***ASSOCIATED STUDENTS***

***University of California, Santa Barbara***

**Senate Bill**

|  |  |  |  |
| --- | --- | --- | --- |
| **Title: A Resolution to make UCSB a sanctuary campus** | | | |
| **Author** | Rafael Cornejo | **Second** | Christian Ornelas |
| **Number** |  | **FPP** |  |
| **Bill Type** | Positional | **Vote** | 2/3 |

**CONSTITUTION AND BY-LAWS RECOMMENDATION**

|  |  |
| --- | --- |
| **Grammatical Recommendations** |  |
| **Structural Recommendations** |  |
| **Legal Code Violations** |  |
| **Pass with Amendments** |  |
| **Table** |  |

**COMMITTEE RECOMMENDATION**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Pass as Written** |  | **Pass with Amendments** |  | **Do Not Pass** |  |
| **Refer to Committee** |  | | | | |
| **Recommended by a Vote of** |  | | **Chairperson’s Initials** |  | |

**STUDENT-SPONSORED LEGISLATION**

|  |  |
| --- | --- |
| **Student Sponsor** | ***Rachel Andrews; Brooke Kopel; Dylan Kupsh*** |
| *The Student Sponsored Liaison has insured that this Student-Sponsored Resolution is correct in its form and adherence to the AS UCSB Legal Code.* | |

**FISCAL IMPACT**

|  |  |  |  |
| --- | --- | --- | --- |
| **Amount** |  | **Account** |  |

**A bill to make UCSB a sanctuary campus**

**WHEREAS:** As of February 15, 2019 President Donald Trump has declared a state of “National Emergency” in an effort to build a border wall that would not address immigration reform in a constructive way[[1]](#footnote-0), but would rather serve as a monument to the racial divide currently growing in the United States[[2]](#footnote-1), and;

**WHEREAS:** Being Undocumented, or unlawfuly present, in the United State is not in a violation of federal criminal law, rather considered as a misdeamonor, and;

**WHEREAS:** Recent lawmakers, and policy making groups have used terms like “criminal aliens” and other misleading rhetoric that poses the Undocumented folks as criminals or as a threat to our communities,[[3]](#footnote-2) and;

**WHEREAS:** Human beings have been migrating throughout history in search of opportunities, security, basic needs, and a better way of life, and it is until recent years that this human behavior has been criminalized, and;

**WHEREAS:** Sanctuary City Movement is a worldwide societal involvement and alliance form the public and private sector, (including from faith groups, charities, housing providers, police, education sector and local government) , and;

**WHEREAS:** There is no Federal definition for “Sanctuary” State, Cities, or Campuses, but rather an implementation of policies that limit institutions interaction with federal agencies[[4]](#footnote-3), and;

**WHEREAS:** Policies that comply with the United States Constitution are as follows,

1. Not comply with detainer request, unless presented with a judicial warrant
2. Not collecting immigration-related information, unless required by federal law
3. Not allowing local funds, personal, or facilities to be used for immigration enforcement
4. Not allowing Immigration and Customs Enforcement or the Department of Homeland Security into local jails
   1. Required to notify people within jail, if ICE or DHS want to talk to them
   2. Required ICE and DHS officers to identify themselves and wear duty jackets if allowed on local facilities
5. Not discriminating on the basis of imigration status in the provision of city services, unless required by federal law
6. Provide funding for legal representation for local residents in immigration proceedings

**WHEREAS:**  Associated Students is a non-state funded, non-profit tasked with providing crucial services for students academic success, but currently has no “sanctuary” status nor policies; and,

**WHEREAS:** In order to ensure that all students have equal access to Associated Students’ events and services, it is in the association's best interest to declare itself as “sanctuary”, and;

**WHEREAS:** Declaration and/or implementation of sanctuary policies creates trust/ reassurance within the Undocumented Community, and;

**WHEREAS:** California’s “Sanctuary State” status is defined by Senate Bill 54[[5]](#footnote-4), and;

**WHEREAS:** Califonia has a sizeable undocumented community, that is vital to this state, as almost one in three Californians is foreign born and one in two children in California has at least one immigrant parent[[6]](#footnote-5), and;

**WHEREAS:** In September of 2017 Governor Jerry Brown signed a bill making California a “sanctuary state,” which includes stipulations such as limiting interactions between local law enforcement and federal immigration authorities, and

**WHEREAS:** SB 54 already directs public education institutions, primary and secondary education institutions, California Community Colleges, California State University, to enact publish model policies limiting assistance with immigration enforcement, and;

**WHEREAS:** The University of California is constitutionally autonomous, therefore SB54 only calls for the adaptation of similar model, but the UC is not required to do so, and;

**WHEREAS:** The University of California continued to refuse declaring itself as a sanctuary campus system wide, even after the AFSCME demands were presented in 2018; and,

**WHEREAS:** The University of California is to serve society as a center of higher learning, providing long-term societal benefits through transmitting advanced knowledge, discovering new knowledge, and functioning as an active working repository of organized knowledge. That obligation, more specifically, includes undergraduate education, graduate and professional education, research, and other kinds of public service, which are shaped and bounded by the central pervasive mission of discovering and advancing knowledge; and,

**WHEREAS:** Declaration of the University of California as a Sanctuary Campuses, would promote trust between Uncodumented residents and the University of California; and,

**WHEREAS:** Undocumented Students face specific socio-economic challenges, which are but not limited to;

1. Higher unemployment rate due to being barred from various jobs
2. Inability to qualify for federal aid programs
3. Higher rates of anxiety

**WHEREAS:** only DACA recipients qualify for AB 540, which allows them to pay in-state tuition rather than out-of-state tuition, and

**WHEREAS:** A study conducted at UC Irvine, indicated that the class of 2023 will be the last class as DACA recipients, mainly due to President Trump’s recent rescinding of the DACA program, and,

**WHEREAS:** a study from UCLA showed that undocumented students face higher levels of anxiety and stress than the average college student, with nearly 75% of undocumented students worrying about being deported or detained, and 55.9% of these students personally knew somone who had been deported,[[7]](#footnote-6) and

**WHEREAS:** The incoming undocumented community will face challenges, but certainly not limited to;

1. Higher Tuition Cost
2. Ineligible for federal and state aid
3. Inability to work lawfully
4. Higher food and housing insecurity
5. Higher anxiety
6. Decrease in undocumented student enrollment

and,

**WHEREAS:** In recent studies, undocumented folks contribute more to the economy than what they could ever receive in social benefits, as they are completely barred from various social services, such as CalFresh, Medicare, housing grants, etc., and

**WHEREAS:** Regardless of socio-economic contributions, undocumented folks are human beings with universal human rights, and; (add a therefore to call for US rights)

**WHEREAS:** As of January 2017, Janet Napolitano declared that the UC system would protect its undocumented students, however, no “sanctuary” status was declared; and,

**WHEREAS:** ICE vehicles have been spotted on UC campuses;[[8]](#footnote-7) and

**WHEREAS:**  the ASUCSB-endorsed list of UC Student Demands in Solidarity with UC Workers included a provision to ensure no complicity or collaboration of UC Police with “federal immigration agencies and authorities regarding investigations, raids, detentions and/or deportations, unless mandated by a judicial warrant, a subpoena, or a court order;” and

**WHEREAS:** the Associated Students of the University of California Santa Barbara (ASUCSB) Senate passed a “Responsibility in UC Investments” resolution in May 2014 which outlined a process for responsible and ethical investments in line with the UC-wide Principles for Responsible Investment; and,

**WHEREAS:** UCOP has contracts with Salesforce, Maxim Healthcare Services, ABM Industries, Hewlett Packard Company, Motorola Solutions, and Deloitte Consulting, which are all in communication and retain contracts with ICE; and,

**WHEREAS:** The UC Office the President has previous released a statement in support of the undocumented community[[9]](#footnote-8) and as ASUCSB we seek to continue this support on our campus; and,

**WHEREAS:** The University of California, Santa Barbara’s mission statement clearly states that UCSB is committed to being “responsive to the needs of our multicultural and global society,” which includes both undocumented students and international students, and

**WHEREAS:** Three years ago, the University of California, Santa Barbara’s Career Services had invited CBP for a career fair to recruit students to join their ranks, creating an uncomfortable environment for undocumented students on campus, and

**WHEREAS:** five people were taken into custody in Old Town Goleta following an ICE raid last summer[[10]](#footnote-9), sparking fear in the undocumented community in Goleta that spread to the UCSB campus, contributing to the challenges that undocumented students already face; and,

**WHEREAS:** UCSB currently only has one attorney dedicated to immigration issues, creating long wait times for students who may have an emergency matter that must be dealt with immediately.

**THEREFORE, LET IT BE RESOLVED BY THE 69th ASSOCIATED STUDENTS SENATE ASSEMBLED:** In solidarity with the undocumented community strongly supports the adoption of “sanctuary status,” which includes the following stipulations:

1. Ensure that the identities of undocumented students and staff continue to be protected by refusing all voluntary information sharing with ICE (US Immigrations and Customs Enforcement) and CBP (US Customs and Border Protection) across all aspects of the university (including but not limited to Admissions and Financial Aid) to the fullest extent possible under the law.
2. Invest in faculty and staff training to support undocumented students.
3. Protect undocumented students and staff from deportation or detention on school-owned property.
4. Prohibit the physical presence of ICE on all land owned or controlled by UCSB.
5. “Prohibit campus security from inquiring about or recording as to an individual’s immigration status or enforcing immigration laws or participating with ICE and CBP in actions.”[[11]](#footnote-10)

**LET IT FURTHER BE RESOLVED:** That the 69th Senate directs all five (5) Executive offices to release a statement in support of the Undocumented community & International Community at UCSB, and in support of declaring UCSB as a “Sanctuary Campus”, and;

**LET IS FURTHER BE RESOLVED:** That we direct the AS Executive Director, and AS President to release a statement in support of UCSB as a “Sanctuary Campus” to the Vice Chancellor of Student Affairs, Assistant Vice Chancellor, and the Chancellor, and;

**LET IT FURTHER BE RESOLVED:** ASUCSB will actively use its resources to address housing discrimination that targets undocumented and international students.

**LET IT FURTHER BE RESOLVED:** that Associated Students strongly condemns ICE and the companies invested in it, particularly those that the UC is invested in (listed above), and

**LET IT FURTHER BE RESOLVED:** ASUCSB will continue its lobbying efforts in making education more accessible and will seek to lobby for in-state tuition costs for qualifying undocumented students, and;

**LET IT FINALLY BE RESOLVED:** That ASUCSB will continue to maintain values of equity and integrity in its policies, particularly in regards to the undocumented and international communities.

1. <https://www.theodysseyonline.com/why-the-border-wall-wont-work> [↑](#footnote-ref-0)
2. <https://www.usatoday.com/story/opinion/2018/07/19/putin-trump-race-divide-americans-2016-election-interference-column/799765002/> [↑](#footnote-ref-1)
3. <https://www.aclu.org/files/assets/FINAL_criminalizing_undocumented_immigrants_issue_brief_PUBLIC_VERSION.pdf> [↑](#footnote-ref-2)
4. <https://www.splcenter.org/20180308/current-state-sanctuary-law> [↑](#footnote-ref-3)
5. <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB54> [↑](#footnote-ref-4)
6. <https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB54> [↑](#footnote-ref-5)
7. <https://ampersand.gseis.ucla.edu/ucla-institute-on-immigrant-education-releases-seminal-report-on-undocumented-undergrads/> [↑](#footnote-ref-6)
8. <https://abc7news.com/society/customs-and-border-patrol-vehicle-parked-on-cal-campus-sparks-fear-of-raid/2994685/> [↑](#footnote-ref-7)
9. <https://www.universityofcalifornia.edu/press-room/university-california-releases-principles-support-uc-community-members> [↑](#footnote-ref-8)
10. <https://www.independent.com/2018/06/15/immigration-raids-chill-santa-barbara-county-community/> [↑](#footnote-ref-9)
11. <http://rutgersaaup.org/documents/sanctuary-campus-model-letter> [↑](#footnote-ref-10)