

Monterey Peninsula Community College District

Governing Board Agenda

December 14, 2016

President's Office

College Area

Special Business Agenda Item No. A

Proposal:

That the Governing Board approve a resolution in support of providing higher education services to undocumented students.

Background:

Monterey Peninsula College's mission is to be "an open access institution that fosters student learning achievement within its diverse community." MPC supports the academic and career goals of all of our students, including undocumented students, through our educational and student services programs. Due to the recent uncertainty regarding potential changes to immigration policies that may negatively impact our undocumented students, the Superintendent/President and Board of Trustees reiterate their commitment to the District's mission. In addition, the attached resolution of support is meant to reassure the campus and broader community that the District stands with our undocumented students. The resolution reaffirms the same principles which the Chancellor's Office issued in the attached, "California Community Colleges Chancellor's Office Statement of Values and Commitment to Undocumented Students."

If approved, the resolution will be forwarded to the state Chancellor's Office.

Budgetary Implications:

None.

RESOLUTION: BE IT RESOLVED, That the resolution of support and commitment to undocumented students, be approved.

Recommended By: Walt A. Tribley
Dr. Walter Tribley, Superintendent/President

Prepared By: Vicki Nakamura
Vicki Nakamura, Assistant to the President

Agenda Approval: Walt A. Tribley
Dr. Walter Tribley, Superintendent/President

MONTEREY PENINSULA COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. _____

RESOLUTION OF SUPPORT AND COMMITMENT TO UNDOCUMENTED STUDENTS

WHEREAS, it is the mission of the Monterey Peninsula Community College District to be an open-access institution that fosters student learning achievement within its diverse community; and

WHEREAS, the Monterey Peninsula Community College District is committed to equal opportunity in educational programs, employment, and access to all institutional programs and activities; and

WHEREAS, the Monterey Peninsula Community College District strives to provide a welcoming and safe environment for all of our students; and

WHEREAS, uncertainty has arisen regarding potential changes to immigration policies that may negatively impact undocumented members of our campus; and

WHEREAS, the California Community Colleges are open to all students who meet the minimum requirements for admission, regardless of immigration status; and

WHEREAS, financial aid for certain undocumented students is protected by California state law; and

WHEREAS, the California Community Colleges Chancellor's Office has issued a statement of values and commitment to undocumented students to provide guidance to Districts regarding providing support to these students;

NOW, THEREFORE, BE IT RESOLVED, that the Monterey Peninsula Community College District security officers shall not question any individual solely on the basis of (suspected) undocumented status; and

BE IT FURTHER RESOLVED, that the Monterey Peninsula Community College District shall not cooperate with any federal effort to create a registry of individuals based on any protected characteristics such as religion, national origin, race, or sexual orientation; and

BE IT FURTHER RESOLVED, that the Monterey Peninsula Community College District shall not release confidential student records, including information related to immigration status, without a judicial warrant, subpoena or court order, unless authorized by the student or required by law.

PASSED AND ADOPTED by the Governing Board of the Monterey Peninsula Community College District this 14th day of December 2016, by the following vote:

Ayes:

Noes:

Absent:

Abstentions:

Rick Johnson, Chair, Governing Board

Dr. Walter Tribley, Secretary

Dr. Loren Steck, Vice Chair

Charles Brown, Trustee

Dr. Margaret –Anne Coppernoll, Trustee

Marilynn Dunn Gustafson, Trustee

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

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December 5, 2016

**California Community Colleges Chancellor's Office Statement of Values and Commitment
to Undocumented Students**

The California Community Colleges Chancellor's Office is providing the following information and guidance to districts and colleges regarding the possible end of Deferred Action for Childhood Arrivals, or DACA, and other immigration-related uncertainties dealing with the incoming administration in Washington D.C.

First and foremost, the Chancellor's Office and the Board of Governors reiterate their unwavering commitment to the values spelled out in the vision statement of our system's Strategic Plan. The document's guiding framework states, in part:

- "All people have the opportunity to reach their full educational potential."
- "The Colleges embrace diversity in all its forms."
- "All people have the right to access quality higher education."

While great uncertainty exists about what specific immigration and education policies the new administration will seek to implement, the Chancellor's Office will vigorously advocate at every level of government to protect our students and our system's values.

To date, the Chancellor's Office has reassured students and colleges that our campuses will remain safe, welcoming places for students of all backgrounds to learn; informed them that no changes have been made with regard to admissions or financial aid; informed students that financial aid for certain undocumented students is protected by state law; called on President-elect Donald J. Trump to preserve DACA; and joined with the University of California, the California State University and the California Community Colleges to defend the right of all students to obtain a higher education in California.

The Chancellor's Office stands with the undocumented members of the California Community College community, and reaffirms the following principles:

- The California Community Colleges are open to all students who meet the minimum requirements for admission, regardless of immigration status.
- The Chancellor's Office will not release any 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.

- The Chancellor's Office will not cooperate with any federal effort to create a registry of individuals based on any protected characteristics such as religion, national origin, race, or sexual orientation.
- The Chancellor's Office will continue to advocate for educational opportunities for all students in the community college system, regardless of immigration status, at the state and federal level.

While the Chancellor's Office acknowledges local authority and control in the administration of our community colleges, we encourage our local community college districts to consider our system's values when responding to this situation. We find the following strategies to be consistent with these values and recommend using them as a starting point for your local deliberations in these matters:

- District police departments should not detain, question or arrest any individual solely on the basis of (suspected) undocumented immigration status.
- Districts should not cooperate with any federal effort to create a registry of individuals based on any protected characteristics such as religion, national origin, race or sexual orientation.
- No confidential student records should be released without a judicial warrant, subpoena or court order, unless authorized by the student or required by law.

The Chancellor's Office will actively monitor developments about possible changes to immigration policies and work with partners who are committed to protecting our students. Additional resources that may be of help to colleges and districts include a [white paper](#) issued by the American Council on Education, a [Frequently Asked Questions](#) document prepared by the Undocumented Student Program at the University of California, Berkeley, [FAQs](#); prepared by the Mexican American Legal Defense and Education Fund and the California Dream Act section at <http://www.icanaffordcollege.com/>.

For questions about the guidance described here, please contact the Chancellor's Office General Counsel at legalaffairs@cccco.edu.