



Memorandum

TO: Jannett Jackson, Chancellor, Chabot-Las Positas Community College District

FROM: Dr. Susan Sperling, President, Chabot College

CC: Dr. Laurie Dockter, Academic Senate President, Chabot College
Ms. Noell Adams, Classified Senate President, Chabot College
Mr. Zaheer Ebtikar, Student Senate President, Chabot College
Mr. Ben Nash, Student Senate President (2016-2017), Chabot College

DATE: September 7, 2017

RE: **Chabot College Sanctuary Resolution Agenda Item Board of Trustees Meeting**

Background

At the May 16, 2017, Board of Trustees meeting Chabot's Student, Classified, and Faculty Senates presented a joint resolution to the Board of Trustees during public comments asking the Board to declare Chabot College a "sanctuary college." On June 2, 2017 Chancellor Jackson sent a letter to the college presidents outlining a process for submission of such a resolution, following which Vice Chancellor Johns met with the senate presidents and myself on the Chabot campus (August 8, 2017) in order to further discuss this matter. The meeting was collegial and appreciated by the participants. It included discussion of trustee and district leadership sensitivities around the use of the term "sanctuary" as potentially inviting political retaliation through the withdrawal of federal funds to the college district.

Understanding that there are critical issues and multiple perspectives surrounding the use of the term "sanctuary", I drafted a modified alternative document that included district and college principles of support for access for all students and mirrored the Santa Rosa resolution without referencing the term "sanctuary" (using the term "safe haven" instead). I sent it the week of August 8, 2017 to the three senate presidents for review and consideration.

I met with the student senate leadership during the first week of the semester and they have stated unequivocally that they do not want to go forward with the modified wording at this point. Student Senate President Ebtikar emphasized two points in response to my modified draft at the meeting:

1. The students want board consideration of what was drafted and approved originally by the three senates because they feel it underwent a full democratic process and vetting through their senate deliberations and should therefore receive board consideration as it stands. He said that they undertook many hours of discussion regarding the pros and cons of the use of the term "sanctuary", heard testimony from students, some of whom are undocumented and/or on financial aid and supported use of the term "sanctuary", and determined through a vote and according to their constitution to "represent the will of the student body in moving forward with the resolution."
2. He further stated that the student senate plans to directly contact trustees to ask them to enter into dialog regarding the original resolution, so that the community may learn trustees' feelings and perspectives, and that if the resolution is to be reshaped or reworded the student leadership feels it should be after hearing trustee's concerns directly from the board.

Following this meeting with President Ebtikar, I received word from both classified and faculty senate presidents that they also want to move forward with the original resolution. If I had to sum up what they said it can be paraphrased as follows: the Chabot senates want more direct interaction with the elected board regarding this issue through a discussion of their original "sanctuary" resolution. I must also convey the collective passion there is about this issue (DACA) on a campus made up of many students from struggling immigrant families.

In further discussion with Chancellor Jackson and Vice Chancellor Johns during the first week of September the recommendation was made that I re-submit the original resolution with this brief history to Dr. Jackson to discuss with Board President Gin regarding whether he feels the original joint senates resolution can be agenized for discussion/consideration by the Board at either a regular meeting or a special study session. I am therefore re-submitting the original document with some very minor changes to the chancellor along with a request for placement on the board agenda. Finally, I believe that the senates will be deeply appreciative of an opportunity to hear what will no doubt be a thoughtful response from the board should the resolution be put on an upcoming agenda.

Thank you to Chancellor Jackson and Vice Chancellor Johns for their time and effort in working with us and for consideration of this request.

**Chabot College Academic Faculty Senate,
Classified Senate, and Student Senate**

Joint Resolution on Chabot College as a Sanctuary Campus

WHEREAS Colleges and college districts have an obligation to provide all students with supportive learning environments free from fear, harassment, and discrimination; and

WHEREAS Chabot College has stated that its mission is to respond to the educational and workforce development needs of our regional population; and

WHEREAS Chabot College is a diverse institution inclusive of all backgrounds. Our campus empowers the underrepresented and underserved with respect to race, ethnicity, national origin, immigration status, religion, sexual orientation, gender identity, ability, and all marginalized people; and

WHEREAS Chabot College values, respects, and encourages cultural diversity in our curriculum, programs, and services and among our community of learners, teachers, and professionals; and

WHEREAS the Board of Governors of the California Community College system has resolved that: all 113 community colleges in California remain safe and open to students, regardless of immigration status, the state Chancellor's office will not release any personally identifiable student information without the proper documentation, and the Board of Governors encourages community colleges to consider our system's values when responding to requests for information from government agencies; and

WHEREAS the Chabot Senates agree with the Hayward Police Department's stated policy that they serve and protect the entire community, regardless of immigration status, and they do not serve as an agent of any federal agency; and

WHEREAS in the previous season of national presidential campaigning and the continuing national discussion, students from immigrant backgrounds, communities of color, LGBTQ students, Muslims, women, and people with disabilities were the targets of hate speech and threats incompatible with the inalienable rights of liberty and justice; and

WHEREAS our students have reason to fear for their safety based on proposed and enacted policies in the current political climate, such as targeting undocumented and Muslim immigrants, building a wall between the U.S. and Mexico, discriminatorily detaining and deporting specific groups, curtailing refugee admissions based on religion, national origin, and ethnicity, suspending visas from majority-Muslim countries, and revoking policies of inclusion for transgender individuals; and

WHEREAS many of our students are, or could be, affected by such policies and have legitimate fears for their security and their future; and

WHEREAS currently over 200 colleges and universities across the United States have petitioned to declare sanctuary; and

WHEREAS declaring Chabot College a sanctuary campus sends a powerful message of support to community members that Chabot College is an institution they can trust to provide safe spaces to learn and work free from harassment or intimidation; and

THEREFORE, BE IT RESOLVED that the Chabot College Academic Faculty Senate, Classified Senate, and Student Senate call for Chabot College to become a sanctuary campus and publicly **REAFFIRMS**

(a) Our historical position that all people—regardless of immigration status, race, national origin, sexual orientation, gender, gender identity, ability, ethnicity or religion—should be free of discrimination, verbal or physical attacks; and

(b) Our historical commitment to a safe learning environment for all students through respectful work in all campus spaces, providing inclusive materials in our curriculum, and utilizing supportive interactions with all students in our role as mentors and peers.

TO THIS END, the Chabot Academic Faculty Senate, Classified Senate, and Student Senate strongly urge the Chabot-Las Positas Community College District Board of Trustees

(a) To **PUBLICLY DECLARE** Chabot College a sanctuary campus;

(b) To **REJECT**

1. Any use of a registry, surveillance, or monitoring based on any federally protected class such as religion, national origin, race, sexual orientation, or disability;
2. Any call to detain, question, or arrest any individual solely based on suspected undocumented immigration status;
3. Any call to voluntarily cooperate with ICE to seek out and deport students, faculty, staff and other community members without a judicial warrant, subpoena, or court order;
4. Any call to deny access to Chabot College to students, faculty, staff, and community members based on immigration status;
5. Any call to release personally identifiable student information—including any data related to immigration status—without a judicial warrant, subpoena, or court order unless authorized by the student or required by law;

(c) To **TAKE ACTION** promoting the following recommendations:

1. Continue to advocate at the local, state, and federal level for educational opportunities for all students in our community regardless of immigration status.

2. Develop, adopt, and implement district and campus policies and protocols consistent with the values expressed herein, in the event that a public or law enforcement officer is expected to enter or has entered campus to execute a federal immigration order.
3. Disseminate information and increase awareness of California Assembly Bill 21.
4. Ensure that all Chabot faculty, classified professionals, students, and administrators, know and understand all state and federal laws, and district and campus policies relevant to protecting students and student information, including but not limited to the Family Educational Rights and Privacy Act (FERPA).
5. Communicate information about rights and protections afforded to students including but not limited FERPA on an ongoing basis by way of an annual forum and other activities.
6. Continue to protect sensitive student information, such as California Assembly Bill 540, California Dream Act, and Deferred Action for Childhood Arrivals (DACA) status, by limiting access to student records and to provide authorities with this information ONLY with a valid subpoena.
7. Continue to identify and promote scholarships that are open to all students regardless of citizenship or residency.
8. Take legal action to protect federal funding.
9. Secure support from all local, state, and federal elected officials for Chabot College's efforts to protect students, faculty, and professionals.
10. Consider earmarking resources to allow Chabot to provide:
 - a. Culturally sensitive mental health counseling to students and staff who are undocumented, LGBTQ, Muslim, female, African American, and other affected groups;
 - b. Legal counsel to support undocumented and Muslim students, staff, and other affected groups;
 - c. Support for campus activities, speakers, events, faculty, staff, and student education on diversity and social justice activism;
 - d. Tuition assistance to students whose financial aid is impacted due to undocumented status;
 - e. Women's health concerns impacted by federal policies.

Adopted by Chabot Academic Faculty Senate: April 27, 2017

Adopted by Chabot Classified Senate: May 3, 2017

Adopted by Student Senate of Chabot College: May 1, 2017