



Title

ACCESS TO EDUCATION FOR ALL STUDENTS

Sponsor

Board of Education of SCHOOL DISTRICT NO. 40 (NEW WESTMINSTER)

Authorization

To be completed by the Board Chair, BCSTA Branch Association President, BCSTA Committee Chair or BCSTA President:

- *This motion has been passed in final wording by a majority vote of the Board/Branch/Committee and that vote is recorded in the official proceedings of the Board/Branch/Committee
- * Maya Russell is authorized by the Board/Branch/Committee to discuss and, if necessary, edit the motion. The Authorized Contact Person's mrrussell@sd40.bc.ca and 604-351-2653.
- *I confirm that I have read the BCSTA Motion Guide

BCSTA Bylaws, Policies and Foundational Statements

Please indicate if the proposed motion relates to an existing Foundational Statement or Policy Statement in [BCSTA's Policies](#). You must check one or more boxes.

- Relates to Foundational Statement No. [#]1.2, 4.2, 5.4
- Relates to Policy Statement No. [#]4.6.2
- Propose to make this motion a new policy statement.
- This is an action motion and does not change or contradict any existing Foundational Statement or Policy Statement.

Motion

Please clarify who the recipient of the motion is/who should do the work associated with the motion. (e.g. Ministry of Education, Ministry of Finance, etc.)

The BCSTA develop a template to help Boards of Education remove barriers to registration for students with precarious or no immigration status in their Districts; and that the BCSTA calls on the BC Ministry of Education to remove barriers for students with precarious or no immigration status.

Rationale

Provide a ***succinct*** description of why this motion is needed, plus any relevant background information.

Under international human rights agreements, states have agreed to ensure access to education for every child without exception. The Universal Declaration on the Rights of the Child, which Canada signed in 1990, recognizes the right of a child to education, and protection against all forms of discrimination or punishment based on the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

The BC School Act clearly states that any school-age child who lives in a community is eligible for public education and requires the Ministry to provide funding for every student.

The late Anita Hagen, Minister of Education from 1991 to 1993, spoke in the Legislative Assembly about the importance of ensuring students not be denied registration because of the immigration status of their parents.

In 1989, our association participated in a review of the School Act. Our written submission states: "all children resident in a district should be eligible to attend public school. School boards should not be asked to police the Immigration Act."

Several explanations are offered around reluctance or refusal to register students including a misplaced concern about federal immigration laws; concern that the District will not receive funding for the student or will have difficulties when audited; and concern that opening the doors to sanctuary students will somehow mean they are unable to charge international student fees which have become a significant portion of some District's revenues. None of these objections are valid when investigated and should not continue to present barriers. Currently barriers include references to citizenship or immigration from registration information, checklists, or forms, which are not necessary to confirm residency. It is important to expand which documents acceptable to demonstrate that a student and guardian meet the requirements of the School Act as living in the community, or "ordinarily resident". It is critical that schools do not exceed their jurisdiction by providing student or family information to immigration enforcement agencies, except where expressly required to

do so by law. It is also important to communicate clearly to the community that the District is committed to ensuring all students can attend school regardless of immigration status. Training for school staff about sanctuary schools and the importance of maintaining student and family privacy at all times would also need to be reviewed.

Optional References

Provide links to additional background material (e.g., legislation, websites, etc.)

United Nations Convention on the Rights of the Child, Articles 2.2 and 28
<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

Briefing Note, Sanctuary Schools Oct 12 2021
<http://www.sanctuarycityvan.com/wp-content/uploads/2022/01/Sanctuary-Schools-Brief.pdf>

BC School Trustees Association Representation on the Draft School Act: Major Policy Questions for Consideration of EPAC 1989-04-20/21
<http://www.sanctuarycityvan.com/wp-content/uploads/2022/03/BCSTA-Submissions-on-School-Act.pdf>

UNESCO, 2019. Global Education Monitoring Report 2019 Migration, Displacement & Education: Building Bridges, Not Walls
<https://en.unesco.org/gem-report/report/2019/migration>

Access for All, New Westminster Schools
<https://newwestschools.ca/about-us/safe-and-caring-schools/access-for-all-sanctuary-schools-policy/>

ImmigrantsRising.org, Understanding the Sanctuary School & Safe Zone Movement.
<https://immigrantsrising.org/resource/understanding-the-sanctuary-school-and-safe-zone-movement/>

REMINDERS:

***PLEASE ENSURE YOU HAVE COMPLETED THE ENTIRE FORM**

*Please send a **Word version** of the completed motion submission form to motions@bcsta.org.

*Visit the [BCSTA HUB](#) to see the [BCSTA Motion Checklist](#) and other resources regarding preparing motions for BCSTA's AGM and Provincial Council.

Types of BCSTA Motions

Categories	Description	Example	Which BCSTA body can enact	Process to enact
Bylaws	The rules which govern the organization.	<i>The President, the Vice-President, the Directors and the immediate past President shall form the board of Directors. The chief Executive officer shall be a nonvoting member of the Board. (Bylaw 3)</i>	BCSTA member boards at General meetings	Extraordinary motion: 2/3 ballot vote
Foundational Statements	The core beliefs and values of the Association. Intended to guide future policy and action motions. Meant to be long-term/long standing.	<i>BCSTA believes that educational programs should address literacy, critical thinking and problem-solving, communication, collaboration, and creativity and innovation, as well as aesthetic, cultural, numerical, scientific, and technological literacies. (5.1FS Educational Programs Objectives)</i>	BCSTA member boards at General Meetings	Extraordinary motion: 2/3 ballot vote
Policy motions	Motions that support and expand Foundational Statements. Reflect context and guide the advocacy of the Association.	<i>BCSTA adopts as policy the following principle: BCSTA supports the use of a variety of instructional strategies for addressing student differences, including...</i>	BCSTA member boards at General Meetings Provincial Council <i>(on interim basis)</i>	Substantive (ordinary) motion: simple majority
*Action motions	Define an action that the Association will take, usually on a specific issue. (*Note: Action motions make up the majority of motions currently passed at AGM and Provincial Council.*)	<i>That BCSTA urge the Ministry of Education to review the transportation funding formula....</i>	BCSTA member boards at General Meetings Provincial Council	Substantive (ordinary) motion: simple majority