



## POLICY

MEETING      February 12, 2019  
OF:

TITLE:            Governing Board Policy ACB -- Immigration Anti-Discrimination (revision) -- Requested by Board President Dr. Mark Stegeman

ITEM #:          5

Information:

Study:            X

Action:          X

PURPOSE:

Proposed Revision to Policy ACB to clarify limits of employee responsibilities in enforcement of immigration laws and to offer referral to community resources for immigrant families.

Mr. Phil Lopes will be present to address the Board on the proposed policy revision.

STATEMENT OF POLICY:

Proposed revision to Policy ACB is up for first review. Governing Board President Dr. Mark Stegeman's proposed changes clarify expectations for TUSD employees concerning the immigration status of students and their parents, and mandate referrals to community resources as follows:

- 1) Declaring that the TUSD environment is free from investigation and enforcement of immigration laws;
- 2) Prohibiting TUSD employees from taking investigatory or enforcement action concerning immigration status;
- 3) Making clear that TUSD employees are not liable for failing to report, investigate or enforce federal or state laws or policies concerning immigration status except for those circumstances already listed in Policy ACB, and
- 4) TUSD shall refer families in need of immigration assistance to community resources offering such assistance.

KEY POINTS ABOUT THE POLICY:

See above.

REPLACES WHAT POLICY:

N/A

EXECUTIVE SUMMARY:

See above

OTHER POLICIES IMPACTED:

See above

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WHO HAS REVIEWED THE POLICY:

General Counsel

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LEGAL CONSIDERATIONS:

*Plyler v. Doe*, 457 U.S. 202 (1982)

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

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Legal Advisor Signature (if applicable)

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BUDGET CONSIDERATIONS:

\_\_\_\_\_ District Budget  
\_\_\_\_\_ State/Federal Funds  
\_\_\_\_\_ Other  
Budget Cost    Budget Code

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INITIATOR(S):

<u>Robert S. Ross, Jr., Esq.</u>	<u>02/05/19</u>
Name	Date
	Title

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DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

<b>ATTACHMENTS:</b>
Click to download
<a href="#">ACB Current Policy</a>
<a href="#">20190212 Policy ACB Proposed Revisions - TRACK CHANGES - BoardMbr Stegeman</a>

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