

**Burbank Unified School District
Office of the Superintendent**

REPORT TO THE BOARD

TO: Members of the Board of Education
FROM: Matt Hill, Superintendent
PREPARED BY: Kimberley Clark, Executive Assistant to the Superintendent
SUBMITTED BY: Kimberley Clark, Executive Assistant to the Superintendent
DATE: February 2, 2017
SUBJECT: Adoption of Resolution 15 – Reaffirming a Safe and Nondiscriminatory School Environment

Background:

The State Superintendent of Public Instruction Tom Torlakson released a letter on December 21 encouraging all California public schools to be declared “safe havens” for students and their parents and to remind families about existing laws that protect students’ records from questions about immigration status. Since the presidential election, reports of bullying, harassment, and intimidation of K-12 students based on immigration status, religious, or ethnic identification are on the rise according to Torlakson in the letter, which was distributed to county and school district superintendents, charter school administrators, and principals.

Discussion/Issues:

California serves more than 6.2 million kindergarten through twelfth grade students with the most diverse population in the nation. At the Burbank Unified School District the safety of our students is our top priority. The Board of Education and District staff make a commitment to our students and their families that schools remain safe places to learn.

The California Department of Education (CDE) will continue to provide local educational agencies (LEAs) with guidelines about existing laws that protect student records, including the 1984 *Plyler v. Doe* U.S. Supreme Court decision that requires schools to enroll all eligible children regardless of immigration status. Any District student or family member who has questions or concerns regarding this issue should contact the Superintendent’s Office at (818) 729-4422.

Fiscal Impact:

None

Recommendation:

Matt Hill, Superintendent, recommends that the Board of Education adopt Resolution 15, Reaffirming a Safe and Nondiscriminatory School Environment, as presented.



**BURBANK UNIFIED SCHOOL DISTRICT
2016-2017 RESOLUTION NO. 15**

REAFFIRMING A SAFE AND NONDISCRIMINATORY SCHOOL ENVIRONMENT

WHEREAS, in our community, we have strong and unwavering values regarding the humanity and dignity of every person, the importance of showing compassion to each other, and the right of individuals to freedom and safety; and

WHEREAS, the Burbank Unified School District has and continues to be committed to fostering safe and healthy environments conducive to learning; and

WHEREAS, the Burbank Unified School District has and continues to be committed to protecting all rights afforded to students under federal and state law and regulations, and Burbank Unified School District policies and procedures; and

WHEREAS, the Burbank Unified School District has worked to cultivate an environment of acceptance, support, and kindness for all; and

WHEREAS, the Burbank Unified School District is committed to its core values of a strong Work Ethic, Integrity, Accountability, Honesty/Openness, Caring, Respect, Fairness, Citizenship, Passion, and Enthusiasm; and

WHEREAS, the Burbank Unified School District seeks to provide a well-rounded and quality education that exposes students to cultures that are critical to understanding our nation, past and present, and that helps our students appreciate the histories and cultural contributions of their own communities; and

WHEREAS, the United States Supreme Court held in *Plyler v. Doe* (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing that children have little control over their immigration status, the harm it would inflict on the child and society itself, and equal protection rights of the 14th Amendment; and

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

THEREFORE BE IT RESOLVED that the Burbank Unified School District declares that every Burbank Unified School District site is a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about related immigration enforcement efforts;

AND BE IT RESOLVED FURTHER, that in order to provide a public education, regardless of a child or family's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the District shall abide by the following conduct:

- District personnel shall treat all students equitably in the receipt of all school services, including, but not limited to, the free and reduced lunch program, transportation, and educational instruction;
- District personnel shall not inquire about a student's immigration status, including that of family members;
- Any request by Federal immigration officials for information or to access a school site shall be immediately forwarded to the Superintendent for review and a decision on whether to allow access to the site and provision of information ensuring District compliance with *Plyler* and other applicable laws.

APPROVED by the Board of Education of the Burbank Unified School District, at a regular meeting thereof held on the 2nd day of February, 2017.

Ayes:

Noes:

Abstain:

Absent:

Clerk, Board of Education