



# Immigration Enforcement Action on Campus

Human Resources & Legal Affairs

Policy Number: 8090

## 1.0 PURPOSE

The purpose of this policy is to establish clear guidelines for handling immigration enforcement actions on Columbia Basin College (“CBC”) premises, protecting the rights and privacy of students, employees, and volunteers, and ensuring compliance with state and federal laws.

## 2.0 AUTHORITY & SCOPE

**2.1 Authority:** Pursuant to RCW 43.10.310(2), CBC adopts this policy based on the Attorney General Office’s Model Policy for Institutions of Higher Education.

**2.2 Scope:** All College.

## 3.0 DEFINITIONS

**3.1 Civil Immigration Warrant** means any warrant for a violation of federal civil immigration law issued by a federal immigration authority. A “civil immigration warrant” includes, but is not limited to, administrative warrants entered in the national crime information center database, warrants issued on ICE Form I-200 (Warrant for Arrest of Alien), Form I-205 (ICE Administrative Warrant), or prior or subsequent versions of those forms, which are not court orders.

**3.2 Court Order** means a directive issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the Washington Constitution or otherwise authorized under the Revised Code of Washington. A “court order” includes, but is not limited to, judicially authorized warrants and judicially enforced subpoenas. Such orders, warrants, and subpoenas do not include civil immigration warrants, or other administrative orders, warrants, or subpoenas that are not signed or enforced by a judge or magistrate as defined in this section.

**3.3 De-identified** means information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.

**3.4 F-1 Visa** is a United States (U.S.) visa for foreign national students who wish to attend educational institutions in the U.S., of these levels: Private elementary school (non-U.S. citizens are not allowed to attend U.S. public elementary schools on an F-1 visa); High school; Seminary; Conservatory; University and college; and other institutions, such as language training programs.

**3.5 Federal Immigration Authority** means any on-duty officer, employee, or person otherwise paid by or acting as an agent of the United States Department of Homeland Security (DHS), including, but not limited to, its sub-agencies, Immigration and Customs Enforcement (ICE), Customs and Border Protection



- (CBP), United States Citizenship and Immigration Services (USCIS), and any present or future divisions thereof charged with immigration enforcement. “Federal immigration authority” includes, but is not limited to, the Enforcement & Removal Operations (ERO) and Homeland Security Investigations (HSI) of ICE, or any person or class of persons authorized to perform the functions of an immigration officer as defined in the Immigration and Nationality Act.
- 3.6 Immigration or Citizenship Status** means an individual’s legal classification regarding their nationality, citizenship, or immigration standing as determined by the Immigration and Nationality Act.
- 3.7 J-1 Visa** is the visa designated for students and exchange program participants who belong to: Au Pairs, Camp Counselors, Government Visitors, Interns, International Visitors, Physicians, Professors and Research Scholars, Short-term Scholars, specialists in different areas, university students, secondary school students, teachers, trainees, work and travel participants. Those who come to the U.S. under this visa program cannot bring dependents to the U.S.
- 3.8 Language services** includes but is not limited to translation, interpretation, training, or classes. “Translation” means written communication from one language to another while preserving the intent and essential meaning of the original text. “Interpretation” means transfer of an oral communication from one language to another.
- 3.9 Law Enforcement Agency (LEA)** means any agency of the state of Washington (state) or any agency of a city, county, special district, or other political subdivision of the state (local) that is a “general authority Washington law enforcement agency,” as defined by RCW 10.93.020, or that is authorized to operate jails or maintain custody of individuals in jails; or to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities; or to monitor compliance with probation or parole conditions.
- 3.10 Local Government** means any governmental entity other than the state, federal agencies, or an operating system established under chapter 43.52 RCW. It includes, but is not limited to, cities, counties, school districts, and special purpose districts. It does not include sovereign tribal governments.
- 3.11 Notification Request** means a federal immigration authority’s request for affirmative notification from a state or local law enforcement agency of an individual’s release from the LEA’s custody. “Notification request” includes but is not limited to, oral or written requests, including DHS Form I-247A, Form I-247N, or prior or subsequent versions of these forms.
- 3.12 Personal Information** means names, dates of birth, addresses, GPS [global positioning system] coordinates or location, telephone numbers, email addresses,



social media handles or screen names, social security numbers, driver's license numbers, parents' or affiliates' names, biometric data, or other personally identifiable information. "Personal information" does not include immigration or citizenship status.

**3.13** Public Schools or Local Education Agency means any and all public elementary and secondary schools under the jurisdiction of local governing boards or a charter school board and all institutions of higher education as defined in RCW 28B.10.016.

**3.14** State Agency has the same meaning as provided in RCW 42.56.010.

## **4.0 IMMIGRATION ENFORCEMENT ACTION ON CAMPUS**

### **4.1 Applicability of Policies Related to Immigration Enforcement**

**4.1.1** CBC adheres to all requirements of federal and state law.

**4.1.2** The provisions of this policy shall apply to CBC and all school facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, and entrances and exits from said building spaces.

**4.1.3** CBC's policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against students and their families, employees, and volunteers.

**4.1.4** CBC personnel shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

### **4.2 Access to Schools**

**4.2.1** CBC does not exclude students from receiving an education or unlawfully discriminate against anyone because of their race, color, national origin, age, disability, gender identity, immigration or citizenship status, sex, creed, use of a trained dog guide or service animal by a person with a disability, sexual orientation, or on any other basis prohibited by federal, state, or local law.

**4.2.2** CBC shall ensure that all employees and volunteers are aware of the rights of immigrant students to an education.

**4.2.3** CBC shall ensure that information required to reevaluate residency for tuition purposes or other benefits and any reporting requirements is limited only to the information necessary for residency determinations and in compliance with the Keep Washington Working Act of 2019 and any other applicable state or federal laws.

**4.2.4** CBC shall separate all information on individuals with foreign student visa status (F, J and M visas) retained for the purpose of reporting to



the Student Exchange and Visitor Information System (SEVIS) as part of the Student and Exchange Visitor Program from general enrollment platforms or other directory information.

#### **4.3 Immigration Enforcement on School Grounds**

- 4.3.1** CBC does not grant permission for any person engaging, or intending to engage, in immigration enforcement, including surveillance, access to CBC property. CBC employees shall direct anyone engaging, or intending to engage, in immigration enforcement, including federal immigration authorities with official business that must be conducted on school grounds, to the Vice President for Human Resources & Legal Affairs (or their designee) prior to permitting entrance. CBC employees shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.
- 4.3.2** If anyone attempts to engage in immigration enforcement on or near CBC grounds, including requesting access to a student, employee, or school grounds:
- 4.3.2.1** Employees shall immediately alert and direct the person to the Vice President for Human Resources & Legal Affairs (or their designee), who shall verify and record the person's credentials (including badge number and name), record the names of all persons they intend to contact, collect the nature of their business at the school, request a copy of the court order or judicial warrant, and log the date and time. If this information has been collected by a designee, they shall forward the request to the Vice President for Human Resources & Legal Affairs for review.
- 4.3.2.2** Employees shall request that any person desiring to communicate with an individual, enter school grounds, or conduct an arrest, first produce a valid court order or judicial warrant.
- 4.3.2.3** The Vice President for Human Resources & Legal Affairs (or their designee) shall review the court order or judicial warrant for signature by a judge and validity. For CBC to consider it valid, any court order or judicial warrant must state the purpose of the enforcement activity, identify the specific search location, name the specific person to whom access must be granted, include a current date, and be signed by a judge.
- 4.3.2.4** Upon receipt and examination of the required information, the Vice President for Human Resources & Legal Affairs (or their designee) will determine whether access shall be allowed to contact or question the identified individual. If determined by a designee, the designee shall communicate that decision to



the Vice President for Human Resources & Legal Affairs.

**4.3.2.5** If the requestor is seeking access or information regarding a student under 18 years old, the Vice President for Human Resources & Legal Affairs shall make a reasonable effort, to the extent allowed by FERPA, to notify the parent/guardian of any immigration enforcement concerning their student, including contact or interview.

**4.3.2.6** The Vice President for Human Resources & Legal Affairs (or designee) shall request the presence of a CBC representative to be present during any interview. Access to information, records, or areas beyond that specified in the court order or judicial warrant shall be denied.

#### **4.4 Gathering Immigration Related Information**

**4.4.1** CBC employees shall not inquire about, request, or collect any information about the immigration or citizenship status or place of birth of any person accessing services provided by, or in connection with the school. CBC employees shall not seek or require information regarding or probative of any person's citizenship or immigration status where other information may be sufficient for CBC's purposes. This does not prohibit employees from reviewing information from students or others on a voluntary basis required to reevaluate residency for tuition purposes.

**4.4.2** CBC policies and procedures for gathering and handling student information during enrollment or other relevant periods shall be made available in writing to students at least once per school year in a manner that individuals with limited proficiency with the English language will understand.

**4.4.3** If CBC is required to collect and provide information related to a student's national origin (e.g., information regarding a student's birthplace, or date of first enrollment in a U.S. school) to satisfy certain federal reporting requirements for special programs, prior to collecting any such information or reporting it, CBC shall (except with respect to reporting requirements necessary for compliance with the Student and Exchange Visitor Program):

**4.4.3.1** Consult with legal counsel regarding its options, including alternatives to the specific program or documents accepted as adequate proof for the program;

**4.4.3.2** Explain reporting requirements to the student in a manner to ensure understanding, including possible immigration enforcement impact;



**4.4.3.3** If moving forward with collection of information, receive and collect written consent from the student; and

**4.4.3.4** Collect and maintain this information separately from the school/class enrollment process and student's records in order to avoid deterring enrollment of immigrants or their children.

**4.4.4** When CBC reviews information related to immigration status in order to make residency determinations, a CBC employee's written confirmation that a student meets any applicable immigration status requirement shall be considered sufficient written evidence that a student meets the requirements of RCW 28B.15.012. All other documents used to prove student or other individual immigration status, aside from those independently required by law to be kept, shall be designated as transitory and disposed of in accordance with the Washington State Archives Records Retention Schedule. Any CBC employees maintaining said information in any other way shall report their retention procedure and basis to the Vice President for Human Resources & Legal Affairs prior to collecting the information.

**4.4.4.1** This provision does not prohibit CBC from collecting and reviewing background check and immunization documentation when required by clinical placement agreements or external credentialing agencies. However, CBC employees shall not retain or use background check information for purposes beyond what is strictly necessary for clinical placement or program eligibility.

#### **4.5 Responding to Requests for Information**

**4.5.1** CBC employees shall not share, provide, or disclose personal information about any person for immigration enforcement purposes without a court order or judicial warrant requiring the information's disclosure and approval by the Vice President of Human Resources & Legal Affairs, except as required by law. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.

**4.5.2** CBC employees shall immediately report receipt of any information request relating to immigration enforcement to the Vice President for Human Resources & Legal Affairs, who shall document the request.

**4.5.3** CBC shall, to the extent allowed by FERPA or as otherwise advised by legal counsel, notify the student and, if under 18 years old, the student's



parent(s) and/or guardian(s) of the request for information at the earliest extent possible.

#### **4.6 Use of School Resources**

- 4.6.1** CBC's resources shall not be used to engage in, aid, or in any way assist with immigration enforcement.
- 4.6.2** CBC's resources and policies regarding immigration enforcement shall be published and distributed to students on an annual basis. These resources shall include, at minimum:
  - 4.6.2.1** Information about accommodations for individuals with limited proficiency with the English language, disability accommodations, special education programs, and tuition assistance grant or loan programs that may be available regardless of immigration or citizenship status;
  - 4.6.2.2** General information policies including the types of records maintained by CBC, a list of the circumstances or conditions under which CBC might release student information to outside people or entities, including limitations under FERPA and other relevant law;
  - 4.6.2.3** Policies regarding the retention and destruction of personal information;
  - 4.6.2.4** The process of establishing consent from students, as permitted under federal and state law, prior to releasing a student's personal information for immigration and enforcement purposes;
  - 4.6.2.5** Location of CBC's resource portal regarding immigration related matters; and
  - 4.6.2.6** "Know Your Rights" resources and emergency contact information to have completed in the event of a family separation.



## **5.0 FORMS & OTHER RESOURCES**

[Keep Washington Working Act – Guidance, Model Policies, and Best Practices for Public Schools](#). Published by the Washington State Office of the Attorney General, May 2020.

## **6.0 HISTORY & POLICY CONTACT**

**6.1 Originated:** 01/2025

**6.2 Revised:** N/A

**6.3 Proposal Date:** 01/2025

**6.4 Policy Review:** 01/2025

**6.5 Promulgation Date:** 02/2025

**6.6 Responsible Administrator:** Vice President for Human Resources & Legal Affairs