Welcome!

CARE Community Briefing:

Guidance and Model Policies to Assist California's Colleges and Universities

Tuesday, November 17 | 10:00am - 11:00am

The presentation will begin shortly. No audio is currently being played.

CARE
Community Awareness, Response, and Engagement

OFFICE OF THE ATTORNEY GENERAL
liberty and justice under law
CALIFORNIA DEPARTMENT OF JUSTICE

ACCESSIBILITY

- **Find the menu bar at the bottom of your zoom window**
  - **For presentation resources, please find the “Resources” tab.**
    - You may see different sections such as “Links” and “Documents”.
    - More resources will be added during the presentation.
    - They may also be found at: oag.ca.gov/care/community-briefings.
  - **For closed captioning, select “captions” and turn them on. Translated captions in multiple languages are available.**
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AGENDA

I. **Welcome-** *Cat Nou, Office of CARE, Director*

II. **Introductory Remarks-** *Attorney General Rob Bonta*

III. **Presentation: Guidance and Model Policies to Assist Colleges and Universities**

- *Brandy Doyle, Deputy Attorney General, Civil Rights Enforcement Section*

IV. **Questions and Answers**

V. **Thank You**

Background

- **Background for 2018 Guide:** Senate Bill 54 and Assembly Bill 21
- **Changes for 2026 Guide:**
  - Increased immigration enforcement
  - New state laws related to immigration enforcement
    - **Senate Bill 98** (effective September 20, 2025): Notification of immigration enforcement on campus
    - **Senate Bill 81** (effective September 20, 2025): Privacy of medical information
    - **Senate Bill 307** (effective January 1, 2026): Support for noncitizen students subject to immigration enforcement action
    - **Senate Bill 580** (effective Jan 1, 2027): Model policies on databases and audit criteria

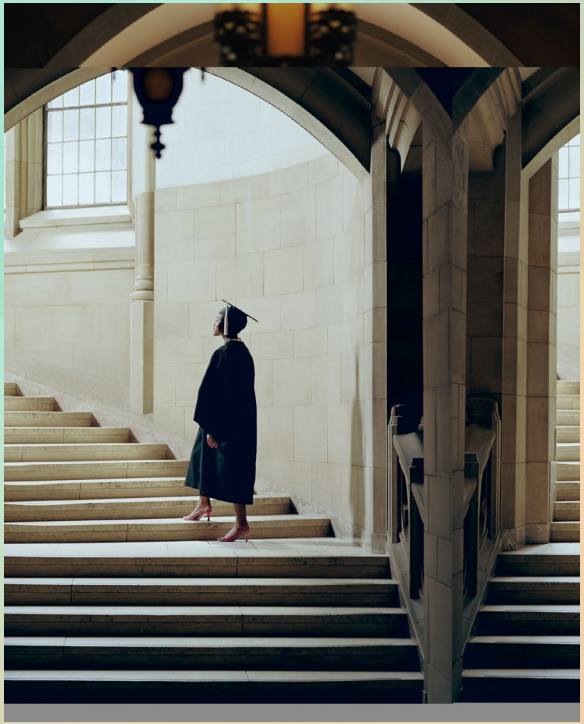
Overview of Senate Bill 580 (2025)

SB 580 (codified at Cal. Gov. Code, § 12532.5) requires that:

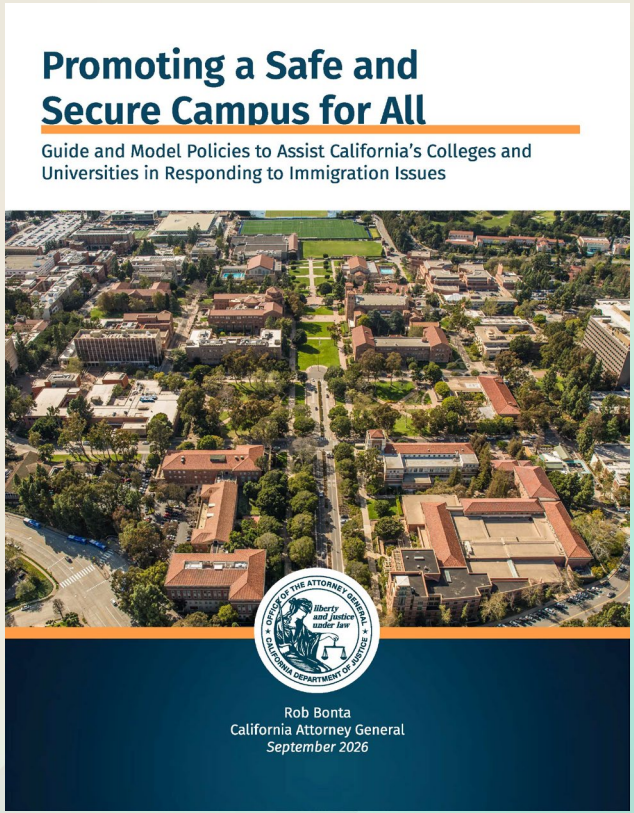
- By July 1, 2026, the CA Attorney General “shall publish model policies for state and local agencies relating to interaction with immigration authorities consistent with federal and state law.”
- Also, by July 1, 2026, the Attorney General "shall publish guidance, audit criteria, and training recommendations for databases operated by a state or local agency...”
- By **January 1, 2027**, state and local agencies "shall implement" those model policies or equivalent policies.

Implementation of Senate Bill 580

- **Where can the general SB 580 guide and model policies be found?**
  - Under the heading of "Immigration Guides" on the "Publications" page of the Office of the Attorney General's website – https://oag.ca.gov/publications.
- The more specific guidance presented today implements SB 580 for public colleges and universities.
- Public colleges and universities that do not already have equivalent policies in place must implement the model policies or equivalent policies by January 1, 2027.



Guide and Model Policies:
Promoting a Safe and Secure Campus for All



Available at:
https://oag.ca.gov/system/files/media/higher-education-guidance.pdf

Find this and related guides:
https://oag.ca.gov/immigrant



The Higher Ed Guide: A Roadmap

- **What is the organization of the Guide?**
  - **Section 1:** Gathering and Handling Student and Family Information and Data
  - **Section 2:** Responding to Campus and Residential Unit Access Requests for Immigration Enforcement Purposes
  - **Section 3:** Responding to Law Enforcement Requests to Access Student Records and Other Data for Immigration Enforcement Purposes, Including Guidance Regarding Databases
  - **Section 4:** Responding to Immigration Actions Against Students or Family Members
  - **Section 5**: Model Policies
  - **Appendices**

- **What is contained within each section?**
  - Purpose
  - Governing law
  - Recommendations

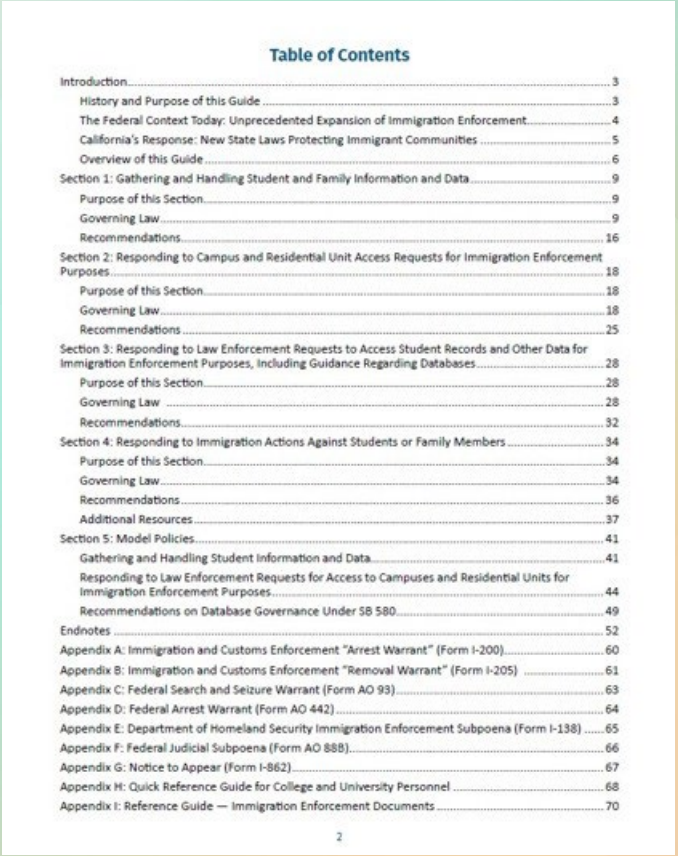


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2

Legal Framework

Federal Responsibility for Immigration Law

- The federal government is responsible for the formulation, administration, and enforcement of immigration law, primarily through ICE, CBP, and USCIS (components of DHS)

No Federal Law Requires Colleges and Universities to Participate in Enforcement

- No federal law requires colleges and universities to participate in or facilitate immigration enforcement.
- 8 U.S.C. § 1373 (and similar statute, 8 U.S.C. § 1644), bars public entities from prohibiting or restricting the sharing of citizenship or immigration status information, **BUT**
    - (1) does not reach other information (addresses, location, photographs, release dates), and
    - (2) does not require public agencies to respond to federal requests.

Tenth Amendment

- The federal government cannot compel states to enact or administer a federal regulatory program.
- California is constitutionally permitted to limit the use of state and local resources for immigration enforcement.
    - **SB 54 - California Values Act (2018)**

Section 1: Gathering and Handling Student and Family Information and Data

01 Gathering and Handling Student and Family Information and Data

Purpose of this Section

Provide college and university administrators with policies for collecting and retaining information and data to prevent unnecessary collection of information and data on the immigration status of students and their families.

Section 1: Gathering and Handling Student and Family Data

Governing Law

- **Immigration Status Information:** Federal law does not impose an affirmative duty on state or local government entities, or other colleges and universities, to collect, hold, or process information or data establishing a student's citizenship or immigration status.
- **Admissions Information**
- **Financial Aid**
- **Campus Housing**
- **Campus Police**
- **Campus Healthcare Facilities**



This content is found on pp. 9-16.

Section 1: Gathering and Handling Student and Family Data

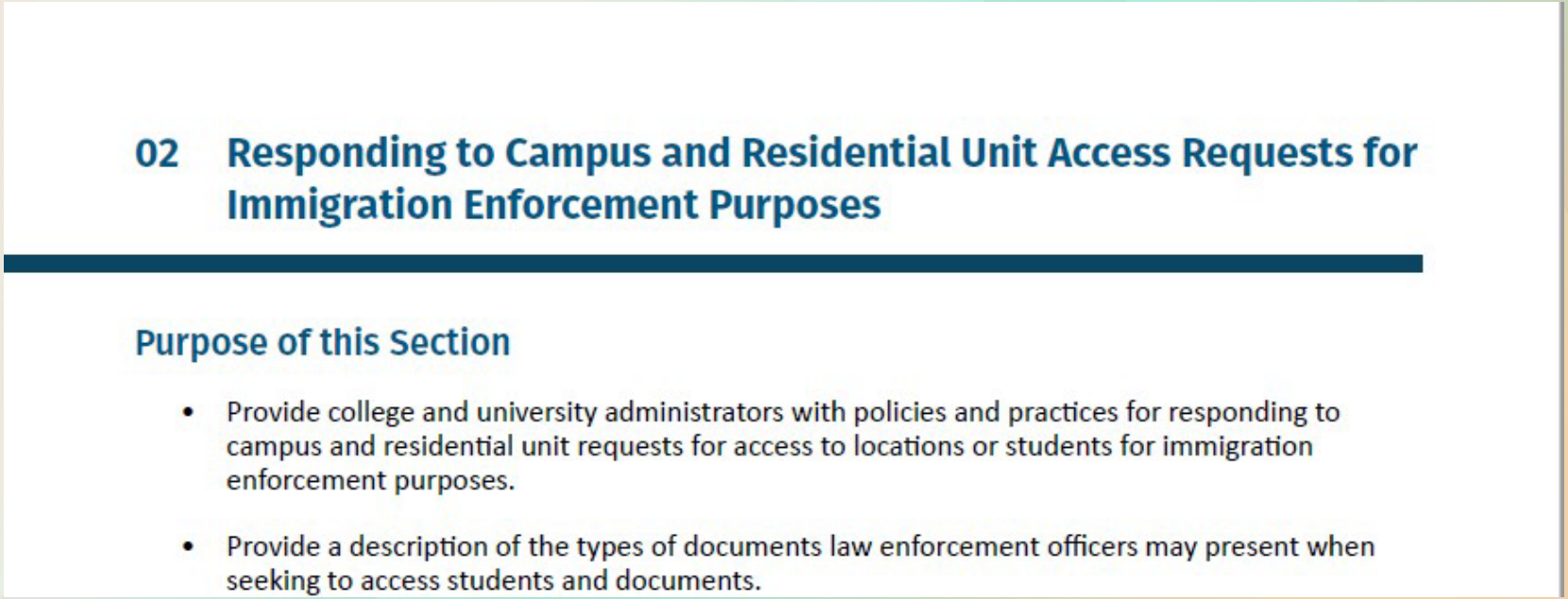
Recommendations

- Limit collection of sensitive information.
- Note required retention periods for sensitive information.
- Create and disseminate written policies on gathering and handling data.



Section 1 Recommendations are found in the Guide on pp. 16-17.

Section 2: Responding to Campus and Residential Unit Access Requests for Immigration Enforcement Purposes



02 Responding to Campus and Residential Unit Access Requests for Immigration Enforcement Purposes

Purpose of this Section

- Provide college and university administrators with policies and practices for responding to campus and residential unit requests for access to locations or students for immigration enforcement purposes.
- Provide a description of the types of documents law enforcement officers may present when seeking to access students and documents.

This content can be found in the Guide on p. 18.

Section 2: Responding to Campus and Residential Unit Access Requests for Immigration Enforcement Purposes

Governing Law



- **New in 2026 Guide**
  - Rescission of DHS Protected Areas Policy
  - Required Notifications re: Immigration Enforcement
- **Access to Areas of Campus**
- **Warrants, Subpoenas and Court Orders**

This content is found in the Guide on pp. 18-25.

Section 2: Responding to Campus and Residential Unit Access Requests for Immigration Enforcement Purposes

Recommendations

- **Designate restricted areas**
- **Create and share immigration enforcement notification policy**
  - Reporting and verifying reports
  - Tools and timeframes for notification
  - Communicating your policy
  - Support for students



This content is found in the Guide on pp. 25-27

Section 3: Responding to Law Enforcement Requests to Access Student Records and Other Data for Immigration Enforcement Purposes, Including Guidance Regarding Databases

03 Responding to Law Enforcement Requests to Access Student Records and Other Data for Immigration Enforcement Purposes, Including Guidance Regarding Databases

Purpose of this Section

Provide college and university administrators with policies and practices for responding to requests for student records and other data for immigration enforcement purposes.

Section 3: Responding to Law Enforcement Requests to Access Student Records and Other Data for Immigration Enforcement Purposes

Governing Law

- FERPA: Restrictions on release of educational records and exceptions that permit or require disclosure
- Other confidentiality protections for medical information and health care data
- State law restrictions on release of students' personal information
- State law restrictions on release of personal information obtained by campus police



This content is found in the Guide on pp. 28-32.

Section 3: Responding to Law Enforcement Requests to Access Student Records and Other Data for Immigration Enforcement Purposes

Recommendations

- Limit access to educational records and other student data
- Note contracts with vendors and federal funding

This content is found in the Guide on pp. 32-33.

Section 4: Responding to Immigration Actions Against Students or Family Members

04 Responding to Immigration Actions Against Students or Family Members

Purpose of this Section

Provide college and university administrators with resources for responding to immigration enforcement actions against a student or a student's family member.

Section 4: Responding to Immigration Actions Against Students or Family Members

Governing Law

- **Support for students, faculty, and staff affected by immigration enforcement**
  - Staff point of contact
  - Notifications to emergency contacts and campus community
  - List of legal service providers
  - Assistance for undocumented students subject to an immigration order

- **New rules for supporting undocumented students** (SB 307)
  - Maintaining exemption from paying nonresident (out of state) tuition under AB 54
  - Access to financial aid and academic resources
  - Systemwide policy addressing course grades, administrative withdrawal, and reenrollment

This content is found in the Guide on pp. 34-35.

Section 4: Responding to Immigration Actions Against Students or Family Members

Recommendations

1. Work closely with Dream Resource Centers
2. Ensure access to educational and campus resources
3. Ensure access to financial aid
4. Support students with different kinds of immigration or citizenship status
5. Communication and training for staff and students
6. Encourage emergency planning
7. Update emergency contact information

This content is found in the Guide on pp. 35-37

Additional resources for students and community members

- ICE Detainee Locator
- Rapid Response Networks
- Immigration Court Hotline: 1-800-898-7180 and EOIR case status website
- Consulate or Embassy
- Free Legal Assistance at Public Colleges and Universities
- Other Legal Assistance



This content is found in the Guide on pp. 37-40.

Section 5: Model Policies

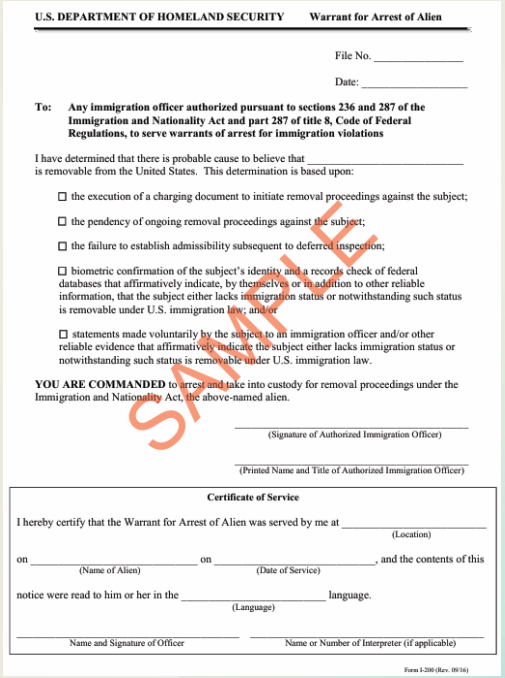
- **Model Policies Pursuant to SB 54**
  - pp. 41-49
  - Implementing Sections 1-4
- **Model Policies Pursuant to SB 580**
  - pp. 49-52
  - Audits, Criteria and Databases
  - Training Recommendations



This content is found in the Guide on pp. 41-52.

Types of Documents That May Be Presented

Appendices A - G



U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

Date: _____

To: Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

_____
(Signature of Authorized Immigration Officer)

_____
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

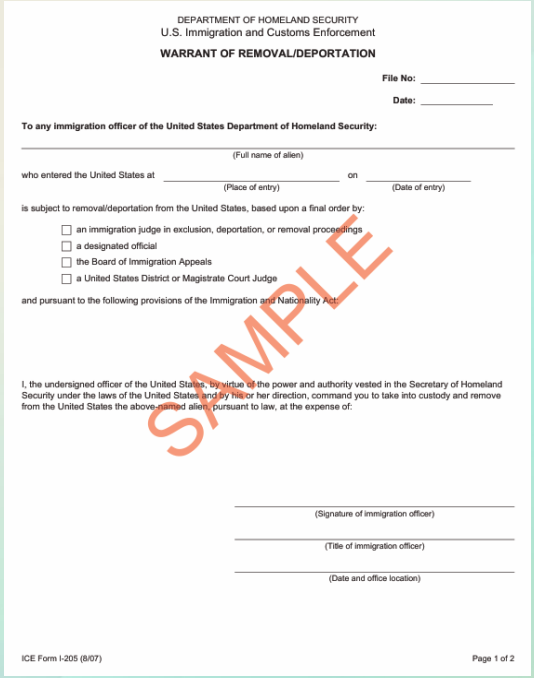
on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

_____ Name and Signature of Officer

_____ Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

SAMPLE



DEPARTMENT OF HOMELAND SECURITY
U.S. Immigration and Customs Enforcement

WARRANT OF REMOVAL/DEPORTATION

File No: _____

Date: _____

To any immigration officer of the United States Department of Homeland Security:

_____
(Full name of alien)

who entered the United States at _____ (Place of entry) on _____ (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

☐ an immigration judge in exclusion, deportation, or removal proceedings
☐ a designated official
☐ the Board of Immigration Appeals
☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

_____
(Signature of immigration officer)

_____
(Title of immigration officer)

_____
(Date and office location)

ICE Form I-205 (8/07) Page 1 of 2

SAMPLE

- Immigration and Customs Enforcement "Arrest Warrant" (Form I-200)
- Immigration and Customs Enforcement "Removal Warrant" (Form I-205)
- Federal Search and Seizure Warrant (Form AO 93)
- Federal Arrest Warrant (Form AO 442)
- Department of Homeland Security Immigration Enforcement Subpoena (Form I-138)
- Federal Judicial Subpoena (Form AO 88B)
- Notice to Appear (Form I-862)

This content is found in the Guide on pp. 61-68.

Quick Reference Guide for College and University Personnel

Appendix H

Quick Reference Guide for College or University Personnel

What Should You Do if an Immigration Enforcement Officer Comes to Your College or University?

1. As soon as possible, notify the designated college or university administrator (the person tasked with responding to immigration enforcement actions at the college or university) of any request (including subpoenas, petitions, complaints, warrants, or court orders) by an immigration enforcement officer to access a college or university or a student, or any request for the review of [college or university] documents.
2. Advise the officer that before proceeding with their request, you must first notify and receive direction from [designated college or university administrator].
3. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the telephone number of the officer's supervisor.
4. Ask the officer to explain the purpose of the officer's visit, and note the response.
5. Ask the officer to produce any documentation that authorizes college or university access.
6. Make copies of all documents provided by the officer.
7. Decline to answer questions posed by the officer and direct them to speak to [designated college or university administrator].
8. State that the college or university does not consent to entry of the healthcare facilities or portions thereof.
9. Without expressing consent, respond according to the requirements of the documentation. If the officer has:
   - ✓ An ICE administrative "warrant" (see samples in Appendix, items A & B): Immediate compliance is not required. Inform the officer that the college or university cannot respond to the warrant until after it has been reviewed by a designated administrator. Provide a copy of the warrant to the designated administrator as soon as possible.
   - ✓ A federal judicial warrant (either a search-and-seizure warrant or an arrest warrant; see samples in Appendix, items C & D): Prompt compliance usually is required, but where feasible, consult with legal counsel before responding.
   - ✓ A subpoena for the production of documents or other evidence (see samples in Appendix, items E & F): Immediate compliance is not required. Inform the officer that the college or university cannot respond to the subpoena until after it has been reviewed by a designated administrator. Give your copy of the subpoena to the designated administrator or legal counsel as soon as possible.
   - ✓ A notice to appear (see sample in Appendix, item G): This document is not directed at the college or university. There is no obligation to deliver this document or facilitate service to the person named in the document. If you get a copy of the document, give it to [designated college or university administrator] as soon as possible.
10. Document the officer's actions in as much detail as possible after they enter college or university premises, but without interfering with the officer's movements.

11. If the officer orders staff to provide immediate access to facilities, comply with the officer's order and also immediately contact a designated administrator. Do not attempt to physically interfere with the officer, even if the officer appears to be acting without consent or appears to be exceeding the purported authority given by a warrant or other document. If an officer enters the premises without authority, [college or university] personnel shall simply document the officer's actions while at the facility.
12. [College or university] staff should document the officer's actions while in [college or university] premises in as much detail as possible, but without interfering with the officer's movements.
13. [College or university] staff should complete an incident report that includes the information gathered as described above and the officer's statements and actions.

This content is found in the Guide on pp. 69-70.

Reference Guide – Immigration Enforcement Documents

Appendix I

Reference Guide — Immigration Enforcement Documents

Description of Legal Documents Presented by Immigration Enforcement

This document provides a brief overview of the types of documents that an immigration enforcement officer may present when seeking to enter a public facility, whether to conduct a search or an arrest or when requesting records. Not all documents authorize immigration enforcement to enter a facility or to obtain records. Samples of each document are found in the appendix to this guide.

When an immigration enforcement agent asks for permission to enter a nonpublic area of a state or local agency facility or for information about a state or local agency client, staff should first ask the immigration enforcement agent to present credentials. Staff should immediately notify designated personnel, a supervisor, or agency legal counsel of the request. Staff should also collect any documents presented by the immigration enforcement officer that purport to require compliance with the officer's request. Designated staff or legal counsel should review the sufficiency of any documents presented by the immigration enforcement officer before complying with a request.

Type of Legal Document	Issued By	Action(s) Required	Immediate Compliance Necessary?
ICE Administrative "Warrant"	Immigration enforcement officer (not always ICE).	No action required on the part of the state or local agency. The "warrant" only authorizes the officer to arrest an individual suspected of violating immigration laws.	No.
Notice to Appear (NTA)	Immigration enforcement agencies (usually ICE, CBP, or USCIS).	No action required on the part of the state or local agency. The NTA only notifies an individual that they are expected to appear before an immigration judge for a formal removal proceeding.	No.
Federal Court Arrest or Search Warrant	Federal judge (district court judge or magistrate judge).	A judicial search warrant authorizes a search of a specific location for evidence; a federal arrest warrant authorizes the arrest of a specific person.	Yes, but the scope of the warrant determines the extent of compliance.
Administrative Subpoena	Immigration enforcement officer.	No action required. Under California law, a notice to consumer may be required before any information or documents about the consumer are produced.	No.
Federal Judicial Subpoena	Federal judge or magistrate.	If valid, the production of records but immediately compliance is not required. Agency served with a subpoena may petition a court to squash or limit the scope of the subpoena.	No.
Court Order	Judge or magistrate.	A designated administrator or legal counsel should review the order and respond accordingly.	Yes.
Public Records Act Request	Requestor.	Before complying with the request, determine if it is in the public interest to withhold the information or if exemptions or privileges apply. If agency decides to produce a record, agency should first determine if redaction of non-disclosable information under state law or agency policy is required. Under California, a notice to consumer may be required before any information or documents about the consumer are produced.	No.

ICE Administrative "Warrant"

An ICE administrative "warrant" is issued by certain immigration enforcement officers at ICE or other agencies within DHS (see Appendices A and B). The "warrant" authorizes the officer to arrest a person suspected of violating immigration laws, but it is not a warrant within the meaning of the Fourth Amendment to the U.S. Constitution.

When presented with an ICE administrative "warrant," personnel are not required to cooperate with the officer's request(s), including helping apprehend the person named in the "warrant" or consenting to an officer's search. Subject to a few exceptions, an agency cannot voluntarily consent to an officer seeking access to a nonpublic area. However, staff should not physically interfere with an officer in the performance of their duties.

Notice to Appear

A notice to appear (NTA) is issued by ICE, CBP, or the USCIS to commence formal removal proceedings against an individual before an immigration court (see Appendix G). An NTA notifies an individual that they are expected to appear before an immigration judge on a certain date, but it does not authorize authorities to arrest the individual.

When presented with an NTA, staff are not required to take any action or cooperate with requests from authorities, including authorizing access to nonpublic areas of an agency or allowing authorities to search agency records.

Federal Search or Arrest Warrant

A federal court warrant is issued by a district judge or a magistrate of a U.S. District Court based on a finding of probable cause. A search warrant authorizes the search or seizure of property, entry into a nonpublic area to arrest a named person while an arrest warrant authorizes the arrest of a named person.

Staff should carefully review the federal court warrants, which come in two types: (1) a federal search-and-seizure warrant allows an officer to conduct a search authorized by the warrant (see Appendix C), and (2) a federal arrest warrant allows an officer to arrest the individual named in the warrant (see Appendix D).

The warrant should include a judge's signature and identifying details about the place to be searched (e.g., address). While it typically specifies the exact area an officer is authorized to search, the warrant may not grant permission to search the entire shelter. When presented with a valid federal court warrant, prompt compliance is typically required. Where feasible, designated staff or legal counsel should review before an agency responds.

Administrative Subpoena

An administrative subpoena is issued by an immigration enforcement officer to request the production of records (see Appendix E). The subpoena will contain the file number, subpoena number, mailing address, list of applicable regulations, request for information, and signature(s) of the officer(s).

When presented with an administrative subpoena, staff generally need not comply immediately. If the officer arrives with a pre-designated subpoena, agency staff may decline to produce records and challenge the subpoena before a federal judge in a U.S. District Court. Therefore, agency staff should immediately contact designated staff, a supervisor, or legal counsel upon receipt of the subpoena.

Federal Judicial Subpoena

A federal judicial subpoena requests the production of records. It does not require staff to grant access to a particular place or person. The subpoena will identify a federal court and the name of the issuing judge or magistrate (see Appendix F).

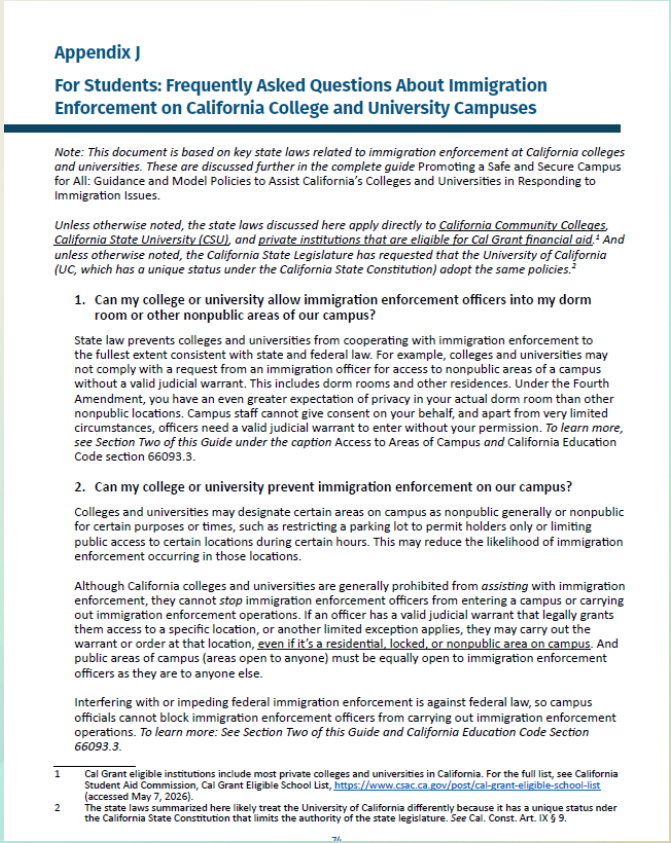
When presented with a federal judicial subpoena, staff generally are not required to comply immediately. A subpoenaed agency may challenge the subpoena before the issuing court. Therefore, agency staff should immediately contact designated staff or legal counsel upon receipt of the subpoena.

Court Order

A court order is a directive signed by a judge that requires a person or organization to do something or stop doing something. Whoever it is directed at must comply. If an immigration enforcement officer arrives with a court order, a designated staff or legal counsel should review the order and respond consistent with the scope of the ordern.

This content is found in the Guide on pp. 71-73.

FAQ for Students about Immigration Enforcement on Campus



Appendix J

For Students: Frequently Asked Questions About Immigration Enforcement on California College and University Campuses

Note: This document is based on key state laws related to immigration enforcement at California colleges and universities. These are discussed further in the complete guide Promoting a Safe and Secure Campus for All: Guidance and Model Policies to Assist California's Colleges and Universities in Responding to Immigration Issues.

Unless otherwise noted, the state laws discussed here apply directly to California Community Colleges, California State University (CSU), and private institutions that are eligible for Cal Grant financial aid.[1] *And unless otherwise noted, the California State Legislature has requested that the University of California (UC, which has a unique status under the California State Constitution) adopt the same policies.*[2]

1. **Can my college or university allow immigration enforcement officers into my dorm room or other nonpublic areas of our campus?**

State law prevents colleges and universities from cooperating with immigration enforcement to the fullest extent consistent with state and federal law. For example, colleges and universities may not comply with a request from an immigration officer for access to nonpublic areas of a campus without a valid judicial warrant. This includes dorm rooms and other residences. Under the Fourth Amendment, you have an even greater expectation of privacy in your actual dorm room than other nonpublic locations. Campus staff cannot give consent on your behalf, and apart from very limited circumstances, officers need a valid judicial warrant to enter without your permission. *To learn more, see Section Two of this Guide under the caption* Access to Areas of Campus *and* California Education Code section 66093.3.

2. **Can my college or university prevent immigration enforcement on our campus?**

Colleges and universities may designate certain areas on campus as nonpublic generally or nonpublic for certain purposes or times, such as restricting a parking lot to permit holders only or limiting public access to certain locations during certain hours. This may reduce the likelihood of immigration enforcement occurring in those locations.

Although California colleges and universities are generally prohibited from *assisting* with immigration enforcement, they cannot *stop* immigration enforcement officers from entering a campus or carrying out immigration enforcement operations. If an officer has a valid judicial warrant that legally grants them access to a specific location, or another limited exception applies, they may carry out the warrant or order at that location, even if it's a residential, locked, or nonpublic area on campus. And public areas of campus (areas open to anyone) must be equally open to immigration enforcement officers as they are to anyone else.

Interfering with or impeding federal immigration enforcement is against federal law, so campus officials cannot block immigration enforcement officers from carrying out immigration enforcement operations. *To learn more: See Section Two of this Guide and California Education Code Section 66093.3.*

1 Cal Grant eligible institutions include most private colleges and universities in California. For the full list, see California Student Aid Commission, Cal Grant Eligible School List, https://www.csac.ca.gov/post/cal-grant-eligible-school-list (accessed May 7, 2026).

2 The state laws summarized here likely treat the University of California differently because it has a unique status nder the California State Constitution that limits the authority of the state legislature. *See* Cal. Const. Art. IX § 9.

This content is found in the Guide on pp. 74-77.

Resources

- For the full updated guidance please visit:
  - https://oag.ca.gov/immigrant
- To access CA DOJ immigration resources please visit:
  - https://oag.ca.gov/immigrant/resources
- To report misconduct please visit:
  - https://oag.ca.gov/reportmisconduct

Questions



THANK YOU!

Other events in the series: https://oag.ca.gov/care/community-briefings

- View recordings and download materials for similar presentations aimed at labor agencies, public libraries, shelters, healthcare facilities

Subscribe to receive notices on SB 54 Guidance and Model Policies: oag.ca.gov/subscribe

Upcoming Event:

Demystifying the DOJ: Office of Native American Affairs and Native Americans and Tribal Affairs Section

Wednesday, December 9, 2026

10:30-11:30am

Register at: https://oag.ca.gov/care/demystifying-the-doj

Contact Us: care@doj.ca.gov