

VENTURA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
RESOLUTION NO. 17-04

Board of Education's Commitment to Quality Education for All Students and Making Campuses Safe Zones for Students and Families

WHEREAS: The district's mission statement affirms that, "The Ventura Unified School District will educate all students in safe, healthy, and high performing schools. We will inspire all students to excel academically, honor the unique qualities and diverse backgrounds of all students, build supportive relationships, guide all students to reach their full potential, motivate all students to successfully pursue their chosen life path, and engage all students to become responsible and contributing members of society;" and

WHEREAS: The Governing Board of the Ventura Unified School District resolves to provide schools which are safe places for its students, ensuring healthy learning environments where students learn without fear; and

WHEREAS: The Ventura Unified School District has a significant migrant student population, and the anticipation of a potential shift in immigration policy has created a climate of heightened fear and anxiety for many district students and their families; and

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, and that all children have a constitutional right to a free and public education, citing that children have little control over their immigration status and are granted equal protection rights under the 14th Amendment, and considering the harm it would inflict on the child itself; and

WHEREAS: *Plyler v. Doe* (1982) cannot be revoked by the President, Congress or any state legislature; and

WHEREAS: There is no written state or federal law mandating that local districts assist U.S. Immigration and Customs Enforcement Office (ICE) in the enforcement of immigration laws; and

WHEREAS: Federal law guarantees all children the right to a free K-12 public education, including children who were brought to the United States without legal status; and

WHEREAS: Undocumented children are not alone in their fears. As teachers can attest, students who identify as LGBTQ, female, disabled, Muslim, or as a person of color perceive hateful statements and actions directed at them through a very different lens than others; and

WHEREAS: The Governing Board of the Ventura Unified School District provides strong protections against discrimination through previously-adopted board policies and administrative regulations; and

WHEREAS: Reports of potential raids by ICE have caused immigrant communities to fear sending and/or accompanying their children to schools and leaving their homes, even for needed medical services; and

WHEREAS: ICE activities in and around school facilities would be a severe disruption to the learning environment and educational setting for students; and

THEREFORE, BE IT RESOLVED: That the Board of Education, in solidarity with our diverse population, including immigrant community organizations, in light of the increasing tensions in immigrant communities, and the possible chilling effect on the educational rights of immigrant students and families by reports about ICE raids and proposals like some of the foregoing, the Board of Education hereby restates its position that all students have the right to attend school regardless of the immigration status of the child or of the child's family members; and

BE IT FURTHER RESOLVED: That the Board of Education states that all district students, who register for the following services and meet the federal and state criteria, are entitled to receive all school services, including free lunch, free breakfast, transportation, and educational services, even if they or their family are undocumented and do not have a social security number and that no school district staff shall take any steps that would deny students access to education based on their immigration status or any steps that would compromise the *Plyler* rights of these students to public education; and

BE IT FURTHER RESOLVED: That the board declares that every district site is a safe place for all students and families and encourages the superintendent to increase and enhance partnerships with community-based organizations; and

BE IT FURTHER RESOLVED: In order to provide a public education, regardless of a child's or family's immigration status, or any other protected class under California law, absent any applicable federal, state, local law or regulation or local ordinance or court decision, the district shall abide by the following conduct:

1. District personnel shall not treat students differently for residency determination purposes on the basis of their actual or perceived immigration status and 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 treat all students equitably regardless of immigration status, race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information.
3. District personnel shall review the list of documents that are currently used to establish residency and shall 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.
4. District personnel shall not inquire about immigration status, including requiring documentation of a student's legal status, such as asking for a green card or citizenship papers, at initial registration or at any other time.
5. District personnel shall not make unreasonable inquiries from a student or his/her parents for the purpose of exposing the immigration status of the child or his/her family.
6. District personnel shall not require students to apply for social security numbers nor should the district require students to supply a social security number.

7. Because it is the general policy of the district not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit, any request by ICE to visit a school site must be forwarded to the Superintendent's Office for review before a decision is made to allow access to the site.
8. All requests for information or documents related to immigration should be forwarded to the superintendent, who in consultation with legal counsel, shall determine if the information and/or documents can be released.

BE IT FURTHER RESOLVED: That the superintendent shall ensure that all teachers, school administrators and school and district office and other staff will be appropriately and adequately trained on how to implement this policy; and

BE IT FURTHER RESOLVED: That the board instructs the superintendent to post copies of this Resolution, translated into appropriate languages, on all district school web sites, and send copies to every school office, members of the District English Learner Advisory Committee (DELAC) and the City of Ventura Mayor's Office;

AND BE IT FINALLY RESOLVED: that all District personnel shall treat all students with dignity and respect, including the equitable provision of services.

ADOPTED, this 14 day of February 2017


President, Board of Education


Member, Board of Education


Member, Board of Education


Member, Board of Education


Member, Board of Education