



Chancellor's Advisory Council

Meeting Agenda – October 27, 2023, 9:00-10:30 a.m.

District Office Building (D700), Board Conference Room 101

Zoom: <https://fhda-edu.zoom.us/j/83489753008?pwd=aw32iUrqm8BEp1gNOX90ECYCvkbElz.1>

AGENDA TOPIC	PURPOSE/DESIRED OUTCOME	DISCUSSION LEADER
1. Welcome and introductions	I – Allow council members and guests to identify each other by name and constituent group represented and/or role at the colleges/district.	Lee Lambert
2. Approval of June 16, 2023 meeting summary	A – Provide accurate record of previous meetings.	Lee Lambert
3. Review and reaffirmation of council Charge, Purpose, and Ground Rules	D/A – Gain understanding of role of Chancellor's Advisory Council and expectations of council members. Recommend changes to improve processes. Reaffirm or revise.	Lee Lambert
4. Review of Chancellor's Advisory Council role in policy review	I – To remind members of the Chancellor Advisory Council about their role in policy review.	Lee Lambert
<p>4. Please review the drafts of the following Board Policies and Administrative Procedures:</p> <ul style="list-style-type: none"> Review Revised Draft AP 2410 Policy and Administrative Procedure (First Reading) 	<p>I – Review of policy and procedures approved by the Chancellor's Cabinet for dissemination to constituents. (Note: Pursuant to administrative procedure 2410, administrative procedures that do not involve academic and professional matters are effective upon approval of the Chancellor's Advisory Council. Board policies are not effective until approved by the Board of Trustees.)</p> <p>D/A – Hear any feedback from constituency groups and approve. (Note: Pursuant to administrative procedure 2410, administrative procedures that do not involve academic and professional matters are effective upon approval of the Chancellor's Advisory Council. Board policies are not effective until approved by the Board of Trustees.)</p>	Lee Lambert
5. Enrollment management (standing item)	I/D – Gain understanding of enrollment initiatives, provide feedback/advice, and share information with constituencies.	Kris Whalen Lloyd Holmes
<p>6. Accreditation items – Review the two ISER documents and submit your feedback using the following links:</p> <ul style="list-style-type: none"> Foothill College - Institutional Self-Evaluation Report (ISER) <ul style="list-style-type: none"> Feedback due by Friday, November 17, 2023 De Anza College – Institutional Self-Evaluation Report <ul style="list-style-type: none"> Feedback due by Friday, November 3, 2023 	I – Accreditation Liaison Officers Elaine Kuo at Foothill College and Mallory Newell at De Anza College request your review and feedback for the Institutional Self-Evaluation Reports as both colleges are preparing to submit their final drafts for the December 11, 2023 Board of Trustees for approval and then to the Accrediting Commission for Community and Junior Colleges (ACCJC) by Friday, December 15, 2023.	Elaine Kuo Mallory Newell
<p>7. Recommendation regarding request for sanctuary campus policy</p> <ul style="list-style-type: none"> AP 3415 Immigration Enforcement Activities http://go.boarddocs.com/ca/fhda/Board.nsf/goto?open&i d=BUQTUA790950 	<p>I/D – The HEFAS team and students requested to present a request to the Chancellor's Advisory Council regarding a Sanctuary Board Policy and Administrative Procedure.</p> <p>A list of resources has been provided to demonstrate that both the district and the two</p>	Lee Lambert

<ul style="list-style-type: none"> AP 5017 Responding to Inquiries of Immigration Status Citizenship Status, and National Origin Information http://go.boarddocs.com/ca/fhda/Board.nsf/goto?open&iid=BUYPHX64A946 10/2/23 Resolution 2023-33 Recognizing October 16-20, 2023, As Undocumented Student Action Week http://go.boarddocs.com/ca/fhda/Board.nsf/goto?open&iid=CW2JG44ABA18 <p>BE IT FURTHER RESOLVED that the Foothill-De Anza Community College District supports efforts by Foothill and De Anza colleges to identify and share best practices for assisting undocumented students, disseminate information to students about how to access funding for immigration defense proceedings and referral to legal service providers, and reinforce state policies that protect student rights and privacy; and</p> <p>BE IT FURTHER RESOLVED that the Board of Trustees of the Foothill-De Anza Community College District urges Congressional members to uphold California values and create a pathway to citizenship for undocumented students, which will permit them to complete their educational goals and achieve their highest potential.</p> <ul style="list-style-type: none"> 9/16/23 Joint statement of chancellor and presidents on the DACA ruling https://www.fhda.edu/_chancellor/chancellor-messages.html#chanmessage091623 The district is a member of the Presidents' Alliance on Higher Education, which leads advocacy efforts that support international and immigrant students. De Anza College resources for undocumented students webpage https://www.deanza.edu/students/undocumented.html Foothill College DREAMers and UndocuALLY webpage https://foothill.edu/dreamers/ The HEFAS request and the district's initial response regarding the incident at De Anza that prompted this discussion were included in the June CAC agenda packet https://www.fhda.edu/about-us/participatorygovernance/061623CACagendapacket_rev.pdf 	<p>colleges do support undocumented students on the campuses.</p>	
<p>8. District Enrollment Management Committee (DEMC) Update</p>	<p>I – Anu Khanna will provide an update to the Chancellor’s Advisory Council regarding DEMC.</p>	<p>Lee Lambert</p>
<p>9. District Governance Committee/Constituent Group Reports</p> <ul style="list-style-type: none"> Affordable Housing Task Force District Budget Advisory Committee https://www.fhda.edu/about-us/participatorygovernance/district-budget-advisory-committee-@dbac~/ Energy and Sustainability Advisory Committee https://www.fhda.edu/about-us/participatorygovernance/energy-and-sustainability-advisory-committee-@esac~/ 	<p>I – Broaden awareness. Provide information for council members to disseminate to constituents about work/actions of districtwide governance groups and constituent groups.</p>	<p>All</p>

<ul style="list-style-type: none"> Police Chief's Advisory Committee https://www.fhda.edu/about-us/participatorygovernance/police-chiefs-advisory-committee-@pcac~/ Human Resources Advisory Committee/District Diversity and Equity Advisory Committee https://www.fhda.edu/about-us/participatorygovernance/human-resources-advisory-committee-@hrac~/ Educational Technology Advisory Committee https://www.fhda.edu/about-us/participatorygovernance/educational-technology-advisory-committee-@etac~/ 		
10. Dates to remember/other information and updates	I – Share information for council members to disseminate to constituents.	All

I – Information, D – Discussion, A – Action

2023-24 Chancellor's Advisory Council meeting dates:

October 27, 2023

December 1, 2023

January 12, 2024

February 23, 2024

March 15, 2024

April 26, 2024

May 24, 2024

June 14, 2024

Topic: Chancellor's Advisory Council | 10/27/2023

Time: October 27, 2023 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://fhda-edu.zoom.us/j/83489753008?pwd=aw32iUrqm8BEp1gNOX90ECYCvkbEIz.1>

Meeting ID: 834 8975 3008

Passcode: 002860

One tap mobile

+16699006833,,83489753008# US (San Jose)

+14086380968,,83489753008# US (San Jose)

Dial by your location

+1 669 444 9171 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 719 359 4580 US

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

Find your local number: <https://fhda-edu.zoom.us/j/kcN1l9FQnq>



FOOTHILL-DE ANZA
Community College District

Office of the Chancellor

CHANCELLOR'S ADVISORY COUNCIL

Meeting Summary

June 16, 2023

Present: Cheryl Balm, Susan Cheu, John Fox, Jory Hadsell, Lloyd Holmes, Amy Huang, Kurt Hueg, Elaine Kuo, Kathryn Maurer, Kevin Metcalf, Judy Miner, Ray Quan, Stanley Saraos, Adiel Velasquez, Voltaire Villanueva, Kristina Whalen

Guests: Daniel Acosta, Ivette Contreras, Angelica Esquivel Moreno, Mary Donahue, Kurt Hueg, Anu Khanna, Shaila Ramos-Garcia, Eric Reed, David Ulate, Felisa Vilaubi, Lydia Wong, Erik Woodbury

1. Welcome and introductions

Chancellor Miner welcomed council members and guests.

2. Approval of December 2, 2022; January 13, 2023; March 17, 2023; and May 26, 2023, meeting summaries

Chancellor Miner indicated that the draft meeting summaries would be presented for approval in the fall.

3. Higher Education for AB 540 Students (HEFAS) Statement and Sanctuary Board Policy and Administrative Procedure Request

Representatives of HEFAS spoke about the impact a recent incident on the De Anza campus in which armed border patrol agents participated in a career fair had on undocumented students and staff. They asked that the district educate employees about the protocol to be followed in the event immigration agents come to campus and consider adopting a sanctuary campus policy and procedure.

Chancellor Miner reminded everyone that the Department of Homeland Security has ongoing guidance in place that requires Immigration and Customs Enforcement to refrain from roundups in sensitive locations, such as schools and colleges. She also shared administrative procedure 3415 Immigration Enforcement Activities and stated that the district's protocol outlined in her 2019 message to the district remains in effect:

If an immigration officer seeks your consent to enter a classroom or office, or requests information or documents from you about a student or employee, please refer the officer to your President's Office or the Chancellor's Office if you report to Central Services.

Police Chief Acosta added that almost every time an immigration agent comes to campus it is an administrative/civil matter, which means that the district has a ten day time frame to verify that the paperwork is legitimate and proper. He also advised that he is working to schedule a Know Your Rights forum with an immigration attorney for students in the fall.

Chancellor Miner committed to including discussion of a sanctuary campus board policy and administrative procedure on the summer agenda for Chancellor's Cabinet with the intent of having a proposal ready for CAC review in the fall. She also committed to including information about the HEFAS proposal and district protocols in her next open office hour and the next Chancellor's Office newsletter.

4. Proposed new board policy (BP) and administrative procedure (AP) (second reading)

BP 6450 Wireless or Cellular Telephone Use
AP 6450 Wireless or Cellular Telephone Use

Council members approved the new policy and procedure by consensus.

The board policy will be presented to the Board of Trustees for first reading at the July 10, 2023, regular meeting.

5. Enrollment management

Kristina and Lloyd reported strong enrollment for summer session. Susan advised that the tentative budget includes \$5.3 million to be used in 2023-24 and 2024-25 for the District Enrollment Management Committee pilot program to increase enrollment and retention.

6. District Strategic Plan 2024-2031

David shared the draft District Strategic Plan, noting that changes recommended by the council at the last meeting had been incorporated. The council discussed including the strategic plan as a standing item on the Chancellor's Advisory Council agenda to consider updates and changes throughout the year. David commented that strategic plan progress would be folded into the reimagining reports to the Board of Trustees.

Council members approved the draft strategic plan by consensus. The plan will be presented to the Board of Trustees for first reading at the July 10, 2023, regular meeting.

7. District Opening Day workshop proposals

Judy shared the list of workshop proposals received to date for District Opening Day, which will be held Wednesday, September 20, at Foothill College. She indicated that proposals would continue to be accepted until July 3 and encouraged council members to submit or solicit proposals for any types of workshops that seem to be missing. Cheryl asked whether the Faculty Association would be scheduling J1 training workshops beyond the one planned for District Opening Day. John committed to including an announcement about the trainings in the next Faculty Association newsletter.

8. Recognition of outgoing council members

Judy recognized and thanked Cheryl Balm, Amy Huang, and John Fox for their service to the Chancellor's Advisory Council. She welcomed new De Anza Student Government President Lydia Wong and De Anza Academic Senate President Erik Woodbury to next year's council.

12. District Governance Committee/Constituent Group Report

Discussion of this item was postponed because of time constraints.

13. Dates to remember/other information and updates

Adiel reported that the Foothill College Classified Senate is planning to hold a retreat in July.

The meeting adjourned at 10:34 a.m.

DRAFT



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CHANCELLOR'S ADVISORY COUNCIL

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CHANCELLOR'S ADVISORY COUNCIL

CHARGE, PURPOSE AND GROUND RULES

[Agendas, Meeting Summaries, and Schedule](#)

[Council Membership](#)

[Affordable Housing Task Force](#)

OVERVIEW

The Chancellor's Advisory Council (CAC) is the primary district-wide, participatory governance leadership team that advises the chancellor on institutional planning, budgeting, and governance policies and procedures affecting the educational programs and services of the Foothill-De Anza Community College District. Members of the CAC advise and make recommendations to the chancellor regarding district goals and priorities that are of major importance to the district in providing opportunity and promoting quality, integrity, accountability and sustainability in carrying out the mission and goals of the district. CAC members serve as a conduit for cross-district communication on these issues, soliciting feedback from and disseminating reports and updates to constituency groups.

PHILOSOPHY & MISSION

We believe in the principles of openness, honesty, fairness, objectivity, and collegiality in policy development, planning, and budgeting. We adhere to the consensus model in conducting the business of the CAC. We expect that major district policies and procedures stemming from our mission, exclusive of those that are collectively bargained, be first submitted in draft form to the appropriate district governance groups most affected and then reviewed by the campus and/or district constituencies prior to action by the CAC. It is especially important that the 11 points agreed to in the participatory governance charter between the Academic Senates and the Trustees be acknowledged to avoid duplication of efforts and confusion. We adhere to the principles of clear, open, and honest communication and consultation,

and we believe that every member of the CAC has the right to express his or her views on all issues under deliberation. We also are cognizant and respectful of the purpose and goals of the district's governance constituencies, and believe we can play a major role in coordinating and disseminating district-wide information to those we represent, and to the community we serve. The mission of the Foothill-De Anza Community College District is used to guide the work of the CAC as follows:

The mission of the Foothill-De Anza Community College District is student success. We are driven by an equity agenda and guided by core values of excellence, inclusion, and sustainability. Every member of our district contributes to a dynamic learning environment that fosters student engagement, equal opportunity, and innovation in meeting the various educational and career goals of our diverse students. We are committed to providing an accessible, quality undergraduate education dedicated to developing a broadly educated and socially responsible community that supports an equitable and just future for California.

PURPOSE

To provide a forum for advice and consultation between the Chancellor and constituency groups on district-wide governance, institutional planning and budgeting, policies and procedures to promote the educational mission and goals of the Foothill-De Anza Community College District.

REPRESENTATION

- Members will maintain and promote a focus that is based on district strategic priorities rather than personal, constituency or college interests.
- Members will represent their constituency with accuracy and truthfulness, presenting data as completely as possible and not selectively withholding information.
- Members will communicate a clear understanding of the issues and any CAC recommendations to their constituency.
- Members will solicit input from and disseminate information to their respective constituency group.

MEETINGS

- Members will honor the agenda and be prepared to participate in the entire meeting.
- Members will keep the discussion focused on the issues, not on the person presenting them, nor on items not immediately relevant to the topic.

PARTICIPATION

- Members will encourage full and open participation by all CAC members and make a concerted effort to avoid discussions that are dominated by a few people.
- Members will welcome and solicit diverse opinions and viewpoints, remembering that disagreements are acceptable, often leading to good decision-making.
- Members will practice "active" listening skills in order to avoid pre-formulated responses, interruptions and sidebar conversations.

INTERACTION

- Members will base their interpersonal behavior on the assumption that we are all people of goodwill, ensuring that interactions within and outside the CAC meetings are consistent with expectations of discretion and respect for individual and institutional integrity.

- Members will honor and acknowledge the contributions of individuals as well as the accomplishments of the whole team, regardless of the level of controversy in the discussion or its outcome.

Approved by consensus of the Chancellor's Advisory Council 11/7/03, Revised and reaffirmed 10/15/10, 10/19/12, 10/16/15, 10/14/16, 10/27/17, 10/5/18, 1/11/19, 1/17/20, 10/22/21

Foothill-De Anza Community College District

12345 El Monte Road

Los Altos Hills, CA 94022

District Phone & Contacts Directory

Departments

BUSINESS SERVICES

CHANCELLOR'S

OFFICE

FACILITIES

FOUNDATION

HUMAN RESOURCES

POLICE

PURCHASING

RESEARCH

TECHNOLOGY

Our Colleges

FOOTHILL COLLEGE

DE ANZA COLLEGE

ACADEMIC CALENDAR

LAST UPDATED 7/31/23

Board Policy and Administrative Procedure Review

Background

The district has long held a contract with the Community College League of California (CCLC) for its Policy and Procedure Service. CCLC's service provides template language, vetted by legal counsel, for policies and procedures that are required by state and/or federal statute or regulation or that are legally advised to protect the district. A few additional templates are suggested as good practice/optional. The templates are updated twice per year to reflect changes in laws and regulations. Policies and procedures that have been adopted by the district are available online at the following link:
<http://www.boarddocs.com/ca/fhda/Board.nsf/goto?open&id=9U5PUR6583E5>

The district began a systematic review of policies and procedures several years ago. Chapters 1, 2, and half of Chapter 3 have been reviewed to date. In addition to systematic review, policies and procedures in other chapters have been adopted or revised based on CCLC recommendations included in the twice yearly updates or at the suggestion of administrators or faculty. The district's intent is to implement a cyclical review process, starting again with review of Chapter 1 upon completion of the Chapter 7 review, while continuing to consider recommended updates as received by CCLC. As policies and procedures are revised, they are renumbered to align with CCLC's Policy and Procedure Service numbering system, which should help facilitate updates and research in the future.

Chancellor's Advisory Council Role

The Chancellor's Advisory Council plays a key role in the policy development process by providing input from all the district's constituent groups to the Chancellor, who is charged with recommending policy changes to the Board of Trustees as well as developing and implementing administrative procedures. Administrative procedures are considered final after approval by the Chancellor's Advisory Council, while board policies require adoption by the Board of Trustees. [Board policy 2410 Policy and Administrative Procedure](#) and [administrative procedure 2410 Policy and Administrative Procedure](#) delineate the district's process for adopting and changing policies and procedures.

Review of Draft Policies and Procedures

Language that is proposed for elimination in draft policies and procedures is indicated by ~~striketrough~~, and new language is reflected by **bold, underlined type**. Unmodified type represents language that has previously been approved and is not being changed. Notes in the drafts are deleted after adoption.

The following definitions and explanations, which appear in the CCLC's Policy & Procedure Subscription Service Implementation Handbook, are helpful to keep in mind when reviewing the district's policies and procedures:

Board Policy is the voice of the board of trustees and defines the general goals and acceptable practices for the operations of the district. It implements federal and state statutes and regulations. The board, through policy, delegates authority to and through the chief executive to administer the district. The CEO and district employees are responsible to reasonably interpret board policy as well as other relevant statutes and regulations that govern the district. Policy is best expressed in broad statements. It legally binds the district. Therefore, policy statements should be clear, succinct, and current.

Administrative procedures implement board policy, statutes, and regulations. They address how the general goals of the district are achieved and define the operations of the district. They include details of policy implementation, responsibility, accountability and

standards of practice. They are developed and implemented by the CEO, administration, faculty, and staff members; they are not intended to require board action.

Legally Required (LR): Legal counsel has determined that the policy/procedure is required based on state or federal statute or regulation. The templates contain the essential elements to assure compliance with state or federal law. Except as specifically noted at the beginning or in the body of a template, the text may be locally enlarged or modified, as long as no required elements are omitted. It is *strongly recommended* that any substantive modifications to the template language be carefully reviewed by local district legal counsel. The service includes policies and procedures with specific accreditation standard section references in the category of “legally required” due to the importance of complying with the related accreditation standard or accreditation eligibility requirement.

Legally Advised (LA): These policies and procedures are not specifically required by state or federal statute or regulation; however, legal counsel has identified them as essential to protect the district from potential liability. The templates or samples contain the key elements. Text may be locally enlarged or modified, so long as no required elements are omitted. Substantive modifications to the language should be reviewed by local district legal counsel.

Suggested as Good Practice/Optional (SUG): The service includes a few sample policies and procedures that are suggested as good practice or optional and are not required by statutes, regulations, or court cases. These documents may be commonly found in district manuals, promote effective operations, and/or have been requested by a number of subscribers. There is often a high degree of variation from district to district.



Book	Administrative Procedures
Section	Chapter 2 - Board of Trustees (including former Article 2 - Administration and Article 9 - Bylaws)
Title	DRAFT Policy and Administrative Procedure
Code	AP 2410
Status	Up For Revision
Legal	ACCJC Accreditation Standards I.B.7; I.C.5; IV.C.7; and IV.D.4 (formerly IV.B.1.b & e) Education Code Section 70902
Adopted	October 18, 2013
Last Revised	January 27, 2017
Origin	Chancellor's Office - 7/18/23 Proposed change to clarify process - 7/25/23 Chancellor's Cabinet review
Upload	February 3, 2017

Recommendations for new board policies and administrative procedures or changes to existing policies and procedures shall be submitted to the Chancellor for evaluation by the Chancellor's Cabinet and subsequent review by the Chancellor's Advisory Council. If any part of the proposed change involves an academic and professional matter or a collective bargaining issue, the recommendation will be referred to the Academic and Professional Matters Committee or the appropriate employee bargaining unit(s) prior to Chancellor's Advisory Council review.

In determining the need for a new policy or procedure, the following questions are considered:

- 1. Must this issue be addressed to ensure compliance with applicable laws, regulations, or accreditation mandates OR is it being considered due to an individual problem/incident?**
- 2. Does the policy/procedure have institutionwide application OR is it better addressed in an operational manual or as a department guideline?**
- 3. Is the language contained in the board policy/administrative procedure general and broad enough to avoid the necessity for frequent revisions?**

Technical revisions (e.g. changes to legal references, website links, and titles) to board policies and administrative procedures are not subject to the review process and shall be sent directly to the chancellor for implementation. Technical revisions will be shared with the Chancellor's Advisory Council for information.

If a proposed new or revised provision of a policy or procedure involves academic and professional matters, the Academic and Professional Matters Committee will have 30 days to notify the chancellor of their intent to review the issue; otherwise, the new or revised procedure or policy will proceed through the regular review process.

If a proposed new or revised provision of a policy or procedure involves matters subject to collective bargaining, the collective bargaining unit(s) will have 30 days to notify Human Resources of their interest in negotiating the issue; otherwise, the new or revised procedure or

policy will proceed through the regular review process.

The designated council, committee, or stakeholder group will have a minimum of 30 days and no more than 90 days to complete a review and provide feedback on the proposed board policy and/or administrative procedure.

Chancellor's Advisory Council review

First Reading: The chancellor will present proposed new or revised board policies and/or administrative procedures that are not determined to involve academic and professional or bargaining issues to Chancellor's Advisory Council for review. Council members will distribute the board policies and/or administrative procedures to constituent groups for review and comment. Any comments received by council members will be provided to the chancellor prior to the next scheduled council meeting.

Second Reading: The chancellor will incorporate constituent group recommendations into the proposal for a second reading. After constituency consultation and collegial review at this meeting, the Chancellor's Advisory Council will make a recommendation to the chancellor. Should recommendations and feedback received be substantial, the policy or procedure may be returned for an additional reading.

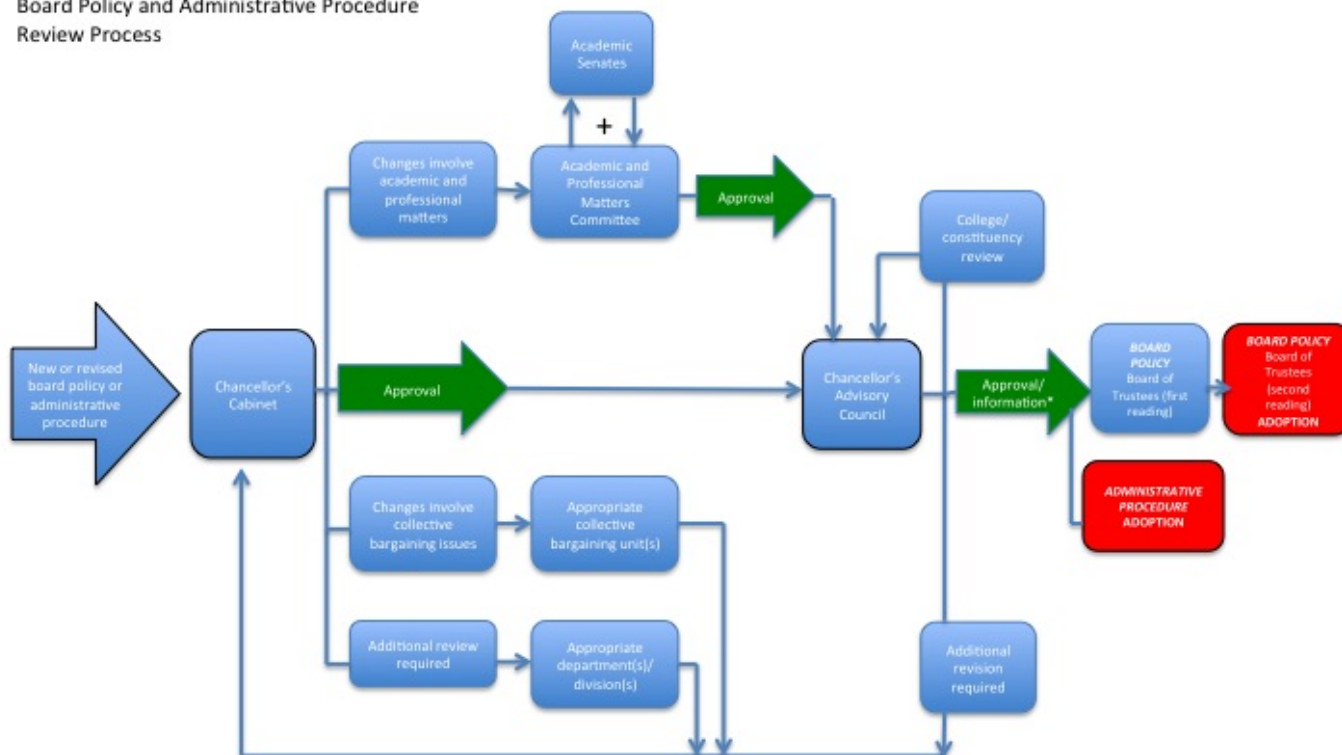
New and revised administrative procedures involving academic and professional matters shall be effective after approval of the Academic and Professional Matters Committee and review by the Chancellor's Advisory Council. All other new and revised administrative procedures shall be effective upon approval by the Chancellor's Advisory Council. New and revised board policies shall not be operable until approved by the Board of Trustees.

[See Board Policy 2410 Policy and Administrative Procedure](#)

Approved by the Chancellor's Advisory Council 10/18/13
Revised 1/27/17

Addendum – AP 2410

Foothill-De Anza Community College District
Board Policy and Administrative Procedure
Review Process



*Chancellor's Advisory Council (CAC) approves new and revised policies and procedures unless the change involves only academic and professional matters. In such cases, CAC provides a review of the change for information and dissemination to constituents, but does not approve.



Book	Administrative Procedures
Section	Chapter 3 - General Institution
Title	Immigration Enforcement Activities
Code	AP 3415
Status	Active
Legal	Education Code Sections 66093 Education Code Section 66093.3
Adopted	January 15, 2021
Origin	CCLC legally required - Language based on California Attorney General's model policy
Upload	January 20, 2021

Responding to Requests for Access for Immigration Enforcement Activities

District personnel 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 officers engaged in immigration enforcement on any campus property.
- Samples of warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus.
- Sample responses for building personnel to use in response to officers seeking access for immigration enforcement purposes that avoids classroom interruptions, and that preserves the peaceful conduct of the school's activities.

College personnel shall advise all students, faculty, and staff to immediately notify the appropriate President's Office or the President's designee if advised that an officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. Central Services personnel shall notify the Chancellor's Office or the Chancellor's designee under such circumstances. Campus police should also be notified as soon as possible.

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

College personnel shall advise all students, faculty, and staff responding to or having contact with an officer engaged in immigration enforcement executing an immigration order to refer the entity or individual to the appropriate President's Office or the President's designee, for purposes of verifying the legality of any warrant, court order, or subpoena. Central Services personnel shall notify the Chancellor's Office or the Chancellor's designee under such circumstances.

If the officer declares that exigent circumstances exist and demands immediate access to the campus, District personnel should not refuse the officer's orders and should immediately contact the President, if a college employee, or the Chancellor, if a Central Services employee.

The President or Chancellor's Office or the designee of the President or Chancellor 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 officer that he/she cannot consent to any request without first consulting with the appropriate President, if a college employee, or Chancellor, if a Central Services employee. Provide copy of the warrant to the designated administrator (where possible, in consultation with legal 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 appropriate President, if a college employee, or Chancellor, if a Central Services employee, before responding.
- A subpoena for production of documents or other evidence: Immediate compliance is not required. Inform the officer that the District cannot respond to the subpoena until after it has been reviewed by a designated administrator. Provide a copy of the subpoena to a designated administrator or legal counsel as soon as possible.
- 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 a designated administrator as soon as possible.

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

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 his/her 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 appropriate President's Office, if a college employee, or Chancellor's Office, if a Central Services employee.

In turn, the President or Chancellor shall submit a timely report to the District's governing board and the campus public safety office regarding the 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 a student, faculty member, or staff person has been taken into custody as the result of an immigration action, District personnel shall notify the person's emergency contact that the person may have been taken into custody.

District personnel shall designate a staff person as a point of contact for any student, faculty member, or staff person 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, faculty member, or staff person 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 his/her academic requirements because of an immigration order, 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 its 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 its 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, faculty, and 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.

Approved 1/15/21



Book	Administrative Procedures
Section	Chapter 5 - Student Services (including former Article 5 - Students)
Title	Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information
Code	AP 5017
Status	Active
Legal	Education Code Section 66093 Education Code Section 66093.3 Education Code Section 68076 California Code of Regulations, Title 5, Section 41905
Adopted	January 15, 2021
Origin	CCLC Legally required - Derived from CA Attorney General model language
Upload	January 20, 2021

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the Dean of Enrollment Services of the District shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where a District is permitted by law to request a minor student's parent's residency information in order to determine tuition or aid, the educational institution shall only require documentation or information that is available to persons regardless of immigration status (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this administrative procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this administrative procedure.

Specifically, where the District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status, and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the college or university shall only require documents to determine whether the parent has resided in California for one year (e.g. vehicle registration, lease agreements, etc.)

Approved 1/15/21



Agenda Item Details

Meeting	Oct 02, 2023 - Regular Meeting of the Board of Trustees (AMENDED)
Category	BOARD BUSINESS
Subject	9. Resolution 2023-33 Recognizing October 16-20, 2023, As Undocumented Student Action Week (ACTION)
Access	Public
Type	Action
Recommended Action	Chancellor Lee Lambert recommends that the governing board adopt resolution 2023-33 recognizing October 16-20, 2023, as Undocumented Student Action Week.

Public Content

Background and Analysis:

In 2019, the Foothill-De Anza Community College District Board of Trustees joined the Board of Governors of the California Community Colleges in adopting a resolution declaring every third week of October as Undocumented Student Action Week. The California Community Colleges Chancellor's Office has declared that this year's theme is "Creating Belonging for Undocumented Students," which is intended to recognize that we must be intentional about integrating undocumented student success throughout our equity initiatives by breaking down silos, creating welcoming campus environments, and advocating for policy solutions that allow undocumented students to achieve economic mobility and that we must collectively engage in this critical work not just during action week, but every day of the year.

Undocumented Student Action Week is a statewide effort led by the California Community Colleges Chancellor's Office (CCCCO), the Community College League of California (League), and the Foundation for California Community Colleges. Information about statewide events being held during the action week is available on the CCCCCO's website at the following link: <https://californiacommunitycolleges.cventevents.com/event/0f6a895b-7a80-4e3b-bec4-a902445eb411/summary>.

Submitted by:	Lee D. Lambert, Chancellor
Additional contact names:	
Is backup provided?	Yes

[Res_2023-33_Undocumented_Student_Action_Week.pdf \(107 KB\)](#)

[DACA-Update.pdf \(279 KB\)](#)

Administrative Content

Executive Content

Motion & Voting

Chancellor Lee Lambert recommends that the governing board adopt resolution 2023-33 recognizing October 16-20, 2023, as Undocumented Student Action Week.

Motion by Laura Casas, second by Gilbert Wong.
Final Resolution: Motion carries

Aye: Patrick Ahrens, Laura Casas, Pearl Cheng, Peter Landsberger, Gilbert Wong, Nicole Nguyen - Foothill College student trustee,
Javier Gomez Tagle - De Anza College student trustee

Latest Update on the DACA Program

Paula Norsell <norsellpaula@fhda.edu>

Sat 9/16/2023 1:23 PM

This message is being sent on behalf of Chancellor Lee Lambert, De Anza College President Lloyd Holmes, and Foothill College President Kristina Whalen



FOOTHILL-DE ANZA
Community College District

Dear Colleagues:

We want to reassure you that despite a federal judge's disheartening ruling last week that again found the Deferred Action for Childhood Arrivals (DACA) program to be unlawful, **Foothill College and De Anza College continue to welcome current and potential undocumented and DACA students.** The judge's decision has no impact on a student's eligibility to enroll or stay enrolled in our colleges.

The latest ruling allows current DACA recipients to keep and renew their status; however, U.S. Citizenship and Immigration Services is still unable to process new applications. The Biden administration is expected to appeal last week's ruling, and the case is likely to reach the Supreme Court.

Please urge DACA recipients to apply for renewal as quickly as possible. For those seeking advice and resources, helpful sites include the following:

- Find Your Ally - Free immigration legal services and case support for students, staff, and faculty on California community college campuses statewide or virtually. Financial assistance may be available to help pay renewal fees. findyourally.com
- Foothill College Dreamers and UndocuAlly resources foothill.edu/dreamers
- Foothill College financial support available to undocumented students foothill.edu/dreamers/financialsupport.html
- De Anza College resources for undocumented students deanza.edu/students/undocumented
- De Anza College Higher Education for AB 540 Students (HEFAS) deanza.edu/hefas
- Fact sheet on the latest ruling prepared by the Presidents' Alliance on Higher Education and Immigration and the Cornell Law School Migration and Human Rights Program presidentsalliance.org/daca-update-what-you-need-to-know/

We stand in solidarity with the Board of Trustees and colleagues across the state and nation in advocating for Congress to take action to protect our students and develop a pathway to citizenship. We hope you will join us in advocacy efforts and participate in the California Community Colleges [Undocumented Student Action Week](#) October 16-20 to learn more about how you can help support our students.

As fall quarter begins, please remind our students that they belong at Foothill-De Anza and are welcome, valued, and appreciated.

In solidarity,

Lee D. Lambert, J.D.
Chancellor

Lloyd A. Holmes, Ph.D.
De Anza College President

Kristina Whalen, Ph.D.
Foothill College President



Our Mission

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Founding Statement

We are an alliance of American college and university leaders dedicated to increasing public understanding of how immigration policies and practices impact our students, campuses and communities. We support policies that create a welcoming environment for immigrant, undocumented and international students on our campuses.

We believe

We are a nation of immigrants. Our country has benefitted significantly from the contributions that immigrants with drive, ambition and talent have made throughout our nation's history. Our country advances when we remain true to the best of our heritage as a land of opportunity for those who dream of a better life for themselves and their children.

Colleges and universities play an integral role in securing our nation's well-being and prosperity through our teaching, research, service, creative activities and contributions to workforce and economic development. For generations, colleges and universities have been engines of opportunity where individuals of every background, native born and immigrant alike, could receive the



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2022 Annual Impact F

Our 2022 Annual Impact Report showcase growth in just five years is a testament to a system in which immigration status is not a barrier. Students are welcomed and wanted on our campuses.

As the only national organization singularly focused on higher education immigration, Presidents' Alliance is now a critical resource for campus leaders to impact our campuses, communities, and the nation.

Our future agenda is ambitious, and we need your support and engagement of our members, the generosity of our funders, and we look for continued support of immigration policies for students and their families.

[DOWNLOAD PRESIDENTS' ALLIANCE 2022 ANNUAL IMPACT REPORT](#)



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We are an alliance of American college and university leaders dedicated to increasing public understanding of how immigration policies and practices impact our students, campuses and communities.

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CONTACT

INFORMATION OR QUESTIONS
info@presidentsalliance.org

MEDIA INQUIRIES
info@presidentsalliance.org

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