



Resolution Number: 2024-25-24

Joint Resolution Upholding CUSD's Commitment to Provide Equal Access to Education for All Children and Families Regardless of Immigration Status

WHEREAS, the Campbell Union School District (CUSD) Board of Education (the Board) unanimously approved Resolution 2016-17-24 Reaffirming Support of Immigrant Students and Families on March 16, 2017; and

WHEREAS, the Campbell Elementary Teachers Association (CETA) represents 389 of certificated employees; and

WHEREAS, the California School Employees Association Local Chapter 868 (CSEA) represents 432 of classified employees; and

WHEREAS, the United States Supreme Court declared in *Plyer v. Doe* that no public school district may deny any child access to a free public education on the basis of that child's immigration status; and

WHEREAS, California law affords all persons in public school equal rights and opportunities at educational institutions, regardless of their nationality, immigration status, race or ethnicity, religion, ancestry, gender, sexual orientation, gender identity, transgender status, marital status, pregnancy status, or veteran status (Ed Code 200); and

WHEREAS, the Family Educational Rights and Privacy Act (FERPA) and Administrative Regulation 5145.13 prohibit the disclosure of personally identifiable student information to immigration enforcement authorities without the consent of a parent or guardian, a court order, or judicial subpoena; and

WHEREAS, California law and CUSD Board Policy 5145.13 prohibits schools from collecting or maintaining documents that may be related to immigration status, including passports, visas, and social security numbers, as they are not needed by a school district and place student privacy at an unnecessary risk (Ed Code 234.7); and

WHEREAS, CUSD Board Policy and Administrative Regulation 5145.13, in alignment with the model policy developed by the California Attorney General, prohibits school administrators from granting immigration enforcement officials immediate access to a school campus, or providing assistance with immigration enforcement, absent exigent circumstances or presentation of a federal judicial warrant; and

WHEREAS, CUSD, the Board, CETA, and CSEA recognize that in order for schools to properly educate students, our students and their families must feel safe attending, sharing information, participating in activities, and traveling to and from school; and

WHEREAS, a positive school climate is one in which students and families feel welcomed, supported, and connected; and studies show that healthy school climates contribute to academic achievement and other positive outcomes for students and that it is critical to student success that schools take steps to protect the integrity of their learning environments for all children; and

WHEREAS, numerous students' education, safety, emotional well-being, and family relationships are at risk because of immigration raids, and reports of potential immigration raids have caused immigrant communities to fear sending and/or accompanying their children to schools; and

WHEREAS, educational personnel are often the primary source of support, resources, and information to assist and support students and student learning, which includes their emotional health; and

WHEREAS, CUSD, the Board, CETA, and CSEA are committed to ensuring that our District is a safe and welcoming place for all our students and their families; and

NOW, THEREFORE, BE IT RESOLVED, that CUSD, the Board, CETA, and CSEA reaffirms that the District is commitment to ensure equal access to education for all students, regardless of immigration status, and to promote belonging, kindness, and respect for all students, families, and staff; and

BE IT FURTHER RESOLVED, that all CUSD schools and programs are considered safe havens for students and their families to the fullest extent allowed by law and in accordance with CUSD Board Policies and Administrative Regulations; and

BE IT FURTHER RESOLVED, that CUSD schools and programs provide multi-language resources for our students, staff, and their families in partnership with cities and the county on legal assistance, immigrant rights, educational resources, mental and physical healthcare, and public safety; and

BE IT FURTHER RESOLVED, that CUSD will work with labor partners, community-based organizations, and immigration advocates to provide training and support for students, staff, and their families on immigrant rights, understanding various legal statuses, and the overall health and well-being of those affected by changes in immigration policies; and

BE IT FURTHER RESOLVED, that CUSD will strongly oppose any effort to create federal laws, policies, or practices that require school districts to cooperate with immigration enforcement actions and invalidate constitutional protections. We reaffirm the authority of the Superintendent to protect the data and identities of students, their families, and personnel to the fullest extent provided by law and in accordance with CUSD Board Policies and Administrative Regulations; and

BE IT FURTHER RESOLVED, that CUSD staff are encouraged to support students and their families who express concern about immigration enforcement actions at school, including students who may not be attending school because of such concerns, through referrals to online and community-based legal services organizations that provide resources for immigrant families; and

BE IT FURTHER RESOLVED, that administrators and staff are encouraged to make available rapid-response resources, such as legal guardianship documents and referrals to social and legal service providers, to assist students whose family members have been detained; and

BE IT FURTHER RESOLVED, that administrators and staff shall treat all students equitably in the receipt of all school services; and

BE IT FURTHER RESOLVED, that in order to provide a public education, regardless of a child's or family's immigration status, 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.

2. District personnel shall review the list of documents that are currently used to establish student age and residency and shall ensure that any document requirements would not discourage or bar a student who is undocumented or whose parents are undocumented from enrolling in or attending school.
3. District personnel shall not inquire about a student's 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.
4. District personnel shall not make unreasonable inquiries from a student or their parents for the purpose of exposing the immigration status of the child or their family.
5. District personnel shall not require students to apply for Social Security numbers nor should the District require students to supply a Social Security number.
6. If parents and/or students have questions about their immigration status, school personnel shall not refer them to ICE but should instead refer them to community-based and legal organizations that provide resources for immigrant families and families facing deportation.
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 by ICE shall be forwarded to the Superintendent, who in consultation with District legal counsel, shall determine if the information and/or documents can be released to ICE.

BE IT FURTHER RESOLVED, CUSD, the Board, CETA, and CSEA will continue to find ways to ensure all our students and families, regardless of immigration status, are welcomed, supported and safe at our schools.

PASSED AND ADOPTED by the Governing Board of Campbell Union School District at a meeting held on May 15, 2025, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

CETA President

Board President

CSEA #868 President

Board Clerk