

**BOARD TRANSMITTAL FORM  
DENAIR UNIFIED SCHOOL DISTRICT**

**BOARD MEETING DATE:** January 11, 2018

**EXHIBIT NO. 087**

**TO:** Board of Education  
**PREPARED BY:** Daisy Swearingen, Executive Assistant  
**PRESENTED BY:** Aaron Rosander, Superintendent

**AGENDA TITLE:** APPROVAL OF RESOLUTION NO. 11118-R04 IN SUPPORT OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

**AGENDA SECTION:**

- |  |   |
|--|---|
| <input type="checkbox"/> Closed Session              | <input type="checkbox"/> Discussion                                   |
| <input type="checkbox"/> Study Session               | <input checked="" type="checkbox"/> Discussion/Public Comment/Action* |
| <input type="checkbox"/> Public Comment              | <input type="checkbox"/> Bids/Public Comment /Action*                 |
| <input type="checkbox"/> Scheduled Communication     | <input type="checkbox"/> Consent Action*                              |
| <input type="checkbox"/> Superintendent/Board Report | <input type="checkbox"/> Administrative Panel                         |
| <input type="checkbox"/> Staff Report                | Recommendations*  |
| <input type="checkbox"/> Public Hearing              | <input type="checkbox"/> Roll Call                                    |

*\*Scheduled for Action*

**PROGRAM DESCRIPTION / DETAILS:**

The Denair Unified School District Governing Board embraces the diversity of our students, families and staff and the rich language and cultural assets they bring to our District and strongly supports and encourages the participation of all parents and families in our schools.

**RECOMMENDED ACTION:**

The Superintendent recommends approval.

**FINANCIAL IMPACT:**

N/A

**DENAIR UNIFIED SCHOOL DISTRICT**

**RESOLUTION IN SUPPORT OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS  
(DACA)**

**RESOLUTION NO. 11118-R04**

**WHEREAS**, the Denair Unified School District Governing Board embraces the diversity of our students, families and staff and the rich language and cultural assets they bring to our District and strongly supports and encourages the participation of all parents and families in our schools; and

**WHEREAS**, A 2012 Executive Order gave certain undocumented immigrants who were brought to the United States by their parents as a child and entered the U.S before their 16<sup>th</sup> birthday- commonly referred to as “Dreamers”-relief to deportation and the ability to live, work and study in the U.S for a period of two years, subject to renewal. The program is known as Deferred Action for Childhood Arrivals (“DACA”); and

**WHEREAS**, DACA has protected nearly 800,000 people, approximately 20,000 DACA recipients work as teachers and more than 217,000 DACA recipients live in California; and

**WHEREAS**, on September 5, 2017, the U.S. Department of Homeland Security (“DHS”) and U.S. Citizenship and Immigration Services (“USCIS”) were directed to phase out and eventually end DACA; and

**WHEREAS**, the United States Supreme Court held in Plyer 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, and noting the harm it would inflict on the child and society itself, and noting the equal protection rights of the 14<sup>th</sup> Amendment of the United States Constitution; and

**WHEREAS**, the U.S. Immigration and Customs Enforcement’s (“ICE”) 2011 policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission by specific federal law enforcement officials; unless exigent circumstances exist; and

**WHEREAS**, ICE has not announced an official change to their guidelines on sensitive sites; and

**WHEREAS**, All students in California have a right to attend public school regardless of their immigration status and California’s school districts have invested valuable resources in our State’s DACA recipients, and they in turn have responded by successfully continuing their education and by making important contributions to the workforce and to society.

**WHEREAS**, Denair Unified School District Governing Board believes that each student deserves to be treated with respect and as a valuable human being-with hopes, dreams, aspirations, and goals-and that each DACA recipient should be allowed to fulfill those dreams in the only country they know-the United States of America.

**WHEREAS**, The intended rescission of DACA will deny our schools and communities many very bright and highly-motivated students, parents, teachers, and staff who are making invaluable contributions; and

**WHEREAS**, The consequences of this decision will result in fear and uncertainty for many of the families and students we serve as well as for staff members and community volunteers and would cause a significant disruption to the learning environment and educational setting for students.

**THEREFORE BE IT RESOLVED**, that the Denair Unified School District Governing Board urges members of Congress, including our own senators and representatives, to take bipartisan action to pass legislation that provides DACA recipients the permanent solution they deserve and end the uncertainty they face.

**BE IT FURTHER RESOLVED**, District personnel as designated by the Superintendent, will review the impact of changes in federal immigration laws programs such as DACA and work to prevent and mitigate the negative impact on both students and employees from the collection, release or storage of any personally identifiable information for immigration purposes.

**BE IT FURTHER RESOLVED**, District personnel will take all reasonable measures so that after school providers and other service providers that have access to student, family or employee information will also follow the actions described herein.

**BE IT FURTHER RESOLVED**, That the Denair Unified School District Governing Board instructs the Superintendent to distribute copies of this Resolution, translated into all appropriate languages, to all school sites and distribute copies to both California senators as well as District's congressional representative.

**PASSED AND ADOPTED** this 11th day of January, 2018, by the Governing Board of the Denair Unified School District, of Stanislaus County, California.

On motion of Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_ the foregoing RESOLUTION was passed and adopted at a meeting of the Board of Trustees of the Denair Unified School District on the 11<sup>th</sup> day of January 2018 by the following vote to wit:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
President, Ray Prock Jr.

\_\_\_\_\_  
Secretary, Aaron N. Rosander