

**BOARD OF EDUCATION**

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Dr. Faris Sabbah, Superintendent ♦ 400 Encinal Street, Santa Cruz, CA 95060 ♦ Tel (831) 466-5600 ♦ Fax (831) 466-5607 ♦ www.santacruzcoe.org

Resolution #19-12
In Support of Immigrant Students and Families

WHEREAS the Santa Cruz County Board of Education is committed to the success of every student in each of Santa Cruz County's schools, and the mission to educate and support learners in reaching their highest potential. We prepare students to pursue successful futures and to make positive contributions to the community and the global society; and

WHEREAS our core values are that public schools are the foundation of our democracy, that every person has intrinsic worth, that we believe in treating people with dignity and respect, that high standards and expectations foster greater achievement, that each of us shares responsibility for the welfare of our community, that diversity is an asset in our community, that honesty and integrity are essential in building relationships, that schools must provide access and equity, that people thrive in safe environments; and

WHEREAS the Santa Cruz County Board of Education believes that the physical safety and the emotional well-being of all children in the District, and ensuring that our schools are safe and welcoming for all students and their families is paramount to students being able to achieve, and Santa Cruz County Schools do not tolerate any form of discrimination, harassment or bullying as outlined in Board Policy 5145.13; and

WHEREAS Santa Cruz County School Districts' staff shall not ask about a student's immigration status or that of the student's family members, and pursuant to Family Educational Rights and Privacy Act (FERPA) shall not disclose without parental consent, the immigration status of any Santa Cruz County School Districts' student or any other personal information, and

WHEREAS The California Attorney General, as mandated by AB 699, has published model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, and

WHEREAS these model policies include direction that “schools should not contact Child Protective Services unless the school is unsuccessful in arranging for the care of the child through the emergency contact information that the school has, or other information or instructions conveyed by the parent or guardian,” and

WHEREAS currently there is no legally codified document in California statutory law that allows families to express and formally prepare for an event in which they may not be able to care for their children due to incapacitation such as detention, deportation, removal, or other circumstances besides a court ordered guardianship, and

WHEREAS three trusted community partners, Community Bridges, Santa Cruz County Immigration Project, and Monarch Services, in partnership with attorneys, have crafted the Childcare Safety Plan that allows families to expressly and formally designate Caregivers to act on their behalf in the event that they are incapacitated through events such as detainment, deportation and/or removal, or other circumstances without invoking the many difficulties, costs, and potential drawbacks associated with court ordered guardianships.

THEREFORE BE IT RESOLVED that Santa Cruz County’s schools will follow the California Attorney General’s model policy recommendation “to accept other information or instructions conveyed by the parent or guardian,” besides emergency contact information, about whom the parent(s) designate as alternate caregivers for their child.

BE IT RESOLVED THAT in the absence of a statutory alternative to court ordered guardianship in California, Santa Cruz County’s schools will accept the Childcare Safety Plan as proof of parents’ contingency family preparedness planning and shall accept the authority of the agent designated by parents in their Childcare Safety Plan to act in proxy of and on behalf of the parents of students, enrolled in those schools during the parents’ incapacitation.

BE IT RESOLVED that a child covered by a Childcare Safety Plan shall maintain full access to education services and that the child’s caregiver(s) shall be allowed to act on behalf of the parent(s) for education related purposes for the duration of the parent(s) incapacitation, or until legal guardianship for the child has been established.

BE IT RESOLVED that the Santa Cruz County Board of Education directs the Superintendent to support the creation of a safe and nurturing school district through offering professional development opportunities for all levels of staff so that staff can be knowledgeable about the Childcare Safety Plan and its purpose.

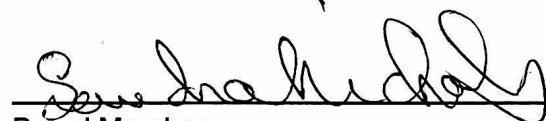
BE IT FURTHER RESOLVED that the Santa Cruz County Board of Education go on record in support of all immigrant and undocumented students and their families, as well as students from other vulnerable communities.

BE IT FINALLY RESOLVED that the Santa Cruz County Schools will support families and their designated Caregiver's efforts to safeguard children's educational rights and assist to ensure that children achieve full inclusion in any and all school related activities to which they would be entitled, were their parents present.

DATED: July 18, 2019



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Board Secretary

Board Approved: July 18, 2019