

September 1, 2017

Dear faculty and staff colleagues,

I wanted to make you aware of a pending decision by the Trump Administration that may have a significant effect on more than 50 of our current students.

These students are enrolled at the University as part of the **Deferred Action for Childhood Arrivals (DACA)** program, which may be repealed or altered in some fashion in the coming days. A letter was sent to students today that emphasizes our commitment to their success and answers some of the recurring questions we have been receiving on the issue.

As part of our learning culture, it is important that you, our faculty and staff, are aware of this situation so that you also may provide support and guidance to these students, who bring such unique experiences and perspectives to our campus community and embody our commitments to diversity and access.

This letter also serves as a reminder of our FERPA responsibilities as it relates to the confidentiality of student records. Student educational records are protected and are not to be disclosed to anyone without the proper authorization or consent. Students may choose to have their directory information remain confidential as well. For more information on FERPA, see the following page on the Registrar's Office web site: www.csupueblo.edu/registrar/ferpa.html. As always, if a person requests any information about a student, please refer them to the Registrar's Office or the Office of the General Counsel.

I encourage each of you to reach out to any students you know who are feeling anxiety about their future as CSU-Pueblo students, welcome their questions, and encourage them to seek resources such as counseling that will help them feel safe, comforted, and supported. Thank you for your efforts to further the personal and professional success of our student population.



Dr. Timothy Mottet
President

Based on what we know today, we have provided answers to some questions on the issue.

1. What is DACA?

Deferred Action for Childhood Arrivals (DACA) was established by an executive order in 2012. It provides administrative relief from deportation to qualified individuals. The purpose of DACA is to protect eligible immigrant youth who came to the United States when they were children from deportation. DACA gives young undocumented immigrants: 1) protection from deportation, and 2) a work permit. The program expires after two years, subject to renewal.

2. What Are The Eligibility Criteria For DACA?

- You were under 31 years old as of June 15, 2012;
- You first came to the United States before your 16th birthday;
- You have lived continuously in the United States from June 15, 2007 until the present;
- You were physically present in the United States on June 15, 2012 and at the time you apply;
- You came to the United States without documents before June 15, 2012, or your lawful status expired as of June 15, 2012;
- You are currently studying, or you graduated from high school or earned a certificate of completion of high school or GED, or have been honorably discharged from the Coast Guard or military (technical and trade school completion also qualifies); and
- You have NOT been convicted of a felony, certain significant misdemeanors (including a single DUI), or three or more misdemeanors of any kind.

3. What is ASSET?

In April 2013, the Colorado General Assembly enacted Senate Bill 13-033, often referred to as the Colorado Advancing Students for a Stronger Economy Tomorrow (ASSET) legislation. This legislation modified several procedures concerning the classification of students for tuition purposes. The Colorado ASSET law allows eligible undocumented students to pay in-state tuition and receive the College Opportunity Fund stipend at Colorado public colleges.

4. What is CSU-Pueblo's plan regarding student information if U.S. Immigration and Customs Enforcement (ICE) comes to campus? Will we turn over class schedules? What is the role of FERPA?

CSU-Pueblo will not act as agents of ICE or work on the organization's behalf, and we will not automatically provide student information in response to a request. The Pueblo County Sheriff's Office, which provides law enforcement at CSU-Pueblo, does not act as an agent of ICE and will comply with all FERPA regulations as well. The university would be required to respond to a judicial orders and lawfully issued subpoenas for student records. FERPA protects the confidentiality of student records, but there is an exception for subpoenas and other judicial orders. The Office of the General Counsel will review any judicial order or

subpoena and determine how the University will proceed upon presentation of such documents. It is important to note that CSU-Pueblo does not track whether students have DACA. Students control what information is published about themselves in public University directories. To manage directory information, students may visit https://www.csupueblo.edu/registrar/_doc/forms/request-to-withhold-release-directory-information.pdf.

5. If students lose their SSNs as a result of the Trump Administration's decision, what can CSU-Pueblo do for them in terms of financial aid?

DACA students are only eligible for institutional (CSU-Pueblo) aid, so the amount of financial aid available for DACA students will not be affected by a repeal. The larger challenge of repeal for DACA students is a loss of work authorization that typically comes with "Dreamer" status. We currently have more than 50 students who may potentially be affected by a repeal. Most of these students work in the community to pay for school and life – many full time to cover their expenses. If DACA is repealed and the work authorization also goes away, the inability to legally work will make paying for school and life expenses more difficult (or impossible) for many students. We will certainly look at available aid resources to support our impacted students to the extent we can and continue to communicate with you.

6. If students are deported, will we help them complete their degrees either online or in some other format?

Yes. We have already developed plans to make this possible if it becomes necessary, and we have options to provide to our students should this become the case. We strongly hope it does not, but we are prepared if so.

7. How are we engaging our Congressional representatives in support of DACA?

Through the Colorado State University System, we are in touch with Colorado Senators Michael Bennet and Cory Gardner and Representative Jared Polis, who are working on behalf of our DACA students. We also work on a national level through higher education coordinating bodies to express the higher education community's strong support of our Dreamers and their access to education.

8. What is the timing...how swiftly will we see an impact if the White House takes action?

We do not have answer since we do not know what, if any, action will be taken. We know that 10 state attorneys general (Colorado is not included in this) have said they will file suit if the DACA program is not ended by September 5. We also have heard that proposed options being considered might focus on *future* applicants, not those with DACA status at present. We honestly do not know the answer to this.