

]Coast Community College District
Administrative Procedures
Chapter 3
General Institution

AP 3415 Immigration Enforcement Activities

References:

Education Code Sections 66093 and 66093.3
Associated with BP 3410 Prohibition of Discrimination and Harassment

Responding to Requests for Access for Immigration Enforcement Activities

The District shall provide guidance and offer to employees training addressing immigration officer access to District and College buildings and student residences at The Harbour. This guidance shall include the following required topics:

- Instructions that immigration officers may not enter student living quarters at The Harbour to make arrests without a judicial warrant, valid consent, or exigent circumstances.
- Instructions that neither District nor College personnel, including College Public Safety, nor The Harbour staff may consent to entry into a student residence at the Harbour by an immigration officer for the purpose of a search or an arrest, but a judicial warrant or exigent circumstances may authorize officer entry without consent.
- College Public Safety contact information to report concerns about the presence of an immigration officer engaged in immigration enforcement at any District or College property.
- Samples of warrant and subpoena documents that could be used for access onto College or District property, or to seize or arrest students or other individuals on College or District property.
- Sample responses to use in response to immigration officers seeking access for immigration enforcement purposes that avoids classroom interruptions, and that preserves the peaceful conduct of College and District activities.

The District and the Colleges are to advise all students, faculty, and staff to promptly notify the office of the Chancellor or College President if they become aware that an immigration officer engaged in immigration enforcement is expected to enter, will enter, or has entered College or District property for immigration enforcement purposes. College Public Safety should also be notified as soon as possible.

No employee may consent to entry of non-public District or College facilities or portions thereof by an immigration officer except as otherwise provided herein.

The District shall advise all students, faculty, and staff responding to or having contact with an immigration officer executing an immigration order to refer them to the office of the Chancellor or College President 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 College or District premises, personnel should not refuse the officer's requests and should immediately contact the Public Safety Department. The office of the Chancellor or College President will determine what type of authorization should be provided to support the officer's request for access.

- **A U.S. Immigrations and Customs Enforcement ("ICE") "warrant."** Immediate compliance is not required. District or College personnel should inform the ICE officer that they cannot consent to any request without first consulting with the office of the Chancellor or President. Personnel should provide a copy of the warrant to the office of the Chancellor or College President 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 personnel should consult with the office of the Chancellor or College President 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 an administrator. Personnel should provide a copy of the subpoena to the office of the Chancellor or College President as soon as possible.
- **A notice to appear:** This document is not directed at the District itself. Personnel are under no obligation to deliver or facilitate service of this document to the person named in the notice. If a copy of the notice is received, it should be given to office of the Chancellor or College President as soon as possible.

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 College or District premises without consent, personnel should make a record of the contact and forward the information to the office of the Chancellor or College President.

In making record of the contact with an immigration enforcement officer, personnel should provide the following information:

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

Personnel should provide a copy of those notes, and associated documents collected from the officer, to the office of the Chancellor or College President.

In turn, the Chancellor will submit a timely report to the Board, and the Chancellor or the College President will inform the respective College Public Safety Office regarding the officer's requests and actions and the District's response.

Responding to Immigration Acts Against Students or Family Members

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

District and the Colleges are to designate a staff person as a point of contact for any student, faculty, or staff who may or could be subject to an immigration order or inquiry.

District and College personnel may not discuss the personal information, including immigration status, of any student, faculty, or staff with anyone, or reveal the personal information to anyone, unless such disclosure is permitted by federal or state law.

The District and the Colleges are to maintain a contact list of legal service providers who provide legal immigration representation, and are to provide this list free of charge to any student who requests it. At minimum, the list is to include the legal service provider's name, phone number, e-mail address, and office address.

If a student is detained or deported, or is unable to attend to their academic requirements because of an immigration order, the College is to 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, and other benefits that the student has been awarded or received.

The Colleges are to permit a student who is subject to an immigration order to re-enroll if and when the student is able to return to the College, subject to and in compliance with applicable requirements, and is to make reasonable and good-faith efforts to provide for a seamless transition in the student's re-enrollment and reacquisition of College services and support.

District and College personnel are to be available to assist any student, faculty, or 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.

For purposes of this Procedure, pursuant to Education Code Section 66093.3(k), "immigration officer" means any state, local, or federal law enforcement officer who is seeking to enforce immigration law.

Ratified April 16, 2025