



ADMINISTRATIVE RULE

SUBJECT: Immigration Status Non-Discrimination Policy

- I. Purpose: The purpose of this Administrative Rule is to ensure that every City of Hayward resident, regardless of immigration status, has equal access to City services and equal service when conducting business with the City.
- II. Application: This Administrative Rule and associated procedures apply to all departments of the City of Hayward. The City of Hayward's application of this administrative rule shall not supersede, or run contrary, to any federal, state, or local laws.
- III. Policy: The City of Hayward will not inquire about a resident's legal status for locally funded and administered programs and services. The City may inquire about a resident's immigration status when entities other than the City of Hayward (i.e. State of California, Federal programs, etc.) require such information for programs and/or services. If immigration status is required, the City will make every effort to keep such information confidential and used for intended purposes.

No department or employee of the City of Hayward shall use any funds or resources to assist in the enforcement of federal immigration law or to gather or disseminate information regarding the status of individuals in the City of Hayward unless such assistance is required by federal or state statute, regulation or court decision.

The prohibition set forth shall include but not be limited to:

- a. Requesting information about, or disseminating information regarding, the immigration status of any individual, or conditioning the provision of services or benefits by the City of Hayward upon immigration status, except as required by federal or state statute, regulation, or court decision.
- b. Including on any application, questionnaire, or interview form used in relation to services, or opportunities provided by the City of Hayward any question regarding immigration status, except as required by federal or state statute, regulation, or court decision.

Kelly McAdoo, City Manager