



1617-03  
UB Graduate Student Association  
310 Student Union  
Buffalo, NY 14260

**RESOLUTION 1617-03**

**TO: Members of the Senate**

**FROM: Hilary Vandembark, Department of Transnational Studies**

**DATE: 4 April 2017**

**SUBJECT: UB GSA Resolution to Protect Non-US Citizen Members of the UB Community**

**UB Graduate Student Association Senate Resolution to Protect Non-US Citizen Members of the UB Community**

WHEREAS the November 2016 election has raised concerns about the safety and well-being of non-US citizens, including and especially the undocumented, across the country, in the state of New York, and on UB's campus;

WHEREAS non-US citizens contribute to the diversity and academic excellence of the UB community as members of our faculty, staff, administration, and student body;

WHEREAS the January 27th, 2017 signing of Executive Order 13769, "Protecting the Nation from Foreign Terrorist Entry into the United States" has directly affected at least 122 members of the UB community;<sup>1</sup>

WHEREAS President Tripathi has issued statements, on November 22, 2016 and January 30, 2017, expressing the core principles of UB as a diverse, inclusive, and welcoming campus community where all feel safe, respected, and valued; while on November 21st, President Tripathi signed the "Statement in Support of the Deferred Action for Childhood Arrivals Program and Our Undocumented Students" and on February 2nd, signed a letter from leading college and university presidents urging the President to rescind or rectify the recent Executive Order closing our borders to immigrants from seven majority-Muslim countries and to refugees from throughout the world;<sup>2</sup>

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1 <http://www.buffalo.edu/news/releases/2017/01/040.html>

2 <http://www.buffalo.edu/news/releases/2017/01/040.html>; <https://www.pomona.edu/news/2016/11/21-college-university-presidents-call-us-uphold-and-continue-daca>;  
<https://www.brown.edu/web/documents/president/20170202-presidents-letter.pdf>

WHEREAS the Association of American Universities has stated that, “DACA [Deferred Action for Childhood Arrivals] should be upheld, continued and expanded,” and it is important that the education of DACA and undocumented students not be derailed or unfairly burdened;<sup>3</sup>

WHEREAS on November 12th, 2016, Governor Cuomo issued a statement calling the State of New York a “refuge” for immigrants;<sup>4</sup>

WHEREAS on January 21, 2017, the University Faculty Senate endorsed a petition to make all SUNY locations “sanctuary campuses”;<sup>5</sup>

WHEREAS on January 24, 2017, SUNY Chancellor Zimpher proposed and the SUNY Board of Trustees issued a resolution that affirms SUNY policy that university police departments do not participate in the enforcement of federal immigration law unless compelled to do so by court order or other legal mandate;<sup>6</sup>

WHEREAS on January 25, 2017, Attorney General Schneiderman issued a statement affirming that the federal government lacks the constitutional authority to withhold funding from state and local entities that refuse to participate in immigration enforcement;<sup>7</sup>

WHEREAS many faculty and other members of the UB community signed a petition in support of UB’s commitment to internationalism and to DACA, and asserted that enforcement of federal immigration policy on UB’s campus will endanger the safety and well-being of the entire community.<sup>8</sup>

Therefore it is:

*Resolved*, that the Graduate Student Association shall support President Tripathi in his efforts to implement the values and goals expressed in his recent statements;

*Resolved*, that the Graduate Student Association shall support the Office of the Vice Provost for International Education and International Students and Scholars Services in their ongoing work to support non-US citizen members of the community, including

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3 <https://www.pomona.edu/news/2016/11/21-college-university-presidents-call-us-uphold-and-continue-daca>

4 <https://www.washingtonpost.com/news/the-fix/wp/2016/11/13/gov-andrew-cuomo-new-york-a-refuge-for-minorities-immigrants/>

5 <http://system.suny.edu/media/suny/content-assets/documents/faculty-senate/resolutions/175-01-1-Resolution-on-Petition-to-Make-all-SUNY-locations-Sanctuary-Campuses.pdf>

6 [http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/ResoTab8\\_Affirmation%20of%20Support%20for%20Undocumented%20Students.pdf](http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/ResoTab8_Affirmation%20of%20Support%20for%20Undocumented%20Students.pdf)

7 <https://ag.ny.gov/press-release/statement-ag-schneiderman-president-trumps-executive-order-regarding-sanctuary-cities>

8 <https://docs.google.com/a/buffalo.edu/forms/d/e/1FAIpQLSeg5BSGsZomjj44wIMu629o5zJjSRRPbmzTPQ4McKsJVg4nng/viewform>

through such efforts as the Immigration Update Website, International Education Week, and the Provost's Task Force on International Student Inclusion and Engagement;

*Resolved*, that the Graduate Student Association affirms student groups, faculty, staff, and visitors in their provision of safe spaces, in which non-US citizens, especially those who are concerned about their safety and/or are subject to federal immigration enforcement action, can feel confident that they will not be exposed to discrimination, criticism, harassment, or any other emotional or physical harm, and where they will interact with sympathetic and sensitive staff;

*Resolved*, that the Graduate Student Association asks the UB administration to take the following steps to protect non-US citizen members of the UB community:

- Continue public support of the DACA program;
- Encourage UB to make available access to counseling services that are sensitive to concerns and needs of all international students, faculty, and staff;
- Attempt to procure pro bono legal counsel for indigent students, faculty, and staff who are subject to federal immigration enforcement action;
- Continue to provide housing without discrimination against immigration status;
- Provide financial support and training to administrators and staff to support the creation of safe spaces for non-US citizen UB community members;
- Continue to support the ability of students who are undocumented to enroll and sustain their attendance (as per the terms of the 2002 NYS DREAM Act), including by doing everything within the university's power to use institutional funds and scholarships to fill any gap created by discriminatory laws that exclude the undocumented from paying the in-state rate (if New York residents) or accessing ordinary financial aid and scholarships on equal footing with other students;
- Affirm its continuing commitment to cooperate with federal immigration enforcement authorities, including Customs and Border Patrol and Immigration and Customs Enforcement, only to the extent required by law, judicial warrant, or court order, or by consent of the person(s) affected;
- Affirm its continuing commitment to permit federal immigration enforcement officials access to university property only to the extent required by law, judicial warrant, or court order;
- Affirm its continuing commitment to share information regarding the immigration status of faculty, staff, or students with federal immigration authorities only to the extent required by law, judicial warrant, or court order, or by consent of the

person(s) affected;

- Affirm its continuing commitment to collect information regarding the immigration status of faculty, staff, or students only to the extent required by law or by consent of the person(s) affected;
- Respect the right of campus religious organizations and student groups to provide shelter for non-US citizen UB community members.

*Resolved*, that the Graduate Student Association urges the UB Police Department, as per President Tripathi's letter of January 30th, 2017, to affirm its continuing commitment to cooperate with federal immigration enforcement authorities only to the extent required by law, judicial warrant, court order, or in the event of clear exigent circumstances (such as an imminent risk to the safety of others).

*Resolved*, that the Graduate Student Association urges the UB Police Department, as per President Tripathi's letter of January 30th, to not check or otherwise inquire into the immigration status of persons with whom they come into contact, including cases in which an arrest has been made.

*Resolved*, that the Graduate Student Association shall urge NYS and the Governor, the SUNY Board of Trustees, the Chancellor and all SUNY Campuses, the City of Buffalo and other localities in Erie County, and other local 2-year, 4-year, and professional schools to adopt policies similar to those stated above regarding cooperation with federal immigration enforcement authorities.