



Office of the Chancellor

January 27, 2017

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Dear Faculty Colleagues:

I write in response to Faculty Document No. 3085, "Sanctuary Campus Resolution." I am wholly supportive of any reasonable, legal measures to protect any member of the UWM community who is an undocumented immigrant or otherwise targeted by federal policy based on any protected characteristic. With respect to the specific issues raised in the resolution, as I will explain further below, UWM is already providing the requested information, training, and services, although I will ask that these efforts be expanded, and measures are in place to protect the privacy of student records.

You have asked that I reaffirm UWM's commitment to diversity and inclusiveness through UWM's Discriminatory Conduct Policy. I support this wholeheartedly. As you know, the Policy prohibits discrimination based on, among other factors, race, sex, gender identity/expression, sexual orientation, national origin, and religion. While "immigration/citizenship status" are not explicitly covered, similar to state and federal laws, national origin protections would encompass immigration and citizenship issues. In addition, UWM's Code of Conduct requires "respect by treating others with civility and decency, not engaging in bullying, intentional physical harm or intimidation." I am committed to reaffirming these policies, particularly as they relate to any populations within UWM whose legal protections are in question due to anticipated or actual changes in federal or state law or policy and/or where hate/bias incidents are on the rise, locally or nationally. Consistent with this, we are also already planning a campaign to reaffirm and invigorate UWM's Guiding Values, several of which relate directly to the treatment of those within our community, the behavior of those within our community, and a commitment to diversity in all of its forms.

You have also asked that UWM develop a policy restricting the UWMPD from cooperating with federal authorities in immigration-related actions on campus or providing student immigration information to federal authorities without a warrant. I reiterate and clarify our practices as follows: Except in cases where it is conducting investigations of serious crimes, for which investigations are more extensive than those for minor crimes and/or municipal citations, UWMPD does not gather citizenship information as part of its normal investigative process or interactions with students, staff, or the public. The UWMPD is not asked to and does not assist with deportations, and it is not contacted by federal authorities to determine the immigration status of members of the campus community – since federal authorities maintain and control such information.

While I am supportive of not using our campus police officers to assist with any outside action that would harm our students, it is also imperative that campus law enforcement retain the ultimate discretion to determine how to respond to outside requests for information or assistance or cooperation, to the extent permissible under applicable law, and depending on the totality of the circumstances. For example, as a practical matter, federal agencies do not need UWM's permission or cooperation to conduct enforcement on public lands. When an outside law enforcement agency contacts UWM for assistance in serving legal papers or to arrest anyone on campus, it may be in UWM's interest to have the UWMPD involved so that UWMPD can help to ensure, as much as possible, that any such process is not disruptive to courses in progress, is minimally intrusive to the workplace and public spaces, and, ideally, does not occur in a public place so as not to embarrass the individual involved. Further, there are occasions, albeit rare, where a decision not to cooperate with a federal agency could entail larger negative consequences or implications than can be adequately described in a policy.

Moreover, it would be unwise for UWM to refuse universally to comply with requests for information from ICE or other federal agencies or law enforcement entities, when such information may be legally shared without violating any laws such as FERPA. UWM relies significantly upon resources available from federal entities in its own law enforcement efforts, including those threats posed by malicious online activity as well as potential physical threats to the campus. There may also be circumstances not directly related to an immigration enforcement action in which student immigration status may be relevant such as I-9 or export control audits. Cooperating in such audits can help control the audit's scope and mitigate any potential fines.

You have also asked me to take a stand against any federal registry of Muslim Americans or other target groups. To the extent there is any renewed discussion of requiring the registry of Muslim Americans or future discussion or requiring any other group to join a federal registry, I will join any effort within UW System or among university presidents to oppose such registries. When/if a statement within UWM is called for or would be of value, I will also make a statement opposing such registries.

With respect to training and information for students and others potentially affected by a change in immigration policy, the Roberto Hernandez Center currently refers students with immigration-related questions to local immigration attorneys. I have asked Provost Britz to work with the Center to ensure that the Center hosts at least one training session on immigration rights at UWM during the spring semester. The Center can evaluate whether additional clinics are necessary based on interest expressed by students and others in attending such clinics and whether there is any clarification on the status of DACA.

The Roberto Hernandez Center also hosted "Open Dialogue" sessions for undocumented students in fall 2016. The goal for these sessions was to allow students to verbalize their anxieties and for the Center to offer its support. Both sessions were well attended, and, similar to the above, I have asked Provost Britz to work with the Center to host similar sessions in the Spring 2017 semester.

You have suggested that student segregated fees be used to fund these services. The Center is funded via Academic Affairs. Since students are responsible for allocating segregated fees, the institution cannot dictate whether such services are funded by those fees. To the extent that the

UWM Student Association would be interested in allocating student segregated fees toward these or similar efforts, I am copying Student Association President Mike Sportiello so the Student Association can consider these options.

You have also asked that I secure resources to assist students who may be affected by changes in federal immigration policy. As you know, UWM is experiencing severe resource constraints such that, at this time, there are no obvious revenue sources to fund a new initiative such as this. That said, to the extent immigration policy changes to prevent students from finishing their courses/degrees on campus, I will work with Academic Affairs, Student Affairs, and Development staff to determine what existing policies, mechanisms, and/or scholarships might work to provide relief to such students. Beyond that, to the extent our staff become aware of other resources that may be used for this purpose, I will encourage them to attempt to secure those resources.

You have also asked that UWM provide training to faculty and staff on the needs of undocumented, DACA, and marginalized students. The Inclusive Excellence Center (IEC) coordinates the UWM "Dreamers" initiative and provides support and information to undocumented students at UWM. They also held an "UndocuAlly" training for faculty and staff in December and have another session scheduled for January 12, 2017. UndocuAlly is a program for faculty and staff who wish to understand the problems undocumented students and what resources exist to help them and discuss what it means to be an ally to undocumented students. Consistent with your resolution, I have asked Senior Student Affairs Officer Jim Hill to work with the IEC to schedule additional sessions for the spring semester.

The IEC is also working on a resource guide for students and faculty and staff with relevant information on supporting undocumented students. I have asked that this resource guide be completed and made available to faculty and staff as close to the start of the spring semester as possible.

Finally, you have asked that UWM protect the privacy of University records and to make UWMPD staff and all faculty/staff familiar with FERPA. It is already university policy pursuant to FERPA to maintain the confidentiality of student records, and public records requests are vetted to ensure that no laws prohibit the release of the requested information. FERPA training is already mandatory for any person who wishes to access PAWS, which is the primary source for student information. Campus staff who are asked or expected to provide information to federal entities are familiar with the relevant laws concerning the sharing of requested information and/or inquire of the Office of Legal Affairs whether it is permissible and appropriate to share such information. Information is shared only when it is legally required, and/or permissible and in the institution's best interests to share.

While you have asked that UWM ensure that all staff are aware of USCIS policy, and specifically USCIS policy not to share information about DACA students with ICE, such policy is not applicable to UWM, and FERPA is sufficient to protect this information from voluntary disclosure in any event.

While UWM may not implement every aspect of your resolution, the measures I have outlined above are responsive to and honor the spirit of your resolution, and I will continue to work to protect all of UWM's students to the extent I am able.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark A. Mone". The signature is fluid and cursive, with the first name "Mark" being more prominent.

Mark A. Mone
Chancellor

c: Mike Sportiello, UWM Student Association