

Subject: Resolution No. 128-28A3

In Support of the "Consideration of Deferred Deportation for Childhood Arrivals" Program and Encouraging SFUSD to Volunteer to Assist All Our Students at the Mission High School's Deferred Action Forum

- Commissioners Kim-Shree Maufas, Sandra Lee Fewer, Hydra B. Mendoza, Emily M. Murase, Ph.D., Rachel Norton, Jill Wynns, Norman Yee and Student Delegates Megan Wong and Jaedon Brassil

WHEREAS: On September 22, 2009, the San Francisco Unified School District's Board of Education, in Board Resolution No. 99-22A2¹, urged the City and County of San Francisco to "*Remember its status as a 'City and County of Refuge'*" as set forth in San Francisco Administrative Code Chapter 12H via adopted Ordinance No. 375-89² on October 24, 1989; and

WHEREAS: In Board Resolution No. 99-22A2, the final "whereas clause," the Board noted that "*The denial of access to an SFUSD education to undocumented students would 'impose a lifetime hardship on a discrete class of children not accountable for their disabling status. The stigma of illiteracy will mark them for the rest of their lives. By denying these children a basic education, we deny them the ability to live within the structure of our civic institutions, and foreclose any realistic possibility that they will contribute in even the smallest way to the progress of our Nation,' as recognized by the Supreme Court in Plyer, 457 U.S. 202, 223*³;" and

WHEREAS: The Board of Education (past and present) has repeatedly expressed its support for all of our students and their ability to learn, grow and thrive in every available facet of the San Francisco Unified School District, regardless of their land of origin, their parentage, and/or their documentation status; and

WHEREAS: On June 15, 2012, Department of Homeland Security (DHS) Secretary, Janet Napolitano, issued a Memorandum to U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and U.S. Immigration and Customs Enforcement (ICE)⁴ in accord with that same philosophy, announcing the *Consideration of Deferred Action for Childhood Arrivals*⁵ program which offers "deferred action" to immigrants who were brought to the United States as children and who meet other specific requirements⁶; and

¹ <http://www.sfusd.edu/assets/sfusd-staff/board-archive/memberreso/kimmaufasREFUGE093.pdf>

² <http://www.sfcityattorney.org/Modules/ShowDocument.aspx?documentid=485>

³ <http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=457&invol=202>

⁴ http://www.legalactioncenter.org/sites/default/files/practice_advisory_dreamers_8-13-12_fin_0.pdf

⁵ www.uscis.gov/childhoodarrivals

⁶ http://www.legalactioncenter.org/sites/default/files/practice_advisory_dreamers_8-13-12_fin_0.pdf

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WHEREAS: Mission High School community members came before the Board of Education on August 14, 2012, to announce their leadership efforts in making this national opportunity a reality for not just Mission High School students but all eligible students in SFUSD as rapidly as possible, recognizing that this program has no accompanying federal funding nor state allocated resources to assist eligible students and their families to understand the guidelines, apply for "consideration" and ward off fraudulent prospectors in this arena.

THEREFORE BE IT RESOLVED: That the Board of Education of the San Francisco Unified School District hereby encourages the Superintendent of Schools and staff to volunteer their free time and expertise to assist Mission High School with its 2-Day Deferred Action Forum Friday, September 7th (5-8pm) and Saturday, September 8th (9am -12pm), including but not limited to the translation of materials and provision of interpreters to assist with the provision of information to families; and

FURTHER BE IT RESOLVED: That the Board of Education encourages the Superintendent to represent the Board of Education's support for the full implementation of the "Consideration of Deferred Deportation for Childhood Arrivals" Program whenever and wherever possible; and

FURTHER BE IT RESOLVED: That the Board of Education recognizes and applauds the efforts of our community partners (e.g. Chinese for Affirmative Action, Asian Law Caucus, PODER, SFOP, San Francisco Immigrant Legal and Education Network, Asian Pacific Islander Legal Outreach, Dolores Street Community Services, CARECEN Central American Resource Center, La Raza Centro Legal, and a host of community experts) in making this national opportunity a dream come true, locally, for our students and their families.

8/28/12