



Santa Ana Unified School District

BOARD POLICY NO: 5145.13

EFFECTIVE: 07/16/2018

REVIEWED: 06/26/2018

SUBJECT: Educational Equity: Immigration and Citizenship Status

CATEGORY: Students

RESPONSIBLE OFFICE(S): K-12 School Performance and Culture - Educational Services

SCOPE:

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

POLICY:

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law.

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status.

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement.

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information.

DESIRED OUTCOME:

Through this policy, the Santa Ana Unified School District's Resolution No. 17/18-3205, in support of the Deferred Action for Childhood Arrivals (DACA) Program and Resolution No. 17/18-3222, to Support the Protection of Our Children, Our Staff, Our Families, and Our Communities will be reinforced. The District is committed to the success of all students and their families irrespective of their citizenship or immigration status.



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IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

District Policies and Procedures:

BOARD POLICIES

5000 Concepts and Roles

5030 Student Wellness

5125.1 Release of Directory Information

5145 Rights and Responsibilities

5145.3 Nondiscrimination/Harassment

Legal Reference:

EDUCATION CODE

[200](#) Educational equity

[220](#) Prohibition of discrimination

[234.1](#) Safe Place to Learn Act

[234.7](#) Student protections relating to immigration and citizenship status

48204.4 Evidence of residency for school enrollment

[48980](#) Parental notifications

[48985](#) Notices to parents in language other than English

GOVERNMENT CODE

8310.3 California Religious Freedom Act

PENAL CODE

[422.55](#) Definition of hate crime

[627.1-627.6](#) Access to school premises, outsiders

UNITED STATES CODE, TITLE 20



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[1232g](#) Family Educational Rights and Privacy Act

COURT DECISIONS

Plyler v. Doe, 457 U.S. 202 (1982)

Management Resources:

CSBA PUBLICATIONS

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

California Department of Justice: <http://www.justice.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System: <http://locator.ice.gov/odls>

ADOPTION AND REVISION HISTORY:

7-18