



**SR 2020-2021:01**

**Resolution in Opposition to ICE Guidelines on International Students and Online Classes**

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**WHEREAS**, Cal Poly Pomona is a part of the California State University (CSU) system with over 481,929 students in the CSU, including the 16,222 international students within the CSU<sup>1</sup>; and

**WHEREAS**, the mission of Cal Poly Pomona is to, “cultivate success through a diverse culture of experiential learning, discovery, and innovation.”<sup>2</sup>; and

**WHEREAS**, International Students and their right to an equitable education through California State University is just as important as any and all other CSU students; and

**WHEREAS**, CSU Chancellor Timothy P. White announced that all 23 CSU campuses will be offering courses in the Fall 2020 semester primarily in a virtual instructional format <sup>3</sup>; and

**WHEREAS**, the US Department of Homeland Security (DHS) and the Immigration and Customs Enforcement (ICE) agency released modifications on July 6, 2020, regarding the Student and Exchange Visitor Program (SEVP) exemptions for nonimmigrant students taking online classes for the Fall 2020 semester, and plans to publish the procedures and responsibilities in the Federal Register as a Temporary Final Rule <sup>4</sup>; and

**WHEREAS**, these modifications state that nonimmigrant F-1 and M-1 students attending schools operating entirely online, will not be allowed to take a fully online course load and remain living in the United States, as the US Department of State will refuse to issue visas to students enrolled in these fully online schools <sup>4</sup>; and

<sup>1</sup> [Fall 2019 CSU Enrollment Data](#)

<sup>2</sup> [CPP Mission](#)

<sup>3</sup> [CSU Announcement on Virtual Fall 2020](#)

<sup>4</sup> [DHS / ICE SEVP Policy Modification](#)

**WHEREAS**, the admission application deadline for other universities has passed and CSU students would not have an opportunity to transfer to other universities in compliance with ICE directives; and

**WHEREAS**, forcing students to travel back home is also forcing International students to put their health at risk since traveling is exposing them to COVID-19 and according to the Center for Disease Control and Prevention (CDC), “Some healthcare systems are overwhelmed and there may be limited access to adequate medical care in affected areas... If you choose to travel internationally, your travel plans may be disrupted, and you may have to remain outside the United States for an indefinite length of times<sup>5</sup>”; and

**WHEREAS**, according to the Pew Research Center, “Most countries in the world have imposed partial or complete border closures to foreign nationals due to Coronavirus outbreak”<sup>6</sup> meaning current traveling restrictions would cause undue harm and difficulty to students due to travel bans; and

**WHEREAS**, the stress of the journey during this current pandemic would cause undue stress and damage to students’ mental and physical health as well as conflict financial burdens; and

**WHEREAS**, if students are forced to go back to their country, many of those students will not have access to resources like the internet, time zone differences, or specific resources needed for online courses, When students do not have access to these basic needs it can have a grave impact on their academic progress; and

**WHEREAS**, the Graduation Initiative 2025 aims to graduate as many CSU students as possible, following this ruling would greatly detract from these efforts due to the disconnect from on-campus resources; and

**WHEREAS**, international students pay fees for on campus services such as; Materials, Services and Facilities Fee, Health Services Fee & Health Facilities Fee, Instructionally Related Activities Fee, and under the directives released by the Department of Homeland Security, access to such resources will be hindered and inaccessible; and

**WHEREAS**, new Title IX regulations would leave international students unable to report sexual harassment, assault, stalking, and other forms of abuse or make it harder for students to further pursue current investigations<sup>7</sup>; therefore, be it

<sup>5</sup> [CDC COVID-19 Travel: Frequently Asked Questions and Answers](#)

<sup>6</sup> [Pew Research Center: COVID-19 Closures](#)

<sup>7</sup> [Department of Education Amended Title IX Regulations](#)

**RESOLVED**, The Associated Students, Incorporated calls upon the Chancellor's Office to use the CSU's legal resources to assess what legal flexibility we have in supporting our students by preventing any deportations of international CSU students; and be it further

**RESOLVED**, The Associated Students, Incorporated calls upon the Chancellor's Office to use the CSU's legal resources to look for legal precedence to challenge ICE's orders in District Courts; and be it further

**RESOLVED**, The Associated Students, Incorporated calls for the creation of a CSU system-wide policy for fulfilling the F-1 visa requirements so international students to stay in the country; and be it further

**RESOLVED**, The Associated Students, Incorporated calls for the implementation of stringent social distancing measures for students, staff, and faculty if in-person classes are added; and be it further

**RESOLVED**, The Associated Students, Incorporated calls for the streamlining of counseling services specific for international students during this crisis; and be it further

**RESOLVED**, The Associated Students, Incorporated calls upon Cal Poly Pomona to extend the tuition payment deadline beyond July 23, 2020 to allow international students to make financial accommodations due to the additional stress caused by this decision; and be it further

**RESOLVED**, The Associated Students, Incorporated calls upon Chancellor Timothy White to mandate all 23 CSU campuses to submit academic plans that fulfill said F-1 visa requirements with the utmost urgency in order to ensure the safety of international students for Fall 2020; and be it further

**RESOLVED**, that this resolution shall be widely distributed, including, but not limited to: Donald Trump; Matthew T. Albence; Vice Chancellor Leo Van Cleve; U.S. House Judiciary Committee; U.S. Senate Judiciary Committee; U.S. House Immigration and Border Security Subcommittee; U.S. Senate Border Security and Immigration Subcommittee; Senator Kamala Harris; Senator Diane Feinstein, Speaker of the House Nancy Pelosi Governor Gavin Newsom,; U.S. Immigration and Customs Enforcement; Chancellor Timothy P. White; each of the 23 CSU Presidents; CSU Academic Senate Chair Robert Collins; the California State University Board of Trustees; University President, Dr. Soraya M. Coley and her cabinet; the University Academic Senate; the University Staff Council; the University Human Resources; the California State Student Association, the ASI Student Government; the ASI staff; the Cultural Centers; the Poly Post; and the students of Cal Poly Pomona.

ASI Board of Directors Approval Date: Thursday, July 9, 2020

Matthew Jacobson

Matthew Jacobson, ASI Attorney General

07/09/2020

Date

Lucille Yu

Lucy Yu, ASI President

07/09/2020

Date