

TONATIERRA
PO Box 24009
Phoenix, AZ 85074

April 28, 2010

Mr. David Lujan, President
Phoenix Union High School District
4502 N. Central Avenue
Phoenix, AZ 85012

Dear President Lujan,

Good greetings. In response to the threat of immoral and illegal state sanctioned discrimination which is imminent due to the signing into law of SB 1070 by Arizona Governor Jan Brewer, TONATIERRA hereby petitions the Phoenix Union High School District to institute a policy of non-compliance with SB 1070 law to be adopted immediately.

It is our belief and understanding that SB 1070 is an assault upon the dignity and integrity of both our community and individual rights, giving illegitimate license to the systematic violation of our Civil Rights, Human Rights and Indigenous Rights.

In defense of the Right to Education, the US Supreme Court ruled in Plyler v. Doe, 457 U.S. 202 (1982), that public schools were prohibited from denying immigrant students access to a public education. The Court stated that undocumented children have the same right to a free public education as U.S. citizens and permanent residents. Undocumented immigrant students are obligated, as are all other students, to attend school until they reach the age mandated by state law.

Public schools and school personnel are prohibited under Plyler from adopting policies or taking actions that would deny students access to education based on their immigration status. The implementation of

SB 1070, would be a prima facie violation of the Right to Education protected by Plyler v. Doe, moving the chilling effect of discriminatory racial profiling into an ice age, institutionalizing a climate of fear and racial profiling on each school campus.

Fear lives in the house of ignorance. In order to proactively address the current situation in terms of education, we propose that the PUHSD:

- **Immediately adopt a policy of NON-COMPLIANCE with SB 1070, communicating this policy with the appropriate memorandum of understanding with the City of Phoenix Police Department SRO officers on each campus.**
- **Take action to implement a Human Rights Curriculum to enhance and educate appreciation and understanding for the principles of the Universal Declaration on Human Rights (1948) and the UN Declaration on the Rights of Indigenous Peoples (2007).**
- **Implement permanent programming in Cultural Competency to mitigate the negative effects of SB 1070 in our communities and in our schools.**

Thank you for your kind consideration.

Sincerely,

Tupac Enrique Acosta
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