

Examining the Sanctuary Campus Designation: Supporting Undocumented Students Safety & Wellbeing

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Abstract

In an increasingly polarized political sphere, higher education institutions are navigating how to best protect and support undocumented students on campuses across the United States. This paper examines the sanctuary campus designation and its pros and cons as it relates to undocumented students' wellbeing and safety. This paper will briefly discuss the legal arguments as well as how to create an inclusive campus environment for undocumented students.

Keywords

Sanctuary campus, Undocumented students, DACA

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Adding to summer 2020's large-scale social unrest, political disagreements erupted over the legality of the Obama administration's 2012 establishment of the Deferred Action for Childhood Arrivals (DACA) program. DACA has protected over 740,000 immigrants, granting young people work authorization, temporary relief from deportation, and access to higher education (Kelderman, 2017). The Supreme Court's July 2020 decision ruled against the Trump Administration's efforts to dismantle the DACA program. As a result of these arguments over DACA's implementation, higher education institutions are facing the challenge of how to support undocumented students while complying with the federal government's mandates. Select campuses across the United States have labeled themselves "sanctuary campuses" to support undocumented students' safety. This designation means "limiting the university's voluntary assistance with immigration enforcement actions while leaving open the possibility that they could be legally compelled to cooperate" (Redden, 2016, para.7). Other institutions, on the other hand, have decided not to adopt this designation (Kelderman, 2017). Proponents argue that the label of "sanctuary campus" has legal standing to protect undocumented students, while opponents say the designation is merely political. This article will explore both sides of the sanctuary campus designation and propose a recommendation at the end.

Proponents of utilizing the designation "sanctuary campus" such as Reed College, Drake University, Wesleyan University, and Portland State University argue that claiming this title is not solely a political symbol of community support for undocumented students (Redden, 2016). Supporters also believe that the designation sends a message that institutions will not back down in the face of the any administration's unlawful attempts to deport students. Additionally, severing contracts and any business ties with Immigration and Customs Enforcement (ICE) is an important component of the "sanctuary campus" movement (McLean, 2019). There are strong constitutional policies such as the Fourth Amendment that would allow "sanctuary campuses" to prevail in legal terms as well (Safstrom, 2018, p.1557). "Sanctuary campuses" are a necessary humanitarian effort, especially as undocumented students have been reporting heightened anxiety, poor mental health and increased financial stress due to the global pandemic (Kelderman, 2017). Additionally, the designation highlights the importance of language, representation, and higher education administrators' leadership on this social justice issue (McLean, 2019).

Opponents of utilizing the designation "sanctuary campus" such as Princeton University President, Christopher L. Eisgruber, argue that the designation does not hold substantial legal viability and could do more harm than good for undocumented students (Redden, 2016). Institutions are fearful of losing critical federal and state funding for adopting this status (Newman, 2017). Many "avoid the term 'sanctuary' because it had been politicized by those who oppose the movement to protect undocumented immigrants" (Kelderman, 2017, para.7). These institutions have implemented unique strategies to support undocumented students in place of the designation. The National Immigration Law Center has recommended other avenues to support undocumented students by creating "safe zones" with policy recommendations including "offering free legal counseling, awarding emergency grants for immigration and legal fees, and treating undocumented students the same as others for the purposes of admissions and financial aid" (Kelderman, 2017, para.11). Training staff on how to respond to best protect students if ICE officials arrive on campus and partnering with the institution's law school for pro bono services to effectively equip Dreamers is essential. Making false promises and not being able to guarantee the protections of the Fourth Amendment are challenges institutions face in adopting the "sanctuary campus" designation (Newman, 2017).

Adopting the "sanctuary campus" designation is essential to provide substantial assistance to undocumented students who are part of college campus communities. Creating a culture of campus activism and unity around immigration reform is key in supporting undocumented students and their families. This justice-oriented, inclusive, advocacy-centered model showcases how, "a sanctuary campus is characterized by patience, sheltering a place for experimentation in the adoption of new and more purposefully humane solidarities, administrative styles, course designs, program structures, testing strategies, performance indicia, among many other things" (Clark, 2022, p.14). Ultimately, the

designation holds both substantial political and legal weight, demonstrating that the benefits outweigh the costs of adopting and publicizing the “sanctuary campus” status.

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