



RESOLUTION AUTHORIZING ACTIONS TO MAKE GATEWAY PUBLIC SCHOOLS CAMPUSES SAFE SCHOOL ZONES FOR ALL STUDENTS

WHEREAS, Gateway Public Schools, a California nonprofit public benefit corporation, boasts a diverse student body;

WHEREAS, Gateway Public Schools believes that all students, regardless of their demographics or background, will learn and achieve if given the right opportunities and support, and refuses to accept anything less than an excellent college-preparatory education for its students;

WHEREAS, the United States Supreme Court held in *Plyler v. Doe* 457 U.S. 202 (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;

WHEREAS, the Office of Immigration and Customs Enforcement (“ICE”) states in its 2011 policy # 10029.2 that it will not conduct immigration enforcement actions at a sensitive location, which includes schools unless exigent circumstances exist;

WHEREAS, federal immigration law enforcement activities, on or around school property, may harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled, and could significantly interfere with the ability of all students to access a free public K-12 education;

WHEREAS, large-scale ICE operations have not yet been carried out in the Bay Area, but immigration enforcement affects Gateway Public Schools families every day, and a possible shift in ICE enforcement priority has created a climate of heightened fear and anxiety for many Gateway Public Schools students and their families;

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

WHEREAS, Gateway Public Schools prides itself on creating a safe, welcoming, inclusive environment for all its students, regardless of race, religion, or immigration status;

WHEREAS, educational personnel are often the primary sources of support, resources, and information to assist and support students and student learning, which includes their emotional health;

WHEREAS, in 1989, the San Francisco Board of Supervisors passed Ordinance 375-89 making San Francisco a “City of Refuge” for undocumented workers. (Ord. 375-89, App. 10/24/89). This Ordinance and its related sections in the San Francisco Administrative Code are still in effect (San Francisco Administrative Code Chapter 12H, Ord. 375-89, App. 10/24/89; amended by Ord. 228-09, File No. 091032, App. 10-28-2009; Ord. 96-16, File No. 160022, App.

6/17/2016, Eff. 7/17/2016.). This Ordinance forbids city resources from being used to enforce federal immigration laws or to gather or disseminate information regarding the immigrant status of residents of the City unless such assistance is required by federal or state statute, regulation or court decision.

THEREFORE BE IT RESOLVED: That Gateway Public Schools hereby restates its position that all students have the right to attend school regardless of the immigration status of the child or of the child's family members and declares Gateway Public Schools to be a Safe Zone for its students, meaning that Gateway is a place for students to learn, to thrive, and to seek assistance, information, and support related to their learning experience;

RESOLVED FURTHER, the Board of Trustees of Gateway Public Schools, (the "Board") affirms the authority of Gateway Public Schools staff to continue to maintain the confidentiality of student records and personally identifiable information of students, alumni, families and employees to the fullest extent provided by the law;

RESOLVED FURTHER, that the Board affirms its support for every individual embracing education, and declares every Gateway Public Schools campus a safe place for students and families, and such students and families can visit Gateway Public Schools campuses to seek help, information, and safety if faced with fear and anxiety about immigration enforcement efforts;

RESOLVED FURTHER, In order to provide a public education, regardless of a child's or family's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, Gateway Public Schools shall abide by the following conduct:

- Gateway Public Schools personnel shall treat all students equitably in the receipt of all school services, including but, not limited to, the free and reduced lunch program and educational instruction;
- Gateway Public Schools personnel shall not inquire about a student's immigration status, including that of family members or requiring any documentation of a student's legal status at registration or any time after;
- If federal immigration officials request access to a school site or to access student records, Gateway Public Schools will enforce both our visitor policy and procedures regarding law enforcement agents speaking to students on campus, and Gateway Public Schools staff will immediately inform the Gateway Public Schools' Executive Director or her designee who will follow up with legal counsel as needed for review and a decision whether to allow ICE access to the site, and/or the information to ensure Gateway Public Schools remain in compliance with Plyler and other applicable laws;

RESOLVED FURTHER, that the administration of Gateway Public Schools shall establish Gateway Public Schools as resource and information sites for students and their families, and the Board encourages the administration of Gateway Public Schools to enhance partnerships

with community-based and legal service organizations and directs the officers of Gateway Public Schools to provide the necessary outlets for expression, learning, communication, and information by the Gateway Public Schools family.

RESOLVED FURTHER, that School leaders shall be directed to ensure all teachers, school administrators, and other staff will be trained on how to implement this policy and notification will be distributed to families to fully inform them of this policy.