parental activities and contacts are discouraged by fear that such involvement, participation, or contacts may expose parents or their children to adverse actions because of their immigration status; and

WHEREAS, a safe and inviting environment for students and a welcoming environment for parental participation in their students' education would be disrupted by fear and anxiety arising from the presence of personnel from ICE entering Pasadena Unified School District property for any purpose; 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 that mandates that local districts assist ICE in the enforcement of immigration laws;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Pasadena Unified School District declares that every Pasadena 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 related immigration enforcement efforts;

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

1. District personnel shall treat all students equitably 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. Any request by ICE for information or to 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 provision of information ensuring District compliance with *Plyler* and other applicable laws.

ADOPTED this 22th day of December, 2016, by the Pasadena Unified School District Board of Education in Los Angeles County, California.

Kimberly Kenne, President

Roy Boulghourjian, Vice President

Lawrence Torres, Clerk

Adrienne Ann Mullen, Member

Patrick Cahalan, Member

Elizabeth Pomeroy, Member

Scott Phelps, Member