

RESOLUTION No. 20-2024-2025

**TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

**TAHOE TRUCKEE UNIFIED SCHOOL DISTRICT
SITES AS SAFE PLACES FOR ALL**

WHEREAS, the Tahoe Truckee Unified School District Board of Education is committed to the success of all students irrespective of their immigration status, ethnicity, race, religion, primary language, sexual orientation, gender identity, or socio-economic status. We believe that every student has the potential to achieve, and it is the responsibility of our school district to give each student the opportunity and support to meet his or her highest potential;

WHEREAS, the Board believes that the physical safety and emotional well-being of all children in the District, and ensuring that our schools are safe and inviting for all students and their families is paramount to students being able to achieve. Tahoe Truckee Unified School District does not tolerate any form of discrimination, harassment, or bullying;

WHEREAS, all children in the United States are entitled to equal access to a public elementary and secondary education, regardless of their or their parents' actual or perceived national origin, citizenship, or immigration status;

WHEREAS, in 1982, the Supreme Court held in *Plyler v. Doe* that Texas violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution by denying undocumented school-age children a free public education. Reasoning that such children are in this country through no fault of their own, the Court concluded that they are entitled to the same K-12 education that the state provides to children who are citizens or legal residents;

WHEREAS, a letter from California Governor Gavin Newsom was sent to school leaders on November 27, 2024, about federal immigration policy and enforcement practices that could impact the state's TK-12 public schools. The letter states, "It is critical that we work together so that all children can access a quality education, be safe and secure on campus, get healthy meals, mental health care, and have the freedom to read books and learn history, while continuing to ensure their parents have the right to actively participate in their children's education."

WHEREAS, the Tahoe Truckee Unified School District Board of Education is concerned about the safety and security of the district's immigrant youth and families;

WHEREAS, this safe and inviting environment would be disrupted by the presence of the U.S. Immigration and Customs Enforcement (ICE) employees who come onto Tahoe Truckee Unified School District property for the purposes of removing students or their family members, or obtaining information about students and their families;

WHEREAS, the guidelines from the Secretary of Homeland Security dated October 27, 2021, entitled "Guidelines for Enforcement Actions In or Near Protected Areas", issued in October 2021, states "To the fullest extent possible, we should not take an enforcement action in or near a location that would restrain people's access to essential services or engagement in essential activities. Such a location is referred to as a "protected area." This principle is fundamental. We can accomplish our enforcement mission without denying or limiting individuals' access to needed medical care, children access to their schools, the displaced access to food and shelter, people of faith access to their places of worship, and more.";

WHEREAS, the above-referenced October 27, 2021, U.S. Department of Homeland Security guideline states, “The following are some examples of a protected area. The list is not complete...: A school, such as a preschool, primary or secondary school, vocational or trade school, or college or university.”;

WHEREAS, Tahoe Truckee Unified School District concurs with the U.S. Department of Homeland Security’s conclusion that schools are protected areas and that enforcement actions at schools should be discouraged;

WHEREAS, campus resource officers and campus security personnel have no purpose in enforcing federal civil immigration law and do not act as immigration agents;

WHEREAS, the Board believes that the students’ ability to achieve is negatively impacted by the removal of family members which may leave students without supervising adults to care for them;

WHEREAS, the United States of America was built by diverse peoples, both native and immigrant alike, and public education has played a critical role in furthering tolerance and strengthening our society;

WHEREAS, recent public political dialog about the deportation of students and families has resulted in students expressing fear, sadness, and concerns for student access to education and a secure educational and home environment; and

WHEREAS, the California Attorney General, Rob Bonta, released guidance and model policies entitled “Promoting a Safe and Secure Learning Environment for All” in December 2024, stating in the introduction, “Although California cannot control the actions of federal immigration enforcement agencies, federal and California laws empower schools to welcome all students and to reassure them of their educational rights and opportunities.”

WHEREAS, the Family Educational Rights and Privacy Act (FERPA) generally prohibits school districts from providing third parties, such as ICE, information about students contained in student records. More specifically, unless another exemption provided by law applies, FERPA generally prohibits school districts from disclosing personally identifiable information in a student’s “education records” to outside agencies without written parental consent, judicial order, or a lawfully-issued subpoena;

THEREFORE BE IT RESOLVED, that the governing Board of Tahoe Truckee Unified School District hereby declares that every school site is a safe place for students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts; and be it further

RESOLVED, that the Tahoe Truckee Unified School District Board work closely with the City, County, and other state and local municipalities and community organizations to ensure our students and families are offered a protected space; and be it further

RESOLVED, that the Superintendent Chief Learning Officer shall provide information and resources for immigrant students and families at all District locations; and be it further

RESOLVED, that the Board encourages appropriate professional development for staff necessary to implement the provisions of this resolution, including how to respond to immigration control personnel; and be it further

RESOLVED, that the Board encourages the Superintendent Chief Learning Officer to enhance partnerships with community-based organizations and legal services organizations who provide resources for families; and be it further

RESOLVED, that the Board reaffirms its focus on promoting and elevating tolerance, inclusiveness, and kindness of all students, families, and staff at all district school sites, facilities, and material property; and be it further

RESOLVED, that the Board reaffirms the authority of the Superintendent Chief Learning Officer to protect the data and identities of any student, family member, or school employee who may be adversely affected by any future policies or executive action that results in the collection of any personally identifiable information to the fullest extent provided by the law; and be it further

RESOLVED, that the Tahoe Truckee Unified School District will not cooperate with the Immigration and Customs Enforcement Service (ICE) without a subpoena, and/or judicially executed (i.e. signed by a judge or federal magistrate) search or arrest warrant; and be it further

RESOLVED, that if ICE agents request information or access to a school site, this request should promptly be communicated to the Office of the Superintendent for review and approval, so that the Office of the Superintendent Chief Learning Officer may seek legal advice if needed; and be it further

RESOLVED, that the Board reaffirms Tahoe Truckee Unified School District's unequivocal commitment to ensuring a safe educational environment for all students, serving as a safe educational community for students and families threatened by immigration enforcement or discrimination, to the fullest extent provided by the law.

PASSED AND ADOPTED by the Board of Education of the Tahoe Truckee Unified School District at a regular meeting held on January 22, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: _____

SIGNED: _____

Cris Hennessey,
Clerk to the Board of Education

I, Kerstin Kramer, Secretary of the Board of Education, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Education of the Tahoe Truckee Unified School District at the regular meeting on January 22, 2025, which resolution is on file in the office of said Board.

DATED: _____

Attest: _____

Kerstin Kramer,
Superintendent Chief Learning Officer