

Sunnyvale School District
RESOLUTION NO. R26-06

**RESOLUTION ON LIMITING IMMIGRATION ENFORCEMENT ON SCHOOL
GROUNDS AND SAFEGUARDING ALL STUDENTS**

WHEREAS, the Sunnyvale School District Promise states, "Every student is known by name, strength, and need, ready to excel in high school and beyond, and to lead a life of joy and purpose," and Strategic Plan Goal #1 states, "Every student will experience a sense of belonging, trusting relationships with teachers and staff, and access to timely support;" and

WHEREAS, at a meeting held on January 26, 2025, the Sunnyvale School District Board of Education unanimously approved Resolution No. 25-13 to Affirm Support of Students and Families Regarding Immigration Enforcement Actions at Schools; and

WHEREAS, our City and County, like many across the nation, are the home and workplace of immigrant communities, including persons with both documented and undocumented immigration status; 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 the participation of all parents and families in our schools; and

WHEREAS, all children in the United States are entitled to equal access to a public education, regardless of their parents' national origin, citizenship, or immigration status, as affirmed by the U.S. Supreme Court in *Plyler v. Doe* (457 U.S. 202, 1982); and

WHEREAS, California law (Education Code §§200, 220, 234.1, 234.7) affords all persons in public schools equal rights and prohibits discrimination on the basis of immigration status in any educational program or activity; and

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

WHEREAS, Assembly Bill 49 (2025), known as the **California Safe Haven Schools Act**, establishes that:

- School officials and employees shall not allow any officer or employee engaged in immigration enforcement to enter a school site for any purpose unless the officer presents valid identification, has a judicial warrant or court order, or there is an exigent circumstance requiring immediate action;
- Even under those circumstances, access must be limited to areas where students are not present;
- The superintendent or designee must promptly report any request for access or information to the Board of Education while maintaining confidentiality of personally identifying information;

- The Attorney General must update and provide model policies, which local educational agencies are required to adopt or revise to ensure compliance with AB 49; and

WHEREAS, the Sunnyvale School District Board of Education recognizes that a relationship of trust between immigrant families and local agencies, including schools, is essential to carrying out the basic functions of our community and assuring that all residents feel safe and supported;

NOW, THEREFORE, BE IT RESOLVED:

1. Safe Haven Commitment

Sunnyvale School District reaffirms its commitment to protect equal access to education for all students, regardless of immigration status, and to promote inclusiveness, kindness, and respect for all students, families, and staff. All District schools and programs shall be designated safe havens consistent with AB 49.

2. Restriction on Immigration Enforcement on School Grounds

In accordance with AB 49, no employee or school official shall permit an immigration enforcement officer to enter any school site unless the officer presents valid identification and a judicial warrant or court order to the Superintendent for review, in consultation with District legal counsel, before a decision is made to allow access to the site.

3. Reporting & Confidentiality

All requests for access or information by immigration enforcement officers shall be forwarded to the Superintendent, who, in consultation with legal counsel, shall promptly report the request to the Board of Education while maintaining the confidentiality of any personally identifiable information, consistent with FERPA and Ed Code.

4. Policy Alignment & Staff Training

The Superintendent shall ensure that all District policies and administrative regulations are updated and that all staff receive training on how to respond appropriately to immigration enforcement requests.

5. Community Reassurance & Resources

The District will continue to partner with the City, County, and community-based organizations to provide multilingual resources for students, staff, and families on legal assistance, immigrant rights, educational resources, healthcare, and public safety.

6. Advocacy & Legislative Agenda

The Board of Education will continue to strongly oppose any effort at the state or federal level that undermines the rights of immigrant students and families, and will advocate for policies such as Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), and refugee protections.

7. Communication to Families

The Superintendent shall ensure that all families are informed of this resolution in English and Spanish, that copies are distributed to all school sites, and that the District's advisory committees and community partners are engaged in monitoring its successful

implementation.

PASSED AND ADOPTED by the Sunnyvale School District Board of Education at a meeting held on September 4, 2025, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Bridget Watson
Board President

Michelle Maginot
Board Clerk