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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COUNTY OF SANTA CLARA,

Plaintiff,

vs.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 3:17-cv-00574-WHO

**DECLARATION OF RALPH G. PORRAS IN
SUPPORT OF AMICI CURIAE OF PUBLIC
SCHOOLS, SCHOOL DISTRICTS AND
EDUCATORS**

I, Ralph G. Porras, declare as follows based on my personal knowledge:

1. I currently serve as the President of the Association of California School Administrators (ACSA), and I am also the Superintendent of the Pacific Grove Unified School District. I have worked as an administrator and bilingual teacher in the public school system for 26 years.

2. ACSA advocates on behalf of its more than 18,000 members and, more importantly, on behalf of the roughly six million California public school children they serve. ACSA has consistently supported policies that provide a safe, inclusive and diverse learning environment for all school-aged children in California.

1 3. In my position as President of ACSA, I have had the opportunity to discuss the
2 impact of President Trump’s January 25, 2017 Executive Order regarding sanctuary jurisdictions
3 with educators, and many others in the school community, throughout the state. I am also familiar
4 with the federal funds that California school districts receive, and how those funds are used to
5 provide programs and services for students. Moreover, as Superintendent of Pacific Grove USD, I
6 am directly responsible for creating an optimal learning environment for our K-12 students, as well
7 as for Transitional Kindergartens and Adult Education students.

8 4. Many schools and school districts throughout the state have adopted policies or
9 resolutions clarifying that schools are “safe zones” or “safe havens” where all students and their
10 families are welcome. Most of these policies and resolutions were adopted long before the most
11 recent Presidential election. While these policies and resolutions vary to some degree, they are
12 primarily motivated by a desire to build trust among students and the schools that serve them, and to
13 make it clear that school officials play no role in determining the legal status of students or their
14 families with respect to federal immigration laws. To be clear, these policies and resolutions are not
15 focused on promoting a specific agenda with respect to immigration law, but instead simply assure
16 students and their families that coming to school does not expose them to federal enforcement
17 action.

18 5. The Executive Order does not clearly indicate whether schools and school districts
19 with safe zone or safe haven policies and resolutions will be identified as “sanctuary jurisdictions”
20 and subject to unspecified enforcement action and the loss of federal funds. Having spoken with
21 members of the school community throughout the state, however, I know that in many places the
22 Executive Order has created uncertainty and fear among students and families who are no longer
23 sure that schools are safe places.

24 6. School officials are concerned that the Executive Order will force them to choose
25 between rescinding their safe zone or safe haven resolution and policies or risking the loss of
26 critically needed federal funds. These same educators are already seeing an erosion of the trust and
27 faith in the system that they have built with their communities over many years, and know that if
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1 they rescind their policies to avoid federal sanctions they will cause irreparable damage to the
2 relationship between schools and the most vulnerable students they serve.

3 7. Larger school districts with their own police officers, and the many other districts
4 that work closely and cooperatively with their local police departments, have worked very hard over
5 the last couple of decades to create opportunities for trust and collaboration among the police,
6 students, and educators. Particularly for our most at-risk students, building this trust is essential to
7 their safety both within and outside of school. To the extent that the Executive Order undermines
8 this trust and collaboration, it is likely to make both students and police officers less safe.

9 8. It is important to note that all students are negatively impacted when some of them
10 are targeted and threatened with exclusion. Strong educational programs require the support of
11 healthy, vibrant and diverse communities. If some students stop attending or participating,
12 programs become less diverse and students lose valuable opportunities for interaction and
13 enrichment. An optimal educational environment allows students to dialog with each other and
14 share experiences, but this is only possible if students believe that school is a safe place to share
15 those experiences. Educators have told me that many students, particularly in schools that serve
16 large immigrant populations, are starting to withdraw and participate less in school activities. Even
17 students who are secure fear for their classmates, and worry whether they will be protected from
18 enforcement action while in school.

19 9. There are other, more direct, negative impacts on schools caused by the Executive
20 Order and the general environment that informs our students that some of them are not welcome. I
21 have spoken to educators in the Bay Area and rural parts of Northern California that have seen an
22 increase in vandalism directed at certain student populations, hateful speech directed at some
23 students, and even aggressive behavior among students stemming from a more divisive
24 environment.

25 10. Particularly in schools serving largely immigrant populations, educators have told
26 me that absenteeism and truancy have increased over the last couple of months. Drops in school
27 attendance not only impact the funding received by schools, which is based on verified average
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1 daily attendance (ADA), but also decrease the diversity, vibrancy and effectiveness of the
2 educational programs aimed at our most vulnerable students.

3 11. The threat of the loss of federal funding is already causing great concern to many
4 school officials planning and implementing multi-year budgets. Federal funds for education are
5 largely targeted to students from low-income families, English learners and students entitled to
6 special education. The loss of these funds would be devastating for these vulnerable and often
7 under-served students.

8 12. Finally, in my many years of experience in the public school system, I have learned
9 that students carefully watch adult behavior to determine what is “licensed” behavior in their
10 schools and community. If adults stand by their safe zone and safe haven resolutions, policies and
11 behaviors, that sends a positive, inclusive message to the students. If they rescind or revoke those
12 resolutions, and associated policies, it sends a very different and harmful message. The Executive
13 Order thus places school officials in a “no-win” situation – either protect your students or protect
14 your funding. This is untenable and unconscionable.

15 I declare under penalty of perjury under the laws of the State of California that the foregoing
16 is true and correct.

17 Executed on March __, 2017, at _____, California.

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20 _____
Ralph G. Porras