



CAMBRIAN SCHOOL DISTRICT

Board of Trustees Resolution 24-25-10

AFFIRMING SUPPORT OF EQUAL ACCESS TO EDUCATION FOR ALL CHILDREN AND FAMILIES REGARDLESS OF IMMIGRATION STATUS

WHEREAS, at a meeting held on February 16, 2017, the Governing Board approved Resolution 16-17-10 to Affirm Support of Equal Access to Education Regardless of Immigration Status at Schools; and

WHEREAS, the U.S. Supreme Court 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 their immigration status; and;

WHEREAS, public schools in California are subject to all federal, state laws, and constitutional protections prohibiting discrimination on the basis of national origin, race, color, gender, sexual orientation, gender identity, transgender status, religion, ancestry, age, marital status, pregnancy status, veteran status, or disability; and

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

WHEREAS, the Family Educational Rights and Privacy Act (FERPA) prohibit educational agencies from disclosing personally identifiable student information to anyone, including law enforcement, without a court order or lawful subpoena, or consent of a parent or guardian, or in the case of a health emergency; and

WHEREAS, 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, California law and Board Policies 5131.2, 5145.9, and 5137, guarantee all students the right to attend school free of bullying, fear, intimidation, and discrimination (Ed Code 234.1); and

WHEREAS, the Cambrian School District Governing Board recognizes that, in order for students to have the capacity for learning and academic achievement, students and families must feel safe attending, sharing information, participating in activities, and traveling to and from school; and Promoting a Safe and Secure Learning Environment for All; and

WHEREAS, The Governing Board is committed to providing a safe, secure, and positive climate for learning in which all students and their families feel welcome; now

NOW, THEREFORE, BE IT RESOLVED, that the Cambrian 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; and

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

BE IT FURTHER RESOLVED, that the Cambrian School District reaffirms the authority of the County Superintendent of Schools to protect the data and identities of students, their families, and personnel to the fullest extent provided by the law. Cambrian School District personnel shall not, unless compelled by a judicial order or lawfully issued subpoena, or by any required parental notification signed release, disclose any information about a student's or family's immigration status, or any information about a student that is protected by FERPA; and

BE IT FURTHER RESOLVED, that the Cambrian School District personnel are encouraged to support students and 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.

PASSED AND ADOPTED by the Board of Trustees of the Cambrian School District of Santa Clara County, State of California this 6th day of February 2025, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

I do hereby certify that the foregoing is a full true and correct copy of a resolution adopted by said Board at a regular meeting thereof held at its regular place of meeting at the time and vote stated which resolution is on file in the office of said Board.

Cambrian School District Board of Trustees