



October 18, 2017

Dear President/Dean/Chancellor,

President Trump's order terminating the successful DACA program, which protects immigrant children from deportation, creates a lot of fear and uncertainty in our communities and our state. In this letter, we offer suggestions to help you help your students in this difficult time, and to remain law-abiding in your policies and practices.

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The American Civil Liberties Union of Minnesota is dedicated to protecting the rights that the Constitution guarantees to everyone. This includes noncitizens who may be attending your schools or trying to do so. The Deferred Action for Childhood Arrivals (DACA) program initiated by President Obama in 2012 was a program that deferred removal for nearly one million noncitizens who had arrived in the U.S. as children. This program removed much of the fear and stress that young children faced as they were growing up in Minnesota. But, as you know, President Trump recently ordered an end to DACA. Because of the incendiary language used by political leaders and others attacking noncitizens in the U.S., the ACLU of Minnesota is monitoring closely how government entities, including schools, are treating noncitizens, and is advocating zealously on their behalf.

The ending of a successful program like DACA has created a lot of questions for our communities and our state about what might happen next. We are writing this letter to suggest things you can do to help DACA students in your school. We recognize it is important for your schools to keep these students enrolled. Your school receives, besides tuition fees from these students, benefits from increased diversity on your campus, more involved student groups and a better relationship with minority communities in your community.

Apparently the President plans to let DACA simply expire, meaning that no individual now protected by DACA will be subject to removal until March 2018. DACA will continue to protect them until their period of protection – usually two years – expires. But they will not be permitted to renew their DACA applications after March 5, 2018, and will lose their protected status.

But don't be misled: There are no laws that prohibit undocumented students from attending college. And schools should not limit the access to college based on immigration status.



Outrage at the loss of DACA has led many schools to protest and try to protect their DACA students. Minnesota has joined other states in suing the federal government to keep DACA protections for their students. It is important for schools to do their best to protect their students from the forces of xenophobia and anti-immigrant thinking. Here are some ways for your school to pursue those goals:

Recommendations

- Urge Congress to pass legislation to protect Dreamers.
- Provide free legal assistance to Dreamers at your school.
- Offer mental health screenings to students affected by the termination of DACA.
- Share immigration status information only as required by 8 C.F.R. Part 214 or by a judicially signed warrant.
- Create a school-wide plan to deal with immigration agents entering your campus. For example, immigration agents, unless they have judicially signed warrants, should not be able to enter any area, such as a classroom, where there is a reasonable expectation of privacy.
- Advocate for your students. For example, collect your Dreamers' stories and share them with your larger communities.
- Speak out against politicians—like Attorney General Jeff Sessions—who use derogatory terms like “illegal aliens” to describe your Dreamers.
- Invite us or other advocates to offer presentations about why Dreamers deserve protection or to speak about their rights.
- We believe that colleges should always remain a safe place for young minds to grow, both academically and socially. By remaining dedicated to a diverse campus and supporting Dreamers in a harsh political climate, your school is doing the right thing for your student body.

Very truly yours,

John B. Gordon
Executive Director

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