



Meeting of the Academic Senate

Tuesday, January 24, 2017

UU 220, 3:10 to 5:00 pm

I. **Minutes:** Approval of November 29, 2016 and December 6, 2016 minutes (pp. 3-6).

II. **Communication(s) and Announcement(s):** none.

III. **Reports:**

- A. Academic Senate Chair:
- B. President's Office:
- C. Provost:
- D. Vice President for Student Affairs:
- E. Statewide Senate:
- F. CFA:
- G. ASI:

IV. **Consent Agenda:**

A. For the current 2015-17 catalog,

ITEMS TO BE CONSIDERED BY ACADEMIC SENATE				
Program Name or Course Number, Title	ASCC recommendation/ Other	Academic Senate	Provost	Term Effective
JOUR 333 Broadcast News (4), 3 lectures, 1 laboratory (existing course proposed to be offered online)	Reviewed 10/20/16; additional information requested from the department. Recommended for approval 10/27/16.	On the 1/24/17 consent agenda.		

B. For the new 2017-19 catalog the following items, which are found in College Summaries with 2017-19 Catalog Proposals:

- o The Modern Languages and Literatures department's *withdrawal* of their proposal to change the name of the BA Modern Languages and Literatures degree to BA World Languages and Cultures. The name change had been previously recommended for approval by the Academic Senate on 12/6/16.
- o Proposals from the following departments/programs in the College of Agriculture, Food and Environmental Sciences
 - § AG 315, Organic Crop Production course
 - § Agricultural Education and Communication department
 - § Experience Industry Management department
 - § Wine and Viticulture department
- o Proposals from the following departments/programs in the College of Architecture and Environmental Design
 - § Architectural Engineering department
 - § Architecture department
 - § City and Regional Planning department
- o Proposals from the Industrial Technology area in the Orfalea College of Business

- o Proposals from the following departments/programs in the College of Engineering
 - § Aerospace Engineering department
 - § Biomedical Engineering department
 - § Civil and Environmental Engineering department
 - § Computer Engineering program
 - § Computer Science and Software Engineering department
 - § Mechanical Engineering department
- o Proposals from the following departments/programs in the College of Liberal Arts
 - § Western Intellectual Tradition minor
 - § Interdisciplinary Studies in Liberal Arts program
 - § Art and Design department
 - § English department
 - § Ethnic Studies department
 - § History department
 - § Modern Languages and Literatures department
 - § Philosophy department
 - § Political Science department
 - § Psychology and Child Development department
 - § Social Sciences department
- o Proposals from the following departments/programs in the College of Science and Mathematics
 - § SCM courses
 - § Biological Sciences department
 - § Chemistry and Biochemistry department
 - § Physics department
 - § Statistics department
- o Proposals from Extended Education

All summaries are found at <http://registrar.calpoly.edu/status-proposals>.

V. **Business Item(s):**

- A. **[TIME CERTAIN 4:10] Resolution on Scheduling Events During Final Examination Period:** Dustin Stegner, Chair Academic Senate Instruction Committee, second reading (p. 7).
- B. **Resolution on Retiring Obsolete Academic Senate Resolutions:** Gary Laver, Chair Academic Senate, second reading (pp. 8-9).
- C. **Resolution in Support of Cal Poly's Undocumented Community:** Sarah Bridger, Senator, first reading (pp. 10-36).
- D. **Resolution on In-Residence Requirement for Last 40 Units:** Gary Laver, Chair Academic Senate, first reading (p. 37).
- E. **Resolution on Request for Outside Review:** Paul Choboter, Senators, first reading (pp. 38-39).
- F. **Resolution on Proposing New Courses or Other Changes to Curricula:** Glen Thorncroft, Senator, first reading, (pp. 40-41).
- G. **Resolution to Modify the Bylaws of the Academic Senate:** Gary Laver, Chair Academic Senate, first reading (pp. 42-43).

VI. **Discussion Item(s):**

VII. **Adjournment:**

CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California 93407
ACADEMIC SENATE

MINUTES OF THE
ACADEMIC SENATE MEETING
TUESDAY, NOVEMBER 29, 2016
UU 220, 3:10 TO 5:00 PM

- I. Minutes: M/S/P to approve the minutes from the November 1, 2016 Academic Senate meeting with the following modification:
Strike out "Liddicoat" and insert "Enz Finken" under the Provost's report.
- II. Communication(s) and Announcement(s): none.
- III. Reports:
 - A. **Academic Senate Chair (Laver):** Gary Laver, Academic Senate Chair, stated that the revised Academic Probation and Disqualification Policy was reviewed by the Instruction Committee and received endorsement.
 - B. **President's Office (Armstrong):** Jeffrey Armstrong, University President, stated that the President's Office is still in the process of hiring a Vice President for Diversity and Inclusion. President Armstrong then discussed the creation of Cal Poly's own DREAM Center for undocumented students, the Cal Poly Scholars program, the first amendment right of freedom of speech and its implications on a college campus, and Equity III.
 - C. **Provost (Pedersen):** Mary Pedersen, Senior Vice Provost for Academic Programing and Planning, encouraged members of the Academic Senate to join Provost Kathleen Enz Finken's GE Task Force. Vice Provost Pedersen also gave an update on the Graduation Initiative 2025 and the Provost's plans to solve problems with the Graduation Writing Requirement (GWR).
 - D. **Student Affairs (Humphrey):** Keith Humphrey, Vice President of Student Affairs, reported on the roles of the Vice President of Student Affairs and the overarching goals of Student Affairs.
 - E. **Statewide Senate (Foroohar):** Manzar Foroohar, Statewide Senator, stressed the need to be proactive in protective undocumented students' rights through the creation of policy, task forces, and other means.
 - F. **CFA (Archer):** None.
 - G. **ASI (Colombini):** Jana Colombini, ASI President, stated ASI is working on constructing a resolution in support of undocumented students. In addition, ASI is considering a resolution that would be against double fines in the month of March in Safety Enhancement Zones. Finally, ASI President Colombini stated that ASI is considering putting a cap as to how much a prospective candidate for the position of ASI President may spend to campaign.

II. Special Reports:

- A. **Report on Student Ombuds Services:** Patricia Ponce, University Ombuds, gave a presentation on the role of Student Ombuds on campus.

Presentation can be found at: <http://content-calpoly-edu.s3.amazonaws.com/academicsenate/1/images/Senate%2011-29-16%20SOS%20Report.pdf>

III. Consent Agenda:

- A. M/S/P to approve the following items by consent:

For the new 2017-19 catalog, proposals submitted by departments/programs as identified in the following colleges:

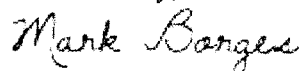
- College of Agriculture, Food and Environmental Sciences – proposals submitted by Agribusiness department
- Orfalea College of Business - all proposals submitted by the college
- College of Engineering - proposals submitted by General Engineering program, Fire Protection Engineering program, Aerospace Engineering department, Biomedical Engineering department, Electrical Engineering department, Industrial and Manufacturing Engineering department, and Materials Engineering department
- College of Liberal Arts – proposals submitted by Communication Studies department and Music department

IV. Business Item(s):

- A. **Resolution on Proposal to Establish the Packaging Value Chain Center:** Jay Singh, Professor and Packaging Program Director, presented a resolution requesting the endorsement of a Packaging Value Chain Center to enhance the capabilities of the Packaging Program. This resolution will return as a second reading.
- B. **Resolution on Scheduling Events During Final Examination Period:** Dustin Stegner, Instruction Committee Chair, introduced the Resolution on Scheduling Events During Final Examination Period, requesting that departments, programs, and colleges not schedule end-of-term events during the final examination period. This resolution will return as a second reading.
- C. **Resolution on Bachelor of Science Degree Proposal in Public Health:** Kris Jankovitz, Department of Kinesiology Professor, introduced the Resolution requesting the approval of a Bachelor's of Science Degree in Public Health. This resolution will return as a second reading.

V. Adjournment: 5:01 p.m.

Submitted by,



Mark Borges
Academic Senate Student Assistant

CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California 93407
ACADEMIC SENATE

MINUTES OF THE
ACADEMIC SENATE MEETING
TUESDAY, DECEMBER 6, 2016
UU220, 3:10 TO 5:00 PM

- I. Minutes: none.
- II. Communication(s) and Announcement(s): none.
- III. Reports:
 - A. **Academic Senate Chair:** Gary Laver, Academic Senate Chair, stated that the Academic Senate is involved in the process for establishing new centers on campus.
 - B. **President's Office:** Jessica Darin, President's Chief of Staff, informed the Academic Senate of the passing away of former CSU Chancellor, Charles Reed.
 - C. **Provost:** Mary Pedersen, Senior Vice Provost for Academic Programs and Planning, discussed the CSU Academic Senate Quantitative Reasoning Task Force report.
 - D. **Vice President for Student Affairs:** Kathleen McMahon, Dean of Students, presented data concerning Cal Poly's Greek Life program.
 - E. **Statewide Senate:** none.
 - F. **CFA:** none.
 - G. **ASI:** none.
- IV. Consent Agenda: M/S/P to approve the following items by consent:
 - A. For the new 2017-19 catalog, proposals submitted by departments/programs as identified in the following colleges:
 - College of Agriculture, Food and Environmental Sciences – proposals submitted by Animal Science department, BioResource and Agricultural Engineering department, Food Science and Nutrition department, Horticulture and Crop Science department
 - College of Engineering – proposals submitted by Civil and Environmental Engineering department, Mechanical Engineering department
 - College of Liberal Arts – proposals submitted by English department, Graphic Communication department, Journalism department, Modern Languages and Literatures department, Theatre and Dance department, Western Intellectual Tradition minor
 - Summaries are found at <http://registrar.calpoly.edu/status-proposals>.
 - B. Courses to list on SUSCAT

V. Business Items:

- A. **Resolution on Proposal to Establish the Packaging Value Chain Center:** M/S/P to move to second reading. Jay Singh, Professor and Packaging Program Director, presented a resolution requesting the endorsement of a Packaging Value Chain Center to enhance the capabilities of the Packaging Program. M/S/P to approve the Resolution on the Proposal to Establish the Packaging Value Chain Center.
- B. **Resolution on Bachelor of Science Degree Proposal in Public Health:** M/S/P to move to second reading. Kris Jankovitz, Department of Kinesiology Professor, reported that going into the twenty-first century, a desire among students arose for careers in public health. Jankovitz stressed that the curriculum has been designed to align with the most recent Critical Component Element from the Association of School of Public Health and the latest criteria for accreditation for stand along baccalaureate programs from the Council on Education in Public Health. M/S/P to approve the Resolution on Bachelor of Science Degree Proposal in Public Health.
- C. **Resolution on Scheduling Events During Final Examination Period:** M/S/P to move to second reading. Dustin Stegner, Academic Senate Instruction Committee Chair, presented the resolution requesting that college-sponsored end-of-term events not be scheduled during the final examination period. The resolution will return at the Academic Senate's next scheduled meeting.
- D. **Resolution on Retiring Obsolete Academic Senate Resolutions:** Gary Laver, Academic Senate Chair, introduced the resolution, which gives the Academic Senate the power to retire past resolutions that no longer hold relevance. This resolution will return to the Academic Senate.
- E. **Resolution on Rescinding Resolution AS-603-03/IC,CC,GEC [Resolution on Credit/No Credit Grading (CR/NC)]:** Phil Nico, Academic Senate Senator, introduced the resolution which requests to rescind Resolution AS-603-03/IC,CC,GEC because it was never implemented. This resolution will go back to the Executive Committee for further discussion.

VI. Discussion Item(s): none.

VII. Adjournment: 5:02 pm

Submitted by,

Mark Borges

Mark Borges

Academic Senate Student Assistant

Adopted:

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

AS-__-17

RESOLUTION ON SCHEDULING EVENTS DURING FINAL EXAMINATION PERIOD

1 WHEREAS, In the 2015-16 academic year, several departments, programs, and a
2 college attempted to schedule events, such as banquets, award
3 ceremonies, or official end-of-term gatherings, during the final
4 examination period because of space issues during commencement
5 weekend; and
6

7 WHEREAS, Events sponsored by departments, programs, and colleges could
8 create a conflict for students between their academic performance
9 and their wish to participate fully in such events; and therefore be it
10

11 WHEREAS, ~~Cultural commencement ceremonies, which are sponsored by clubs~~
12 ~~rather than departments, programs, or colleges, have historically~~
13 ~~occurred during the final examination period, but are separate from~~
14 ~~students' academic majors; therefore be it~~
15

16 RESOLVED: That departments, programs, and colleges shall not request University
17 Scheduling in the Office of the Registrar to schedule such end-of-term
18 events during the final examination period, and be it further
19

20 RESOLVED: That departments, programs, and colleges shall not schedule such
21 end-of-term events on or off campus during the final examination
22 period; and be it further
23

24 RESOLVED: That the Academic Senate request University President Armstrong to
25 work with the Office of Student Affairs and ASI to identify potential
26 conflicts caused by club events scheduled during the final examination
27 period in order to ensure student success.

Proposed by: Academic Senate Instruction
Committee

Date: July 1, 2016

Revised: December 5, 2016

Adopted:

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

AS-____-17

RESOLUTION ON RETIRING OBSOLETE ACADEMIC SENATE RESOLUTIONS

1 WHEREAS, A resolution approved by Cal Poly's Academic Senate reflects the concerns and
2 campus organization of the time in which it is adopted; and
3

4 WHEREAS, With the passage of sufficient time an adopted resolution may no longer hold
5 relevance; and
6

7 WHEREAS, Such obsolete resolutions should be identified and formally removed from the set of
8 active resolutions; and
9

10 WHEREAS, No process currently exists for determining the obsolescence of Academic Senate
11 resolutions or for their formal retirement; therefore be it
12

13 RESOLVED: That the *Bylaws of the Academic Senate* be amended as shown on the attached copy to
14 guide the formal retirement of resolutions by the Academic Senate.

Proposed by: Academic Senate Executive Committee

Date: August 25, 2016

V. MEETINGS

E. RETIRING RESOLUTIONS

When an Academic Senate resolution is suspected of being out of date or no longer pertinent, at the Chair's discretion the resolution may be submitted for review as to its current relevance by the Academic Senate committee that originally sponsored it or by an ad hoc committee. The committee's opinion regarding the resolution shall be forwarded to the Academic Senate Executive Committee. If the Executive Committee finds that the resolution in question should be retired, a proposal to this effect shall be placed on the Academic Senate's consent agenda. If no senator pulls the resolution from the consent agenda, the resolution shall be considered retired. If pulled from the consent agenda, the proposal will appear as a business item for debate at the next meeting of the Academic Senate. The President shall be informed of any such action and the Academic Senate shall update its records.

Adopted:

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

AS-__-17

RESOLUTION IN SUPPORT OF CAL POLY'S UNDOCUMENTED COMMUNITY

- 1 WHEREAS, The potential revocation of federal Deferred Action for Childhood Arrivals (DACA)
2 and other changes in federal policy may further jeopardize the safety, security, and
3 material well-being of Cal Poly's undocumented and other vulnerable communities;
4 and
5
- 6 WHEREAS, A national "sanctuary" movement has emerged at schools, colleges, and universities
7 across the country, dedicated to protecting the safety, security, and well-being of
8 undocumented communities; and
9
- 10 WHEREAS, The Lieutenant Governor of California, the California Faculty Association, and over
11 120 community and civil rights organizations in the state have endorsed the goals
12 and strategies of the campus sanctuary movement; and
13
- 14 WHEREAS, The University of California system has adopted strong guidelines for protecting
15 vulnerable communities, by restricting campus police officers' cooperation with
16 federal immigration enforcement; restricting the voluntary sharing of confidential
17 information; refusing to cooperate with federal efforts to create a registry based on
18 protected characteristics such as religion or national origin; and providing
19 comprehensive funding and support for undocumented students; and
20
- 21 WHEREAS, The Chancellor of the California State University has expressed concern for
22 "students and other members of our campus community who lack documentation"
23 and issued a flexible set of guidelines that "provides each campus with the
24 opportunity to implement a policy reflecting its unique campus climate, while
25 assuring conformity in certain key systemwide principles"; and
26
- 27 WHEREAS, These policy guidelines direct, "unless contravened by California Government Code
28 or required by law, that:
29 • The CSU *will not* enter into agreements with state or local law enforcement
30 agencies, Homeland Security or any other federal department for the
31 enforcement of federal immigration law;
32 • Our university policy departments *will not* honor immigration hold requests;
33 and
34 • Our university police *do not* contact, detain, question or arrest individuals solely
35 on the basis of being – *or suspected of being* – a person that lacks
36 documentation"; and
37
- 38 WHEREAS, The current policy manual of the Cal Poly Police Department still enables some
39 forms of cooperation and voluntary sharing of information between campus law
40 enforcement and federal immigration authorities; and
41
- 42 WHEREAS, The Cal Poly Statement on Diversity and Inclusivity (AS-807-15) confirms that "As
43 an institution that serves the state of California within a global context, we support

44 the recruitment, retention, and success of talented students, faculty, and staff from
45 across all societies, including people who are from historically and societally
46 marginalized and underrepresented groups”; and
47
48 WHEREAS, President Armstrong has pledged to support Cal Poly’s undocumented students and
49 graduates, to nurture “a campus climate that embraces inclusivity and diversity,”
50 and to refrain from the voluntary sharing of personal student information with
51 federal immigration authorities; and
52
53 WHEREAS, The Undocumented Student Working Group within the Office of University Diversity
54 and Inclusivity facilitates trainings, provides resources and support, works with
55 local law enforcement leaders to review policies and procedures and advises the
56 administration about how to meet the needs of the undocumented community at Cal
57 Poly; and
58
59 WHEREAS, The Undocumented Student Working Group, in partnership with undocumented
60 community members and the campus student club Rising Immigrant Scholars
61 through Education (RISE), has identified key unmet needs, including the lack of
62 adequate legal advice, staff support, and financial resources; therefore be it
63
64 RESOLVED That the Academic Senate affirms its support for the undocumented members of the
65 Cal Poly community and for Cal Poly’s compliance with the Chancellor’s directive
66 regarding the limits of CSU cooperation with federal immigration enforcement; and
67 be it further
68
69 RESOLVED That the Academic Senate further request, with great urgency and in concordance
70 with the Chancellor’s directive and Cal Poly’s commitments to diversity, inclusivity,
71 and student success, that it be the stated policy of Cal Poly to refuse all voluntary
72 cooperation with federal immigration authorities to the extent legally possible,
73 including refusal to allow federal immigration enforcement physical access to land
74 owned or controlled by Cal Poly and refusal to share the personal information of
75 students and community members unless required to by law or court order; and be
76 it further
77
78 RESOLVED That the Academic Senate request that the Cal Poly administration, with great
79 urgency and in continued collaboration with the Undocumented Student Working
80 Group, prepare for the potential impact of significant shifts in federal immigration
81 policy by seeking new and expanded forms of support for the undocumented
82 community at Cal Poly, including the provision of legal resources, full-time staff
83 support, communication, counseling, and alternate sources of funding.

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

THE CALIFORNIA STATE UNIVERSITY
OFFICE OF THE CHANCELLOR

BAKERSFIELD

July 29, 2016

CHANNEL ISLANDS

CHICO

MEMORANDUM

DOMINGUEZ HILLS

TO: CSU Presidents

EAST BAY

FROM: Timothy P. White
Chancellor



FRESNO

FULLERTON

SUBJECT: U.S. Immigration and Customs Enforcement

HUMBOLDT

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.

LONG BEACH

LOS ANGELES

I. CSU's commitment to our diverse communities

MARITIME ACADEMY

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.

MONTEREY BAY

NORTHRIDGE

POMONA

II. Jurisdiction over federal immigration laws and current campus policies

SACRAMENTO

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.

SAN BERNARDINO

SAN DIEGO

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.

SAN FRANCISCO

SAN JOSÉ

SAN LUIS OBISPO

III. Systemwide guidance and principles

SAN MARCOS

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

SONOMA

STANISLAUS

CSU Presidents
July 29, 2016
Page Two

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.

Immigration Violations

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.

Immigration Violations

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

¹ <https://www.splcenter.org/20160413/trump-effect-impact-presidential-campaign-our-nations-schools>

² <https://www.splcenter.org/hatewatch/2016/11/11/over-200-incidents-hateful-harassment-and-intimidation-election-day>

³ <http://www.latimes.com/local/lanow/la-me-ln-trump-students-targeted-20161110-story.html>

- 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

4

<http://www.nbciolosangeles.com/news/local/Teacher-President-Election-Donald-Trump-Deportation-Immigration-400851681.html>

5

https://www.insidehighered.com/news/2016/11/11/students-many-colleges-reporting-ethnic-or-racial-harassment-election-day?utm_content=bufferf0c78&utm_medium=social&utm_source=facebook&utm_campaign=IHEbuffer

⁶ <http://www.latimes.com/local/lanow/la-me-ln-trump-students-targeted-20161110-story.html>

7

<http://sd24.senate.ca.gov/news/2016-11-09-joint-statement-california-legislative-leaders-result-presidential-election>

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 Esposito
Chairperson
Anakbayan Los Angeles

John Kim
Executive Director
Advancement Project

Audrey Kuo
Executive Director
API Equality-LA

Kyrie Salazar
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Stewart Kwoh
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**Alliance for Boys and Men of Color
(ABMoC)**

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Kris Calvin
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**American Academy of Pediatrics,
California**

Andrew Medina
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Susan Li
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Maria Hu Wu
Community Organizer
ASPIRE

Ruth Barajas and
Indiana Barrenechea
Bay Area Community Resources

Aryeh Cohen
Rabbi in Residence
**Bend the Arc: A Jewish Partnership for
Justice**

CAIR CA:

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Executive Director
CAIR - Greater Los Angeles Area

Hanif Mohebi
Executive Director
CAIR - San Diego

Zahra Billoo
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CAIR - San Francisco Bay Area

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Executive Director
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(COFEM)**

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Martha Arevalo
Executive Director
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Dream Team LA

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Ted Lempert
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Eric Moore
Executive Director
Educate California

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Children's Defense Fund - California

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Chief Operating Officer
**Empowering Pacific Islander
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Executive Director
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Director of Communications
Equal Justice Society

Sandra Rossato
Executive Director
Clinica Monseñor Oscar A Romero

Rick Zbur
Executive Director
Equality California

Kevine Boggess
Director of Policy
Coleman Advocates for Children & Youth

Sandy Mendoza
Advocacy Manager
Families In Schools

Alberto Retana
President & CEO
Community Coalition

Folorunso Ashaolu and
Gilbert Martinez
Fathers & Families of San Joaquin

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Executive Director
Filipino Migrant Center

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Senior Community Organizer
FosterEd

David S. Bouttavong
Program Manager
Fresno Barrios Unidos

Zachary Darrah
Executive Director
Fresno Interdenominational Refugee Ministries

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Senior Manager of Community Advocacy
Having Our Say Coalition

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Community Liaison
Hawai'i's Daughters Guild

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Campaign Director
HEAL California

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Executive Director
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Deportation Defense Coordinator
Immigrant Youth Coalition

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InnerCity Struggle

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Board Member
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Executive Director
Instituto de Educacion Popular del Sur de California

Lian Cheun
Executive Director
Khmer Girls in Action

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President and CEO
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Immigrant Rights Project Director
Korean Resource Center

Alexandra Suh
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Koreatown Immigrant Workers Alliance

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Law and Policy Director and Senior Counsel
Lambda Legal

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President
Latino and Latina Roundtable of the Pomona Valley and San Gabriel Valley

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Health Policy Outreach Manager
Latino Coalition for a Healthy California

Martha Cota
Founder/Executive Director
Latinos In Action

Alison Brunner
CEO
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Senior Attorney, Racial Justice-Education
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Patricia Castellanos
Deputy Director
Los Angeles Alliance for A New Economy

Lola Smallwood Cuevas
Director
Los Angeles Black Worker Center

Lorri L. Jean
CEO
Los Angeles LGBT Center

Salam Al-Marayati
President
Muslim Public Affairs Council

Jeanette Ellis-Royston
Branch President
NAACP Pomona Valley Branch

Kate Kendell
Executive Director
National Center for Lesbian Rights

Jesse Hahnel
Executive Director
National Center for Youth Law

Jerry Tello
Director
National Compadres Network

Chris Newman
Legal Director
National Day Laborer Organizing Network (NDLON)

Nayantara Mehta
Senior Staff Attorney
National Employment Law Project

Shiu Ming Cheer
Senior Staff Attorney
National Immigration Law Center

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National Lawyers Guild - LA

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Executive Director
Native Hawaiian & Pacific Islander Alliance

Kathy N. Masaoka
Co-Chair
Nikkei for Civil Rights & Redress

Jennifer Chau
Executive Director
OCA-Greater Los Angeles

Thomas A. Steers
Founder and Facilitator
Ohana Partners, The Navigators

Mary Anne Foo
Executive Director
Orange County Asian and Pacific Islander Community Alliance

Shakeel Syed
Executive Director
Orange County Communities Organized for Responsible Development (OCCORD)

Felicity Figueroa
Chair
Orange County Equality Coalition

Carolina Perez
Cofounder
Padres Activos en el Valle de San Fernando

Araceli Simeon
Project Director
Parent Organization Network

Adam Kruggel and
Sergio Luna
PICO California

Aquilina Soriano Versoza
Executive Director
Pilipino Workers Center of Southern California

Angela Glover Blackwell
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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

UC President Napolitano announces multiyear support for undocumented students

UC Office of the President

Wednesday, May 11, 2016

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 the University of California a leader among universities across the nation in ensuring academic opportunity for undocumented college students."

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Related Links:

California Dream Loan Program: <http://ucal.us/dreamloan> [<http://ucal.us/dreamloan>]

UC Legal Services Center: <https://law.ucdavis.edu/uc-undocumented/>
[<https://law.ucdavis.edu/uc-undocumented/>]

**A Statement from the
California Faculty Association Board of Directors
November 17, 2016**

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



GAVIN NEWSOM
Lieutenant Governor

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

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11/17/16 10:00 AM

11/17/16

GAVIN NEWSOM

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

GAVIN NEWSOM

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

UNIVERSITY OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

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.

Adopted:

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

AS-____-17

RESOLUTION ON IN-RESIDENCE REQUIREMENT FOR LAST 40 UNITS

- 1 WHEREAS, Cal Poly currently requires undergraduate students to take on campus at least 30 of their last
2 40 units required for the degree; and
3
4 WHEREAS, This requirement was established at a time before 4-unit courses were the norm at Cal Poly;
5 and
6
7 WHEREAS, Raising the cap for off-campus transfer credit from 10 to 12 of the last 40 units would
8 correspond to three 4-unit courses and reduce the need for special petitions; therefore be it
9
10 RESOLVED: That Cal Poly lower from 30 to 28 the number of units from a student's last 40 required for
11 the degree that must be taken in residence; and be it further
12
13 RESOLVED: That the *Cal Poly Catalog* reflect and the Registrar's Office enforce this change effective
14 immediately.

Proposed by: Academic Senate Executive Committee
Date: September 27, 2016

Adopted:

**ACADEMIC SENATE
of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA**

AS-____-17

RESOLUTION ON REQUEST FOR OUTSIDE REVIEW

- 1 WHEREAS, Attracting a diverse student body, diverse faculty, and diverse staff has been challenging
2 for Cal Poly; and
3
- 4 WHEREAS, Attracting a diverse student body, diverse faculty, and diverse staff is central to the
5 educational mission of Cal Poly; and
6
- 7 WHEREAS, The lack of diversity affects us all; and
8
- 9 WHEREAS, Attracting a diverse student body is inhibited by the lack of diversity among faculty and
10 staff; and
11
- 12 WHEREAS, Improving diversity at Cal Poly is the responsibility of the entire Cal Poly community;
13 and
14
- 15 WHEREAS, By partnering we can work together to create strategies to improve diversity; and
16
- 17 WHEREAS, Improving diversity depends not only on recruitment, but retention as well; and
18
- 19 WHEREAS, During the past eighteen month period ending June 30, 2016, 13 Black staff members,
20 approximately 40% of Cal Poly's Black staff, left Cal Poly for other jobs; and
21
- 22 WHEREAS, There are serious concerns regarding resignations of other underrepresented groups; and
23
- 24 WHEREAS, Many of those who resigned were members of the Academic Professionals of California
25 (APC); and
26
- 27 WHEREAS, Some of the those members of APC who resigned were eligible to serve in the Academic
28 Senate; and
29
- 30 WHEREAS, There are experts at dealing with workplace issues; therefore be it
31
- 32 RESOLVED: That the Cal Poly administration develops a protocol for conducting exit interviews; and
33 be it further
34
- 35 RESOLVED: That the Academic Senate requests that President Armstrong invite an outside entity to
36 conduct a review of the departures in Cal Poly's Black staff as well as departures in other
37 underrepresented groups; and be it further
38
- 39 RESOLVED: That the Academic Senate and the unions representing staff be consulted prior to the
40 invitation to the outside entity; and be further

- 41 RESOLVED: That the results of the review shall be shared with the Academic Senate as well as the
42 unions representing staff; be it further
43
44 RESOLVED: That the Academic Senate as well as the unions representing staff shall be consulted with
45 regard to recruitment and retention strategies that are developed in response to this review.

Proposed by: Paul Choboter, Senator
Camille O'Bryant, Associate Dean CSM
Harvey Greenwald, Emeritus
Rose Duran, Academic Professionals of
California Statewide Secretary
Date: December 12, 2016

Adopted:

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

AS-__-17

RESOLUTION ON PROPOSING NEW COURSES OR OTHER
CHANGES TO CURRICULA

- 1 WHEREAS, The development of curriculum and instruction is the responsibility of the faculty, a
2 fundamental principle supported by AAUP (*Statement on Government of Colleges and*
3 *Universities*)¹ and the Academic Senate of the CSU (ASCSU) (*Collegiality in the*
4 *California State University System*, 1985)² to name a few; and
5
6 WHEREAS, At times it has been necessary to reassert this principle, for example by the ASCSU
7 (*Reasserting Faculty Control of Curricula Regardless of Delivery Mode*, AS-3081-
8 12/FA/AA)³, and by the Cal Poly Academic Senate (*Resolution on Shared*
9 *Governance*, AS-748-12)⁴; and
10
11 WHEREAS, Current campus procedures establish the workflow for proposing new curricula: the
12 Office of the Registrar states that "Proposals for new courses are developed by faculty
13 and submitted for approval through the Curriculum Management system,"
14 (<http://registrar.calpoly.edu/course-policies-guidelines#Propose%20a%20New%20>),
15 and Academic Senate Bylaws (VIII.I.2b) state that "[t]he Curriculum Committee
16 evaluates curriculum proposals from departments and colleges;" and
17
18 WHEREAS, On this campus, the policy that only faculty may propose new courses or other changes
19 to existing curricula has been articulated for some time, but it does not appear in
20 Senate documentation; therefore be it
21
22 RESOLVED: That the faculty reassert and reaffirm that the development of curriculum and
23 instruction are the purview of the faculty; and be it further
24
25 RESOLVED: That only current faculty may propose new courses or other changes to curricula, and
26 that they do so through the curriculum committee of the appropriate academic
27 department or associated college.

Proposed by: Glen Thorncroft, Senator, CENG
Paul Rinzler, Senator, CLA
Lauren Garner, Senator, CAFES
Date: December 5, 2016

Footnotes:

¹ “When an educational goal has been established, it becomes the responsibility primarily of the faculty to determine the appropriate curriculum and procedures of student instruction.” AAUP *Statement on Government of Colleges and Universities*

² “Because the university's curriculum is of central concern to the faculty and because faculty have the primary responsibility in curricular decisions, it follows that faculty should have the major voice in academic policy decisions which closely affect the curriculum, access to the curriculum, or the quality of the curriculum.” *Collegiality in the California State University System*, Academic Senate of the CSU (1985)

³ “RESOLVED: That the Academic Senate of the California State University (ASCSU) reassert that the quality of the curriculum for academic credit, including technology-mediated courses and online courses, remain the purview of the faculty individually and collectively...” *Reasserting Faculty Control of Curricula Regardless of Delivery Mode*, CSU Academic Senate, AS-3081-12/FA/AA

⁴ “RESOLVED: That the faculty affirm its primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and student educational processes...” *Resolution on Shared Governance*, Cal Poly Academic Senate Resolution AS-748-12

Adopted:

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

AS-__-17

RESOLUTION TO MODIFY THE BYLAWS OF THE ACADEMIC SENATE

1 RESOLVED: That the *Bylaws of the Academic Senate* be modified as shown on the
2 attached copy.

Proposed by: Academic Senate Executive Committee
Date: November 16, 2016

BYLAWS OF THE ACADEMIC SENATE

II. MEMBERSHIP OF THE ACADEMIC SENATE

B. TERMS OF OFFICE

1. Terms of office for senators: the elected term of office for senators shall be a two-year term or one-year term when the caucus membership changes by more than two representatives. ~~A senator can serve a maximum of two consecutive, elected terms~~ An elected senator (according to Article III of the bylaws), can serve a maximum of four consecutive years and shall not again be eligible for election until one year has elapsed with the exception of ex officio members (e.g., past Senate Chair and Statewide Senators). A senator appointed to fill a vacant elected position after the winter elections or a temporary vacancy for an elected position shall serve until the completion of that term or until the senator being temporarily replaced returns, whichever occurs first. If this temporary appointment is for one year or less or if the senator is serving a one-year elected term, it shall not be counted as part of the ~~two-term~~ four years maximum for elected senators. The representative for part-time academic employees shall serve a one-year term with a maximum of four consecutive one-year terms.