Cecilia A. Massetti, Ed.D.
Superintendent of Schools

8.7

Board of Education Action Item
June 27, 2018

Topic:
Madera County Board of Education Policy (MCBE P) 5145.13 Response to Immigration Enforcement

Background:
Assembly bill 699 requires school districts and county office of education to adopt a policy by July 1, 2018, that is consistent with the Attorney General's model policy regarding immigration enforcement at public schools.

Fiscal Impact:
None

Resource:
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Superintendent of Schools

Recommendation:
It is recommended the Board approve MCBE P 5145.13 Response to Immigration Enforcement.

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DRAFT

5100 – ADMISSIONS AND ATTENDANCE

Response to Immigration Enforcement MCBE P 5145.13

The Madera County Superintendent of Schools and the Madera County Board of Education are committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

The Madera County Board of Education shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members, except as may be required by state and federal law. (Education Code 234.7)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the programs and activities under the jurisdiction of the Madera County Board of Education and administered by the Madera County Superintendent of Schools on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

With respect to school sites under the jurisdiction of the Madera County Board of Education, the Madera County Superintendent of Schools shall adopt and administer appropriate procedures in compliance with Education Code section 234.7, and shall make any reports to the County Board of Education which are required by the statute.

LEGAL REFERENCE

EDUCATION CODE:
200 Educational equity
220 Prohibition of discrimination
234.1 Safe Place to Learn Act
234.7 Student protections relating to immigration and citizenship status
48204.4 Evidence of residency for school enrollment
48980 Parental notifications
48985 Notices to parents in language other than English
GOVERNMENT CODE:
8310.3 California Religious Freedom Act
PENAL CODE:
422.55 Definition of hate crime
627.1-627.6 Access to school premises, outsiders
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act
COURT DECISIONS
Plyler v. Doe, 457 U.S. 202 (1982)
CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

Adopted: June 27, 2018