

OUSD Sanctuary District FAQs and Resources

At OUSD we stand behind our students no matter where they were born or the barriers they have overcome to be here. We cherish the cultural richness in our district and make no exceptions when it comes to including learners with a wide variety of backgrounds and needs. We stand behind a commitment to doing everything possible to ensure students are safe at school regardless of their immigration status with our [Sanctuary District Resolution](#), in place since 2008, renewed along with Oakland's Sanctuary City Resolution in November, 2017.

As a Sanctuary District, OUSD does not ask for or require proof of legal immigration status upon enrollment, nor is any such information gathered by schools. These Frequently Asked Questions are meant to provide information and recommendations to inform our community. **It does not constitute or contain actual legal advice.** Immigration law is very complicated, and we encourage individuals to seek the counsel of an immigration attorney regarding any matters specific to their individual situations. See resources below for upcoming legal consultation clinics in Oakland.

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FREQUENTLY ASKED QUESTIONS

Who are refugee students in OUSD?

Oakland has welcomed refugees arriving through the resettlement program since the 1970s. In a typical year, around 500 new refugees of all ages arrive in Oakland (with around 100 school aged children) and are assisted by one of the local Refugee Resettlement Agencies. Rising housing costs have reduced the number of new arrivals to Oakland in recent years, however last school year we still welcomed 67 new students that came through the resettlement program, escaping violence and persecution in Afghanistan, Burma, Eritrea, Sri Lanka, Syria, Pakistan, Iraq and other countries. See [OUSD Refugee Program Factsheet](#) for more information.

How does the recent Executive Action on Immigration (*Protecting the Nation From Foreign Terrorist Entry Into the United States*) affect refugee students and families in OUSD?

The Executive Action temporarily halted the US Refugee Admissions Program, suspended resettlement for Syrian refugees indefinitely, and reduced the number of refugees to be resettled this year by over 50%.

The Action bans entry to non-citizens that are outside of the US and come from certain countries- it does not directly affect the immigration status of refugee students and families already in the US. However there are hundreds of OUSD students and families who were born in countries that were listed on last Friday's executive action (Iran, Iraq, Syria, Yemen, Sudan, Libya and Somalia) who are understandably distressed by the fact that some friends and relatives remaining overseas in those countries will not be able to join them here in the US in the near future.

Of the 7 countries listed in the Action, the largest population in OUSD are from Yemen - around 500 current students were born in Yemen though very few arrived through the refugee resettlement program. There are only 7 families in OUSD that arrived from Syria through the refugee program due to the high cost of living here.

Refugees and Asylees are encouraged to adjust to Legal Permanent Resident Status (often called a Green Card) one year after entering the US. There is still confusion around what the Executive Action means for those with LPR trying to re-enter the country but as of Sunday (1/29/17), the White House Chief of Staff said the Executive Action wouldn't prevent those with LPR from re-entering the US, but they would receive extra vetting at airports. There is widespread concern particularly from Muslim families in OUSD that the ban will extend to additional countries such as Afghanistan, which is the country of origin for many recently arrived refugees in Oakland.

What about Asylees and Asylum Seekers?

The Executive Action from last Friday does not directly affect our largest group of newcomer students- those fleeing violence and persecution who continue to arrive in large numbers from Guatemala, El Salvador and Honduras. Most of the newcomers from Central America are in immigration proceedings already, so the recent Executive Action does not relate to them. More than 225 OUSD students from those countries have been granted Asylum over the past three years, which gives them a path to permanent residency and citizenship.

Can undocumented children continue to attend school in Oakland?

Yes. Every child has a right to a public school education, without regard to his/her immigration status, and OUSD will continue to serve all of our students and families, as we always have. Additionally, Oakland is a Sanctuary City, and OUSD thus does not require proof of legal immigration status to enroll or attend school.

What can I do to help my situation?

As of now, the highest priority for deportation includes those with a criminal record and previous immigration offenses (like outstanding orders of deportation). To mitigate potential immigration consequences, students and families should do their best to: remain calm; follow the law; and continue to make their court appearances and Intensive Supervision Appearance Program or ISAP appointments, should they have any.

I have DACA. What should I do?

Deferred Action for Childhood Arrivals (DACA) is based on an executive order put in place by President Obama. President Trump can rescind this order at any time, and during his campaign pledged to do so. If you are a recipient of DACA, consider reaching out to an immigration attorney to determine your best course of action moving forward. If you are eligible for DACA and are considering enrolling in the program for the first time, you should not do so without speaking with an immigration attorney. For your own protection, please do not seek the advice of notarios or others who are not licensed or experienced immigration attorneys.

I arrived from Central America in the last 3 years and have been placed in deportation proceedings. What does Trump's presidency mean for me?

Students and families who are already in proceedings will continue to fight their deportations in immigration court, regardless of the new administration. Although a person can defend his/her deportation himself/herself, it is best to seek the representation of an attorney, as winning in immigration court can be difficult. The San Francisco Immigration Court has an Attorney of the Day program, where private and non-profit attorneys donate their time to represent those in court without legal counsel. There are also legal resources within Oakland for free

representation. If you are in proceedings and do not yet have an attorney, please contact [Nate Dunstan](mailto:nathaniel.dunstan@ousd.org) at nathaniel.dunstan@ousd.org for information on an upcoming legal consultation.

I have legal immigration status but am not a citizen. Should I be worried about deportation?

We encourage students and families to seek the counsel of an immigration attorney about the best way forward regarding their individual situations. Immigration law is very complicated and every person should seek the guidance of an attorney, should they have questions about personal immigration matters. Generally speaking, permanent residents, refugees, asylees, U visa recipients, and children with Special Immigrant Juvenile Status should not see their status change under Trump's presidency. As always, new criminal convictions may impact immigration status so it is critical that all laws be obeyed and that if you do have a criminal incident, you speak with an immigration attorney as soon as possible. If you want to travel abroad, it would be a good idea to speak to an immigration attorney about your plans before leaving the country, as foreign travel may impact your ability to return to the U.S.

What does OUSD do to ensure that no student or family is discriminated against or harassed because of their race, ethnicity, religion or national origin?

OUSD believes deeply in ensuring equality – it is one of our core values. We have policies in place that mandate no discrimination or harassment of our students, families or employees on the basis of race, ethnicity, religion, national origin and many other protected classes. Members of our school communities across the city are taking steps to promote dialogue and inclusion after recent events. This [article from the East Bay Times](#) highlights some of this work. Please reach out to your school's Restorative Justice facilitator, COST team, and/or site administration to engage around strengthening our inclusive school communities.

What should I do if I feel like I have been the victim of discrimination or harassment?

Please report the behavior immediately to a supervisor, school leader or to the superintendent. Complaints and concerns can be filed using OUSD's [universal complaint process](#). We take these complaints very seriously in order to assure that our schools continue to be safe spaces.

What should I do in the event that I come in contact with ICE?

If you are undocumented, have a pending immigration case in court, or are being questioned about a person in such a situation, you should give your true and correct name but should not answer any other questions. You do not have to open the door for an immigration agent unless they slip an arrest warrant that has your name or is signed by a judge or magistrate under the door. If you are detained, you will be allowed to make a phone call so you should have a number to call memorized. For more information, you should attend an upcoming Know Your Rights training sponsored Centro Legal de la Raza.

What else is OUSD doing that I should know about?

A few days before the Executive Action on Immigration, the OUSD Refugee & Asylee program hired a short term consultant (a parent of a student at MLK elementary) to conduct a district-wide needs assessment of the Yemeni community in OUSD. One of the purposes of the needs-assessment is to provide schools with a list of resources specifically for Yemeni students. Please see the following [flyer](#) in Arabic regarding legal services at Jewish Family and Community Services in Berkeley which you can distribute to any Arabic speaking families that are interested.

Where can I volunteer or help local refugee and immigrant students?

There are lots of amazing organizations that work locally with immigrant and refugee youth and their families. Three that we work closely with are [Refugee Transitions](#) (which has a lot of volunteering opportunities available), [Soccer Without Borders](#) and [Centro Legal de la Raza](#). Making a donation to any of these organizations also helps them continue their important work.

What if I have other questions?

OUSD is one of the few school districts in California with a full-time staff position dedicated to serving refugee students and families. Please feel free to reach out to [Nate Dunstan by email or phone: \(510\) 273-1661](#).

ADDITIONAL RESOURCES

[Centro Legal de la Raza](#)

- Drop-in general immigration legal consultation clinic takes place the third Thursday of every month from 9:00 a.m. – 12:00 p.m at 3400 E 12th St, Oakland (Fruitvale Village).
- Call (510) 437-1554, email info@centrolegal.org, or stop by the main office.

The Refugee Center

- Information in Amharic, Arabic, Chinese, French, Karen, Kurdish, Nepali, Russian, Spanish, Turkish, and Vietnamese.
- Read: [How will President Trump's Executive Order affect refugees in America?](#)

National Immigration Law Center

- [FAQs About DACA Now That Trump Is President-Elect](#)

Jewish Family and Community Services

- Immigration Legal Services from in [Arabic Farsi/Dari English](#)

Immigrant Legal Resource Center

- [Guidance for Educators](#)