

Resolution Declaring the Foothill-De Anza Community College District to be a Sanctuary District

WHEREAS the Board of Governors of the California Community College system has resolved that all 114 community colleges in California remain safe and open to students, regardless of immigration status; the state Chancellor's office will not release any personally identifiable student information without a judicial warrant, subpoena, or court order; and the Board of Governors encourages community colleges to consider our educational system's values and our state laws when responding to requests for information from government agencies; and

WHEREAS California Assembly Bill 21 and Senate Bill 54 declare the State of California and its community colleges to be Sanctuaries.

WHEREAS the Foothill-De Anza Community College District passed Resolution 2025-05 District Reaffirming Support of Undocumented Students and the Privacy of Student Records.

WHEREAS there are multiple protections in US law for all members of our society, including undocumented people, including but not limited to

- The Fourteenth Amendment of the U.S. Constitution prohibits any state from denying “to any person within its jurisdiction the equal protection of the laws.” Furthermore, the Fourteenth Amendment’s Due Process and Equal Protection Clauses shield all individuals from unfair and unjust treatment, regardless of race, sex, religion, or age.
- The Fourth Amendment of the U.S. Constitution gives all people the right to be free of unlawful searches, seizures, and warrantless arrests from law enforcement agents, and the U.S. Supreme Court has interpreted this right to apply to activities by immigration enforcement agents.
- The Tenth Amendment of the U.S. Constitution states that the powers not delegated to the United States by the Constitution are reserved to the States or the people. Thus, the federal government cannot force states and localities to enforce federal immigration laws.
- U.S. Immigration & Customs Enforcement’s longstanding policy strongly discourages immigration enforcement actions – arrests, interviews, searches, and surveillance – from taking place in “sensitive locations,” including hospitals, churches, and schools.

WHEREAS declaring our district a sanctuary district sends a message to our internal and external communities that we stand with our undocumented students, faculty, staff, and administrators while also sending a message of solidarity to other entities, such as the state of California and over two hundred other colleges and universities which have declared sanctuary; and

WHEREAS students from immigrant backgrounds, communities of color, LGBTQ+ (lesbian, gay, bisexual, transgender, and queer) students, Muslims, women, and people with disabilities are

increasingly the targets of hate speech, bullying, and threats incompatible with the inalienable rights of liberty and justice; and

WHEREAS some of our students have reason to fear for their safety based on proposed and enacted policies in the current political climate, such as detaining, deporting, or revoking the study, work, and travel privileges of undocumented immigrants; and

WHEREAS many of our students are or could be, affected by such policies and have legitimate fears for their security and their future; and

WHEREAS declaring Foothill-De Anza Community College District a sanctuary district sends a powerful message of support to community members that the district is an institution they can trust to provide safe spaces to learn and work free from harassment or intimidation; and

BE IT RESOLVED that the Governing Board of Foothill-De Anza Community College District is declared a sanctuary district. The district REAFFIRMS our historical commitment to a safe learning environment and that all people, regardless of race, ethnicity, national origin, immigration status, religion, sexual orientation, gender identity, and ability, should, be free of discrimination, verbal or physical attacks, and

TO THIS END, the Foothill-De Anza Community College District Board of Trustees:

(a) DECLARES All Foothill-De Anza Community College District spaces to be sanctuary spaces.

(b) REJECTS:

1. Any use of a registry, surveillance, or monitoring based on any federally protected class such as religion, national origin, race, sexual orientation, gender identity, or disability for non-educational purposes;
2. Any call to detain, question, or arrest any individual solely based on suspected undocumented immigration status;
3. Any call to voluntarily cooperate with Immigration and Customs Enforcement (ICE) to seek out and deport students, faculty, staff, and other community members without a judicial warrant, subpoena, or court order;
4. Any call to allow immigration agents access to campus without a judicial warrant, subpoena, or court order;
5. Any call to deny access to any district spaces to students and community members based on immigration status;
6. Any call to release personally identifiable student information, any data related to immigration status, a judicial warrant, subpoena, or court order unless authorized by the student or required by law.

(c) Will TAKE ACTION to :

1. Continue to advocate at the local, state, and federal levels for educational opportunities and funding for all students in our community, regardless of immigration status.
2. Develop, adopt, and implement district and campus policies and protocols consistent with the values expressed herein if a public or law enforcement officer is expected to enter or has entered the campus to execute any federal or legal order, including immigration warrants.
3. Disseminate information and increase awareness of California Assembly Bill 21 and Senate Bill 54, declaring the State of California and its community colleges to be Sanctuaries.
4. Ensure that all Foothill-De Anza Community College District faculty, classified professionals, students, and administrators know and understand all state and federal laws and district and campus policies relevant to protecting students, staff, and student and staff information, including but not limited to the Family Educational Rights and Privacy Act (FERPA).
5. Communicate information about rights and protections afforded to students, including but not limited to FERPA, on an ongoing basis through an annual forum and other activities.
6. Continue to protect sensitive student, staff, faculty, and administrator information, such as that collected under the auspices of California Assembly Bill 540, the California Dream Act, and the Deferred Action for Childhood Arrivals (DACA) program, by limiting access to student records and providing authorities with this information only when presented with a valid subpoena.
7. Continue to identify and promote scholarships open to all students regardless of citizenship or residency.
8. Continue to promote an atmosphere of offering resources to support respect for all students and employees and denounce and address hate speech directed at students and/or employees.
9. Support community education and professional development to foster an inclusive environment focused on eliminating bias and discrimination and highlighting existing resources for reporting and responding to bias or hate incidents.
10. Secure support from all local, state, and federal elected officials for the Foothill-De Anza Community College Districts' efforts to protect students, faculty, and professionals.
11. Protect, offer resources to, and support staff, faculty, and administrators who are DACA recipients to the extent allowable by law.