

Report of the Faculty Senate Chair to the Faculty Senate – December 7, 2016

As Faculty Senate Chair, since the November Faculty Senate meeting I have:

1. Attended meetings with various senior administrators about academic, research and broader university matters, including a meeting to address Part-Time Faculty issues.
2. Attended a Board of Trustees (BOT) meeting on November 29, 2016. I will attend an Executive Committee meeting on December 13.
3. Attended a New Board Member Training and Orientation session on November 30, 2016 organized by the CPE. Two members of the Association of Governing Boards of Universities and Colleges conducted most of the orientation. One item of interest we discussed was the relationship between foundations and boards. The presenters mentioned a growing climate of accountability for foundations. University boards have the fiduciary duty to understand foundation operations, ensure that foundations are working in the best interests of universities, ensure that foundations have the capacity to raise, invest and manage funds, and ensure transparency exists relating to all salary supplements, business transactions and in-kind services. University boards and presidents should set the fundraising priorities for foundations. A suggested best practice is to have a memorandum of understanding between a university and foundation about this and other important matters such as policies for sharing information. A sample is available at the AGB website - www.agb.org.
4. Participated in planning meetings for a Unity Event organized by Dr. Mordean Taylor-Archer, Vice Provost for Diversity and International Affairs According to the SGA Chair. The event is designed to bring together the campus community in the wake of the historic presidential election and to respond to fears shared by some about potential policy changes affecting members of our campus community. One item discussed was ensuring a safe and welcoming environment for all students in accord with our diversity and non-discrimination policies. The growing sanctuary campus movement was also discussed. Several different conversations are ongoing and calls for action have been circulating. As part of this organizing committee, I prepared a "position paper" on the issues facing undocumented and DACA-mented students (see attached). In addition, the SGA President, Aaron Vance, has endorsed the letter of university presidents (495 in total) supporting DACA (Deferred Action for Childhood Arrivals) and extending its protections into the new Presidential administration. It appears that only UL, NC State, Clemson, and GA Tech are missing among the signatories. Link to the letter: <https://www.pomona.edu/news/2016/11/21-college-university-presidents-call-us-uphold-and-continue-daca>. Another letter from faculty and staff is also circulating for signatures. It can be found here: [An Open Letter to President Pinto Regarding Threats to Students, Staff, and Faculty based on Religion, Country of Origin, and Immigration Status](#).
5. Given charges to all Faculty Senate Committees including some action items for the current academic year (to be posted to FS website).

Charge to the Faculty Senate Part-time Faculty Committee 2016-2017

ONGOING:

1. Elect a Chair.
2. Elect an Executive Committee Liaison.
3. Review Faculty Senate Bylaws responsibilities of the committee. (over)
4. Continue to inform the new Human Resources Leadership of Part-time Faculty processes both the progress and remaining issues.
5. Continue to submit part-time faculty accomplishments at the University of Louisville to U of L Today to acknowledge their performance and critical role in the life of the University.
6. Continue working with IT, HR and the Executive Committee of the Faculty Senate to develop a continuous presence in PeopleSoft for part-time lecturers through the use of specialized Blackboard accounts.
7. Continue to cooperate with HR in organizing and promoting the fall and spring part-time faculty orientation sessions and assuring that a member of the Part-time Faculty Committee attend said orientation sessions.
8. Continue representation on Human Resources Advisory Committee, as one of the 4 Faculty Representatives.
9. Continue to communicate with part-time faculty on items of interest through the PTF Listserv. Examples would be to send information on PTF perks such as free access to the Humana gym, use of tennis courts, swimming pool, etc.; and parking tips.
10. Prepare and present a synopsis of committee activities designed to inform and attract new committee members and present this at the new Senator orientation in September and at the April meeting of the Faculty Senate.
11. Make monthly reports to the Faculty Senate and an annual report by August 15, 2016.

ANNUAL:

1. Prepare a document describing all of the accommodations from Human Resources and other offices on campus to provide access to students and continued access to Bb, email and other necessary services in order to work with students in-between semesters. This document will be forwarded to HR and other offices annually as a reminder.
2. Prepare a document describing the various Peoplesoft designations for PTF and the impact of these designations on continued access to necessary services. This document will be forwarded to HR and other offices annually as a reminder.
3. Complete the salary study for part-time faculty employees assisted by the Office of Institutional Research. Compare pay practices and rates for similar duties across the various colleges and departments.

Undocumented Students and the Sanctuary Campus Movement

Prepared by Enid Trucios-Haynes – December 2, 2016

Sanctuary Movement: The Sanctuary Movement has a long venerable history; for example, Anne Frank and her family in Holland during WWII. In the U.S. during the 1980s, over 350 churches, religious and civic institutions across the country offered sanctuary to people fleeing authoritarian governments that targeted the indigenous peoples of Guatemala and El Salvador. Several Louisville churches participated in this movement.

Issue: The term “sanctuary” is more symbolic than substantive, and must be defined for each individual university or college. Some have chosen to adopt specific policies or recommit to existing policies in order to emphasize support for undocumented and DACAmented students and avoid potential backlash.

Suggested language to consider for University of Louisville:

The University of Louisville will remain committed to the principles of non-discrimination, including equal protection under the law, regardless of national origin or citizenship. The University of Louisville will not voluntarily assist in any efforts by the federal government to deport our students, faculty or staff solely because of their citizenship status. (Adapted from Wesleyan University President’s statement – see below).

Universities and colleges involved in sanctuary campus movement as of Nov. 19:

- At least 7 have become official sanctuary campuses
- At least 31 are committed or supporting the sanctuary campus movement, including some who have adopted some measures but not a public statement to avoid being targeted (UMass Amherst, Harvard, Brown)
- 118 are considering petitions
- 1 that has declared it does not support (Wake Forest University)

From Boston College Center for Human Rights – Map of campuses -

https://www.google.com/maps/d/viewer?ll=37.26827513514263%2C-98.25539623227525&hl=en&z=4&authuser=0&mid=1LcIME474-IYWbTf_xQChIhSSN30

Some of the specific actions requested across the U.S. by sanctuary campus advocates:

1. Declaring the University as a sanctuary for undocumented students, workers, and community members
2. Guaranteeing student privacy by refusing to release information regarding their immigration status or collaborating with immigration officials (e.g. share data or reveal personal information, turn over individuals for questioning, enable warrantless arrests or holds, permit raids, etc.)

3. Reaffirming current admission and financial aid policies regarding undocumented students, and ensuring that any financial awards given to undocumented students are not withdrawn (e.g. Continuing to provide in-state resident tuition to DACA students who have qualified previously)
4. Regulating the presence of US Immigration and Customs Enforcement (ICE) officials on campus, (e.g. no showing firearms or driving patrol cars/vans on campus, banning ICE or federal immigration agency recruitment on campus, disallowing all federal immigration agencies from coming onto campus)
5. Prohibiting campus housing discrimination based on immigration status
6. Providing strictly confidential counseling services for undocumented students and DACA recipients regarding their educational situation
7. Reaffirming the university's commitment to create a campus atmosphere of respect by denouncing the hate speech directed at immigrant, ethnic minority, and LGBTQ students and workers, and by informing the campus of existing resources for reporting and responding to identity-based hate incidents

Statement of Wesleyan University President -

<http://roth.blogs.wesleyan.edu/2016/11/20/wesleyan-university-a-sanctuary-campus/>

Across the country, many are calling for their universities to become sanctuary campuses. The model is the "sanctuary city," like Austin, New York City, Chicago and dozens of other municipalities, which have declared their intention not to cooperate with federal officials seeking to deport residents simply because they lack appropriate immigration documentation.

Having spoken with students, faculty and staff over the last week, and having conferred with the Board of Trustees, I think it very important to declare that Wesleyan University is a sanctuary campus. For us, this means the following:

- Wesleyan will remain committed to the principles of non-discrimination, including equal protection under the law, regardless of national origin or citizenship.
- Wesleyan will not voluntarily assist in any efforts by the federal government to deport our students, faculty or staff solely because of their citizenship status.

As we say in our [webpages](#), we will continue to "welcome all undergraduate applicants regardless of citizenship status. Undocumented students, with or without Deferred Action for Childhood Arrivals (DACA), who apply to Wesleyan will continue to be treated identically to any other U.S. citizen or permanent resident in their high school."

Through our alumni networks, we are also putting together legal resources for members of the Wesleyan community with questions concerning their immigration status. We will facilitate connections to these resources and [other support services](#), as we work with appropriate offices and constituency groups on campus.


These are small steps, to be sure, in the face of a very frightening wave of threats to roll back the civil rights gains made in recent decades. But we will stand up and take these steps; we will do our best to protect our community, and we will gather resources to enable all its members, regardless of citizenship status, to continue to have opportunities to thrive here.



U.S. Immigration
and Customs
Enforcement

OCT 24 2011

MEMORANDUM FOR: Field Office Directors
Special Agents in Charge
Chief Counsel

FROM: John Morton 
Director

SUBJECT: Enforcement Actions at or Focused on Sensitive Locations

Purpose

This memorandum sets forth Immigration and Customs Enforcement (ICE) policy regarding certain enforcement actions by ICE officers and agents at or focused on sensitive locations. This policy is designed to ensure that these enforcement actions do not occur at nor are focused on sensitive locations such as schools and churches unless (a) exigent circumstances exist, (b) other law enforcement actions have led officers to a sensitive location as described in the "Exceptions to the General Rule" section of this policy memorandum, or (c) prior approval is obtained. This policy supersedes all prior agency policy on this subject.¹

Definitions

The enforcement actions covered by this policy are (1) arrests; (2) interviews; (3) searches; and (4) for purposes of immigration enforcement only, surveillance. Actions not covered by this policy include actions such as obtaining records, documents and similar materials from officials or employees, providing notice to officials or employees, serving subpoenas, engaging in Student and Exchange Visitor Program (SEVP) compliance and certification visits, or participating in official functions or community meetings.

The sensitive locations covered by this policy include, but are not limited to, the following:

¹ Memorandum from Julie L. Myers, Assistant Secretary, U.S. Immigration and Customs Enforcement, "Field Guidance on Enforcement Actions or Investigative Activities At or Near Sensitive Community Locations" 10029.1 (July 3, 2008); Memorandum from Marcy M. Forman, Director, Office of Investigations, "Enforcement Actions at Schools" (December 26, 2007); Memorandum from James A. Puleo, Immigration and Naturalization Service (INS) Acting Associate Commissioner, "Enforcement Activities at Schools, Places of Worship, or at funerals or other religious ceremonies" HQ 807-P (May 17, 1993). This policy does not supersede the requirements regarding arrests at sensitive locations put forth in the Violence Against Women Act, see Memorandum from John P. Torres, Director Office of Detention and Removal Operations and Marcy M. Forman, Director, Office of Investigations, "Interim Guidance Relating to Officer Procedure Following Enactment of VAWA 2005 (January 22, 2007).

- schools (including pre-schools, primary schools, secondary schools, post-secondary schools up to and including colleges and universities, and other institutions of learning such as vocational or trade schools);
- hospitals;
- churches, synagogues, mosques or other institutions of worship, such as buildings rented for the purpose of religious services;
- the site of a funeral, wedding, or other public religious ceremony; and
- a site during the occurrence of a public demonstration, such as a march, rally or parade.

This is not an exclusive list, and ICE officers and agents shall consult with their supervisors if the location of a planned enforcement operation could reasonably be viewed as being at or near a sensitive location. Supervisors should take extra care when assessing whether a planned enforcement action could reasonably be viewed as causing significant disruption to the normal operations of the sensitive location. ICE employees should also exercise caution. For example, particular care should be exercised with any organization assisting children, pregnant women, victims of crime or abuse, or individuals with significant mental or physical disabilities.

Agency Policy

General Rule

Any planned enforcement action at or focused on a sensitive location covered by this policy must have prior approval of one of the following officials: the Assistant Director of Operations, Homeland Security Investigations (HSI); the Executive Associate Director (EAD) of HSI; the Assistant Director for Field Operations, Enforcement and Removal Operations (ERO); or the EAD of ERO. This includes planned enforcement actions at or focused on a sensitive location which is part of a joint case led by another law enforcement agency. ICE will give special consideration to requests for enforcement actions at or near sensitive locations if the only known address of a target is at or near a sensitive location (e.g., a target's only known address is next to a church or across the street from a school).

Exceptions to the General Rule

This policy is meant to ensure that ICE officers and agents exercise sound judgment when enforcing federal law at or focused on sensitive locations and make substantial efforts to avoid unnecessarily alarming local communities. The policy is not intended to categorically prohibit lawful enforcement operations when there is an immediate need for enforcement action as outlined below. ICE officers and agents may carry out an enforcement action covered by this policy without prior approval from headquarters when one of the following exigent circumstances exists:

- the enforcement action involves a national security or terrorism matter;
- there is an imminent risk of death, violence, or physical harm to any person or property;

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- the enforcement action involves the immediate arrest or pursuit of a dangerous felon, terrorist suspect, or any other individual(s) that present an imminent danger to public safety; or
- there is an imminent risk of destruction of evidence material to an ongoing criminal case.

When proceeding with an enforcement action under these extraordinary circumstances, officers and agents must conduct themselves as discretely as possible, consistent with officer and public safety, and make every effort to limit the time at or focused on the sensitive location.

If, in the course of a planned or unplanned enforcement action that is not initiated at or focused on a sensitive location, ICE officers or agents are subsequently led to or near a sensitive location, barring an exigent need for an enforcement action, as provided above, such officers or agents must conduct themselves in a discrete manner, maintain surveillance if no threat to officer safety exists and immediately consult their supervisor prior to taking other enforcement action(s).

Dissemination

Each Field Office Director, Special Agent in Charge, and Chief Counsel shall ensure that the employees under his or her supervision receive a copy of this policy and adhere to its provisions.

Training

Each Field Office Director, Special Agent in Charge, and Chief Counsel shall ensure that the employees under his or her supervision are trained (both online and in-person/classroom) annually on enforcement actions at or focused on sensitive locations.

No Private Right of Action

Nothing in this memorandum is intended to and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

This memorandum provides management guidance to ICE officers exercising discretionary law enforcement functions, and does not affect the statutory authority of ICE officers and agents, nor is it intended to condone violations of federal law at sensitive locations.




POST-ELECTION TALKING POINTS AND RESOURCES November 2016

DACA

▷ President-elect Donald Trump pledged to end DACA when he becomes President. Trump will not be President until he is inaugurated on January 20, 2017. Until that time, DACA will remain in place and USCIS will continue to process both initial and renewal DACA requests.

- **The risk.** Those who receive or apply for DACA will not necessarily be targeted for deportation. Administrative programs like this have never been used for wholesale deportation in the past. It would be extremely costly for the government to try to deport all 700K+ DACA recipients. However, Trump is more unpredictable than past presidents, so we do not really know what to expect.
- **Initial DACA applications.** For those who have not yet applied for DACA, the processing of those applications is taking long enough now that they would likely not be adjudicated until after January 2017, and it is possible the DACA program will not exist by then. Therefore, at this point potential applicants' efforts to assemble an initial DACA application and pay the filing fees (which go up in December 2016) may result in no benefit and expose them to DHS.
- **DACA renewals.** It is unknown whether the next Administration will terminate existing DACA grants or instead not allow DACA recipients to renew. Those who have already received DACA are known by the government. Therefore, renewing DACA does not carry a new risk. In fact, renewing DACA may mean a DACA recipient can have a work permit until it expires one to two years into the next Administration. One risk, however, is again that the renewal might not be adjudicated before Trump becomes President, and the effort and money to renew will be for nothing. People who file to renew soon may be successful, as DACA renewals are currently being processed in 8 weeks with USCIS' upgraded system. The cost may be offset by loans and other funding available through Mission Asset Fund, the Mexican Consulate, some DACA collaboratives and/or other programs.
- **Advance parole.** At this point, advance parole may be a little bit harder to get, because processing time is three months or more, which would put approvals (even if filed today) and subsequent



travel in February 2017. Emergency advance parole requests, however, may still be useful in helping people travel and subsequently adjust status under 245(a).

What the Future Holds

↳ **Based on Trump's campaign rhetoric and the new composition of Congress, we do not expect a comprehensive immigration reform that includes legalization to be introduced in the coming years.**

- We do not expect expanded DACA or DAPA to make it through the courts.
- It is possible that some states will try to introduce additional state legislation creating benefits and some protections for immigrants like California has done. Some other states may introduce legislation that increases immigration enforcement at the local level.

What Immigrants Can Do Now

↳ **People should go to a legal services provider to be screened for any possible immigration options other than DACA they for which they may already eligible.**

- The ILRC has a comprehensive client intake form to assist practitioners in screening. It can be found online at <https://www.ilrc.org/screening-immigration-relief-client-intake-form-and-notes>.
- The Immigration Advocates Network maintains a national directory of more than 950 free or low-cost nonprofit immigration legal services providers in all 50 states. It can be found online at <https://www.immigrationlawhelp.org>.
- Community members should be warned of fraudulent service provider schemes and educated about how to seek competent immigration help. The ILRC has created community education flyers about this available in English and Spanish available online at <https://www.ilrc.org/anti-fraud-flyers>.

↳ **People should know their rights when in contact with an immigration agency.**

- The ILRC has created Red Cards to help both citizens and noncitizens defend themselves against constitutional violations during ICE raids. These cards provide citizens and noncitizens with information about how to assert their constitution rights and an explanation for ICE agents that the individuals are indeed asserting their constitutional rights. Go <https://www.ilrc.org/red-cards> for more information and contact us at redcards@ilrc.org to order. The ILRC also has information about raids and immigrants' rights available online at <https://www.ilrc.org/community-resources>.

↳ **People should continue to avoid negative interaction with law enforcement. Something like a DUI or conviction related to drugs can have irreversible negative immigration consequences.**

↳ **If filing to renew DACA, applicants need to be aware that the filing fee increases to \$495 on December 23, 2016.**



- The Mission Asset Fund (<http://missionassetfund.org/lending-circles-for-dreamers/>), Self-Help Federal Credit Union (<http://www.self-helpfcu.org/personal/loans/immigration-loans>), the Mexican Consulate or local DACA service providers may have information about loans or grants to help with the filing fees.