

UNIVERSITY SENATE

UNIVERSITY AT ALBANY
STATE UNIVERSITY OF NEW YORK

**RESOLUTION: AFFIRMATION OF UALBANY’S COMMITMENT TO A
SAFE, DIVERSE AND INCLUSIVE MULTICULTURAL CAMPUS**

Introduced by: Committee on Liaison and Elections
Date: February 1, 2017

Whereas, the University at Albany and the entire SUNY system were founded with the educational mission “to provide to the people of New York educational services of the highest quality, with the broadest possible access, fully representative of all segments of the population”; and

Whereas the University at Albany is a community whose members, students, faculty and staff, come from diverse and multicultural backgrounds, including undocumented students; and

Whereas the University at Albany is an institution where all members may seek knowledge freely, and that promotes the free exchange of ideas, supports critical inquiry, and welcomes respectful self-expression with equal consideration for all, regardless of race, ethnicity, religious beliefs, gender identity, national origin, and immigration status.

Be it Resolved that the University Senate reaffirms the University at Albany’s commitment to fostering and promoting a safe, diverse and inclusive multicultural community; that it upholds the core of SUNY’s educational mission “to provide to the people of New York educational services of the highest quality, with the broadest possible access, fully representative of all segments of the population”.

Be it Further Resolved that the University Senate joins in support of these core values, and their natural expansion to the international community that forms our great university community, also expressed by the University President, State University of New York Senate, United University Professionals, and the State University of New York Chancellor.

Be it Further Resolved that the University Senate joins in support and commitment to the principles stated in the “Affirmation of Support for Undocumented Students”¹ adopted by SUNY Chancellor Nancy L. Zimpher, on Jan 24, 2017; respectfully request that the University Administration implement the recommendations therein; and respectfully requests that the University Administration, faculty and staff, maintain diligence to standing policies that:

¹ [http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/ResoTab8_Affirmation of Support for Undocumented Students.pdf](http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/ResoTab8_Affirmation_of_Support_for_Undocumented_Students.pdf)

- a. Ensure ALL students' privacy by not sharing information outside the university without student's consent, except when required by law;
- b. Continue to welcome students from all backgrounds by focusing admissions solely on academic preparedness and ability to contribute to the educational and research endeavors of the university;

Be it Further Resolved that the University Senate joins in support of the University Police's planned adoption of a policy that is consistent with the guidelines established by NYS Attorney General Eric Schneiderman "Guidance Concerning Local Authority Participation in Immigration Enforcement and Model Sanctuary Provisions"² on Jan 19, 2017; and respectfully requests that the University Administration monitors the implementation of the Chancellor's directive for campuses to adopt policies for its "University police department that are consistent with the NYS Attorney General Immigration Enforcement Guidance".

Be it Further Resolved that the University Senate recommends the following actions.

1. That the University Administration:
 - a. Develops a strategic and comprehensive diversity and inclusion education and training of faculty, staff and students;
 - b. Increases support for diversity and inclusion training across our campuses;
 - c. Designate and advertise a location where faculty, staff, students and community members with resources can be matched with students in need;
 - d. Develop a living list of safe spaces available throughout the campuses, and promotes how faculty, staff and students may submit additional areas to be designated as "safe spaces."
2. That all academic departments develop and implement a plan for on-going education on diversity and inclusion.
3. That programs already in place extend their efforts to promote and offer trainings in support of this mission. Such efforts include, but are not limited to:
 - a. Institute for Teaching, Learning & Academic Leadership (ITLAL) workshops designed to create inclusive classrooms,
 - b. Intercultural Student Engagement's "Safe Space" LGBTQ training³ and National Coalition Building Institute (NCBI)⁴ trainings; and

2 https://www.scribd.com/document/337017252/Guidance-concerning-local-Authority-participation-in-Immigration-enforcement-1-19-17#from_embed

3 In a report released on November 18, 2016 by The US Department of Education, "Advancing Diversity and Inclusion in Higher Education: Key Data Highlights Focusing on Race and Ethnicity and Promising Practices" the University at Albany was recognized for the sponsorship of activities and events that increase the cultural competency of students, faculty, and staff and enhances the university's commitment to social justice and diversity by supporting students of all backgrounds and cultural identities.

4 "The National Coalition Building Institute is an international, non-profit, leadership training organization based in Washington, DC, USA. Since 1984, NCBI has worked to eliminate racism and all other forms of prejudice and discrimination throughout the world. The United States Department of Education cited NCBI's work on college campuses as a national "best practice",

- c. Office of Diversity and Inclusion’s (ODI) Dialogue in Action and Embracing & Accepting Diversity (iLEAD) programs for faculty, staff.
4. That all University leaders: faculty, students and staff, commit to participate in the appropriate training to ensure that University at Albany’s mission of maintaining and promoting a safe, diverse and inclusive multicultural community is implemented.
5. Strict adherence to the University at Albany Code of Conduct be applied to members of our community committing hate crimes, hate speech, and violent actions. Email and text message alerts are to be sent to the University community when hate crimes, hate speech, and violent actions are committed, so long as such communications do not violate any federal, state or local laws regarding the rights of victims or the accused. This will provide a similar level transparency given to sexual assault incidents on campus.
6. That together, faculty, the Senate and the University create, support and promote open forums for students, faculty, and staff to engage in safe dialogue across political and ideological spectra, such as, but not restricted to:
 - a. Development of student and faculty workshops to educate on rights and issues faced by undocumented students, students of color, women, religious minorities, members of the LGBTQ community, and students with disabilities.
 - b. Critical Conversations Through Transformative Learning and Teaching - Speakers Series and Pedagogy Workshops,
 - c. ODI Diversity Dialog series.

Appendices:

Appendix A: “Affirmation of Support for Undocumented Students” adopted by SUNY Chancellor Nancy L. Zimpher.
(Attached pdf file)

Appendix B: Part I of NYS Attorney General Eric Schneiderman “Guidance Concerning Local Authority Participation in Immigration Enforcement and Model Sanctuary Provisions”, stating the recommended eight basic measures.

Appendix C: Statement by SUNY Board Chairman H. Carl McCall and Chancellor Nancy L. Zimpher on Federal Immigration Policy Changes

Appendix B: Part I of NYS Attorney General Eric Schneiderman “Guidance Concerning Local Authority Participation in Immigration Enforcement and Model Sanctuary Provisions”. Please see https://www.scribd.com/document/337017252/Guidance-concerning-local-Authority-participation-in-Immigration-enforcement-1-19-17#from_embed for the full document.

awarding it the rating of “excellent” in regard to educational significance, quality, usefulness, and replicability.

“PART I: PURPOSE AND PRINCIPLES

The purpose of this guidance is two-fold: (1) to describe for local governments in New York State the legal landscape governing the participation of local authorities in immigration enforcement; and (2) to assist local authorities that wish to become “sanctuary” jurisdictions by offering model language that can be used to enact local laws or policies that limit participation in immigration enforcement activities.

As the United States Supreme Court recognized in *Arizona v. United States*, “[a]s a general rule, it is not a crime for a removable alien to remain present in the United States.” In addition, undocumented aliens - like other New Yorkers - are afforded certain rights by the New York State and United States Constitutions. As explained in detail in Part II, local law enforcement agencies (“LEAs”) retain significant discretion regarding whether and how to participate in federal immigration enforcement. LEAs nonetheless must adhere to the requirements and prohibitions of the New York State and United States Constitutions and federal and state law in serving the public, regardless of whether an individual is lawfully present in the U.S.

In light of concerns expressed by many local governments about protecting immigrants’ rights while appropriately aiding federal authorities, Part III of this guidance offers model language that can be used to enact laws and policies on how localities can and should respond to federal requests for assistance with immigration enforcement. Several states and hundreds of municipalities - including New York City and other local governments throughout New York State - have enacted sanctuary laws and policies that prohibit or substantially restrict the involvement of state and local law enforcement agencies with federal immigration enforcement. See Appendix B. The Office of the Attorney General believes that effective implementation of the policies set forth in this guidance can help foster a relationship of trust between law enforcement officials and immigrants that will, in turn, promote public safety for all New Yorkers.

This guidance recommends eight basic measures:

1. LEAs should not engage in certain activities solely for the purpose of enforcing federal immigration laws.
2. Absent a judicial warrant, LEAs should honor U.S. Immigration and Customs Enforcement (“ICE”) or Customs and Border Protection (“CBP”) detainer requests only in limited, specified circumstances.
3. Absent a judicial warrant, LEAs should not honor ICE or CBP requests for certain non-public, sensitive information about an individual.
4. LEAs should not provide ICE or CBP with access to individuals in their custody for questioning solely for immigration enforcement purposes.
5. LEAs should protect the due process rights of persons as to whom federal immigration enforcement requests have been made, including providing those persons with appropriate notice.
6. Local agency resources should not be used to create a federal registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
7. Local agencies should limit collection of immigration-related information and ensure nondiscriminatory access to benefits and services.

8. LEAs should collect and report data to the public regarding detainer and notification requests from ICE or CBP in order to monitor their compliance with applicable laws.

As explained in Part II below, state and federal law permit localities to adopt these proposed measures.”

Appendix C: Statement from: <https://www.suny.edu/suny-news/press-releases/01-2017/1-29-17/statement-by-suny-board-chairman-mccall-and-chancellor-zimpher-on-federal-immigration-policy-changes.html> - <https://www.suny.edu/suny-news/press-releases/01-2017/1-29-17/statement-by-sun>

Statement by SUNY Board Chairman H. Carl McCall and Chancellor Nancy L. Zimpher on Federal Immigration Policy Changes

January 29, 2017

"The State University of New York enrolls approximately 22,140 international students from 180 countries, including 320 students from the seven countries affected by the current ban on travel. SUNY is reviewing President Trump's Executive Order and surveying its campuses to determine the impact it may have on our students, faculty, and staff both abroad and at home on our 64 college and university campuses.

"As always, our commitments to diversity, equity, and inclusion are unwavering. Our founding principles and support for undocumented students, [restated](#) by the SUNY Board of Trustees at its meeting last week, continue to guide our actions as we review and react to new federal mandates with regard to immigration.

"SUNY leadership and university police will do all we can, within the law, to support any students, faculty, and staff affected by the Executive Order. In the meantime, we recommend suspending travel plans to the countries included, and urge individuals affected to keep in contact with their campus Office of International Student and Scholar Services.

"SUNY has established a website (www.suny.edu/immigration) to provide students and families with current resources as well as additional information as it becomes available."