

## INTERIM POLICY

Effective Date: July 20, 2017

Approved By: President Sabah Randhawa

See Also: [PRO-U1000.13A](#) Providing Immigration Information

### **POL-U1000.13 PROVIDING IMMIGRATION INFORMATION**

*This policy applies to all University employees (and student-employees) contacted by U.S Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP) or other third party seeking access to the university or university records for immigration enforcement purposes.*

1. **Western Washington University Does Not Require Undocumented Students (1079 Students) to Disclose Whether They are Undocumented**
2. **University Employees Shall Not Collect Information about Immigration Status Unless Required by Law**
3. **Student Educational Records are Confidential**

University employees must not release student educational records, or personally identifiable information contained in such records, to ICE, CBP or other third party official without written consent of the student, unless a legal exception to release such records applies.

4. **University Will Make Reasonable Efforts to Inform Students of a Judicial Order or Subpoena Seeking Their Student Educational Records in Order to Provide the Student Sufficient Notice to Seek a Protective Order**
5. **Employees Shall Notify the University's Public Safety and Assistant Attorney General**

Whether or not it appears they have a valid warrant, University employees are to immediately notify the University's Director of Public Safety and Assistant Attorney General's Office of any request by ICE, CBP or other third party officials seeking access to non-public portions of the University campus or student educational records.

6. **Students May Opt Out of Directory Information**

Any student may opt out of having their directory information (including their address) made

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available to others (see WAC 516-26-090). They can do so by contacting the Registrar's Office (360-650-3432).

### **7. Signed Warrant Required for Removal or Interrogation of Students or Employees by ICE, CBP or Other Third Party Officials**

ICE, CBP or other third party officials cannot remove a University student or employee from University property or interrogate a University student or employee, except in situations where such officials have a valid warrant signed by a judge. The warrant must:

- a) Properly identify the agency with authority to search or seize;
- b) Correctly identify the search location(s);
- c) Includes the correct date and has not expired;
- d) References a specific person, and if so, contact may be with that specific person;
- e) Signed by a judge.

### **8. Access to Non-Public Portions of University Campus by ICE, CBP or Other Third Party Officials Requires Approval of the University's Public Safety and Assistant Attorney General**

Prior to seeking access to non-public portions of University campus, ICE, CBP or other third party official is required to consult with the University's Director of Public Safety and Assistant Attorney General's office. If ICE, CBP or other third party official seek physical access to the WWU campus without consent from the University's Director of Public Safety and Assistant Attorney General's office, they shall be requested to leave.

### **9. University Follows Best Practices**

- a) To provide know-your-rights literature and, whenever possible, make sure that Deferred Action for Childhood Arrivals (DACA) students know that if they are detained by ICE, they can and should insist on speaking with a lawyer before providing any information to ICE officials.
- b) To make available and distribute the Immigrant Safety Plan for Youth and Children packet to students and families who might be impacted by immigration actions. The Safety Plan packet is available at: [Immigration-Safety-Plan-for-Children-and-Youth.pdf](#)
- c) To take all reasonable steps to refrain from any activity that may have a chilling effect on student attendance or enrollment at the University within the bounds of the law.