

RESOLUTION No. 37-17

We All Belong: Safe and Welcoming Schools for All

Whereas, the Davis Joint Unified School District (the District) is committed to ensuring that school remains a safe and welcoming place for all students and families, regardless of their 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 gender expression; and

Whereas, the District ascribes to the following beliefs affirmed in the District's Strategic Plan:

- We believe that every human being is unique and has inherent value.
- We believe we are connected and have responsibility to ourselves, one another, and the whole.
- We believe that a community has responsibility for the well-being of its members.
- We believe that education is a fundamental right.
- We believe that trust is essential to healthy relationships.
- We believe that diverse perspectives enrich our community. We believe that every person deserves to be treated with respect; and

Whereas, the Davis Board of Education recognizes the critical role of public education in developing citizens who are knowledgeable, critical thinkers and empathetic and compassionate to fellow members of a diverse community; and

Whereas, the U.S. Supreme Court has held, in *Plyler v. Doe*, 457 U.S. 202 (1982), that local school districts have a constitutional mandate to educate all students residing within their jurisdictional boundaries, regardless of immigration status; and

Whereas, the California Department of Education has declared California Public Schools as welcoming, safe places for learning and teaching for all students, regardless of immigration status, reaffirming guidelines that prohibit educational agencies from disclosing personally identifiable student information to law enforcement, without consent of a parent or guardian, a court order or lawful subpoena, or in the case of a health emergency; and recommending educational agencies do not collect or maintain documents related to immigration status; and

Whereas, on November 8, 2016, California voters passed Proposition 58, which recognizes the value and importance of students graduating from our schools proficient in both English and one or more other languages, and recognizing that a diverse student population greatly helps in accomplishing this goal; and

Whereas, Title IX is a Federal law that guarantees no person in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance on the basis of sex; and

Whereas, Congress enacted the Individuals with Disabilities Education Act (IDEA), originally in 1975 to bring meaningful educational opportunities for children with disabilities; and

Whereas, Dr. Martin Luther King, Jr., for whom the District has named a school, a leader of the civil rights movement whose commitment to freedom, peace and justice provide enduring lessons for our democracy; and

Whereas, Frances Ellen Watkins Harper, for whom the District has named a school, an African-American abolitionist, suffragist, poet and author, who in 1858 refused to give up her seat or ride in the segregated section of a trolley car in Philadelphia, played an active role in the fight for the rights of women, African Americans, and many other social causes; and

Whereas, Fred T. Korematsu, an American of Japanese descent, for whom the District has named a school, focused on social justice, remained a tireless advocate throughout his life for civil liberties, justice and the promises contained in the Constitution, was a role model for all Americans for being upstanders rather than bystanders; and

Whereas, César Chávez, an American of Mexican heritage for whom the District has named a school, dedicated his life to improving the lives of others and earned respect and admiration while leading through struggle and sacrifice, standing for dignity and justice for farmworkers, and remains a symbol of hope to all Californians who find hope and peace in justice; and

Whereas, in 2003 the Board of Education approved Board Policy 1270, requiring a Climate Committee at every school site to assist the principal in assessing and improving the school climate in order to “promote the district's core value of respect among all and a better understanding and respect of differences among the pupils and staff” and the District created the Office of School Climate and the position of School Climate Coordinator to continually assess and inform administration of the state of school climate and assist with its improvement; and

Whereas, the DJUSD Board of Education prioritizes the social and emotional well-being of students, and has approved both a Strategic Plan and the Local Control Accountability Plan that contain specific language committed to expanding the assessment and improvement of school climate, especially according to the principles of restorative practice; and

Whereas, while there are no accurate numbers of how many undocumented children are enrolled in the District's public schools; and

Whereas, approximately 24% of the District's students speak a language other than English at home and more than 40 native languages are spoken by families whose children are enrolled in the District; and

Whereas, the national presidential election results and pronouncements from national political leaders has caused students and families in Davis to express fear, sadness and concerns for personal safety and well-being in our community and in our schools including, but not limited to, those who feel targeted or marginalized because they are undocumented immigrants, LGBTQIA and/or Muslim; and

Whereas, ensuring that our District schools are safe and inviting for all students and their families will facilitate the physical safety and emotional well-being of all children and directly affect students' ability to learn and achieve; and

Whereas, the Board commends the empathy and efforts of staff, students and members of our school community who have reacted with grace and compassion and support for their neighbors and peers, as well as the efforts of the Superintendent for making communication on this topic a priority; and

Whereas, in 2008, Davis Joint Unified School District joined efforts with representatives from UC Davis and the City of Davis as part of an Executive Task Force to develop a *Principles of One Community* document, reflecting shared values and beliefs of the larger Davis community, defining the District as a welcome, safe space for all; and

Whereas, the Board of Education embraces the diversity of our students and families and the rich language and cultural assets they bring to our District and strongly supports and encourages the participation of all parents and families in our schools; and

Whereas, the U.S. Immigration and Customs Enforcement (ICE) 2011 policy states that immigration enforcement activity will not be conducted at any sensitive location, which includes schools, without special permission by specific federal law enforcement officials; unless exigent circumstances exist; 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;

Therefore, Be It Resolved, by the Board of Education of the Davis Joint Unified School District, in the County of Yolo, State of California, that the Board of Education reaffirms its focus on promoting and elevating compassion, acceptance, inclusiveness and safety of all students, families and staff; and reaffirms every District site is a safe and welcoming place for all with schools that promote appropriate civil discourse and the free exchange of ideas in a climate of peace, respect and openness to diverse perspectives;

Resolved further, the Board of Education hereby restates its position that every student has the right to attend school regardless of the child's immigration status, including students who are undocumented or who have undocumented parents or guardians;

Resolved further, that the District will work closely with ~~other local government agencies, non-profits, businesses and~~ community partners groups to ensure that all students and families, including those that are undocumented or marginalized, are able to receive education in a safe and supportive environment;

Resolved further, that the Board reaffirms the authority of the Superintendent to protect the data and identities of any student, family member, or school employee who may be adversely affected by any future federal policies or executive action that attempts to collect any personally identifiable information to the fullest extent provided by the law;

Resolved further, that when any of the District's school sites receives a request for information that implicates individual privacy rights (including with respect to immigration status, religion, or other protected characteristic, see *AR 5145.3 Nondiscrimination/ Harassment*) the District shall consider all legally permissible actions to protect the privacy rights of students and families;

Resolved further, that the District will not ask about a child's immigration status or collect information regarding a child's and/or family's immigration status when enrolling students in the District;

Resolved further, that the service of any legal process of any kind whatsoever (including, but not limited to, subpoenas, petitions, complaints, writs and/or warrants) in which is named the District, and/or any of its elected or appointed officers or employees in their official capacity, shall be directed for service to the Office of the Superintendent;

Resolved further, that any federal immigration officials intending to enter any District school property or requesting access to student information shall be instructed to provide reasonable advance written notice to the Superintendent or designee so that the Superintendent can take steps to seek appropriate legal counsel and provide for the emotional and physical safety of students and staff, with District staff to be trained on proper response to unannounced efforts to interview students, or gain access to student information, to ensure the protection of students rights and compliance by all concerned with governing laws and regulations;

Resolved further, that the Board instructs the Superintendent to distribute copies of this Resolution within thirty (30) days of the Resolution's enactment date, to all parents/guardians, staff and school sites, and to ensure that the District's District English Learner Advisory Committee (DELAC), English Learners Advisory Committees (ELAC) and Climate Committees are informed and to provide for access in multiple languages on the District website;

Resolved further, that the Superintendent is directed to work with District staff and counsel to develop policies, procedures implementing and advancing the principles herein including a clear communication plan for students, staff and families, and to report back to the Board by the first Board meeting in May;

Resolved further, that the Superintendent shall ensure all teachers, school administrators, and other staff will be informed appropriately to implement policies and procedures; and let it be finally

Resolved, that the Board reaffirms that Davis Joint Unified School District's unequivocal commitment to providing a school climate of peace, respect and openness to diverse perspectives where all students, staff and families belong.

Passed and Adopted by the Board of Education of the Davis Joint Unified School District this 2nd day of February 2017;

Revised, Passed and Adopted by the Board of Education of the Davis Joint Unified School District this 4th day of May 2017:

AYES:
NOES:
ABSENT:

Barbara Archer, President
Board of Education

John A. Bowes, Ed.D.
Superintendent