To: UVM Community

From: Tom Sullivan

RE: Deferred Action for Childhood Arrivals (DACA)

Questions have come to my attention regarding the immigration status of students who do not hold U.S. citizenship, in particular, questions about the continued status of students who currently come within a program initiated by President Obama known as Deferred Action for Childhood Arrivals, or DACA. These questions raise complex issues regarding federal immigration law and policy. They also implicate complex constitutional and statutory rights regarding legal process and the privacy of student records.

At the University of Vermont, we take our students’ rights very seriously. We will support our students who fall within the protection set forth under DACA. The University will continue to do all it can within established legal parameters to provide a safe, protective, and welcoming environment for all members of our community.

There is some confusion about who currently falls within the DACA program. For clarification, international students and refugees enter the United States with fully documented legal status. They are protected regardless of the status of DACA. It is undocumented immigrants who rely on the DACA protections.

It has been and will continue to be our practice to protect undocumented students to the maximum extent that federal law permits. Federal law does not require the University to track undocumented students. In fact, the University does not collect or maintain any records regarding whether students are undocumented immigrants. Furthermore, the University takes student privacy interests very seriously and does not disclose private information about students in violation of federal law protecting that information without appropriate legal process, such as a subpoena. Certain other constitutional rights also apply to all individuals residing in the United States, including protections afforded by the Fourth Amendment.

Our University stands ready to assist in locating legal counsel for any student who requires legal assistance based on immigrant status so that the student may assert his or her full defenses. Within established legal parameters, we will continue to be guided at the University by our core institutional values as reflected in Our Common Ground, which include Respect, Integrity, and Justice. Also, I am confident that the civil rights of all our faculty, staff, and students will be protected by federal and local law enforcement agencies, such as the office of the U.S. Attorney in Vermont, the office of the Attorney General of Vermont, and the Chittenden County State Attorney from any unlawful acts, threats or intimidation because of their immigration status.

As members of our University community, we will work proactively together, in solidarity, to ensure the safety, wellbeing, and educational success of all of our students at UVM.