

'Safe Haven' schools put illegals ahead of safety

By Andrea Seastrand

When State Superintendent of Public Instruction Tom Torlakson sent a letter to school districts urging them to declare their schools "safe havens," you might assume he focused on things like providing more security officers and cameras along with ensuring violent troublemakers are expelled.

But Torlakson recommends actions that actually could make California's schools less safe by not cooperating with law enforcement requests for information on students who are in the country illegally.

"Schools must verify a student's age and residency, but they have extensive flexibility in what documents are used and do not need to use pertaining to immigration status," Torlakson said. "No records can be released to law enforcement without a parent's written permission, a court order or subpoena. Schools should not collect or maintain any documents pertaining to immigration status."

But sometimes students who are in the country illegally do illegal things. You may have heard about a recent incident at Rockville High School in Maryland where a 14-year-old girl was allegedly raped in a school bathroom stall by two students.

One of those arrested is Henry Sanchez-Milian, an 18-year-old citizen of Guatemala, who was caught sneaking across the border in Texas last August, detained for 12 days and released to his family in Maryland. The other is Jose Montano, 17, from El Salvador who also may be in the country illegally but immigration officials declined to confirm that because he's a minor.

Despite their advanced years, both Sanchez-Milian and Montano were in the ninth grade along with the girl they are accused of raping. Both students are being charged as adults with first-degree rape and two counts of committing a first-degree sexual offense.

Understandably, there has been outrage at an 18-year-old man being placed in a classroom with 13- and 14-year-old girls, and concerns about providing free schooling to those who are here illegally. A week after the assault, school officials defended their actions before an auditorium of concerned parents.

"When a student comes in as an unaccompanied minor, they are vetted at the border," said Montgomery County School Superintendent Jack Smith, which elicited unintended laughter from the audience. "Federal law and state law prohibit us from denying students access to an education. We don't want students who will do horrible things to other people. But it's an imprecise process."

Smith and Torlakson cited the 1984 Supreme Court decision, *Plyler v. Doe*, which requires schools to enroll all children regardless of their citizenship or immigration status. But that 5-4 decision was an example of the judiciary abusing its power by acting as a legislature.

"The Court employs, and, in my view, abuses, the Fourteenth Amendment in an effort to become an omnipotent and omniscient problem solver," wrote Chief Justice Warren Burger in his dissenting opinion.

Americans are a compassionate people, but we don't have unlimited funds to care for and educate the entire world. More than 165 million foreigners would permanently leave their countries and move to the U.S. if they could, according to a 2009 Gallup poll.

Illegal immigration may help illegal immigrants, but it's harming the quality of life for the average Californian. California has the sixth largest economy in the world, yet it has some of the worst roads and educational performance in the country. But state officials complain there's not enough money to fix our roads and adequately fund our schools.

One of the reasons is that government is spending more than \$25 billion to support an estimated 3 million illegal immigrants in California along with their 1.1 million U.S.-born children, according to a 2014 study by the Federation for American Immigration Reform. More than \$14 billion of that goes just for education.

But instead of seeing that as a problem for the Californians who are here legally and are being shortchanged, state officials like Torlakson want to encourage more of it.

Fortunately, not all school officials agree. Hollister School District Trustee Robert Bernosky posted the following comment on an article about the "safe haven" effort: "If you want to know why our educational systems in California are (in general) failing to deliver high quality educations, it is because school boards and administrators are spending time on this nonsense. Current laws and policies already protect immigrants in the public school systems.

"Those pushing for these resolutions with the rhetoric that they are using are merely creating fears that are unfounded and are diverting attention from the true crisis in public education. Fellow board members and administrators: Take a look at your district's test scores and financial statements, that's where your and the students' problems are!"

Tell your local school officials that you want them to cooperate with law enforcement when information is requested. Respect for duly-constituted authority is what allows us to function as families and as a nation. We are a nation of law, not of trendy social justice experiments.

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