

Responding to Federal Immigration Officials

VCCCD's Commitment to Privacy Rights Regardless of Immigration Status

All VCCCD employees are expected to uphold the Federal Educational Rights and Privacy Act as a condition of employment.

In accordance with FERPA, VCCCD Board Policy and Administrative Procedure 5040 outlines that “no District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.”

Our colleges are committed to supporting all our students, regardless of immigration status. We understand that the actual and perceived threats of immigration enforcement proceeding against our community's undocumented students and their families could adversely affect our students' sense of well-being and ability to learn. The Community Colleges of Ventura County are focused on creating and maintaining a supportive environment for all students, families, community members, and employees.

Federal Immigration Officials on Public College Campuses

Our colleges are public institutions, and a large portion of each campus is open to the general public. The colleges ***do not have the authority to prohibit federal immigration enforcement officials from coming on campus***. The areas on campus that are open to the general public are also open to federal immigration enforcement officials.

Federal immigration enforcement officials who seek to apprehend and remove/deport individuals unlawfully present in the United States are most often officers of U.S. Immigration and Customs Enforcement (ICE), who are part of the agency's Enforcement and Removal Operations (ERO). U.S. Customs and Border Protection (CBP) officers could also seek to apprehend and remove individuals found on college grounds. These ICE and CBP officers work for the Department of Homeland Security (DHS) and they are typically acting on civil, not criminal, authority. The warrants these officers carry to apprehend individuals are generally administrative warrants that do not authorize federal immigration enforcement officials to enter or search limited access areas, such as areas that are under lock and key or require an electronic keycard for access or labeled “authorized personnel.” This includes classrooms where only registered students receive instruction or where a college ID is required for access.

Immigration Officials Conducting College Business

ICE and CBP officers may appear on campus for reasons unrelated to apprehending and removing an individual they believe is unlawfully present in the United States. For example, many international students participate in the U.S. State Department's Student and Exchange Visitor Program (SEVP). Our colleges are required to report certain information about SEVP students to ICE. ICE may come to our campuses to meet with SEVP students and/or college staff who have responsibilities under the SEVP. ICE and CBP may also come on campus in connection with regulations that do not involve alleged immigration violations.

It is a mistake to assume that any ICE employee visiting campus is here to apprehend or remove a member of the college community. ***False rumors about immigration enforcement actions on campus can spread anxiety and panic***. If you observe a federal immigration enforcement official on campus and have concerns about their activities, contact the President's office as specified in the below guidelines.

Federal Immigrations Officers and Campus Police

When deemed appropriate, the Office of the President or designee will contact Campus Police to act as a liaison with federal immigration enforcement officials. However, Campus Police are not required to and, accordingly, will not enforce federal immigration laws—a responsibility that rests with the federal government.

Specifically, Campus Police will neither contact, detain, question, or arrest any individual on the sole basis of suspected undocumented status nor work in concert with federal immigration officials for immigration enforcement purposes. There are other reasons why Campus Police will work in cooperation with federal, state and local law enforcement authorities and personnel. For example, Federal Bureau of Investigation (FBI) or Drug Enforcement Administration (DEA) agents may have reason to pursue criminal suspects on campus. Campus Police may cooperate with those efforts to enforce criminal laws.

Protocols for Employees

The Colleges and the District Center are committed to providing a safe, welcoming, and inclusive learning environment for immigrant students, undocumented students and their families. VCCCD is also committed to protecting the rights of immigrant students, undocumented students, and their families through policies that prohibit information-sharing with local law enforcement and federal immigration authorities to the fullest extent possible under the law. (See Board Policy 5017)

If VCCCD employees are approached by Immigration and Customs Enforcement (ICE) officers requesting information about a student, please follow these steps. This protocol ensures compliance with federal and state laws while safeguarding the rights and privacy of students.

Step 1: Remain Calm and Professional

- Always maintain a calm and respectful demeanor if approached by an ICE officer.
- Politely inform the officer that you are required to follow the college's protocol for such requests.

Step 2: Do Not Disclose Any Information

- Do not provide any student information, including enrollment status, class schedules, or personal details, to the officer.
- Remind the officer that all requests for student information must go through the Office of the College President.

Step 3: Direct the Officer to the Office of the College President

- Politely inform the officer: "Per college policy, all requests for student information must be handled by the Office of the College President. I will guide you to the appropriate office."
- Escort the officer, if necessary, or provide directions to the Office of the College President.

Step 4: Notify the Office of the College President Immediately

- Contact the Office of the College President as soon as possible to inform them of the ICE officer's presence and request.
 - Provide the following information:
 - The name and badge number of the officer (if provided).
 - The nature of the request.
 - Any documentation the officer presents, such as a warrant or subpoena.
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Step 5: Allow the Office of the College President to Handle the Request

- The Office of the College President will review the request and consult with legal counsel to determine the appropriate response.
 - If a valid court order, subpoena, or warrant is presented, the college's legal counsel will advise on compliance.
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Step 6: Maintain Confidentiality

- Do not share details of the ICE officer's visit or request with anyone other than personnel in the Office of the College President.
 - Remind other staff members that student information is protected under the Family Educational Rights and Privacy Act (FERPA) and California state law.
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Step 7: Document the Interaction

- Write a brief report summarizing the interaction with the ICE officer. Include the date, time, location, and a summary of what occurred.
 - Submit this report to the Office of the College President for record-keeping.
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By following this protocol, employees can ensure they act in accordance with college policy, state and federal laws, and the rights of students.

Legal Basis and References:

- **Family Educational Rights and Privacy Act (FERPA):** Protects the privacy of student education records and limits disclosure without written consent or a court order.
- **California Values Act (SB 54):** Limits the involvement of state and local resources in federal immigration enforcement activities.
- **VCCCD Board Policy (BP)/Administrative Procedures (AP):**
 - BP 5017: Responding to Inquiries of Immigration Status, Citizenship, and National Origin Information
 - AP 5040: Student Records, Directory Information, and Privacy