SUNY Downstate Medical Center
EXECUTIVE (Centerwide) COMMITTEE of the Faculty and Professional Staff
Minutes of the Meeting of Monday, March, 20 2017
4:00 PM – 5:00PM

Attending:

Presiding Officer & University Faculty Senator	Rauno Joks, MD
Presiding Officer Elect	Nicholas Penington, PhD
Past Presiding Officer	Stephan Rinnert, MD
Secretary	Raavi Gupta, MD
Presiding Officer, College of Medicine	Clinton Brown, MD
Presiding Officer, College of Health Related Professions	Margaret Kaplan, PhD, OTR/L
Presiding Officer, School of Public Health	Paul Landsbergis, PhD, EdD, MPH
University Student Assembly	Andrew Hasenzahl
Presiding Officer Elect, College of Health Related Professions	Brigitte Desport, DPS, ATP, OTR/L
University Faculty Senator	Miriam Vincent, MD, PhD, JD
Alternate University Faculty Senator	Farhad Haeri, DPT

Unable to Attend:

Presiding Officer, College of Nursing (excused)	Patricia DiFusco, MS, FNP-BC
Presiding Officer Elect, College of Medicine	Haseeb Siddiqi, PhD
Presiding Officer Elect, School of Graduate Studies	Katherine Perkins PhD
University Faculty Senator	Helen Durkin, PhD
Presiding Officer Elect, College of Nursing	TBD
Presiding Officer Elect, School of Public Health	Aimee Afable-Munsuz
Alternate University Faculty Senator	Virginia Anderson, MD
Alternate University Faculty Senator	Steven Kang, MD
Presiding Officer, School of Graduate Studies	John Kubie, PhD
University Student Assembly	Sachaloraine Volcy

Centerwide Presiding Officer Dr. Joks called the meeting to order. He introduced Kevin O'Mara, Esq., Downstate Attorney to the committee. Mr. O'Mara briefed the committee that the official Central SUNY policy regarding 'When Federal agents come on campus related to immigration activities' will become official on April 1st, 2017. There will be a webinar on March 31st, 2017. Attached are his notes on the upcoming policy. Dr. Joks updated the committee on progress on the Applied Learning Report to be submitted by all SUNY Campuses. The presidential transition committee has met twice and they are preparing reports from all schools to be given to the President. The new president is starting on April 3rd. There is no news on the parking garage re-construction at this time.

When Federal Agents Come on Campus Related to Immigration Activities

The SUNY is an arm of the State of NY and cannot affirmatively agree to not follow NYS and federal law.

Campus Presidents do not have authority to declare their campus a "sanctuary campus".

The University does not disclose 'student' records except as governed by The Family Educational Rights & Privacy Act (FERPA). This applies to all schools receiving funds from the US DOE. These records would be subject to disclosure under a proper subpoena or Court Order.

Federal Immigration Agencies: Customs & Border Patrol (CBP) and Immigrations & Customs Enforcement (ICE) – a Division of Homeland Security.

Immigration Enforcement:

Model UPD Policy – will become official on April 1st. (Also note, GNYHA is holding a webinar on this subject on March 31st.)

The bottom line is that local UPD: (1) shall not stop, question, interrogate, investigate or arrest an individual solely based upon actual or suspected immigration or citizenship status, (2) on a "civilian immigration warrant". UPD shall not inquire about immigration status of an individual involved in an investigation, unless necessary to investigate criminal activity by that individual. UPD shall not perform the function of a Federal Immigration Officer.

Local UPD may respond to a "civilian immigration detainer ", issued by CBP or ICE, but only if the request is accompanied by a judicial warrant.

Should CBP or ICE contact or come on Campus:

Cooperation with Federal Immigration Officials contacting or coming to campus for information or access students, medical residents or staff, shall be coordinated with the involvement of University Police and the Regional Office of the SUNY Office of General Counsel.

The meeting was adjourned at 5pm.

Respectfully submitted

Raavi Gupta, secretary