1 **RESOLUTION NO. 24/25-3627** 2 **BOARD OF EDUCATION** 3 SANTA ANA UNIFIED SCHOOL DISTRICT 4 ORANGE COUNTY, CALIFORNIA 5 REAFFIRMING THE VALUES OF SAUSD AS A 6 WELCOMING DISTRICT FOR ALL STUDENTS 7 WHEREAS, the Governing Board of the Santa Ana Unified School District (Board) is 8 committed to fostering a safe, inclusive, and welcoming environment for all students and staff. regardless of immigration status, cultural background, or other characteristics; and 9 10 WHEREAS, the Board believes in the fundamental right of all students and families to 11 seek education, resources, and support without fear of harassment, discrimination, retaliation, 12 bullying, and family separation or deportation; and 13 WHEREAS, the Board reaffirms its dedication to ensuring that all students have equal access to a high-quality education as guaranteed by Plyler v. Doe (1982), the Equal Protection 14 Clause of the 14th Amendment to the United States Constitution, and the California Constitution; 15 16 and 17 WHEREAS, the Board celebrates the rich diversity and honors the cultural wealth of its students, families, staff, and the greater school community, which include individuals from various 18 backgrounds: racial, ethnic, linguistic, cultural, socio-economic, sexual orientation, gender 19 20 identity and expression, and immigration status (including mixed status and undocumented families); and 21 22 WHEREAS, the District's policies prohibit unlawful discrimination, harassment, and 23 retaliation based on race, ethnicity, nationality, immigration status, religion, sexual orientation, gender identity or expression, disability, military status, and other characteristics protected by state 24 25 and federal law; and 26 WHEREAS, the Board acknowledges the importance of fostering spaces for civil 27 discourse, civic engagement, and learning to empower students to address societal challenges and 28 understand diverse experiences; and 29 WHEREAS, through Resolution No. 16/17-3157, the Board declared that any District site 30 or location was a non-threatening place for the students and their families to seek help, assistance, 31 and information without fear or anxiety about related immigration enforcement efforts; and 32 WHEREAS, through Resolution No. 16/17-3157, the Board instructed the Superintendent 33 to provide information to students and their families about immigration policies, executive directives, or statutes designed to affect a student's educational rights in California; and 34 35 WHEREAS, through Resolution No. 16/17-3157, the Board sought the creation of a rapid response network that would identify resources to assist students whose family members 36

had been detained and/or deported; and

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 WHEREAS, Resolution No. 16/17-3157 noted that current U.S. Immigration and Customs Enforcement (ICE) Policy No. 10029.2 (ICE 2011 Policy) dictated that ICE would not conduct immigration enforcement activity in or around any "sensitive locations," which was defined to include school premises, unless prior approval is obtained or exigent circumstances exist; and

WHEREAS, there is neither current state nor federal law that mandates that school districts assist ICE or any other federal immigration enforcement agency to enforce immigration laws; and

WHEREAS, in 2021 Board Policy 5145.13 was adopted titled Educational Equity: Immigration and Citizenship Status, which declared the policy of the District with regard to access to student records and school campuses for purposes of immigration enforcement; and

WHEREAS, California's Attorney General has defined the terms "immigration enforcement activities" to include apprehension, arrest, interview, search an individual or to conduct surveillance for immigration-enforcement; and

WHEREAS, the California Attorney General has cautioned that the ICE 2011 Policy setting general parameters for immigration enforcement activities in and around sensitive locations is subject to modification, or rescission, particularly after January 20, 2025 and, therefore, policies and practices should be updated to conform; and

WHEREAS, national news has recently reported on December 11, 2024 that Presidentelect Donald Trump has conveyed his intention to rescind the 2011 ICE Policy on his first day in office; and

WHEREAS, statements made by then-candidate, now-President-Elect Trump and his campaign officials have centered on immigration, including the Trump administration's plans to employ mass deportation strategies to deport undocumented individuals residing in the United States and to rescind the legal status of some immigrants; and

WHEREAS, these policies, if implemented, have the potential of separating family members from mixed immigration status families; and

WHEREAS, the first Trump administration instituted draconian and inhumane immigration policies that did lead to the separation of approximately 5,500 children from their parents, approximately 1,000 of whom have not yet been reunited. Despite these heinous and deplorable actions, the Trump administration could reinstate this practice.

NOW, THEREFORE, BE IT RESOLVED THAT:

All District sites are declared safe havens and welcoming spaces where students and their families can seek resources, assistance, and information from the District, understand that no District resources will be used for immigration enforcement purposes, and that all students, irrespective of immigration status, their families, and staff will be welcomed.

 District personnel shall not assist or cooperate with ICE or any other federal immigration enforcement agency to enforce immigration laws unless required by law and authorized by the Superintendent and General Counsel following a thorough legal review.

The District shall provide information regarding immigrants' rights resources, including, but not limited to mental health services, legal assistance for students and families, notario fraud prevention, financial aid options for postsecondary educational opportunities, and potential career paths.

The District shall provide training for staff and educators on supporting immigrant students and families, including awareness of legal rights and protocols for engaging with ICE and other representatives of federal immigration enforcement agencies.

 The District shall advocate for humane immigration and related policies at the state and federal levels of government, including support for the continuation of Deferred Action for Childhood Arrivals (DACA), other similar protective programs, and federal immigration legislation that creates a pathway to citizenship that will benefit many of the District's students and families and reduce the fear of family separation or deportation.

The District shall constantly monitor and respond appropriately to any change in the 2011 ICE Policy and related developments at the federal level that might impact District students, families, and staff. The policy and practice of not assisting ICE and any other immigration enforcement actions, including accessing District facilities and student records unless required by law and authorized by the Superintendent and General Counsel, shall continue.

 BE IT FURTHER RESOLVED that the Superintendent shall prepare an implementation plan within **45** days of adoption of this Resolution, detailing training programs, partnerships, and dissemination of information. Progress will be reported to the Board of Education every month.

Upon motion of Member <u>Bustos</u> and duly seconded, the foregoing Resolution was adopted by the following vote:

AYES: Bustos, Brazer Aceves, Magdaleno, Alvarez, NOES:
ABSTAIN: Lebsack
ABSENT:

 STATE OF CALIFORNIA) ss.

COUNTY OF ORANGE

 I, <u>Valerie Magdaleno</u>, Clerk of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the Board of Education at its regular meeting thereof, held on December 17, 2024, and passed by vote of <u>4-0-1</u> of said Board.

113 114	IN WITNESS HEREOF , I have hereunto set my hand and seal this 17 day of December 2024.
115 116	Valle M.
117	Valerie Magdaleno
118	Clerk, Board of Education
119	Santa Ana Unified School District