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SCL

Resolution Supporting the
Emergency Agriculture Relief Act sponsored by Senator Feinstein
And Supported by the United Farm Workers

Whereas, the United Farm Workers have lead the struggle to seek legalization for farm workers in America,

Whereas, the United Farm Workers is Supporting the Emergency Agriculture Relief Act, which would provide for legal status for farm workers with a work permit for five years and thereby prevent massive deportations of farm workers;

Therefore, be it resolved that California LULAC supports the United Farm Workers in its support of the Emergency Agriculture Relief Act of 2008.

Council # 3090

Handwritten notes and signatures, including the number 23 and the word "PREF".

Subj: Farmworker Justice Update - AgJOBS and the Emergency Agriculture Relief Act
Date: 5/22/2008 10:38:42 AM Pacific Daylight Time
From:
To:
Received from Internet:

May 22, 2008
Farmworker Justice Update on AgJOBS and the Emergency Agriculture Relief Act

On May 15, 2008, the Emergency Agriculture Relief Act experienced a significant victory in the Senate Appropriations Committee when Senator Feinstein offered the Act as an amendment to the supplemental appropriations bill for the Iraq war. The amendment won on a strong bipartisan basis (17-12), with seven Republicans supporting the bill (Senators Stevens, Specter, Domenici, Bond, Bennett, Craig, and Brownback). After the Committee's vote, anti-immigrant forces activated Sen. Jeff Sessions (R-AL) vigorously objected to the Act on the Senate floor. Anti-immigrant media personalities blasted it as "amnesty." Xenophobic advocacy groups launched a campaign to generate faxes and phone calls to Congress. The White House opposed including the Act in the spending bill.

The Emergency Agriculture Relief Act is no longer in the supplemental appropriations bill because it faced procedural difficulties as substantive legislation on a spending bill. The Act was removed from the bill when Senator Menendez (D-NJ), a member of the Congressional Hispanic Caucus, objected to it. The CHC opposes piecemeal immigration legislation and is advocating for a comprehensive legislative solution. Sen. Sessions undoubtedly would have objected after making several long speeches attacking the Act.

Senators Feinstein and Craig committed to seeking another vehicle for this critical piece of legislation. The legislative options in this presidential election year, however, are dwindling.

The Emergency Agriculture Relief Act is a temporary solution to address urgent needs until Congress returns to pass a more comprehensive solution. The Act has bipartisan support and is the product of careful negotiations between farmworkers (led by the United Farm Workers) and their employers. Like AgJOBS, the Emergency Relief Act contains two components. It would reform the H-2A temporary foreign agricultural worker program (these reforms would supersede the Bush Administration's pending plans to make anti-worker changes to the H-2A program regulations). The Act also would regularize the status of many farmworkers by providing a temporary resident status to qualified, law-abiding undocumented farmworkers as long as they continued to work in agriculture. Spouses and minor children also would receive a temporary status.

Unlike AgJOBS, the Emergency Relief Act would expire in 5 years and would not provide the temporary residents with a path to permanent immigration status. A stalemate in Congress over immigration policy is impeding a long-term resolution of the problems that AgJOBS would solve. The Emergency Relief Act's expiration date and other features would force the stakeholders and Congress to return to the issues in the near future to pass a permanent and effective solution such as AgJOBS.

- what happens after 5 yrs.

Adrienne DeVartanian

Sunday, May 25, 2008 CompuServe: Aranchsj

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Sunday, May 25, 2008 CompuServe: Aranchsj

Subj: Resolution DRAFT
Date: 5/23/2008 2:15:47 PM Pacific Daylight Time
From:
To:
CC:
Received from Internet:

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[Signature]

Dear Rev. Alvarez,

Here is the text of a draft resolution. Can you please copy this text into a Word document and amend it as you see fit and then print your final versions for your meeting tomorrow? I will fax it to Juan's hotel, but my guess is you will want to make edits. Thank you! Layla, 512-669-8999

Resolution of Commendation for Southwest Key Programs

WHEREAS, Southwest Key Programs has been serving youth and families with the highest level of excellence for over twenty years; and,

WHEREAS, Thousands of unaccompanied immigrant children are provided with shelter, food, education, counseling, legal and medical services, and reunified with their families by Southwest Key Programs each year; and,

WHEREAS, Southwest Key Programs honors and respects the individual cultures and traditions of the children in their care and provides humanitarian services in a nurturing and therapeutic environment 24 hours per day to support them through their journey; and,

WHEREAS, LULAC believes Southwest Key Programs must be replicated in other states to provide a much needed service to immigrant children in the United States; and,

~~WHEREAS, Southwest Key Programs is a LULAC member with five councils; and~~
Southwest Key has 3 centers in California providing services for unaccompanied minors.
NOW, THEREFORE BE IT RESOLVED that on this twenty-fourth day of May, 2008, LULAC Council 3090 does hereby extend official commendation and support for Southwest Key Programs and pledges to work jointly with Southwest Key Programs to address issues related to Hispanic communities across the country; and,

BE IT FURTHER RESOLVED, that the LULAC Council 3090 record this resolution committing its full support of Southwest Key Programs in its meeting minutes and present this resolution to the LULAC California State Council for adoption.

Council # 3090

Saturday, May 24, 2008 CompuServe: Aranchsj

FA

Resolution on Due Process for Special Education
Sponsored by Assemblywoman Sally Lieber

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Whereas, Assemblywoman Sally Lieber has introduced AB2717 to continue the sound practice that requires school districts, rather than parents, to be the burden of proof in impartial due process hearings arising out of a student's special education programs;

Whereas, this was the practice in California and 33 others states prior to 2005 and has served as an essential tool in protecting the rights of children with disabilities to receive a Free and Appropriate Public Education, as guaranteed by Congress under the Individual with Disabilities Education Act (IDEA);

And, Whereas AB 2717 is necessary to protect the rights of Latino children in the wake of a recent Supreme Court decision (Schaffer v. Weast, 2005) which declares that in the absence of an individual state statute to the contrary, the burden of proof in special education due process hearings falls on the party challenging the Individualized Education Program (which is generally the parent);

And, Whereas recent amendments to IDEA and the Schaffer decision have made it much more difficult for students to prevail at impartial hearings. And, of course, the students and families who suffer most are those who cannot afford attorneys, who do not speak English as their first language or who are unable to advocate effectively due to circumstances of their lives;

And, whereas AB 2717 simply puts into statute what was already the practice in California for over a decade and will not cause school districts to incur any additional costs and is vital in order to maintain a level playing field between school districts and parents;

Therefore, California LULAC supports AB 2717.

Council 3090

FA

May 22, 2008

RE: AB 2717 SUPPORT

Speaker pro Tempore Sally Lieber
State Capitol, Room 3013
Sacramento, CA 94249-0022

Dear Assemblywoman Lieber,

We are writing in SUPPORT of AB 2717, to continue the sound practice that requires school districts, rather than parents, to bear the burden of proof in impartial due process hearings arising out of a student's special education program. This was the practice in California (and 33 other states) prior to 2005 and has served as an essential tool in protecting the rights of children with disabilities to receive a Free and Appropriate Public Education (FAPE), as guaranteed by Congress under the Individuals with Disabilities Education Act (IDEA).

AB 2717 is necessary to protect the rights of children in the wake of a recent Supreme Court decision (*Schaffer v. Weast*, 2005) which declares that in the absence of an individual state statute to the contrary, the burden of proof in special education due process hearings falls on the party challenging the Individualized Education Program (which is generally the parent).

Recent amendments to IDEA and the *Schaffer* decision have made it much more difficult for students to prevail at impartial hearings. And, of course, the students and families who suffer most are those who cannot afford attorneys, who do not speak English as their first language or who are unable to advocate effectively due to the circumstances of their lives.

AB 2717 simply puts into statute what was already the practice in California for over a decade—it will not cause school districts to incur any additional costs and is vital in order to maintain a level playing field between school districts and parents.

Thank you for your work on this important issue.

Sincerely,

