

CITRUS COMMUNITY COLLEGE DISTRICT ADMINISTRATIVE SERVICES

AP 3415 IMMIGRATION ENFORCEMENT ACTIVITIES

References: Education Code Section 66093 and 66093.3

Responding to Requests for Access for Immigration Enforcement Activities

The Office of Human Resources shall provide guidance and training to campus employees on appropriately addressing law enforcement access to campus buildings. This guidance shall include the following required topics:

- Contact information for the Department of Campus Safety shall be provided to report concerns about the presence of immigration officers engaged in immigration enforcement on any campus property.
- Samples of warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus. Sample responses for district personnel to use in response to officers seeking access for immigration enforcement purposes that avoids classroom interruptions, and that preserves the peaceful conduct of the school's activities.

The Office of Human Resources shall advise all students, faculty, and staff to immediately notify the Vice President of Student Services or Director of Human Resources, or his/her respective designees, if advised that an officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. The Department of Campus Safety should also be notified as soon as possible.

No district personnel may consent to immigration officer entry of district facilities or portions thereof.

The Office of Human Resources shall advise all students, faculty, and staff responding to or having contact with an officer engaged in immigration enforcement executing an immigration order to refer the entity or individual to the Vice President of Student Services or Director of Human Resources, or his/her respective designees, for purposes of verifying the legality of any warrant, court order, or subpoena.

If an immigration officer declares that exigent circumstances exist and demands immediate access to the campus, district personnel should not refuse the officer's orders and immediately contact the Vice President of Student Services or the Director of Human Resources.

The Vice President of Student Services or the Director of Human Resources shall determine the type of authorization provided to support the officer's request for access, which may include the following:

- A U.S. Immigrations and Customs Enforcement (ICE) "warrant": Immediate compliance is not required. District personnel shall inform the officer that he/she cannot consent to any request without first consulting with the Superintendent/President, or designee. District personnel shall provide a copy of the warrant to the designated administrator (where possible, in consultation with legal counsel) as soon as possible.
- A federal judicial warrant (search-and-seizure warrant or arrest warrant): Prompt compliance with such a warrant is usually legally required, but where feasible, consult with the Director of Human Resources before responding.
- A subpoena for production of documents or other evidence: Immediate compliance is not required. Inform the officer that the District cannot respond to the subpoena until after it has been reviewed by a designated administrator. Provide a copy of the subpoena to the Superintendent/President, or designee, and consult with legal counsel as soon as possible.
- A notice to appear: This document is not directed at the District. District employees are under no obligation to deliver or facilitate service of this document to the person named in the document. If a copy of the document is received, it must be given to the Vice President of Student Services or Director of Human Resources as soon as possible.

District employees should not attempt to physically interfere with an officer, even if the officer appears to be acting without consent or exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, District employees shall make a record of the contact and forward the information to the Vice President of Student Services or Director of Human Resources, or his/her respective designees.

In written documentation of the contact with an immigration enforcement officer, district employees shall provide the following information:

- Name of the officer, and, if available, the officer's credentials and contact information;
- Identity of all school personnel who communicated with the officer;
- Details of the officer's request;
- Whether the officer presented a warrant, subpoena, or court order to accompany his/her request, what was requested in the warrant/subpoena/court order, and whether the warrant/subpoena/court order was signed by a judge;
- District personnel's response to the officer's request;
- Any further action taken by the immigration officer; and
- Photo or copy of any documents presented by the agent.

District employees shall provide a copy of those notes, and associated documents collected from the officer, to the Vice President of Student Services or Director of Human Resources, or his/her respective designees.

In turn, the Director of Human Resources shall submit a timely report to the Superintendent/President, who shall notify the Board of Trustees regarding the officer's requests and actions, and the District's response(s).

Responding to Immigration Acts Against Students or Family Members

If there is reason to suspect that a student, faculty member, or staff person has been taken into custody as the result of an immigration action, the District shall notify the person's emergency contact that the person may have been taken into custody.

The Vice President of Student Services and the Director of Human Resources are the designated point of contact for any student, faculty member, or staff person who may or could be subject to an immigration order or inquiry.

District employees shall not discuss the personal information, including immigration status information, of any student, faculty member, or staff person with anyone, or reveal the personal information to anyone, unless disclosing this information is permitted by federal and state law.

The offices of the Vice President of Student Services and Human Resources shall maintain a contact list of legal service providers who provide legal immigration representation and provide this list free of charge to any student who requests it. At minimum, the list shall include the legal service provider's name and contact number, email address, and office address.

If a student is detained or deported, or is unable to attend to his/her academic requirements because of an immigration order, the District shall make all reasonable efforts to assist the student in retaining any eligibility for financial aid, exemption from nonresident tuition fees, funding for research, other educational projects, or other benefits the student has been awarded or received subject to and in compliance with its policy.

The District shall permit a student who is subject to an immigration order to re-enroll if and when the student is able to return to the District, subject to and in compliance with its policy. The District will make reasonable and good-faith efforts to provide for a seamless transition in the student's re-enrollment and reacquisition of campus services and support.

District personnel shall be available to assist any student, faculty, and staff who may be subject to an immigration order or inquiry, or who may face similar issues, and whose education or employment is at risk because of immigration enforcement actions.

Board Approved 06/21/22