Adopted: January 24, 2017

ACADEMIC SENATE
Of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA

AS-824-17

RESOLUTION IN SUPPORT OF CAL POLY’S UNDOCUMENTED COMMUNITY

WHEREAS, The potential revocation of federal Deferred Action for Childhood Arrivals (DACA) and other changes in federal policy may further jeopardize the safety, security, and material well-being of Cal Poly’s undocumented and other vulnerable communities; and

WHEREAS, A national “sanctuary” movement has emerged at schools, colleges, and universities across the country, dedicated to protecting the safety, security, and well-being of undocumented communities; and

WHEREAS, The Lieutenant Governor of California, the California Faculty Association, and over 120 community and civil rights organizations in the state have endorsed the goals and strategies of the campus sanctuary movement; and

WHEREAS, The University of California system has adopted strong guidelines for protecting vulnerable communities, by restricting campus police officers’ cooperation with federal immigration enforcement; restricting the voluntary sharing of confidential information; refusing to cooperate with federal efforts to create a registry based on protected characteristics such as religion or national origin; and providing comprehensive funding and support for undocumented students; and

WHEREAS, The Chancellor of the California State University has expressed concern for “students and other members of our campus community who lack documentation” and issued a flexible set of guidelines that “provides each campus with the opportunity to implement a policy reflecting its unique campus climate, while assuring conformity in certain key systemwide principles”; and

WHEREAS, The current policy manual of the Cal Poly Police Department still enables some forms of cooperation and voluntary sharing of information between campus law enforcement and federal immigration authorities; and

WHEREAS, The Cal Poly Statement on Diversity and Inclusivity (AS-807-15) confirms that “As an institution that serves the state of California within a global context, we support the recruitment, retention, and success of talented students, faculty, and staff from across all societies, including people who are from historically and societally marginalized and underrepresented groups”; and

WHEREAS, President Armstrong has pledged to support Cal Poly’s undocumented students and graduates, to nurture “a campus climate that embraces inclusivity and diversity,” and to refrain from the voluntary sharing of personal student information with federal immigration authorities; and

WHEREAS, The Undocumented Student Working Group within the Office of University Diversity and Inclusivity facilitates trainings, provides resources and support, works with local law enforcement leaders to review policies and procedures and advises the
WHEREAS, The Undocumented Student Working Group, in partnership with undocumented community members and the campus student club Rising Immigrant Scholars through Education (RISE), has identified key unmet needs, including the lack of adequate legal advice, staff support, and financial resources; therefore be it

RESOLVED: That the Academic Senate affirms its support for the undocumented members of the Cal Poly community and for Cal Poly’s compliance with the Chancellor’s directive regarding the limits of CSU cooperation with federal immigration enforcement; and be it further

RESOLVED: That the Academic Senate further request, with great urgency and in concordance with the Chancellor’s directive and Cal Poly’s commitments to diversity, inclusivity, and student success, that it be the stated policy of Cal Poly not to voluntarily cooperate with federal immigration authorities to the extent legally possible, including not allowing federal immigration enforcement physical access to land owned or controlled by Cal Poly and not sharing the personal information of students and community members unless required to by law or court order; and be it further

RESOLVED: That the Academic Senate request that the Cal Poly administration, with great urgency and in continued collaboration with the Undocumented Student Working Group, prepare for the potential impact of significant shifts in federal immigration policy by seeking new and expanded forms of support for the undocumented community at Cal Poly, including the provision of legal resources, full-time staff support, communication, counseling, and alternate sources of funding; and be it further

RESOLVED: That this resolution be distributed to the CSU Board of Trustees, the CSCU Chancellor, the Chair of the CSU Statewide Academic Senate, Chairs of campus Academic Senates, and the California State Students Association (CSSA).

Proposed by: Sarah Bridger, Senator
Date: December 8, 2016
July 29, 2016

MEMORANDUM

TO: CSU Presidents

FROM: Timothy P. White

Chancellor

SUBJECT: U.S. Immigration and Customs Enforcement

This memorandum clarifies the California State University’s relationship with the U.S. Immigration and Customs Enforcement (ICE) agency, and our respective law enforcement responsibilities.

I. CSU’s commitment to our diverse communities

CSU is proud of the diversity of its students and employees and strives to foster a campus community that is safe and welcoming for everyone. Consequently, CSU is committed to assuring an environment where all members of our university community are not hesitant or afraid to come forward or interact with our University Police departments for fear of intervention by ICE.

II. Jurisdiction over federal immigration laws and current campus policies

Primary jurisdiction for enforcement of federal immigration laws concerning unlawful entry into the United States rests with ICE, not with University Police or other local or municipal law enforcement departments.

Campuses across our system vary in the degree with which their policies describe the relationship and role of campus police departments with ICE. While some campuses have adopted the template policy offered by Lexipol, a national public safety organization, other campuses have adopted their own policy, and a few campuses do not have a policy addressing this issue.

III. Systemwide guidance and principles

The University is adopting flexible CSU systemwide policy guidance to address its relationship with ICE. Each campus shall have its own policy reflecting its unique campus climate. However, in an effort to achieve consistency in addressing CSU’s
relationship and/or involvement with ICE, I request that you make sure your campus policy is consistent with the following principles:

- Campus policies shall make clear that the CSU will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as consistent with California Government Code §§7282 et seq. or as required by law.

- Campus policies shall affirmatively state that CSU Police Departments will not honor ICE immigration hold requests, unless doing so is consistent with California Government Code §§7282.5 or as required by law.

- Campus policies shall avoid the use of the term “sanctuary,” a term for which there is no standard definition or common understanding and which, if used, can lead to confusion and misunderstanding. Rather, utilizing terms such as ‘safe and welcoming’ is accurate.

- Campus policies shall not state that the campus is adopting the “Trust Act” per se, or agreeing to comply with its provisions because the Trust Act does not apply to the CSU. There are features of the Trust Act that may be in a campus policy.

- Campus policies shall clearly articulate that individuals will not be contacted, detained, questioned, or arrested solely on the basis of being or suspected of being an undocumented immigrant, except as required by law. In drafting such policies, do not make reference to ethnicity, race or citizenship. Instead, simply reflect that no individuals should be contacted, etc. based solely on actual or suspected immigration status.

c: Mr. Garrett P. Ashley, Vice Chancellor, University Relations and Advancement
Mr. Andrew Jones, Associate Vice Chancellor and Deputy General Counsel
Ms. Lori Lamb, Vice Chancellor, Human Resources
Mr. Steve Relyea, Executive Vice Chancellor and Chief Financial Officer
Mr. Framroze Virjee, Executive Vice Chancellor and General Counsel

Reference:

California Government Code §§7282:
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=07001-08000&file=7282-7282.5
Immigration Violations

428.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the CSU Police Department, San Luis Obispo for investigating and enforcing immigration laws.

428.2 POLICY
It is the policy of the CSU Police Department, San Luis Obispo that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

428.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to immigration status in any way that would violate the United States or California Constitutions.

428.4 ENFORCEMENT
An officer may detain an individual when there are facts supporting a reasonable suspicion that the individual entered into the United States in violation of a federal criminal law. Federal authorities shall be notified as soon as possible and the detained individual shall be immediately released if the federal authorities do not want the person held. An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant. Individuals will not be contacted, detained, questioned, or arrested solely on the basis of being or suspected of being an undocumented immigrant, except as required by law.

428.4.1 U-VISA/T-VISA NONIMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U); 8 USC § 1101(a)(15) (T)). A declaration/certification for a U-Visa/T-Visa from the U.S. Citizenship and Immigration Services may be completed on the appropriate U.S. DHS Form supplements (I-918 or I-914) by law enforcement and must include information on how the individual can assist in a criminal investigation or prosecution in order for a U-Visa/T-Visa to be issued.

For additional information refer to §428.8.
428.4.2 OTHER CONSIDERATIONS
All individuals, regardless of their immigration status, must feel secure that contacting law
enforcement during times of crisis or to report suspicious or criminal activity will not make them
vulnerable to deportation. Members should not attempt to determine the immigration status of
crime victims and witnesses absent exigent circumstances or reasonable cause to believe that
a crime victim or witness is involved in violating criminal laws. If it is determined that a victim or
witness is an illegal immigrant, he/she need not be reported to ICE unless circumstances indicate
such reporting is reasonably necessary.

428.4.3 HUMAN TRAFFICKING T-VISA
Officers and their supervisors who are assigned to investigate a case of human trafficking shall
complete the above process and documents needed for a T-Visa application within 15 business
days of the first encounter with the victim, whether or not it is requested by the victim (Penal Code
§ 236.5).

428.4.4 SUPERVISOR RESPONSIBILITIES
When notified that an officer has detained a person and established probable cause to believe
the person has committed a criminal immigration offense, the supervisor should:

(a) Confirm that the detained person's immigration status was properly verified.

(b) Ensure that the detained person is taken into custody when appropriate. Take any additional
steps necessary that may include, but are not limited to:

1. Transfer to federal authorities.
2. Lawful arrest for a criminal offense or warrant.

428.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT
Except as described below, it is not necessary to notify ICE when booking arrestees at the county
jail. Immigration officials routinely interview suspected undocumented aliens who are booked into
the county jail. Notification should be handled according to jail operation procedures.

Whenever an officer has reason to believe that an individual arrested for any offense listed in
Health and Safety Code § 11369 may not be a citizen of the United States, and the individual is
not going to be booked into the county jail, the arresting officer shall notify ICE or other appropriate
agency of the United States.

Individuals arrested for other offenses who are not going to be booked into the county jail may be
reported to ICE or other appropriate agency of the United States.

When determining whether notification of immigration authorities is appropriate, the officer should,
in consultation with a supervisor, consider the totality of circumstances of each case, including,
but not limited to:

(a) Seriousness of the offense

(b) Community safety

(c) Potential burden on ICE or other federal agency
Immigration Violations

(d) Impact on the immigrant community
No individual who is otherwise ready to be released should continue to be detained solely for the purpose of making notification to immigration authorities.

428.6 ICE REQUESTS FOR ASSISTANCE
Requests by ICE, or any other federal agency, for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies. The Department will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as consistent with California Government Code § 7282 or as required by law.

428.7 INFORMATION SHARING
No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):
(a) Sending information to, or requesting or receiving such information from ICE
(b) Maintaining such information in department records
(c) Exchanging such information with any other federal, state or local government entity

428.7.1 IMMIGRATION HOLDS
The Department will not honor ICE immigration hold requests, unless the individual (California Government Code § 7282; Government Code § 7282.5):
(a) Has been convicted of offenses specified in Government Code § 7282.5.
(b) Has been charged with offenses specified in Government Code § 7282.5 after a court has determined probable cause supports the charge.
(c) Is a sex or arson registrant.
In no event should a person be held under this section for longer than 48 hours. Notification to the federal authority should be made prior to the release.

428.8 U VISA AND T VISA NONIMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U visa may be completed by an officer in order for a U visa to be issued.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T visa may be completed by an officer in order for a T visa to be issued.
Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigative Bureau supervisor assigned to oversee the handling of any related case. The Investigative Bureau supervisor shall:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
   1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
   2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

(e) Inform the victim liaison of any requests and their status.

428.8.1 TIME FRAMES FOR COMPLETION
Officers and their supervisors who are assigned to investigate a case of human trafficking shall complete the above process and the documents needed for a T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed for a U visa application pursuant to Penal Code § 679.10 within 90 days of a request from the victim or victim's family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

428.9 TRAINING
The Training Sergeant shall ensure that all appropriate members receive immigration training.
AN OPEN LETTER TO CALIFORNIA’S EDUCATIONAL LEADERS
For Public Release - November 28, 2016

(For more information, contact Betty Hung at bhung@advancingjustice-la.org)

We are members and allies of the College for All Coalition, a statewide multiracial coalition of community, civil rights, education, faith, and labor organizations that are committed to advancing educational equity and success for low income, underserved, and underrepresented students with an overarching framework of promoting social justice in public higher education.

In the midst of troubling reports of hate crimes, incidents, and bullying in K-12 schools and on college campuses since the election of Donald Trump, we write this letter with the fervent hope that California should be a beacon of diversity, inclusion, and justice for all students. We commend California’s educational leaders for issuing public statements affirming these values, and believe it is imperative that concrete and robust policies and resources be instituted to guarantee the safety and protection of students and their families and to ensure equitable learning environments.

Even before the November 8 presidential election, the Southern Poverty Law Center (SPLC) reported that more than two-thirds of 2,000 K-12 teachers surveyed nationwide said that students - mainly immigrants, children of immigrants, and Muslims - expressed concerns or fears about what might happen to them or their families after the election.1 In the aftermath of the election, these fears have been exacerbated with widespread reports of a disturbing rise in the targeting of students of color and of immigrant, Muslim, differently-abled, female, and LGBTQ students in schools and on college campuses across the nation and in California.

In a mere three days following the election, the SPLC counted over 200 incidents of hateful harassment and intimidation across the nation and found that the most commonly reported locations of harassment were K-12 schools.2 California is not immune. News outlets have reported hate crimes and incidents against students in California, including:

- Latino high school students in Redding were handed mock “deportation letters” by another student;3

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1 https://www.splcenter.org/20160413/trump-effect-impact-presidential-campaign-our-nations-schools
A middle school teacher in South Los Angeles was caught on audio telling sixth graders that their parents would be deported; 4

A hijab-wearing Muslim student at San Diego State University was robbed in an incident that university police are investigating as a hate crime; 5 and

A Muslim student at San Jose State University was choked and had her hijab pulled off in a campus parking lot. 6

At this pivotal moment, the state’s legislative leaders have stated. “California was not a part of this nation when its history began, but we are clearly now the keeper of its future.” 7 Our collective future depends at its fundamental core on protecting the safety and well being of all California students and ensuring that K-12 schools and college campuses are free from bigotry, discrimination, harassment, and assault. This holds especially true for vulnerable students who are being targeted in this current climate, particularly students of color and immigrant, Muslim, LGBTQ, differently abled, and female students.

Accordingly, we urge California educational leaders to take the following steps to guarantee safe, inclusive, and equitable educational environments for all California students enrolled in K-12 public schools and the state’s public higher education institutions by:

- **Designating All K-12 Public Schools and Colleges and Universities to be Sanctuary Schools and Campuses** - California is home to the largest immigrant population in the nation. Protecting and promoting the safety, well being, and educational opportunities of immigrant students is essential to securing our state’s future. Given recent announcements that indicate undocumented immigrant students and their families face increased risk of imminent deportation, we ask for an unequivocal and public declaration that all K-12 public schools and all colleges and universities in the state be designated as sanctuary schools and sanctuary campuses.

Every school and higher education institution should refuse to comply with immigration authorities regarding deportations and raids, and also should refuse to allow any

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immigration agents onto school or college campuses unless there is a judicial warrant. In addition, schools, colleges, and universities must guarantee privacy and refuse to release information regarding the immigration status of students, staff, and community members. Campus police also should not act on behalf of federal agents to enforce immigration laws. It also is critical that resources and services such as immigration legal assistance, mental health counseling, and undocumented student support programs be provided.

While President-elect Trump has stated that he will cut federal funding to sanctuary cities, we call upon California educational institutions to perform their essential role of educating California’s diverse students regardless of immigration status. Only by designating all schools and higher education institutions as sanctuary schools and campuses can we guarantee safe and equitable educational environments for immigrant students.

• **Allocating Adequate Resources and Support to Promote Diversity, Inclusion, and Positive Intergroup Relations** - California’s K-12 and public higher education institutions should provide the necessary tools and resources to support educators, students (and parents/caregivers in the K-12 context) in creating and promoting learning environments that are free from bullying and discrimination. Innovative models and best practices should be identified and shared with schools and colleges to increase their capacity to develop and implement pedagogies and strategies that reduce prejudice, address implicit bias and stereotyping, and promote positive intergroup relations. As organizations that have experience engaging in this type of work, we offer our partnership and assistance to help identify these resources. Finally, robust state and local funding should be allocated to implement these programs in schools and on campuses and to offer professional development opportunities and support for educators.

• **Protecting All California Students from Being Bullied, Intimidated, Harassed, or Discriminated Against on the Basis of Protected Categories** - Under state and federal laws, California public schools must prevent and protect students from bullying, intimidation, harassment, or discrimination on the basis of protected categories, including actual or perceived immigration status, race, ethnicity, religion, disability, gender, gender identity, gender expression, and sexual orientation. California higher education institutions also are required to ensure and maintain learning environments free from discrimination and harassment.

Especially in this current climate, California’s public schools and universities must vigorously uphold their legal obligations to ensure safe educational environments. A strong message should be sent by every K-12 school and every college and university to
all stakeholders affirming values of diversity and inclusion and making it clear that
prejudice and hate will not be tolerated (e.g., each K-12 school should send a letter to
parents/caregivers and school staff to set the tone and expectations). If and when such
incidents of bullying, intimidation, harassment, or discrimination do occur, schools and
colleges must take prompt action to ensure accountability and justice through restorative
justice and other approaches that focus on repairing the harm caused to the victim and the
wider community. Counseling and other supportive services should be provided, not just
to survivors and victims, but also made more broadly available to students. Schools and
universities should compile data on every incident of bullying, intimidation, harassment,
or discrimination on the basis of the protected categories listed above and make such data
publicly available, while also safeguarding the confidentiality and privacy of any
identifying information especially from federal immigration officials.

We in California have not only an opportunity, but also an obligation to counter bigotry and hate.
By protecting the safety and well being of our diverse students and their families, we can ensure
equitable learning environments and, in so doing, uphold our state’s values of multiculturalism,
inclusion, and equity. California’s diversity is our strength, and it is time to “go all in” on putting
those words into action for our state’s students and their families.

Sincerely,

Sylvia Torres-Guillen
Director of Education Equity
ACLU of California

Andrew Esposo
Chairperson
Anakbayan Los Angeles

John Kim
Executive Director
Advancement Project

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Executive Director
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Chief Executive Officer
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Bend the Arc: A Jewish Partnership for Justice

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Alexandra Suh  
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Jennifer C. Pizer  
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Lambda Legal

Jose Z. Calderon  
President  
Latino and Latina Roundtable of the Pomona Valley and San Gabriel Valley

Imelda Plascencia  
Health Policy Outreach Manager  
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<tr>
<th>Name</th>
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Parent Organization Network

Adam Kruggel and Sergio Luna
PICCO California

Aquilina Soriano Versoza
Executive Director
Pilipino Workers Center of Southern California

Angela Glover Blackwell
CEO
PolicyLink

Tanuoma’aleu Ah You
Founder
Project ALOFA

Angelica Jongco
Senior Staff Attorney
Public Advocates, Inc.

Lauren Brady
Directing Attorney, Statewide Education Rights Project
Public Counsel

Kathy Hoang
Director
Restaurant Opportunities Center of Los Angeles (ROC-LA)

Patsy M. Tito
Samoan Community Development Center

Javier Silva
Administrative & Development Coordinator
San Diego Dream Team

Misi Tagaloa
Pastor
Second Samoan United Church of Christ

David Huerta
President
SEIU United Service Workers West

Maricela Gutierrez
Executive Director
Services, Immigrant Rights, and Education Network (SIREN)

Quyen Dinh
Executive Director
Southeast Asia Resource Action Center

Fr chris ponnet
Pastor
St Camillus center for spiritual care, Catholic Church

Gabriela Galicia
Immigrant Rights and Empowerment Program Manager
Street Level Health Project

Michele Siqueiros
President
The Campaign for College Opportunity

Ryan J. Smith
Executive Director
The Education Trust-West
Luz Gallegos  
Community Programs Director  
TODEC Legal Center

V Faletau  
Co-Founder  
Tongan American Youth Foundation

John Rogers  
Professor and Director  
UCLA's Institute for Democracy, Education, and Access (IDEA)

Alex Caputo-Pearl  
President  
United Teachers Los Angeles

Trina Lei Pasumbal  
Organizer  
UPLIFT

Lourdes Amante, Kevin Qualls, Tanya Sapa  
Co-founders  
USC Pacific Islander Student Association

Arturo Ybarra  
Founder and Executive Director  
Watts Century Latino Organization

Shamann Walton  
Executive Director  
Young Community Developers

Anne Marks  
Executive Director  
Youth ALIVE!

Candace Meehan  
Executive Director  
23 Seeds of Greatness

Nelly Paredes-Walsborn  
Director/Co-founder  
605 Citizenship Project

Signed On After 11.28.16:

Kirk Whisler  
COO  
Latino Literacy Now

Renata Moreira  
Executive Director  
Our Family Coalition

Anne Hawthorne  
Executive Director  
Los Angeles United Methodist Urban Foundation

Jason Rabinowitz  
Secretary-Treasurer  
Teamsters Local 2010

John Martin  
Chair  
CPFA California part Time Faculty Association

Robert Cavooris  
President  
UAW Local 2865

Sally Lew  
Network Weaver  
Equal Voice for Southern California Families Alliance

Eder Gaona-Macedo  
Executive Director  
Future Leaders of America, Inc.

Bishop Grant Hagiya  
United Methodist Church, California Pacific Conference

Bishop Minerva G. Carcaño  
San Francisco Area of The United Methodist Church
University of California President Janet Napolitano today (May 11) announced a three-year commitment to support the university’s efforts for undocumented UC students.

“We are committed to continuing a path forward for undocumented students at the University of California,” Napolitano said. “This funding will further strengthen the university’s undocumented student initiative, and help ensure that these students receive the support and resources they need to succeed.”

The university will earmark $8.4 million a year through the 2018-19 academic year for undocumented student support across its 10 campuses. The funding will be divided among three priorities:

- UC’s DREAM Loan Program will receive $5 million per year for at least three years. The program makes student loans available to undocumented students, who are not eligible for federal aid. Students will repay their loans back into the DREAM Loan fund.
- Student services staff coordinators and targeted undergraduate and graduate fellowships, as well as other financial support such as funds for textbooks, will be allocated $2.5 million per year.
- UC’s Undocumented Legal Services Center will receive $900,000 per year.

President Napolitano first launched the Undocumented Students Initiative just weeks after joining the university in fall 2013. The initiative allotted $5 million for undocumented student support.

“From the earliest days of her presidency, Janet Napolitano has acted to ensure that our undocumented students are on equal footing with others seeking to fulfill their aspirations at UC campuses,” said UC Board of Regents Chairman Monica Lozano. “These efforts have made University of California a leader among universities across the nation in ensuring academic opportunity for undocumented college students.”
Related Links:

California Dream Loan Program: http://ucal.us/dreamloan

UC Legal Services Center: https://law.ucdavis.edu/uc-undocumented/
The California Faculty Association is a progressive labor union and a leader in higher education, representing the more than 27,000 faculty, librarians, coaches, and counselors in the CSU systems, which serves over 470,000 students in the state of California.

As a union, we advocate for higher educational opportunities for all, including quality education for our students, policies that ensure access to higher education, and fair working conditions for the faculty. True to our mission and values and in light of the recent national election, CFA will among other things:

- Remain a progressive labor union committed to anti-racism and social justice transformation and redouble our efforts to enact these values.
- Defend our most vulnerable colleagues and students from all manner of attacks including racist, sexist, nationalist, homophobic, transphobic, anti-Muslim, and anti-Semitic attacks.
- Protect academic freedom, including the rights of faculty, students, and staff to engage in debate and public protest.
- Condemn all hate speech and hate crimes on campus and beyond.
- Champion the rights of all workers to organize and defend their livelihoods and working conditions.

Further, in order to protect the most vulnerable members of our campus communities, CFA will press Chancellor White and the Board of Trustees to erect every legal bulwark possible to defend our undocumented students, undocumented CSU employees, and their families to ensure that they are not subject to intimidation, unfair investigation, or deportation. In addition to the measures affirmed in the Chancellor's "Open Letter to Faculty, Staff and Students of the California State University" dated November 17, 2016, the CFA urges the CSU to:

- Guarantee student privacy by refusing to release information regarding the immigration status of our students and community members. Refuse to comply with immigration authorities regarding deportations or raids.
- Refuse ICE (U.S. Immigration and Customs Enforcement) physical access to all land owned or controlled by the CSU.
- Provide healthcare stipends for students who do not have access to Medicaid due to lack of documentation and who cannot afford to pay for school insurance.
- Offer over-break housing for students who cannot return home due to fear of deportation.
- Bring legal experts and immigration activists and advocates to campuses, so that they can provide legal counseling to undocumented students and students with undocumented family members.
In the event that DACA (Deferred Action for Childhood Arrivals) is reversed, CFA urges the CSU to:

- Ensure that these students continue to receive their financial aid and fellowship stipends by creating special funds, segregated from federal monies and guarantee in-state tuition to students previously deemed DACA recipients.
- Create special funding sources to provide undocumented students with stipends, which they can receive in exchange for performing research under the guidance of faculty members or other meaningful educational projects.
- Assign a specific office and designated staff who will assist DACA students and other students who lack the privilege of citizenship on a strictly confidential basis.

CFA is committed to work in coalition with our partners in higher education, labor, and the community to protect these values and honor these commitments. Our union will stand in solidarity with Native people and people of color, members of the LGBTQ community, women, and members of religious communities who may be targeted for intimidation and violence. We invite all members of the CSU community to join us in our efforts.

Approved by the CFA Board of Directors
November 17, 2016
November 17, 2016

Office of the President
University of California
1111 Franklin Street, 12th Floor
Oakland, CA 94607

Dear President Napolitano,

In the week since Donald Trump’s victory in the presidential election, I have heard from and met with students in our UC, CSU, and Community Colleges systems who have echoed the nationally reported fears expressed by undocumented and minority U.S. residents. These concerns were intensified by the President-elect’s most recent threat on CBS’ 60 Minutes to deport up to three million U.S. residents.

Estimates on the number of undocumented dangerous felons are significantly fewer than the three million Mr. Trump has declared he’ll deport. Therefore, if Mr. Trump’s three million goal is to be achieved, that could likely include many law-abiding and promising students within California’s public higher education systems. We have both a moral and economic imperative to protect our students – the future workforce and families of California – from Mr. Trump’s stated intentions.

We must take urgent stock of current policies and vulnerabilities pertaining to the personal data held and processed by the University of California, to shield students from federal agencies under a Trump administration. And to re-assure students and their families, we must codify practices, improve training, and formally declare University of California campuses to be “Sanctuary Campuses”, where residents can pursue a higher education without the fear of Mr. Trump’s proposed deportation force.

I propose, but do not limit ourselves, to explore the following:

1. Move quickly toward affirming UC, CSU, and Community Colleges as “Sanctuary Campuses”
2. A review of FERPA implications, and how to protect student data from abuse by the Federal Government
3. A review of protocols and training for campus police and administrative officials in cooperating with immigration enforcement
4. Conclude reviews with a codified commitment from UC, CSU, and Community Colleges not to share students’ personal information with federal government.

I look forward to working with you and the U.C. Board of Regents to bring a swift and declarative resolution to these issues and allay students’ concerns.

Sincerely,

GAVIN NEWSOM
California Lieutenant Governor and U.C. Regent
November 17, 2016

Office of the Chancellor  
California State University  
401 Golden Shore  
Long Beach, CA 90802

Dear Chancellor White,

In the week since Donald Trump’s victory in the presidential election, I have heard from and met with students in our UC, CSU, and Community Colleges systems who have echoed the nationally reported fears expressed by undocumented and minority U.S. residents. These concerns were intensified by the President-elect’s most recent threat on CBS’ 60 Minutes to deport up to three million U.S. residents.

Estimates on the number of undocumented dangerous felons are significantly fewer than the three million Mr. Trump has targeted for deportation. Therefore, if Mr. Trump’s three million goal is to be achieved, that could likely include many law-abiding and promising students within California’s public higher education systems. We have both a moral and economic imperative to protect our students – the future workforce and families of California – from Mr. Trump’s stated intentions.

We must take urgent stock of current policies and vulnerabilities pertaining to the personal data held and processed by California State University, to shield students from federal agencies under a Trump administration. And to re-assure students and their families, we must codify practices, improve training, and formally declare CSU campuses to be “Sanctuary Campuses”, where residents can pursue a higher education without the fear of Mr. Trump’s proposed deportation force.

I propose, but do not limit ourselves, to explore the following:

1. Move quickly toward affirming UC, CSU, and Community Colleges as "Sanctuary Campuses"
2. A review of FERPA implications, and how to protect student data from abuse by the Federal Government
3. A review of protocols and training for campus police and administrative officials in cooperating with immigration enforcement
4. Conclude reviews with a codified commitment from UC, CSU, and Community Colleges not to share students’ personal information with federal government

I look forward to working with you and the CSU Board of Trustees to bring a swift and declarative resolution to these issues and allay students’ concerns.

Sincerely,

GAVIN NEWSOM  
California Lieutenant Governor and CSU Trustee
November 17, 2016

Office of the Chancellor  
California Community Colleges  
1102 Q Street, Suite 4550  
Sacramento, CA 95811

Dear Interim Chancellor Skinner,

In the week since Donald Trump’s victory in the presidential election, I have heard from and met with students in our UC, CSU, and Community Colleges systems who have echoed the nationally-reported fears expressed by undocumented and minority U.S. residents. These concerns were intensified by the President-elect’s most recent threat on CBS’ 60 Minutes to deport up to three million U.S. residents. Estimates on the number of undocumented dangerous felons are significantly fewer than the three million Mr. Trump has targeted for deportation. Therefore, if Mr. Trump’s three million goal is to be achieved, that could likely include many law-abiding and promising students within California’s public higher education systems. We have both a moral and economic imperative to protect our students – the future workforce and families of California – from Mr. Trump’s stated intentions.

We must take urgent stock of current policies and vulnerabilities pertaining to the personal data held and processed by California Community Colleges, to shield students from federal agencies under a Trump administration. And to re-assure students and their families, we must codify practices, improve training, and formally declare California Community College campuses to be “Sanctuary Campuses”, where residents can pursue a higher education without the fear of Mr. Trump’s proposed deportation force.

I propose, but not limit ourselves, to explore the following:

1. Move quickly toward affirming UC, CSU, and Community Colleges as "Sanctuary Campuses"
2. A review of FERPA implications, and how to protect student data from abuse by the Federal Government
3. A review of protocols and training for campus police and administrative officials in cooperating with immigration enforcement
4. Conclude these reviews with a codified commitment from UC, CSU, and Community Colleges not to share students’ personal information with federal government

I look forward to working with you, incoming Chancellor Oakley and the Board of Governors to bring a swift and declarative resolution to these issues and allay students’ concerns.

Sincerely,

GAVIN NEWSOM  
California Lieutenant Governor
University of California Statement of Principles in Support of Undocumented Members of the UC Community

STUDENT SUPPORT & SUCCESS

The University of California welcomes and supports students without regard to their immigration status. UC will continue to admit students in a manner consistent with our nondiscrimination policy and without regard to a student's race, color, national origin, religion, citizenship or other protected characteristic. In other words, undocumented applicants with or without DACA status will be considered for admission on the same basis as any U.S. citizen or other applicant.

The University is committed to creating an environment in which all admitted students can successfully matriculate and graduate.

Federal law protects student privacy rights, and the California Constitution and statutes provide broad privacy protection to all members of the UC community. University policy provides additional privacy protections. When the University receives requests for information that implicate individual privacy rights, the University will continue its practice of working closely with the Office of General Counsel to protect the privacy of members of the UC community. We will not release immigration status or related information in confidential student records, without permission from a student, to federal agencies or other parties without a judicial warrant, a subpoena, a court order or as otherwise required by law.

UC CAMPUSES AND OTHER UC LOCATIONS

Primary jurisdiction over enforcement of federal immigration laws rests with the federal government and not with UCPD or any other state or local law enforcement agency. UCPD is devoted to providing professional policing services that strive to ensure a safe and secure environment in which members of the University's diverse community can pursue the University's research, education and public service missions. Community trust and cooperation are essential to effective law enforcement on campus or other UC locations. The limited resources of UC police departments should not be diverted from this mission to enforcement of federal immigration laws. Accordingly:

a. No UC campus police department will join those state and local law enforcement agencies that have entered into an agreement with Immigration and Customs Enforcement (ICE), or undertake other joint efforts with federal, state or local law enforcement agencies, to investigate, detain or arrest individuals for violation of federal immigration law.

b. It is in the best interest of all members of the UC community to encourage cooperation with the investigation of criminal activity. To encourage such cooperation, all individuals, regardless of their
immigration status, must feel secure that contacting or being addressed by UC police officers will not automatically lead to an immigration inquiry and/or a risk of removal. Consequently:

1. Campus police officers will not contact, detain, question or arrest an individual solely on the basis of suspected undocumented immigration status or to discover the immigration status of an individual, except as required by law.

2. Campus police should avoid actions that create a disincentive to report crime, or to offer testimony as a witness to a crime, such as requesting information about immigration status from crime victims and witnesses.

c. The California Attorney General has concluded that civil immigration detainers are voluntary requests to local law enforcement and compliance is not mandatory. Local law enforcement agencies may be liable for improperly detaining an individual who is otherwise eligible for release based on a civil immigration detainer. Consequently:

1. Campus police officers will not detain an individual in response to an immigration hold request from ICE, or any other law enforcement agency enforcing federal immigration law, unless doing so is required by law or unless an individual has been convicted of a serious or violent felony.

2. In order to confirm compliance with legal requirements and these principles, campus police chiefs should review any other request for information from ICE, or any other law enforcement agency enforcing federal immigration law, before response.

d. If campus police receive a request to assist a victim of or witness to a crime with a U visa or T visa application, the request should be immediately forwarded to the campus police chief who should take prompt action to facilitate the request, if appropriate.

A federal effort to create a registry based on any protected characteristics, such as religion, national origin, race or sexual orientation, would be antithetical to the United States Constitution, the California Constitution, federal and state laws, and principles of nondiscrimination that guide our University.

**UC MEDICAL FACILITIES**

The University's medical centers treat all patients who require our services without regard to race, color, religion, national origin, citizenship or other protected characteristics. In keeping with the mission of the University of California, we recognize and understand that our ability to fulfill our public health responsibilities depends on the ability of patients to trust their providers. Our UC medical centers remain committed to these responsibilities and will vigorously enforce University nondiscrimination and privacy policies and standards of professional conduct.

*These principles will be implemented through policies and procedures that will apply to all UC campuses and medical facilities.*
MEMORANDUM
Cal Poly | Office of the President

To: Gary Laver
Chair, Academic Senate

From: Jeffrey D. Armstrong
President

Date: March 16, 2017

Copies: K. Enz Finken
K. Humphrey
K. McMahon

Subject: Response to Academic Senate Resolution AS-824-17
Resolution in Support of Cal Poly’s Undocumented Community

I am pleased to acknowledge receipt of the above-entitled Academic Senate resolution.

The safety and success of all our campus community, including our undocumented members, is of the utmost importance. I reiterate my support for our undocumented students, to not only provide a safe environment for learning but also one that fosters inclusivity and diversity for all. Additionally, I support the guidelines regarding the federal immigration laws provided by Chancellor White, in his February 21, 2017 memo, that I shared with the campus via email on February 22, 2017 (attached).

The executive leadership team is committed to finding the best way to move forward on issues related to our undocumented community and determining the potential impacts of stricter enforcement of federal immigration laws on our campus. In collaboration with the Undocumented Student Working Group and other appropriate parties, further consideration will be given to the exploration of the need for additional support, resources, and funding sources necessary to offset potential impacts.

Please express my appreciation to the Academic Senate members for their attention to this important matter.

Attachment
Dear Campus Community,

I am sharing below a memorandum released today by CSU Chancellor Timothy P. White concerning new developments regarding immigration. The Chancellor has asked that any member of our CSU community - students, faculty and staff - who is approached while on campus by federal, state or local officials asking for information or documentation regarding immigration status, to immediately contact the University Police Department. The phone number for Cal Poly University Police Department dispatch is (805) 756-2281.

Sincerely,

Jeffrey D. Armstrong
President

TO: The California State University Community

FROM: Timothy P. White, Chancellor

SUBJECT: New Developments Regarding Immigration

On February 21, 2017, Homeland Security Secretary John Kelly issued two memoranda to his department providing direction regarding implementation of President Trump's recent executive orders on increased border security and stricter enforcement of immigration laws.