

**NEW HAVEN UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
Resolution No. 065-2526**

**Affirming All District Facilities and Programs as a Safe Haven for
Students and Families Threatened by Immigration Enforcement**

WHEREAS, the New Haven Unified School Board is committed to the success of all students and to providing a safe and welcoming place for students, their families, and staff irrespective of their citizenship or immigration status; and

WHEREAS, the New Haven Unified School District (NHUSD) is not creating a legal loophole or a defiance of federal law; it is the intentional creation of protections for an educational environment in which students' constitutional rights are prioritized over immigration enforcement; and

WHEREAS, all students and staff have the right to access school environments that are safe, inclusive, and free from bullying and discrimination, and to have their personally identifiable information protected in accordance with applicable law; and

WHEREAS, the NHUSD is committed to ensuring that students and families can participate in school and school-sponsored activities without fear, including by prohibiting the referral of students or families to immigration enforcement and limiting the disclosure of information except as legally required, recognizing that fear and exclusion are harmful to a student's sense of safety, belonging, and academic success; and

WHEREAS, the United States Supreme Court ruled in *Plyler v. Doe* (1982) that public schools are prohibited from denying students access to elementary and secondary public education based on their immigration status; and

WHEREAS, NHUSD has a minority enrollment of approximately 94%, with approximately 1,539 English Language Learners.

WHEREAS, reports indicate increases in the number of minors held in immigration custody in recent years; and

WHEREAS, recent ICE data indicates that a majority (often around 70%) of individuals in detention have no criminal convictions; and

WHEREAS, studies have found increased absenteeism and declines in academic performance during periods of heightened immigration enforcement; and

WHEREAS, research indicates that supportive school environments can help reduce stress and support student engagement; and

WHEREAS, research suggests that supportive school environments are associated with improved academic outcomes and student well-being.

WHEREAS, there are students who have indicated that they feel frightened by the presence of immigration enforcement in the Bay Area; and

WHEREAS, there are parents in the NHUSD who support the board of education passing a formal safe haven resolution to promote more proactive protections; and

WHEREAS, there are staff members who have indicated that they are not confident in their understanding of district protocols related to immigration enforcement, and have indicated that they are fearful of the possibility of ICE presence in and around NHUSD; and

WHEREAS, sanctuary policies are legal under the Tenth Amendment to the U.S. Constitution, which prevents the federal government from "commandeering" local officials to enforce federal law or coercively withholding unrelated funds to force compliance; and

WHEREAS, there is limited evidence that sanctuary designations lead to increased targeted enforcement; and

WHEREAS, the Hayward USD has adopted a resolution with "safe haven" language and has reported no known incidents of ICE attempting to enter school campuses; and

WHEREAS, the NHUSD maintains policies addressing responses to immigration enforcement that align with state legal requirements, but has not formally adopted a comprehensive proactive framework with clearly articulated implementation structures; and

THEREFORE, BE IT RESOLVED, that the Governing Board of the NHUSD hereby declares that all District sites, facilities, and programs are a safe haven for all students, district staff, and their families; and

BE IT FURTHER RESOLVED, that the District shall ensure that the Department of Student and Family Services shall serve as the central liaison for immigration information and support, including ensuring that the Family Service Assistants, who are present at all schools, receive the specialized training and support from an organization such as Alameda County Immigration Legal and Education Partnership (ACILEP) to serve as a resource for students and families; and

BE IT FURTHER RESOLVED, that the superintendent or designee will conduct an outreach campaign to ensure that the NHUSD community will have access to resources, procedures, and policies in a multilingual format; and

BE IT FURTHER RESOLVED, that all District students who meet federal and state criteria are entitled to receive all school services- including free meals, transportation, and educational instruction- regardless of the immigration status of the student or their family; and

BE IT FURTHER RESOLVED, that the District shall abide by the following conduct to ensure a credible, safe haven environment:

1. Enrollment Protections ("Don't Ask, Don't Require"): District personnel shall follow current policies to not inquire about a student's immigration status, and not require documentation of legal status (e.g., green cards or citizenship papers) or Social Security numbers at initial registration or any other time.
2. Broadened Privacy: The District shall protect all Personally Identifiable Information to the extent legally allowable that could facilitate enforcement, including home addresses, emergency contacts, pickup lists, and family member work locations- not just "status" documents.
3. "No Referral" Norm: If parents or students have questions about their immigration status, school personnel shall not refer them to immigration enforcement agencies but shall instead refer them to a District-approved list of community-based legal and service organizations.
4. Vendor and Partner Compliance: The District shall take all reasonable measures, including incorporating appropriate provisions into contracts and data-sharing agreements, to ensure that third-party vendors and partners with access to student information comply with applicable federal and state privacy laws and District policies

regarding student data confidentiality and non-disclosure, to the extent permitted by law and within the scope of services provided to the District.”

5. Centralized Review: All requests for information or campus access by immigration enforcement officials shall be handled through a centralized review process and forwarded to the designated District officials, including the Superintendent, Assistant Superintendent of Teaching & Learning, and the Director of Student & Family Services. These officials will coordinate with legal counsel to review the request.

BE IT FURTHER RESOLVED, that the Superintendent present to the Board within 90 days of the start of each year a check-in on these policies that includes:

1. Annual and onboarding dedicated staff training for all students and personnel, including front office staff, counselors, security, and after-school providers.
2. The distribution and posting of multilingual "Know Your Rights" signage and materials at all school sites, including all student resource centers, and District offices.
3. The creation of an easily accessible public-facing web hub that is consistently updated, containing multilingual safety protocols, resources, and contact points for families.

PASSED AND ADOPTED by the Governing Board of Education of the New Haven Unified School District, County of Alameda, this 19th day of May 2026, by the following vote.

AYES:

NAYES:

ABSTAINS:

ABSENT:

Dr. John Thompson, Superintendent
New Haven Unified School District
County of Alameda, State of California