

A Bill in Support of Undocumented Students and Immigrant Communities

WHEREAS, in 2003, the Department of Homeland Security was established as an administrative

department responsible for agencies such as the U.S. Customs and Border Protection, U.S. Immigration

and Custom Enforcement, and U.S. Coast Guard¹

; and,

WHEREAS, the number of deported individuals since the inception of the Department of Homeland

Security is projected to total over 2 million by 2014, equivalent to the total number of deportations

between 1982 to 1992²

; and,

WHEREAS, Secure Communities is a federal program under the Department of Homeland Security

“prioritizing the removal of criminal aliens”³

but has since apprehended 3,600 U.S. Citizens, affected over

88,000 families with U.S. citizen members and forty-five percent of all individuals charged with removal

proceedings did not have a criminal history⁴

; and,

WHEREAS, a vast majority of people kept in detention centers and put into deportation proceedings are

men of color in California of which half are under the age of thirty⁵

; and,

WHEREAS, deportations have a destabilizing effect on communities, families and especially immigrant

youth wherein “the health, education and long term prospect of these youth are imperiled by the traumatic

effects of being separated from a parent”⁶

; and,

WHEREAS, Ms. Janet Napolitano was the former Secretary of the Department of Homeland Security

and will succeed Mark Yudof as President of the University of California; and,

WHEREAS, the nomination process of Ms. Napolitano by the UC Regents was done in a manner that did

not include all stakeholders of the University of California; and,

WHEREAS, the lack of transparency in the nomination and appointment process of Ms. Napolitano did

not follow the statement on Government of Universities and Colleges wherein “the selection of a chief

1

U.S.Department of Homeland Security, “Organizational Chart”, Apr. 10, 2013.
<http://www.dhs.gov/xlibrary/assets/dhs-orgchart.pdf>.

2

Tanya Boza, “Mapping the Shift from Border to Interior Enforcement of Immigrant Laws during the Obama Presidency,” January

2013, http://stopdeportationsnow.blogspot.com/2013/01/mapping-shift-from-border-to-interior_7232.html.

3

U.S. Department of Homeland Security, “Secure Communities”,
http://www.ice.gov/secure_communities/.

4

Aarti Kohli, Peter Markowitz, and Lisa Chavez, "Secure Communities by the Numbers," Chief Justice Earl Warren Institute on Law

and Social Policy, Oct. 2011,
http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

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http://www.law.berkeley.edu/files/BMOC_Secure_Communities_Program_FINAL.pdf

6

Aarti Kohli and Lisa Chavez, "The Federal Secure Communities Program & Young Men of Color in California," Chief Justice Earl

Warren Institute on Law and Social Policy, Jan. 2013,
http://www.nytimes.com/2012/06/25/opinion/the-trauma-of-deportation.html?_r=0.

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*Titles for identification purposes only³administrative officer should follow a cooperative search by the governing board and the faculty, taking

in the opinion of others who are appropriately interested;"⁷

and,

WHEREAS, former Secretary of Homeland Security, Janet Napolitano, was appointed by the UC

Regents with the sole dissenting vote of Student Regent, Cinthia Flores, on September 18th as president

of the University of California⁸

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WHEREAS, the Council of the University of California Faculty Association (CUCFA) attest to the

exclusion of UC faculty members in Ms. Napolitano's nomination process⁹

; and,

WHEREAS, UAW Local 2865 is the UC Student Workers Union representing academic employees in

the University of California “[calling] on a president devoted to rebuilding the capacity for teaching,

research and learning — not a specialist in cyber surveillance, law enforcement and border security”¹⁰; and,

WHEREAS, undocumented students and allies rejected the appointment of Ms. Napolitano as UC

President through official press releases, petition letters (Appendix A) and direct action during the UC

Regents meeting in San Francisco on July 28, 2013¹¹, but have been continuously silenced throughout the

process; and,

WHEREAS, the University of California Student Association (UCSA) officially “recognizes that the

fears that undocumented students have expressed are real and legitimate regarding their safety, access and

retention”¹²; and,

WHEREAS, Ms. Napolitano has deemed current immigration policies and procedures of the Department

of Homeland Security a success¹³ despite serious errors in apprehension priorities and detention

procedures further putting into question her actions to champion immigrant rights¹⁴; and,

WHEREAS, the University of California Office of the President has not prioritized any meeting dates

whether arbitrary or specific with UC students, student organizations, student governments, elected

officials of the USAC or UCSA to begin dialogues about the issues of California’s public educational

system; and,

7

American Association of University Professors, "Statement on Government of Colleges and Universities," 1996,

<http://www.aaup.org/file/statement-on-government.pdf>.

8

"Regents appoint UC's first woman president"

<http://www.universityofcalifornia.edu/news/article/29782>

9

The Council of UC Faculty Association, "CUFCA Statement on the selection of Janet Napolitano as Incoming UC President," 2013,

http://cucfa.org/news/2013_july16.php.

10 UC Student Workes Union, "On the Recent Nomination of Janet Napolitano as UC President," 2013,

<http://www.uaw2865.org/?p=3365>.

11Nanette Asimov, "UC Regents Appoint Janet Napolitano amid Protest," July 2013, <http://www.sfgate.com/education/article/UCregents-appoint-Napolitano-amid-protest-4673527.php>.

12 From the statement of the UCSA President.

13 Elise Foley, "Janet Napolitano Defends Record on Immigration in Farewell Speech," Aug. 2013,

http://www.huffingtonpost.com/2013/08/27/janet-napolitano_n_3822907.html

14 Aarti Kohli, Peter Markowitz, and Lisa Chavez.5WHEREAS, the mission of the Office of the President is to "[help] give shape to a vision for the

university, managing the activities that are central to UC's public mission and essential to the idea of one

university"15; and,

WHEREAS, there are an estimated 65,000 undocumented high school graduates each year¹⁶, roughly 600

students are able attend college in the respective UC campuses by qualifying for AB 540¹⁷; and,

WHEREAS, the passage of Assembly Bill 540, 130 and 131 have allowed undocumented students

greater accessibility at the University of California; and,

WHEREAS, the undocumented student program

18 at the University of California, Los Angeles provides

undocumented students with academic, financial, legal and social support; and,

WHEREAS, the University of California, Los Angeles in providing aid to undocumented students

genuinely reflect the California Master Plan for Higher Education in which “the Master Plan created a

system that combined exceptional quality with broad access to higher education”¹⁹; and,

WHEREAS, students in the University of California, Los Angeles are beneficiaries of a long standing

history of political activism that continuously defines that the priorities of a public educational system

shall be the public; and,

WHEREAS, students across the UC campuses need a UC President that is transparent and accessible,

that can champion the needs of undocumented youth and immigrant communities, and that can preserve

the ideals of a public university; and,

WHEREAS, undocumented students from various UC Campuses have created a list of priorities for

University of California Office of the President:

a. Hold open town halls at both the Northern and Southern California region for the UC

campuses and include meetings with undocumented student organizations during the

campus visits,

b. Uphold that UC campuses a sanctuary status and safe space for undocumented students,

As a sanctuary the UC:

- Will prohibit the use of UC funds or resources to assist Immigration and Customs

Enforcement with arrests and the gathering or dissemination of information regarding

the immigration status of an individual in all UC Campuses.

- Cannot disclose information regarding an individual's immigration status.
- Cannot condition services based on an individual's immigration status.

15 University of California Office of the President, "Our Mission," Regents of the University of California, 2012,

<http://www.ucop.edu/mission/index.html>.

16 Robert Gonzales, "Young Lives on Hold: The College Dream of Undocumented Students,"

<http://advocacy.collegeboard.org/sites/default/files/young-lives-on-hold-summary-cb.pdf>.

17 University of California Office of the President, "Annual Report on AB 540 Tuition Exemption 2011-2012 Academic Year," June

2013, http://www.ucop.edu/student-affairs/_files/ab540_annualrpt_2012.pdf.

18 IDEAS at UCLA, "What is IDEAS?", University of California, Los Angeles, 2001-2013, <http://ideasla.org/index/>.

19 University of California Office of the President, "California Master Plan for Higher Education," 1960,

http://ucfuture.universityofcalifornia.edu/documents/ca_masterplan_summary.pdf

~~• Will prohibit the use of E-verify for UC employees.~~

• Will promote the employment of undocumented students on campus by providing them with an ID Number that will function as a work permit

c. hold mandatory annual sensitivity training for UCPD to mitigate racial profiling

d. Ensure that the 287-G program and/or Secure Communities are not implemented on the

UC campuses,

e. Promote that general educational courses on undocumented/immigrant experience are

available on all UC campuses,

f. Have mandatory staff specializing on recruitment and retention services for AB 540

students on every UC campus,

g. Prohibit the use of riot police on our campuses, which includes the use of S.W.A.T. teams

and other non-UC police departments, to interfere during student acts of civil disobedience,

protests, rallies, and sit ins,

h. Have UC staff training on the issues that AB540 / undocumented students experience,

i. Support the Trust Act; and,

THEREFORE BE IT RESOLVED, that the Undergraduate Student Association Council recognizes

that the fears that undocumented students have expressed are real and legitimate regarding their safety,

access and retention; and,

THEREFORE BE IT FURTHER RESOLVED, that the Undergraduate Student Association Council

will pressure the UC Office of the President and UC officials to uphold the aforementioned priorities and

demands; and,

THEREFORE BE IT FURTHER RESOLVED, that the External Vice President ~~Maryssa Hall~~

continue to advocate for undocumented students, immigrant communities, and allies on the University of

California Student Association (UCSA) Board of Directors; and,

“THEREFORE BE IT FURTHER RESOLVED, that the Undergraduate Student Association Council urge the UCSA Board of Directors to hold Ms. Janet Napolitano accountable to the fulfillment of the aforementioned priorities and demands; and,”

THEREFORE BE IT FURTHER RESOLVED, that the Undergraduate Student Association Council

External Vice President Maryssa Hall be tasked with communicating the stance taken by the

Undergraduate Student Association Council to the relevant parties; and,

THEREFORE BE IT FURTHER RESOLVED, that the Undergraduate Student Association

Council President John Joanino work with the UC Council of Presidents to communicate the stance

and demands taken by Undergraduate Student Association Council to the UC Office of the President;

and,

THEREFORE BE IT FURTHER RESOLVED, that the Undergraduate Student Association Council

stand in support of UC Student-Regent Cinthia Flores in her objection to the appointment of Ms. Janet

Napolitano as UC President; and,

THEREFORE BE IT FINALLY RESOLVED, that the Undergraduate Students Association Council support undocumented students, immigrant communities, and allies, and for the reasons outlined above, the USAC believes it is critical for Ms. Napolitano to fulfill the aforementioned demand to actualize the mission of the UCs”

.Appendix A

USAC Council, Take a Stance Against Napolitano

September 7, 2013

To the Undergraduate Student Association Council,

As the Undergraduate Student Association Council (USAC) and the elected officials of all undergraduate

student at University of California, Los Angeles (UCLA), we, your constituents, urge you to take a public

stance against the appointment of Janet Napolitano as the President of the University of California. We

expect your solidarity with the large undocumented community on our campus and their allies. UCLA is

one of the largest and most influential UC campus and we feel that it is essential for USAC to take a

stance on this appointment.

With the significant number of undocumented students enrolled at UCLA and Ms. Napolitano’s legacy of

overseeing a record number of deportations, her appointment jeopardizes the safe educational

environment that we expect of our university campus. Ms. Napolitano’s implementation of the Secure

Communities Program is responsible for the deportation of many non-criminal undocumented immigrants

and, consequently, the separation of many undocumented immigrant families. Considering the emotional

stress that undocumented students and their family members will feel knowing that the person responsible

for tearing their families apart is in charge of their future is incomparable. Her appointment will

indisputably negatively impact the campus climate of our undocumented students, which make up a

crucial part of our campus diversity.

As the appointment of President Janet Napolitano is inevitable, we urge you to take the necessary steps to ensure

that we keep her accountable to all UC students: in promoting safer campus climates, working with the

undocumented students across all campuses, and ensuring the success of all UC students.