

General Institution

1 **AP 3415 IMMIGRATION ENFORCEMENT ACTIVITIES**

2 **References:**

3 Education Code, Sections 66093 and 66093.3

4 **Responding to Requests for Access for Immigration Enforcement Activities**

5 District personnel shall provide guidance and offer campus employees training  
6 addressing law enforcement access to campus buildings. This guide shall include the  
7 following required topics:

- 8 • Campus police contact information to report concerns about the presence  
9 of officers engaged in immigration enforcement on any campus property.
- 10 • Samples of warrant and subpoena documents that could be used for access  
11 onto campus property, or to seize or arrest students or other individuals on  
12 campus.
- 13 • Sample responses for faculty and staff to use in response to officers seeking  
14 access for immigration enforcement purposes that avoids classroom  
15 interruptions, and that preserves the peaceful conduct of the school's  
16 activities.

17 District personnel shall advise all students, faculty, and staff to immediately notify the  
18 Office of the President or his/her/their designee, if he/she/they is advised that an officer  
19 engaged in immigration enforcement is expected to enter, will enter, or has entered the  
20 campus for immigration enforcement purposes. Campus police should also be notified  
21 as soon as possible.

22 No personnel may consent to entry of District facilities or portions thereof.

23 District personnel shall advise all students, faculty, and staff responding to or having  
24 contact with an officer engaged in immigration enforcement executing an immigration  
25 order, to refer the entity or individual to the Office of the President, or his/her/their  
26 designee, for purposes of verifying the legality of any warrant, court order, or subpoena.

27 If the officer declares that exigent circumstances exist and demands immediate access  
28 to the campus, District personnel should not refuse the officer's orders and immediately  
29 contact the Vice President of Student Services.

30 The President/Superintendent or Vice President of Student Services, in consultation with  
31 legal counsel as deemed necessary, shall determine what type of authorization is being  
32 provided to support the officer's request for access:

- 33 • **A U.S. Immigrations and Customs Enforcement (ICE) "warrant."**  
34 Immediate compliance is not required. District personnel shall inform the

35 officer that he/she/they cannot consent to any request without first  
36 consulting with the Vice President of Student Services. Provide copy of the  
37 warrant to the designated administrator (where possible, in consultation  
38 with legal counsel) as soon as possible.

- 39 • **A federal judicial warrant (search-and-seizure warrant or arrest**  
40 **warrant):** Prompt compliance with such a warrant is usually legally  
41 required, but where feasible, consult with the Vice President of Student  
42 Services before responding.
- 43 • **A subpoena for production of documents or other evidence:** Immediate  
44 compliance is not required. Inform the officer that the District cannot  
45 respond to the subpoena until after it has been reviewed by a designated  
46 administrator. Provide a copy of the subpoena to a designated  
47 administrator or legal counsel as soon as possible.
- 48 • **A notice to appear:** This document is not directed at the District. District  
49 personnel are under no obligation to deliver or facilitate service of this  
50 document to the person named in the document. If a copy of the document  
51 is received, it must be given to a designated administrator as soon as  
52 possible.

53 District personnel should not attempt to physically interfere with an officer, even if the  
54 officer appears to be acting without consent or exceeding the authorization given under  
55 a warrant or other document. If an officer enters the premises without consent, District  
56 personnel shall make a record of the contact and forward the information to the Office of  
57 the President.

58 In making record of the contact with an immigration enforcement officer, District personnel  
59 shall provide the following information:

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

71 District personnel shall provide a copy of those notes, and associated documents  
72 collected from the officer, to the Vice President of Student Services.

73 In turn, the Vice President of Student Services shall submit a timely report to the District's  
74 governing board and the campus public safety office regarding the officer's requests and

75 actions and the District's response(s). The President/Superintendent shall provide the  
76 report to the Board of Trustees.

77 **Responding to Immigration Acts Against Students or Family Members**

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

82 District personnel shall designate a staff person as a point of contact for any student,  
83 faculty member, or staff person who may or could be subject to an immigration order or  
84 inquiry.

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

89 District personnel shall maintain a contact list of legal service providers who provide legal  
90 immigration representation and provide this list free of charge to any student who  
91 requests it. At minimum, the list shall include the legal service provider's name and  
92 contact number, e-mail address, and office address.

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

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

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

106 Office of Primary Responsibility: Vice President, Student Services

107 See Also AP 5017 titled Responding to Inquiries of Immigration Status, Citizenship  
108 Status, and National Origin Information.

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Date Approved: March 20, 2023