

SACRAMENTO COUNTY BOARD OF EDUCATION
10474 Mather Boulevard
P.O. Box 269003
Sacramento, California 95826-9003

TO: Members, County Board of Education

FROM: David W. Gordon, Secretary to the Board

SUBJECT: Agenda – Regular Meeting – Tuesday, March 21, 2017

Regular Session: 6:30 p.m.

NOTE: The Sacramento County Office of Education encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, contact the Superintendent's Office at 916.228.2410 at least 48 hours before the scheduled Board meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132).]

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Approval of the Minutes of the Regular Board Meeting of March 7, 2017
- IV. Adoption of Agenda
- V. Official Correspondence
- VI. Visitor Presentations
 - A. General Public
 - B. Employee Organizations

NOTE: Anyone may address the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2.

Anyone may appear at the Board meeting to testify in support of or in opposition to any item being presented to the Board for consideration. If possible, notify the Board President or Board Secretary in writing prior to the meeting if you wish to testify.

- VII. Superintendent's Report
 - A. Recognition of the April 2017 Employees of the Month

Classified Employee: Kecia Sakazaki, Transition Specialist, Community Schools

Certificated Employee: Kevin Elkington, Teacher, Community Schools

VIII. New Business

A. Adoption of Consent Agenda – David W. Gordon

1. Accept Report on Personnel Transactions – Effie Crush

2. Award Diplomas to Court School Students – Dr. Matt Perry

B. Approval of Contracts – Tammy Sanchez

C. No Grant Applications/Service Contracts

D. Approval of the 2016-2017 Budget Revision No. 2 – Tammy Sanchez

E. Approval of the Second Interim Financial Report for the 2016-2017 Fiscal Year – Tammy Sanchez

F. Adoption of Resolution No. 17-05 – Resolution in Support of Creating a Safe and Positive Learning Environment – Executive Committee

G. Board Report – Foster Youth – Dr. Al Rogers

IX. Board Reports, Comments, and Ideas

A. Board Members

B. Board President

C. Committees

X. Items for Distribution

A. March/April Events

B. March/April Site Visits

XI. Schedule for Future Board Meetings

A. April 7, 2017 (Friday) – Student Programs (Palmiter and EL Hickey)

B. April 18, 2017 – Board/Superintendent Study Session – Achievement/Opportunity Gap

XII. Adjournment

SACRAMENTO COUNTY BOARD OF EDUCATION

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Subject: Resolution No. 17-05 – Resolution in Support of Creating a Safe and Positive Learning Environment	Agenda Item No.: VIII.F. Enclosures: 3
Reason: Consideration and Adoption	From: David W. Gordon Prepared By: Executive Committee Board Meeting Date: 03/21/17

BACKGROUND:

Concerns have been voiced recently regarding the potential that school age children and youth might not be enrolled in school due to family fears of deportation, or that enrolled pupils might be detained while attending school or an educational program due to irregularities in immigration status.

In January 2017, the Sacramento County Superintendent of Schools provided guidance to the County's districts and charter schools regarding legal protections involving undocumented students. As of this time, no changes have occurred in statutory requirements or case law pertaining to the equal access to services in public schools and educational programs, regardless of immigration status. Most importantly, it is vital that children and youth of school age be properly enrolled in and regularly attending school or an educational program, so they have the opportunity to become productive, self-sustaining adults.

Accordingly, Resolution 17-05 has been prepared to make clear the Sacramento County Board of Education's (Board) position and directives regarding equal access to education in Sacramento County Office of Education's schools and programs.

SUPERINTENDENT'S RECOMMENDATION:

The Superintendent recommends that the Board review and decide whether to adopt Resolution 17-05 – Resolution in Support of Creating a Safe and Positive Learning Environment.

SACRAMENTO COUNTY BOARD OF EDUCATION

Resolution in Support of Creating a Safe and Positive Learning Environment

Resolution No. 17-05

March 21, 2017

WHEREAS, The Sacramento County Board of Education (Board) and Sacramento County Superintendent of Schools (Superintendent) are committed to the success of all pupils in Sacramento County Office of Education (SCOE) schools and programs, regardless of the immigration status of the pupils or their family members, and believe that every SCOE school and program should be an inclusive, welcoming, safe environment for pupils and their families;

WHEREAS, All pupils have a right to attend school free of bullying, intimidation, and discrimination;

WHEREAS, The U.S. Supreme Court has held, in *Plyler v. Doe*, 457 U.S. 202 (1982), that children have a right to attend school regardless of their immigration status and states cannot constitutionally deny pupils a free public education because of the immigration status of the pupils or their families;

WHEREAS, School officials should not report undocumented pupils or their families to U.S. Immigration and Customs Enforcement (ICE) because such reporting could discourage students from enrolling in or attending school, and could effectively deny them a public education in violation of the Constitution and federal civil rights laws;

WHEREAS, The ICE policy adopted in 2011 states that immigration enforcement activity will not be conducted at any “sensitive” location, which includes schools, without special permission by specific federal law enforcement officials, unless exigent circumstances exist that are related to national security, terrorism, public safety, or where there is imminent risk of the destruction of evidence material to an ongoing criminal case; and, it is unknown whether this policy may change;

WHEREAS, ICE activities in and around schools and educational facilities would be a severe disruption to the learning environment and educational setting for SCOE pupils;

WHEREAS, Local educational agencies should not collect or maintain documents that may be related to immigration status, including, but not limited to, passports, visas, and Social Security numbers, as they are not needed for K-12 educational purposes, may discourage students from enrolling in school, and may be subject to requests from federal agents;

WHEREAS, Federal regulations and state law prohibit educational agencies from disclosing personally identifiable pupil information to anyone, including law enforcement, without consent of a parent or guardian, a court order or lawful subpoena, or in the case of a health or safety emergency;

NOW, THEREFORE, BE IT RESOLVED, The Board and Superintendent reaffirm that pursuant to federal and state law, every pupil served in SCOE schools and programs has the right to attend those schools and programs regardless of immigration status;

BE IT FURTHER RESOLVED, That the Board and Superintendent confirm that all pupils enrolled in SCOE schools and programs, regardless of immigration status, have the right to receive all educational and support services, and that SCOE personnel shall take no steps that would deny access to these services based upon the immigration status of the pupils or their family members;

BE IT FURTHER RESOLVED, In order to provide a public education, regardless of immigration status, absent any applicable federal, state, local law or regulation, local ordinance, or court decision that may lawfully provide otherwise, SCOE shall act consistent with the following practices:

1. SCOE shall not treat pupils differently for residency determination purposes on the basis of their actual or perceived immigration status and shall treat all pupils equitably in the receipt of all school services for which they are eligible.
2. SCOE shall not enter into any agreement with ICE to enforce federal immigration law, and shall not voluntarily participate in any ICE or Border Patrol enforcement actions.
3. SCOE shall not inquire about a pupil's or parent's immigration status or require documentation of legal status, such as asking for a visa or passport, during enrollment or at any other time.
4. Consistent with Education Code section 49076.7, SCOE shall not require pupils or parents to apply for Social Security numbers nor collect or solicit Social Security numbers, including the last four digits of Social Security numbers, unless otherwise required by state or federal law.
5. For enrollment and other purposes, SCOE shall not require birth certificates as the sole method of establishing a pupil's age, and shall also accept the forms of evidence listed in Education Code section 48002, including, baptismal certificates, parent affidavits, or other reliable means of proving a pupil's birth.
6. All requests by immigration enforcement agents for personally identifiable information or documents regarding SCOE pupils shall immediately be sent to the Superintendent, who in consultation with SCOE legal counsel, shall consider all legally permissible actions that may be taken to respond to such requests to protect the privacy rights of pupils and their families.

7. The Superintendent shall ensure that appropriate SCOE personnel are adequately informed of this Resolution's directives;

PASSED AND ADOPTED by the Sacramento County Board of Education at its regular board meeting on the 21st day of March 2017 by the following vote:

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

Jacquelyn Levy, Board President

David W. Gordon, Board Secretary