Model Resolution
For the purposes of this resolution, Local Education Agencies (LEA’s) are defined as county offices of education, school districts, and charter schools.

Whereas, California is a place of linguistic, ethnic, and cultural diversity that contributes to the strength, economic prosperity, creativity, and innovation of the state, and the students who comprise California’s public school population are amongst the most diverse in the nation.

Whereas, The United States Supreme Court, California Constitution, and California Education Code clearly outline the rights and protections afforded to students, including:

- No public school district has a basis to deny students access to education based on their immigration status. ¹
- All students and staff of public schools, community colleges, colleges, and universities have the inalienable right to attend campuses, which are safe, secure and peaceful.²
- All persons in California public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic are afforded equal rights and opportunities in the educational institutions of the state.³
- All students have the right to participate fully in the educational process, free from discrimination and harassment. California’s public schools have an affirmative obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide an equal educational opportunity.⁴
- Local Education Agencies are required to adopt “a policy that prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics [of] disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.” ⁵

Whereas, The State of California has made a commitment to social and emotional learning and supports for all students, school climate, and other social-emotional measures, in addition to academic measures, are an integral part of the Local Control Funding Formula and the state’s accountability and continuous improvement system.

Whereas, The social, political, and educational climate has been challenging for generations of many students, particularly indigenous, African American, Latinx⁶, Southeast Asian, and Pacific Islander students, undocumented, immigrant, refugee students, transgender and LGBTQ students, Muslim and Sikh students, homeless students, English Learner students, and

¹ Plyer v Doe (1982)
² California Constitution, Article 1, Section 28(f)(1)
³ California Education Code, Article 1. Declaration of Purpose [200 - 201]
⁴ California Education Code, Article 1. Declaration of Purpose [200 - 201]
⁵ California Education Code, Article 5.5. Safe Place to Learn Act [234 - 234.5, 234.7]
⁶ Latinx is a gender-neutral term used in lieu of Latino or Latina to refer to individuals with cultural ties to Latin America and individuals of Latin American descent. The -x replaces the standard o/a ending of Latino and is intended to be more gender inclusive.
foster youth, low-income students, students with special needs, and students impacted by the juvenile and criminal justice systems.

Whereas, The national debates on immigration, refugee, transgender, and other civil and human rights policies have resulted in thousands of students and families in California expressing fear, grief and concerns for safety, heightened due to real and perceived changes in messages, policies, and opinions that attempt to change our nation’s rich history of welcoming all children, adults and families.

Whereas, Youth and families across California continue to experience increased levels of hate speech, discrimination, immigration and law enforcement action based on their race, ethnicity, religion, national origin, language, gender identity, sexual orientation, immigration status, or other identities since the 2016 election cycle. Moreover, according to recent poll of California voters, “creating a safe and positive school environment” ranked as the top priority for evaluating schools by registered voters, above graduation rates, college and career readiness, and test scores.7

Whereas, the presence of guns on school campuses increasingly threatens the safety of all students and staff. Arming teachers and placing guns in classrooms would only increase fear, anxiety, and the potential for students and adults to be accidentally shot. Furthermore, data show that indigenous, African American and Latinx students are more likely to face harsher in-school discipline, despite not being any more likely to misbehave than their white counterparts.8 Adding armed teachers to this equation could turn disciplinary issues into a life-and-death matter for students of color. Moreover, federal and state laws ensuring that schools are gun-free zones help make pre-K–12 schools safer, significantly reducing gun violence in these places.9

Whereas, The Local Education Agency (LEA) is committed to the success of all students irrespective of their immigration status, ethnicity, race, religion, sexual orientation, ability, sex and gender identity, socio-economic status or beliefs.

NOW, THEREFORE, BE IT RESOLVED, that the Local Education Agency (LEA) affirms its commitment to sustaining safe and welcoming schools for all students and their families, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status, or any other characteristic.

BE IT FURTHER RESOLVED that the LEA is committed to ensuring the safety of all students and their families from immigration enforcement on and around campus as outlined in the Superintendent of Public Instruction (SPI’s) Safe Havens for CA Students Initiative and

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required by Assembly Bill 699, to protect students and students’ private records from immigration enforcement by:

- Prohibiting schools and their employees from collecting information or documents about students and their families’ immigration status or citizenship, unless required by law.
- Requiring schools to report any requests for information or access to a school for the purposes of immigration enforcement to the local educational agency’s governing body
- Requiring schools to adopt, by July 1, 2018, a policy consistent with the California Attorney General’s (AG) model policy and limits assistance with immigration enforcement at public schools protects against access to school grounds and student records, and includes procedures for reporting requests from immigration enforcement.

**BE IT FURTHER RESOLVED** that the LEA is committed to adopting policy language consistent with the model policies developed by the AG’s office [https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf], to ensure stronger standards and protections for impacted students, by:

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<tr>
<th>The State Superintendent of Public Instruction strongly recommends that governing boards consider selecting one or more from the following actions those items that directly address local needs and opportunities as commitments to express stronger standards and protections for impacted students on immigration-related issues based on local budget capabilities and LCAP priorities.</th>
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<td>• Ensuring LEA has a plan in place in the event that a law-enforcement officer requests information or access to a school site or a student for immigration-enforcement purposes.</td>
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<td>• Ensuring LEA adopts policies that limit access to school sites and questioning of students for immigration-enforcement purposes, because such activities, and threats of such activities, interfere with classroom learning.</td>
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<td>• Ensuring LEA official (e.g., superintendent of a school district or county office of education, or the principal of a charter school), must submit a timely report to the school’s governing board or body when the school receives a request for information or access by a law-enforcement officer, for purposes of enforcing the immigration laws.</td>
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<td>• Ensuring LEA will devise a policy that requires notification to parents or guardians before a law-enforcement officer questions or removes a student for immigration-enforcement purposes, except when the officer has a judicial warrant or court order.</td>
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<td>• Ensuring that LEA does not become an arm of the U.S. Customs and Immigration Enforcement (ICE) and not allowing ICE agents on school sites, facilities or material property without asking to see a traditional federal court warrant. If an immigration officer arrives with a court order, the local educational agency administrator should review the order with the agency’s legal counsel or other designated official.</td>
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<td>• Designating LEA sites, facilities, and equipment as safe havens for students, families and the community;</td>
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<td>• Designating and training staff members as immigration resource advocates at local school sites;</td>
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<td>• Providing training to all staff to increase understanding of the overall need to protect students and their families from immigration enforcement;</td>
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<td>• Partnering with student and community-based organizations to distribute “Know Your Rights” information;</td>
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• Providing trainings for students and families regarding immigration and law enforcement policies and practices, including the measures to be outlined in AG’s forthcoming model policies, in a timely manner.

BE IT FURTHER RESOLVED that the LEA is committed to:

The State Superintendent of Public Instruction strongly recommends that governing boards consider selecting one or more from the following actions those items that directly address local needs and opportunities as commitments to express stronger standards and protections for impacted students on anti-discrimination-related issues based on local budget capabilities and LCAP priorities.

• Posting “no discrimination” signs prominently around school sites and issue strong statements in English and other languages that all school sites support and welcome all students and families, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status, or any other characteristic;
• Implementing strong anti-harassment policies based on real or perceived discrimination to protect students and their families from hate speech, hate crimes, and bullying based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status, or any other characteristic, with a process in place to receive and investigate complaints for discrimination, harassment, intimidation, and bullying, including complaints for discrimination based on immigration status, as required by AB 699.
• Providing resources and trainings for all teachers, staff, and administrators to address trauma, build resilience, develop cultural proficiency and confront bias to create healthy relationships;
• Protecting the various religious and spiritual rights of all students and their families and to the extent possible providing reasonable religious accommodations, including the right for students to be excused from school to observe religious, spiritual, and ceremonial events without penalization, as permitted by law;
• Protecting the right of students of all genders, especially Native American students, to wear traditional long hair, attend schools without race-based mascots, and be taught accurate history about the founding of the nation and the state of California;
• Protecting the rights of all students, especially transgender and gender nonconforming students, to define their own gender identity, names, and pronouns to be respected, used, and accepted by school staff, as outlined in CDE guidance on the School Success and Opportunity Act;¹⁰
• Protecting the rights of all students and families to speak their own languages, especially local indigenous languages and home languages, without punishment, ridicule, or penalization;
• Incorporating practices to resolve conflicts in positive ways such as Restorative Justice practices and programs in order to protect students and their families from “zero tolerance” policies, law enforcement and criminalization on and around campuses;
• Ending the practice of suspending students for “willful defiance” and using suspension, expulsion, and police as a last resort;

Minimizing police presence on and around campuses, so that police shall not be called to campus unless there is an immediate physical threat to the safety of students or staff, to the greatest extent possible and when legally feasible. The definition of “immediate physical threat” shall not include nonviolent student disciplinary behaviors nor acts of willful defiance.

For Local Education Agencies that employ specially trained School Police Department [SPD] or School Resource officers [SROs] on school campuses, the LEA is committed to develop a policy that provides clear guidance to school-based law enforcement officers and school officials on the roles and responsibilities of school police and resource officers. The policy will ensure School Police Department accountability to the school community, clarify that law enforcement will not be involved in the enforcement of school rules or school discipline, and minimize the use of school-based arrests and citations, while maintaining a safe school climate. [A full model policy is available from the ACLU at: https://www.aclunc.org/docs/Appendix-C-ACLU-Board-Policy.pdf]

Eliminating all guns from school campuses, including weapons possessed by teachers and other adult staff, except for weapons carried by law enforcement called to campus to address an immediate physical threat, as described above. The LEA is further committed to work with the respective law enforcement agencies to create clarifying guidelines to delineate law enforcement’s use of firearms, lethal and non-lethal weapons in such instances. These guidelines will ensure that law enforcement officers will not draw a firearm on LEA property unless there is a reasonable basis to believe someone on the property may use a firearm or other weapon to cause death or serious bodily harm.

For Local Education Agencies that employ specially trained School Police Department [SPD] or School Resource officers [SROs] on school campuses, the LEA is committed to work with the respective law enforcement agencies to develop clarifying guidelines to delineate the use of weapons for school resource officers or other specially trained personnel assigned to school sites. These guidelines will ensure that SPD officers or SROs will not draw a firearm on LEA property unless there is a reasonable basis to believe someone on the property may use a firearm or other weapon to cause death or serious bodily harm.

**BE IT FURTHER RESOLVED that the** LEA is committed to:

The State Superintendent of Public Instruction strongly recommends that governing boards consider selecting one or more from the following actions those items that directly address local needs and opportunities as commitments to express stronger standards and protections for impacted students on safe school/learning environment related issues based on local budget capabilities and LCAP priorities.

- Providing mental health, trauma-informed, culturally-based, healing and relationship centered services and practices, as exemplified by the State’s Learning Communities for School Success Program, to students and their families, especially students impacted by fear, trauma, discrimination, and bullying;
- Implementing restorative and transformative justice practices and strategies to build community, resolve conflicts, address disciplinary issues, improve retention rates,
reduce suspensions and other school removals, and reduce the referral of pupils to law enforcement agencies;¹¹

- Investing more in counselors or other trained certificated personnel in order to promote and maintain a safe learning environment for all pupils by providing restorative justice practices, positive behavior interventions, and support services;¹²
- Providing effective, confidential counseling services, holistic wellness centers, and opportunities for affinity group gatherings to help meet the social, emotional, mental, and physical health needs of students and their families;
- Providing additional supports and services to ensure students impacted by juvenile and criminal justice systems have access to all schools, services, educational opportunities, and facilities;
- Providing immigration services and resources to undocumented, immigrant, and refugee students and their families;
- Establishing parent and family resource and engagement centers and providing translation and interpretation services to ensure parents, family members, and other caretakers are welcomed and engaged in local schools and building the capacity of family members to serve as trainers;
- Creating relationship centered schools by valuing student and family voice, investing in staff, and creating space for relationship building so that every student is heard, valued, and reflected in their education regardless of race or zip code.

**BE IT FURTHER RESOLVED that the** LEA is committed to continue affirming and celebrating diversity and to:

The State Superintendent of Public Instruction strongly recommends that governing boards consider selecting one or more from the following actions those items that directly address local needs and opportunities as commitments to additional local efforts to celebrate and protect the rich and diverse heritage of California’s public schools based on local budget capabilities and LCAP priorities.

- Providing training to all staff and administrators and conducting school-wide and other educational events to increase understanding of the ethnic, racial, linguistic, religious, and spiritual diversity of the community and state, especially regarding the beliefs and practices of Muslim American, Sikh American, and Native American students and communities, and the diversity of sexual orientation and gender identity, how to respectfully engage LGBTQ (Lesbian Gay Bisexual Transgender and Queer) students, and how to follow current state laws regarding LGBTQ students;
- Conducting school-wide and other educational events to address transphobia, homophobia, and other discrimination and bullying based on sexual orientation and gender identity, and to increase understanding of the diversity of sexual and gender identities;
- To the extent possible, providing credit-based courses and instruction in local indigenous languages and other languages that reflect the linguistic diversity of the community and state, and ethnic and gender studies courses that reflect the racial,

¹¹ See California Education Code. The Learning Communities for School Success Program [33430 - 33436]
¹² See California Education Code. Educational Counseling [49600 - 49604]
• Continuing to ensure that all schools are safe, welcoming, brave, and relationship centered spaces that embrace students and their families in all of their identities and uplift the agency of students and their families to actively participate in their own learning, school decision-making, civic and community life;
• Seeking to equitably fund the measures, programs, services, and resources outlined within this resolution and in accordance with the Local Control Funding Formula (LCFF).

BE IT FURTHER RESOLVED that the LEA will form a community advisory committee comprised of students, parents, educators, community-based organizations, and other stakeholders to help guide implementation and evaluate progress on the actions outlined within this resolution.

Signature: ___________________________ Date: ___________________________