MONTEBELLO UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 21(2016-2017)
A RESOLUTION OF THE BOARD OF EDUCATION OF THE MONTEBELLO
UNIFIED SCHOOL DISTRICT REGARDING THE DISTRICT’S DESIRE TO
SUPPORT EDUCATIONAL EQUALITY BY CONSIDERING ITSELF A “SAFE ZONE”
AND/OR “SANCTUARY DISTRICT”

The Board of Education of the Montebello Unified School District does hereby resolve as follows:

WHEREAS, the California Constitution prohibits maintenance and operation of the public school system in a way which denies basic educational equality to students;

WHEREAS, pursuant to Education Code section 200, it is the policy of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other protected characteristic, equal rights and opportunities in the educational institutions of California;

WHEREAS, pursuant to Education Code section 201, California’s public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity;

WHEREAS, there is an urgent need to teach and inform students about their rights, as guaranteed by the federal and state constitutions, in order to increase students’ awareness and understanding of their rights and the rights of others, with the intention of promoting acceptance and sensitivity in public schools;

WHEREAS, the Montebello Unified School District (“District”) calls for the community to work cooperatively toward the achievement of its educational goals, and desires to empower its students to be ethical, productive, successful and contributing members of a global society;

WHEREAS, the District is made up of an ethnically diverse student body, both native born and immigrants, whose collective cultures, backgrounds and viewpoints join to form a highly cosmopolitan community;

WHEREAS, the most effective approach to creating a nurturing school environment requires a comprehensive, coordinated effort including school-wide, District-wide, and community-wide strategies where all institutions, organizations, and individuals accept responsibility for their critical roles and collaborate to establish a positive environment for teaching and learning;

WHEREAS, the right to vote is an integral part of American democracy and constitutionally protected under the Fifteenth Amendment to the United States Constitution;

WHEREAS, on November 8, 2016, voters in California and across the nation participated in the democratic process by casting votes;
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WHEREAS, the national presidential election has resulted in District students, families
and school employees expressing their views, fears and concerns regarding the outcome of the
election;

WHEREAS, in response to the outcome of the national presidential election, District
students, families and school employees have stood firmly in unity with each other supporting
democratic principles and the right to public education;

WHEREAS, the United States Supreme Court in Plyler v. Doe, 457 U.S. 202 (1982),
held that state and local governments are prohibited from excluding undocumented children from
obtaining a free public education as protected by the Fourteenth Amendment to the United States
Constitution;

WHEREAS, there is no state or federal law that obligates local agencies to devote any
resources, financial or otherwise, to the enforcement of federal immigration laws;

WHEREAS, consistent with Plyler v. Doe and the District’s mission, the District shall
not use District funds, equipment or personnel for the purposes of detecting or apprehending
persons based on purported violations of federal immigration law;

WHEREAS, immigration enforcement 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;

WHEREAS, the District is a safe environment that would be disrupted by the presence
of immigration agents who come on to District property for purposes of removing District
students, families and school employees, or obtaining their information;

WHEREAS, immigration enforcement activities around schools create hardships and
barriers to health and educational attainment, and a pervasive climate of fear, conflict and stress
that affects all students in our District, regardless of their background or status, such that children
who have a status but whose family members, friends, or schoolmates do not, and students who
are themselves undocumented, are all affected and at risk;

WHEREAS, threats of legal action, and particularly of separation and deportation,
against students and their families create severe emotional, psychological and physical barriers to
learning and education that can and should be allayed or reduced through support systems
provided by the District; and

WHEREAS, the District assures its students, families and school employees that the
District is and will remain a safe zone ensuring that all of its schools are safe and protective
institutions for undocumented children and other vulnerable communities.
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NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of
Education of the Montebello Unified School District, as follows:

1. **Recitals.** The above recitals are confirmed, adopted, and incorporated herein and
   made a part hereof by this reference.

2. **Necessary Outlets.** The Montebello Unified School District Board of Education
directs the Superintendent of Schools to provide the necessary outlets for
expression, learning, communication, and information by the District family,
which may include: encouraging students, families, school employees, and
community partners to explore student and individual rights, the history of civics
and coalition building, as well as the struggle to make progress in light of
adversity.

3. **Protecting Information.** In order to provide a public education, regardless of
   student or family’s immigration status, the District shall abide by the following
   conduct:

   a. The District will continue to protect the data and identities of any
      student, family member, or school employee from disclosure to
      federal agencies or officials for purposes not directly related to the
      educational mission of the school or benefits for the students or
      families to the fullest extent permitted by law.

   b. In accordance with District policy, state and/or federal law, District
      personnel shall not inquire about a student’s immigration status,
      including that of his/her family members.

   c. Any request by any immigration agent for data information or to
      visit a school site to obtain such information shall be immediately
      forwarded to the Superintendent of Schools and the District’s legal
      counsel for review and a decision on whether to allow access to the
      site, and/or a decision on whether the information will ensure
      District compliance with *Plyler v. Doe* and other applicable laws.
      The request must be provided with adequate notice so that the
      Superintendent of Schools and District’s legal counsel can take
      steps to provide for the emotional and physical safety of its
      students, families and school employees.
4. **Safe Zone.** Montebello Unified School District Board of Education reaffirms its support for every individual embracing public education and that the District schools will continue to serve as a safe zone for families threatened by immigration enforcement or discrimination to the fullest extent permitted by law, as well as maintain itself as a protective institution for all vulnerable communities including, but not limited to, the LGBTQ community, women, political minorities, etc.

   a. The District will not enter into agreements for the enforcement of federal immigration law, except as required by law.

   b. The District and its staff, faculty, employees, and campus police will not honor any detainers or requests by immigration enforcement officials, except as required by law.

   c. District police shall create a policy acknowledging that they have no authority to enforce federal immigration law and declaring that they will not participate in immigration enforcement efforts of federal authorities, except as required by law.

5. **Joint Statement.** The Montebello Unified School District Board of Education and Superintendent of Schools may submit a copy of this Resolution and a joint statement to all necessary state and federal agencies holding the position that the Montebello Unified School District will continue to celebrate core ideals that include liberty, equality, democracy, collective responsibility, equity, unity and diversity. The Montebello Unified School District Superintendent of Schools may forward a copy of this Resolution to the Los Angeles delegation members of Congress.

6. **Resource and Information Sites.** The Superintendent of Schools may establish all K-12, early education centers, adult schools, and parent resource centers as resource and information sites for students and their families, and the Montebello Unified School District Board of Education encourages the Superintendent of Schools to increase and enhance partnerships with community-based organizations and legal services organizations who provide immigration information as well as resources for families facing deportation such that a rapid response network be created to assist children whose family members have been detained.
7. **Equitable Treatment.** District personnel shall treat all students equitably in the receipt of all school services, including but not limited to, free and reduced lunch programs, transportation, and educational instruction. Further, the District shall promote learning and protect the safety and well-being of all students consistently and non-discriminatorily as required by law.

8. **Training.** The Superintendent of Schools shall train all District teachers, school administrators, and staff on how to implement this Resolution and he/she shall distribute notifications to District families in multiple languages, as necessary, to fully inform them of their rights guaranteed by law.

9. **Advisory Committee.** The Superintendent of Schools shall establish an educational equality advisory committee within 90 instructional days, as of the effective date of this Resolution, to consider immigration issues and policies impacting vulnerable communities (e.g., the LGBTQ community, women, political minorities, etc.) that may adversely affect District students and school employees. Such committee may make recommendations regarding District policy, but their actions shall not be binding on the Montebello Unified School District Board of Education. This advisory committee should include representation from all affected parties, and with Board approval, the Superintendent of Schools may appoint committee members.

10. **Implementation Plan.** The Superintendent of Schools shall prepare an implementation plan in collaboration with the educational equality advisory committee which defines partnerships with community organizations in order to train and support school site employees for rapid responses and effective coordination in compliance with this Resolution and report back to the Montebello Unified School District Board of Education by June 30, 2017.

11. **Severability.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall be held to invalidity irrespective of any other section of this Resolution.

12. **Conflicts.** All resolutions or parts of resolutions in conflict with any provision of this Resolution are now repealed.
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13. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 15th day of December, 2016

Montebello Unified School District Board of Education

Date: December 15, 2016

By: [Signature]
Lani Cupchoy, Ph. D.
Board of Education, President

By: [Signature]
Edgar Cisneros
Board of Education, Vice-President

By: [Signature]
Joanna Flores
Board of Education, Clerk

By: [Signature]
Hector Chacon
Board of Education, Member

By: [Signature]
Benjamin Cárdenas
Board of Education, Member