

Sierra College

ADMINISTRATIVE PROCEDURE

AP 3415

Immigration Enforcement Activities

Date Adopted:	2/7/2020
Date Revised:	12/12/2025
Date Reviewed:	12/12/2025
References:	Education Code Sections 66093 and 66093.3

Responding to Requests for Access for Immigration Enforcement Activities

The District shall provide guidance and offer to campus employees training addressing law enforcement access to campus buildings and student residences. This guide shall include the following required topics:

- Instructions that law enforcement officers cannot enter living quarters to make arrests without a judicial warrant, valid consent, or exigent circumstances.
- Instructions that District personnel, including the Department of Community Safety, cannot consent to the entry into a residence or dormitory for the purpose of a search or arrest, but a judicial warrant or exigent circumstances may authorize officer entry without consent.
- The Department of Community Safety 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 faculty and staff 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.

The District shall advise all students, faculty, and staff to immediately notify the Department of Community Safety if they are advised that an officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. The President's Office should also be notified as soon as possible.

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

The District 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 Department of Community Safety for purposes of verifying the legality of any warrant, court order, or subpoena.

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 immediately contact the Department of Community Safety.

The Department of Community Safety 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 they cannot consent to any request without first consulting with the Chief of Community Safety. 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 Chief of Community Safety 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 the appropriate data steward. Provide a copy of the subpoena to the appropriate data steward 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 the appropriate data steward 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 Chief of Community Safety.

In making record of the contact with an immigration enforcement officer, Department of Community Safety 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 their 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.

Department of Community Safety personnel shall provide a copy of those notes, and associated documents collected from the officer, to the Chief of Community Safety.

In turn, the Chief of Community Safety shall submit a timely report to the District's governing board and the President's 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 Department of Community Safety immediately. Community Safety shall facilitate notifying the person's emergency contact that the person may have been taken into custody.

The District 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.

The District 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 their academic requirements because of an immigration order, the 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.

The District 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.