

[NAME OF COLLEGE OR UNIVERSITY GOVERNING BOARD]

RESOLUTION NO. _____

WHEREAS, [Name of college or university] (“College”) welcomes, supports and respects all students; holds student equality as one of its core values, essential to its educational mission; and is committed to and here re-affirms its policies of non-discrimination and equal opportunity;

WHEREAS, federal immigration law enforcement activities, on or around College property, whether by surveillance, interview, demand for information, arrest, detention, or any other means, significantly interfere with the ability of all students, including U.S. citizen students and students who hold other legal grounds for presence in the U.S., to pursue an education;

WHEREAS *[except in AL/GA/SC]*, federal, state, and College law and policy do not restrict access to public post-secondary institutions based on a student’s immigration status;

WHEREAS, through its policies and practices, the College has made a commitment to a quality education for all students, which includes a safe campus and learning environment, free from threat and harassment;

WHEREAS, the [name of college or university governing board] (“Board”), the College academic community, and numerous post-secondary institutions around the country are concerned about the recent increase in anti-immigrant activity that has taken criminal, discriminatory, and/or intimidating form and harmed students and education;

WHEREAS, members of the College community have expressed to the College fear and confusion about the continued physical and emotional safety of all students and the ability to access education through the College and its programs;

WHEREAS, educational personnel are often the primary sources of support, resources, and information to assist students and student learning, which includes student emotional health;

WHEREAS, primary jurisdiction over enforcement of federal immigration laws rests with the federal government and not with [name of College Police Department] (“CPD”) or any other state or local law enforcement agency;

WHEREAS, CPD is devoted to providing professional policing services that strive to ensure a safe and secure environment in which members of the College’s diverse community can pursue the College’s research, education and public service missions;

AND WHEREAS, community trust and cooperation are essential to effective law enforcement on campus; the limited resources of CPD should not be diverted from this mission to enforcement of federal immigration laws.

NOW, THEREFORE, BE IT RESOLVED that the U.S. Immigrations Enforcement Office (“ICE”), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws, are to follow the attached College Policy, which is incorporated in this Resolution, to ensure the College meets its commitment to provide student education in a safe and stable learning environment;

BE IT FURTHER RESOLVED, that the Board declares the College to be a Safe Zone for its students, meaning that the College is a place for students to learn and thrive, free from threat or intrusion, and to seek assistance, information, and support related to any immigration law enforcement that interferes with their learning experience; the attached Policy is intended to protect the safety and security of our students, faculty, staff, and broader College community;

BE IT FURTHER RESOLVED, given the likelihood of substantial disruption to the educational setting posed by the presence of ICE or state or local law enforcement agencies acting for ICE, any request by ICE or other immigration enforcement agents to visit campus should be presented to the Chancellor’s Office for review as to whether access is permitted by law, a judicial warrant is required, or any other legal considerations apply; this review should be made expeditiously, but before any immigration law enforcement agent or officer appears on campus;

BE IT FURTHER RESOLVED, in its continued commitment to the protection of student privacy, the College shall review its record-keeping policies and practices to ensure that no data is being collected with respect to students’ immigration status or place of birth unless required by law;

BE IT FURTHER RESOLVED, should ICE or other immigration law enforcement agents request any student information, the request should be referred to the Chancellor’s Office to ensure compliance with Family Educational Rights and Privacy Act (“FERPA”), student constitutional privacy, standards for a judicial warrant, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made;

BE IT FURTHER RESOLVED, CPD shall 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, nor request information about immigration status from crime victims or witnesses;

BE IT FURTHER RESOLVED, CPD shall not detain an individual in response to an immigration hold request from ICE, or any other law enforcement agency enforcing federal immigration law;

BE IT FURTHER RESOLVED, the College shall post this Resolution on its website and in usual on-campus posting locations and distribute it to College faculty, staff, students, and major vendors using usual means of communication;

BE IT FURTHER RESOLVED, the Board directs the Chancellor to review College policies and practices regarding bullying and communicate to faculty, staff, and students the importance of maintaining a bullying-free environment for all students;

BE IT FURTHER RESOLVED, the College shall make available to students materials, workshops, and legal referrals relating to immigration rights;

BE IT FURTHER RESOLVED, the College shall implement a forum for ongoing feedback from students, faculty, and staff about campus climate and additional future actions to protect the safety and dignity of the College community as a Safe Zone;

BE IT FURTHER RESOLVED, the Board affirms that faculty and teaching assistants have the academic freedom to discuss this Resolution during class time; and students are to be made aware that counselors are available to discuss the subjects contained in this Resolution; and

BE IT FURTHER RESOLVED, the Chancellor shall report back on compliance with this Resolution to the Board at its next meeting.

[FOLLOWED BY BOARD SIGNATURE PAGE]

[NAME OF COLLEGE OR UNIVERSITY] POLICY

CAMPUS SAFE ZONE, STUDENT PRIVACY, AND IMMIGRATION ENFORCEMENT

The [name of college or university governing board] (“Board”), in its [date of resolution] Resolution, based on its educational experience and as part of its deliberative process as our governing body, has found that access to campus by immigration law enforcement agents substantially disrupts the learning environment and any such request for access should be referred to the Chancellor’s Office immediately.

The Chancellor’s Office must process requests by immigration law enforcement agents to **enter campus** or **obtain student data** as follows:

1. Request identification from the officers or agents and photocopy it;
2. Request a judicial warrant and photocopy it;
 - a. If no warrant is presented, request the grounds for access, make notes, and contact legal counsel for the College;
3. Request and retain notes of the names of any students identified by the agents and the reasons for the request;
 - a. Do not attempt to provide anecdotal information or conjecture about the students, such as their schedule, for example;
4. Provide the agents with a copy of this Resolution and Policy;
5. Contact legal counsel for the College;
6. Request the agents’ contact information; and
7. Advise the agents you are required to complete these steps prior to allowing them access to campus or any student data.