



Welcoming Schools: Safe Spaces for All Students

Presented by:



Safe Haven:
ALL are welcome here

Refugio Seguro: todos son bienvenidos aquí

Ntawm no Zoo Siab Txais Tos Txhua Leej Txhuas Tus

Добро пожаловать, здесь рады всем!

Xin Chào Đón Tất Cả Mọi Người Tại Đây

歡迎大家來這裡。

IMPORTANT NOTICE

- The content of this presentation and material given have been made possible thanks to the funding of The California Endowment in partnership with California Association of Bilingual Education with the intention of educating the public. Therefore, the materials given and concepts expressed in this training do not constitute legal advice. Please consult an immigration attorney for legal advice.



Topics

- Introduction to the safe zone school movement
- Federal laws that prohibit school discrimination
- AB 699, it's purpose and the role of families
- Family preparedness plan and healthcare access for all



Expectations

Objectives

- Understand the mandated legislation AB 699 and its relationship to a safe school
- Learn the importance of and the purpose of resolutions
- Acquire tools needed to make immigrant families feel safe at school and in their community

Outcomes

- Reflect on the our role as parents and community in the implementation process of AB 699
- Start thinking of ways immigrant families can partner/collaborate with the school to make school grounds safer
- Share resources with other families and continue looking for trainings on the topic that empower immigrant families



Community building



- What is your vision of a safe, welcoming school for all students?
- Characteristics? How would it look like?



Our Collective Wisdom

- **K-W-L**

- **K:**

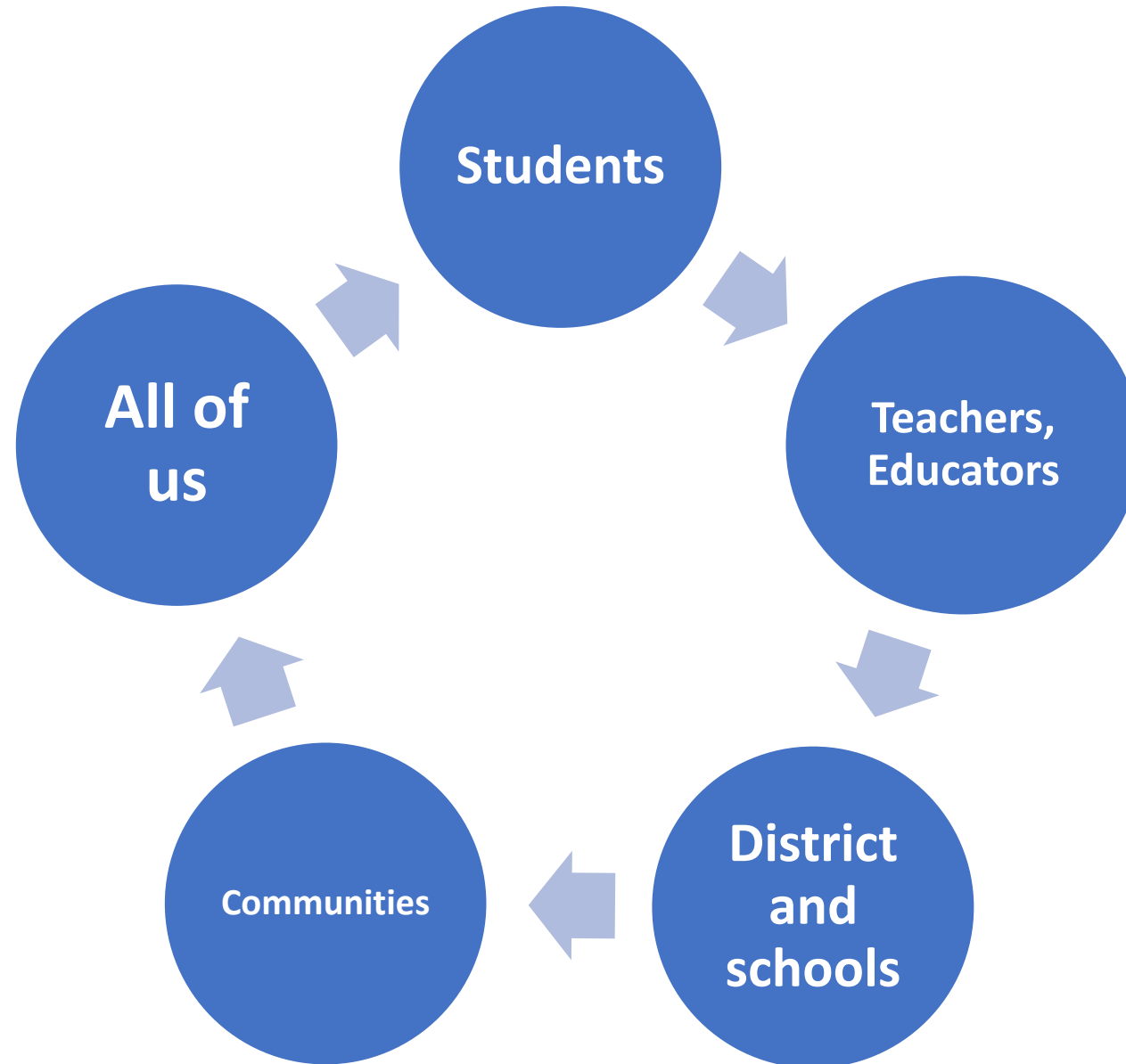
- What do you know about “Sanctuary cities” and “Safe Haven” schools?

- **W:**

- What do you would you like to learn about safe schools?



Why are safe zones needed?



The impact



“You don’t want to give false promises, but you also don’t want them to feel abandoned. This is where letting kids and families know that you are a consistent member of the world can really help.”



-Mark Gaither, Principal of Wolfe Street Academy (Baltimore, MD)



“What if I apply for that benefit and they say I’m living off of that? Or maybe even they come looking for me? Or maybe they will say that’s why they don’t want us living here?”

- Mother in California



“We provide trauma-informed services, but even so... we’re not CPS. Our expertise is not to work with families who are going to be separated from their kids”

- Home visiting director in New Mexico



Current state of our school environment

Due to threats:

1. massive deportations
2. punishment for sanctuary cities

**IMMIGRATION POLICY
IMPACT ON SCHOOLS**
Negative(-64%)

Immigration Policy's Harmful Impacts on Early Care and Education



Hannah Matthews
Rebecca Ullrich
Wendy Cervantes
March 2018

Compromising Our Nation's Future

(+80%)
anxiety
and fear-
90%
behavioral
and
emotional
problems,
**+Hate
crimes**

Families facing
removal of
family
members

enrollment(-
68%)
attendance and
parent
participation

+ difficulty
in
connecting
immigrant
families to
other
public
services

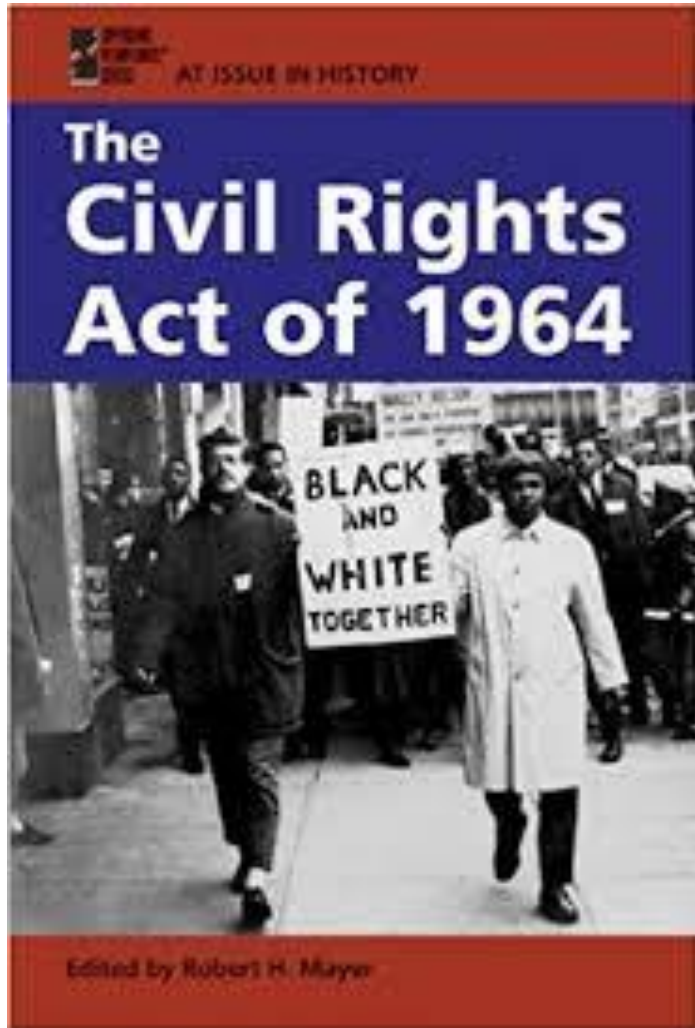
Widespread
fear
government
could
request
LEA's to
share the
immigration
status

EDUCATORS
FEEL
UNPREPARED

Academic
decline
(-70%)

DACA
teachers
&
classified
staff

Federal Law: prohibits school discrimination



School districts must ensure that they do not discriminate on the basis of:

- race
- color
- national origin
- their own citizenship or immigration status or that of their parents or guardians

School districts may not request information with the purpose or result of denying access to public school on the basis of:

- Race
- Color
- Nationality

Federal Law: prohibits school discrimination

- **Under the U.S. Constitution:**

- All students have a right to receive a public education
- Independently of immigration status
- Or that of their parents or guardians

Plyler v. Doe



Federal Law: prohibits school discrimination



- **Federal law restricts local educational agencies from:**
 - releasing certain private student information
 - Need consent of the student's parents if under 18 of age
 - Unless is Directory information



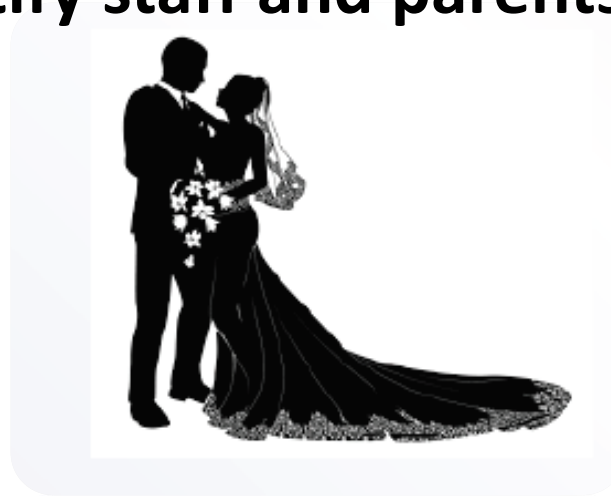
FERPA

Family Educational
Rights & Privacy Act

DHS Sensitive Locations Memo



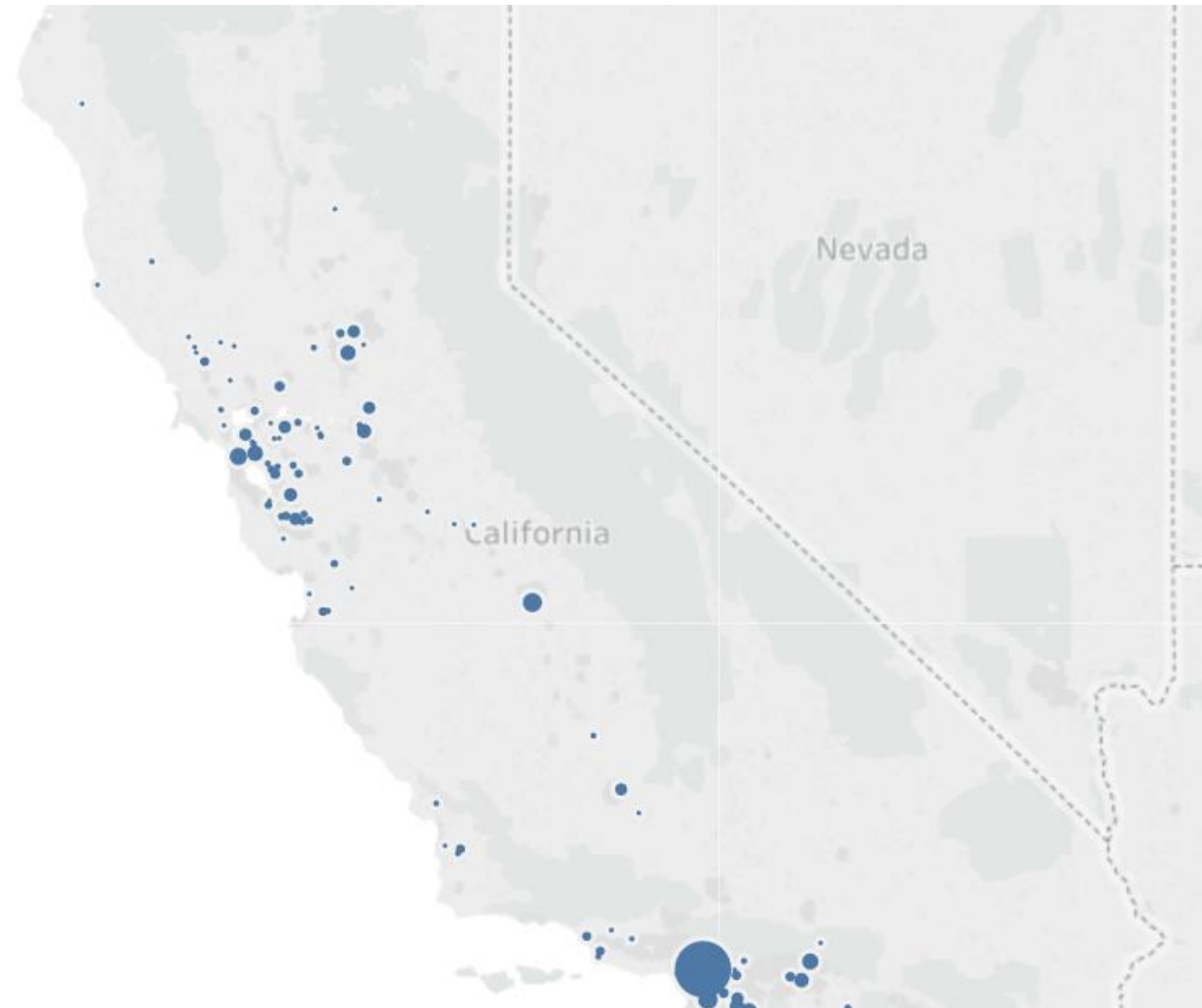
Providers should notify staff and parents about sensitive locations



Has your school signed Safe Haven resolution?



- Currently, over 240 School Districts of 1,000
- ~40% of CA Students
 - 2.5 million students (out of 6.2 million)



<https://www.cde.ca.gov/eo/in/casafehavendistrictslist.asp>

SAMPLE RESOLUTIONS



ABC Unified - Los Angeles County (Resolution 16-81)

[Acalanes Union High](#) - Contra Costa County ([Resolution No. 16-17-15](#))

Alameda COE - Alameda County

Alameda Unified - Alameda County ([Resolution No. 2016-2017.48](#))

Albany Unified - Alameda County ([Resolution No. 2016-17-13](#))

Alhambra Unified - Los Angeles County ([Resolution 16-17-16](#))

Alisal Union - Monterey County ([Resolution No. 1617-27](#))

Alum Rock Union Elementary - Santa Clara County (Resolution No. 29-16/17)

[Anaheim Union High](#) - Orange County (Resolution No. 2016/17-BOT-05)

[Arvin Union](#) - Kern County ([Resolution No. 9:2016/2017](#))

WE CAN'T SHARE WHAT WE DON'T HAVE



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

Quick Reference for School Officials

Xavier Becerra
California Attorney General
April 2018

Immigration-Enforcement Actions at California Schools
Guide for Students and Families



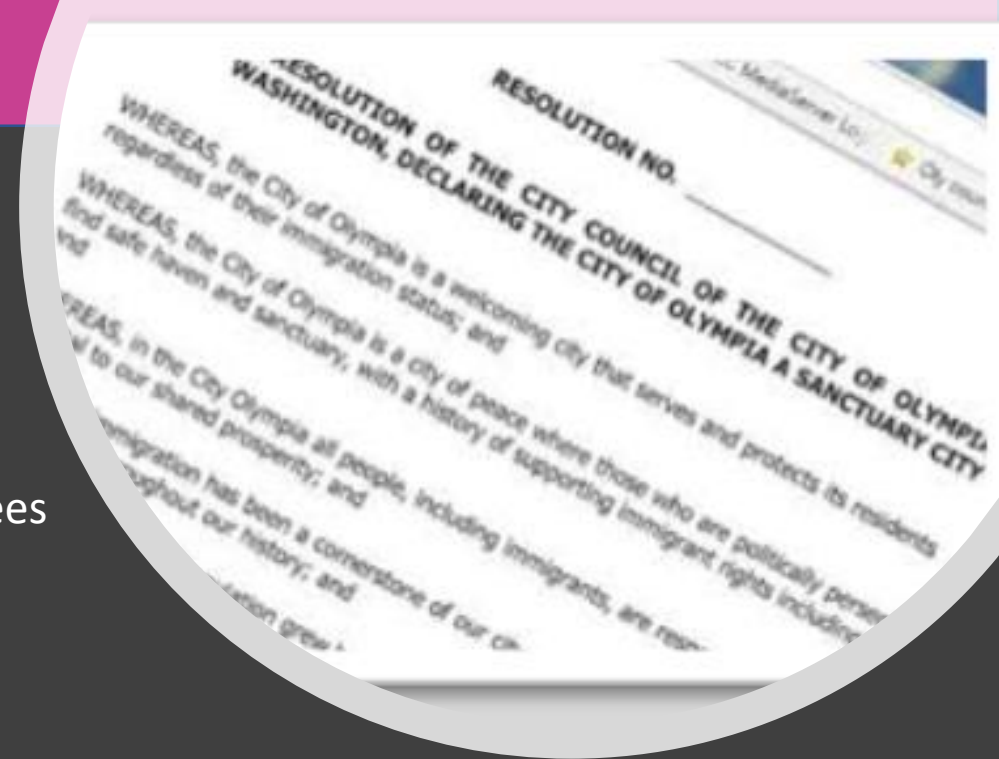


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California Attorney General
April 2018

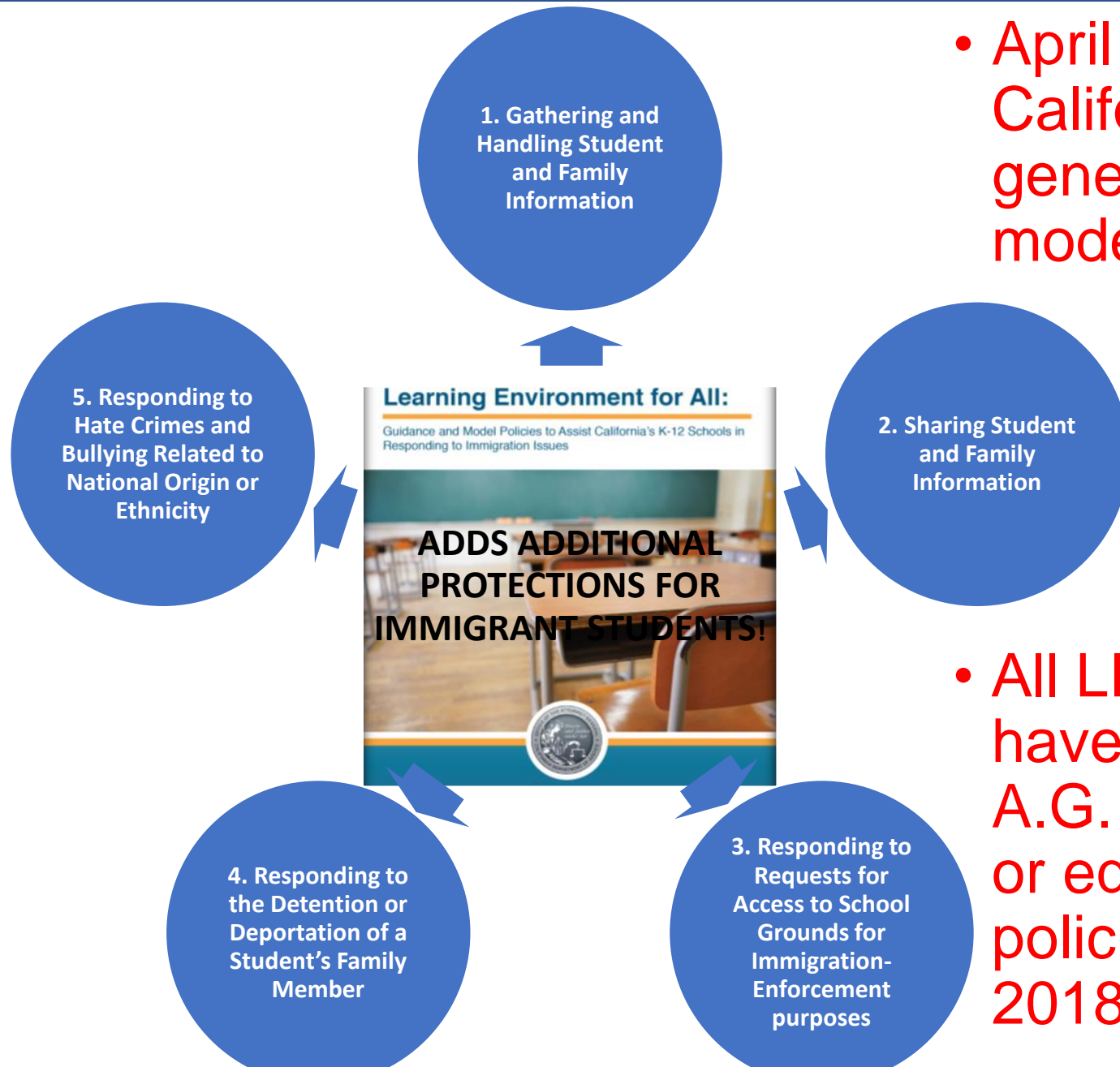
<http://www.calschoolnews.org/safe-haven-districts>

Implementation of safe havens resolutions

- Read sample resolution look for the following:
 - administrative policies- outline procedures for employees to follow to protect students
 - Developed a plan for training- understand policy and respond accordingly
 - Frontline staff
 - Faculty
 - Administrators
 - Make announcements to student and parents
 - Set clear expectations
 - What does the resolution do
 - What the resolution does not do
- What did you learn?



Assembly Bill 699- Adds protection



- April 1, 2018- California's attorney general published model policies

- All LEA's must of have adopted the A.G. model policies or equivalent policies on July 1, 2018

Circumstance 1: Gathering and Handling Student and Family Information

Enrollment policies

- Social security numbers:
 - Voluntarily and explain process
- Proof of age:
 - Religious, hospital, or physicians certificate showing date of birth
 - Entry in family bible
 - Adoption record
 - Affidavit from parent
- Date of entry into the country-
 - Should be asked separately
- LEA's must provide information to parents and students of their rights in regards to public education
- Parent Volunteers
 - Must provide information when and where need fingerprinting

Purpose: Prevent unnecessary collection of information on the immigration status of students and their families



Circumstance 2: Sharing Student and Family Information



Instruct students and families on ways to protect against the release of student information

Restricts sharing of student's information without the consent of the parent or guardian

Exceptions:

1. legitimate educational interest
 - review attendance
 - transference
 - truancy
 - judicial order
 - Abuse
2. directory information- opt out option included in annual notification

Purpose: Identify categories of student information not subject to release by LEA's

Circumstance 3: Responding to Requests for Access to School Grounds



- Prior approval
 - Must be federal court judicial or magistrate warrant
 - Federal search-seizure-warrant
 - Federal arrest warrant
- NOT ICE:
 - administrative warrant
 - subpoena for production of documents or other evidence
- Follow established procedures for receiving visitors, responding to officers, Ice presence on campus

Purpose: inform administrators on policies and practices for responding to immigration agents requesting

1. Access to school facilities
2. Student information
3. Contact with a student

Circumstance 4: Responding to the Detention or Deportation



- **Parent or guardian is not available school first follow:**

- The emergency contact information, or other information or instructions conveyed by the parent or guardian
- Not contact Child Protective Services unless the school is unsuccessful in arranging for the care of the child
- Talk to families about the development of a Family Safety Plan and Caregiver's Authorization Affidavit
- Other resources: ICE detainee locator, Legal assistance

Purpose: Provide school administrators with policies for responding to the detention or possible deportation of a student's family member

The importance of a having a family plan

“A Hemet mother of 9 was deported with 6 kids, leaving the remaining 3 with an uncertain future”

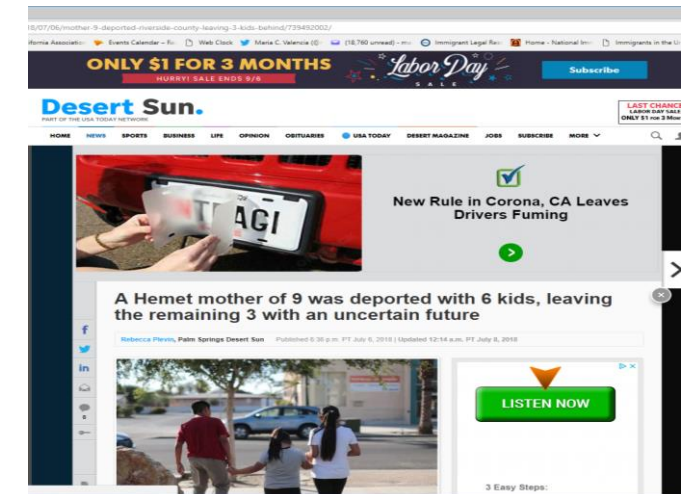
-Palm Springs Desert Sun newspaper, July 6, 2018

As the country focuses on a controversial federal immigration policy that led to family separation at the U.S.-Mexico border, Cecilia, her brother and her sister are dealing with their own traumatic separation. The three siblings are now hundreds of miles and a border away from their mother — a consequence Isabela never planned for. Now, Cecilia is struggling to determine how she will care for her siblings, especially her sister with special needs.

"I want to tell other people that they should be prepared and leave that letter to somebody they trust," she said. "I don't want them to suffer what we're suffering."- Cecilia



(Photo: Richard Lui/The Desert Sun)



<https://www.desertsun.com/story/news/2018/07/06/mother-9-deported-riverside-county-leaving-3-kids-behind/739492002/>



Prepare yourself and your family



- Talk to Your Children About Your Plan
- Keep card with name of important contacts
- Write Down Instructions if Your Child Has Any Medical Conditions and /or Takes Any medications
- Keep all immigration documents in a filed
- Make arrangements in advance for care of children
- Verbal Agreement
- Caregiver's Authorization Affidavit or guardianship



- Plan with family and practice
- Constantly update everyone's contact information and where its easy accessible
- Locating them if don't know where detained
 - Call local Police and Sheriff
 - Use Ice Detainee Locator System at: <https://locator.ice.gov/odls/homepage>. Only over 18. Will need name, A# and birthday
- Contact ICE office at: <https://www.ice.gov/contact/ero>
- When talk to them remind them of their rights- no signing, immigration status or where born before talking to an attorney

Circumstance 5: Responding to Hate Crimes and Bullying



- LEA's must put in place policies that prohibit:
 - Discrimination
 - Harassment
 - Intimidation
 - bullying
- based on a student's actual or perceived nationality, ethnicity, or immigration status
- It's a crime to dissuade or otherwise prevent a student from reporting a hate crime to law enforcement. (pen.code 136.1)
- Victims of or witnessed to hate crimes should not be detained based on immigration status or reported to the federal immigration authorities. (pen.code 422.93)
- Policies must be adopted on receiving and investigating these complaints immediately when safe to do so, and any retaliation is prohibited.
- The agency must publicize: students, parents, agents of LEA's and general public
 - anti-discrimination
 - anti-harassment
 - anti-intimidation
 - anti-bullying policies—including information on filing a complaint

Purpose: Provide LEA administrators with policies to prevent and respond to incidents of hate crimes and bullying related to victim's immigration status

Hate Crimes

What is it:

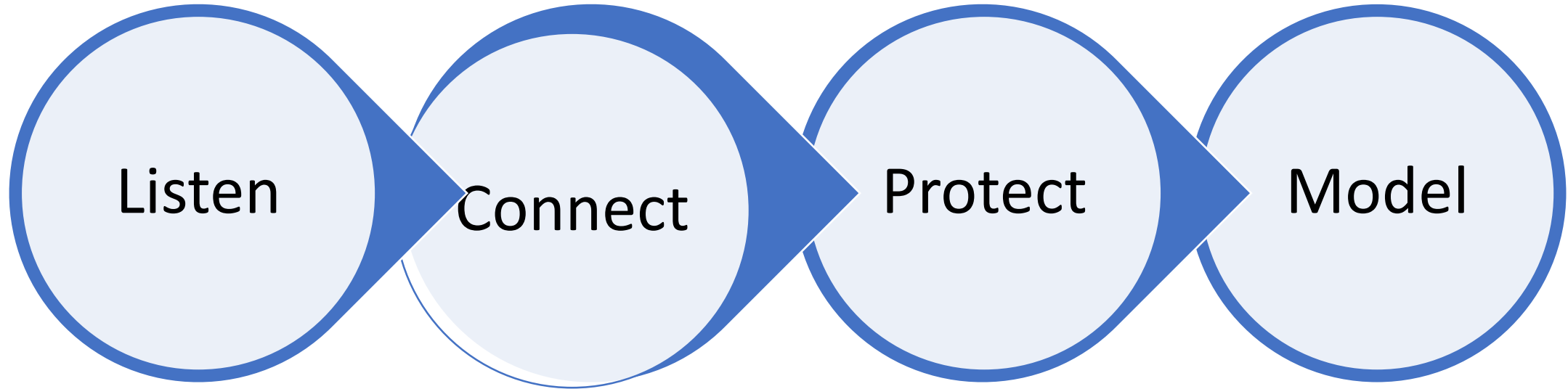
- Incident motivated in whole or in part by the victim's
 - race, religion, gender
 - sexual orientation
 - gender Identity or expression
 - disability
 - national origin
 - Ethnicity
- How to de-escalate a hate crime on the rise
 - If it's possible walk away
 - document the situation
 - Look for help

What does it include:

- physical Violence
- verbal attacks
- attacks on property
- If witness someone being subjected to a hate crime...
 - do not confront perpetrator
 - engage the victim in conversation
 - discuss random subject with victim
 - create a safe space until the perpetrator leaves
 - escort the victim to a safe place if necessary



Responding to uncertainty as parents and staff



- Feelings
- Behavior change
- Trust

- Interaction
- Activities
- Check in regularly

- Maintain Structure
- Monitor conversations that trigger fear

- Calm
- Optimistic behavior
- Respect opinions
- Communicate high expectations

Socio-emotional stress

What can schools and parents do:

Parental Mental health education interventions that are sensitive to issues specific to Latino immigrant children

- More comfortable interacting with a Spanish-speaking or bilingual mental health professional or promotora
- Teach- about normal changes that can occur when feeling nervous or upset
- Fight or flight vs. rest & digest
- Mindful breathing

- Speaking up and asking for help is a source/sign of strength
- Crucial: ask or help identify one adult at school they can ask for help if experience harassment or bullying



Parents and community can be part of the implementation process



Verify

- District's policies, rules and procedures that prohibit discrimination and harassment

Consistent

- Procedures and complaint forms are consistent with AB 699

Suggest

- District update policies, procedures and forms, and educate all school personnel, parents and students about the new requirements

Revise

- District's forms and procedures for enrollment

Consult

- With the Superintendent and request that you update all enrollment procedures and policies prohibiting discrimination to comply with the law and that you do not discriminate against immigrant students or members of your family

Share

- Help educate other parents, students and community members about the new law.

Ask to speak to the board

- On the impact of the AB 699 law and on the needs of immigrant students and their families in the district

HEALTHCARE OPTIONS

WAYS TO OBTAIN HEALTHCARE INSURANCE

Public Health insurance is available for undocumented Californians

Undocumented California's are not expected to have health insurance

1. EMPLOYER

Paid partially or fully by employer

2. PRIVATE

Covered Ca (State Marketplace)

Kaiser

3. PUBLIC

Medicaid/Medi-Cal

County safety net programs



UNDOCUMENTED AND UNINSURED



UNITED STATES / FEDERAL

- “Qualified” and “Non-qualified”
- Affordable Care Act & Medicaid-Not available to undocumented

CALIFORNIA- Independent of immigration status

- Own funds- Decide who are the “non-qualified” immigrants
- DACA-Full-Scope Medi-Cal
- Under 19-Full-Scope Medi-Cal
- Emergency medi-cal for undocumented adults
- Screenings- breast and cervical cancer
- Prenatal care

COUNTY

- County services are provided with state money, but the counties decide how it is spent
- Some county hospitals provide services

Know your health and wellness rights

GENERAL PROGRAMS AVAILABLE TO UNDOCUMENTED CALIFORNIANS

- PROGRAMS OPEN TO ALL
- Emergency-room care
- Community health centers and free clinics
- Public and safety-net hospitals
- Public health services (immunizations, treatment of communicable diseases such as tuberculosis, HIV, sexually transmitted diseases)
- Emergency treatment under emergency Medicaid, including labor and delivery for pregnancy
- Hospital Financial Assistance and Charitable programs



Reach out to immigrant students and families



Use a variety of means to communicate school policies to parents and students

Place *signs* and banners in multiple languages in school buildings announcing and explaining school policies

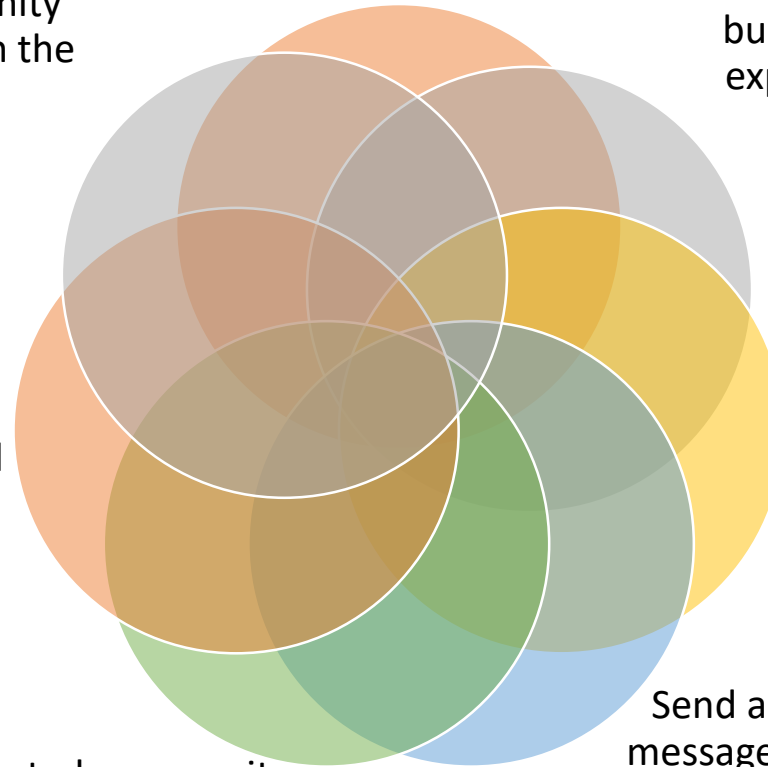
Hold school or community events meant to explain the school policies

Distribute cards explaining the school policies; and “Know Your Rights” campaign to parents, student, and school staff;

Coordinate with families in which parents may be detained to prepare power of attorney and guardianship forms- Family preparedness plan

Send automated phone messages to students and families explaining the school policies

Work with trusted community partners to reach out to families and students



What did you learn and found most important of this presentation?

What will you be able to do as a parent/leader with this information and/or knowledge you gained?



“Never let fear to be so great that it stops you from moving forward”



Ultima palabra



¡Gracias!

