

## **AP 3415 Immigration Enforcement Activities**

The Associate Superintendent of Administrative Services and Emergency Operations is the senior administrator designated by the Superintendent/President to implement the requirements of this administrative procedure and Education Code section 66093.3.

The Associate Superintendent of Administrative Services and Emergency Operations has delegated the Chief of Police/Director of Public Safety and Chief Legal Officer/General Counsel to be responsible for responding to requests for access for immigration enforcement activities.

The Associate Superintendent of Administrative Services and Emergency Operations has delegated the Executive Director of Student Support Services and the Director of Admissions and Records to be responsible for responding to immigration acts against students or family members.

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

The Associate Superintendent of Administrative Services and Emergency Operations shall provide guidance and offer to campus employees training addressing law enforcement access to campus buildings. This guide shall include the following required topics:

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

The Associate Superintendent of Administrative Services and Emergency Operations shall advise all students, faculty, and staff to immediately notify the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel office if they are advised that an immigration officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. The Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel will immediately notify the Superintendent/President.

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

The Associate Superintendent of Administrative Services and Emergency Operations shall advise all students, faculty, and staff responding to or having contact with an immigration officer engaged in immigration enforcement executing an immigration order, to refer the entity or individual to the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel office for purposes of verifying the legality of any warrant, court order, or subpoena.

If the 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 Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel.

The Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel shall determine what type of authorization is being provided to support the officer's request for access:

- **A U.S. Immigrations and Customs Enforcement (ICE) “warrant.”** Immediate compliance is not required. District personnel shall inform the immigration officer that they cannot consent to any request without first consulting with the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel. Provide copy of the warrant to the Chief of Police/Director of Public Safety or the Chief Legal Officer/General 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 Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel before responding.
- **A subpoena for production of documents or other evidence:** Immediate compliance is not required. Inform the immigration officer that the District cannot respond to the subpoena until after it has been reviewed by the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel. Provide a copy of the subpoena to the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel.
- **A notice to appear:** This document is not directed at the District. District personnel 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 Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel as soon as possible.



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District personnel should not attempt to physically interfere with an immigration officer, even if the officer appears to be acting without consent or exceeding the authorization given under a warrant or other document. If an immigration officer enters non-public premises without consent, District personnel shall make a record of the contact and forward the information to the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel.

In making record of the contact with an immigration enforcement officer, District personnel 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 the 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 personnel shall provide a copy of those notes, and associated documents collected from the officer, to the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel.

In turn, the Chief of Police/Director of Public Safety or the Chief Legal Officer/General Counsel shall submit a timely report to the Superintendent President and Governing Board regarding the immigration 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 an employee has been taken into custody as the result of an immigration action, the Chief Human Resources Officer shall notify the employee's emergency contact, if requested by that individual, that the person may have been taken into custody.

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If there is reason to suspect that a student has been taken into custody as the result of an immigration action, the Executive Director of Student Support Services or the Director of Admissions and Records shall notify the student's emergency contact, if requested by that individual, that the person may have been taken into custody.

The District has designated the Executive Director of Student Support Services and the Director of Admissions and Records as the points of contact for any student who may or could be subject to an immigration order or inquiry.

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

District personnel 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, e-mail address, and office address.

If a student is detained or deported, or is unable to attend to 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, fellowship stipends, exemption from nonresident tuition fees, funding for research or other educational projects, housing stipends or services, or other benefits the student has been awarded or received subject to and in compliance with District policy.

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

District personnel shall be available to assist any student or employee 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.

References: Education Code Sections 66093 and 66093.3

Approved: 12/10/24