

Access to University Property and Data for Immigration Purposes

University Operations – Administrative

University Guideline 201-07

Effective: February 5, 2025

Authority: President

Proponent: President

Summary: This guideline applies to immigration enforcement activity against students and their families, faculty, staff, and volunteers. It applies to activities occurring on university property or involving university records.

History: This guideline is new. It was approved by the President on February 5, 2025, in accordance with the requirements of the Keep Washington Working Act.

1. Compliance with State and Federal Law

1-1. Inclusion of All Students

Eastern Washington University does not exclude students from receiving an education or unlawfully discriminate against anyone on the basis of their immigration or citizenship status in accordance with state and federal law. EWU's commitment to nondiscrimination and processes for responding to concerns of discrimination and exclusion are contained in EWU Policy 402-02 (Diversity and Nondiscrimination).

1-2. University Resources Cannot Be Used for Immigration Enforcement Purposes

University resources shall not be used to engage in, aid, or in any way assist with immigration enforcement. This includes EWU's police department.

2. Collection of Immigration Information

2-1. Minimization of Personal Information

EWU shall not collect information about immigration status or citizenship unless required by law, federal grants or contracts, or necessary to perform essential university functions.

With respect to student information, the following requirements apply:

(A) In instances where EWU 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, EWU employees shall take the following steps:

- If feasible, consult with legal counsel regarding other options, including alternatives to the specific program or documents accepted as adequate proof for the program;
- Explain reporting requirements to the student and the student's parent(s)/guardian(s), in their

requested language, including possible immigration enforcement impact;

- If moving forward with the collection of information, receive and collect written consent from the student, if over the age of 18, or the student's parent(s)/guardian(s); and,
- To the extent possible, collect and maintain this information separate from regular student enrollment information.

(B) Immigration information for individuals with foreign student visa status (e.g. F and J visas) retained for the purpose of reporting to the Student Exchange and Visitor Information System (SEVIS), must be maintained separately from regular student enrollment information.

2-2. Residency Determinations

Any information requested, reviewed, or retained for purposes of determining eligibility for in-state tuition or other benefits must be limited only to the information necessary for residency determinations. When EWU reviews information related to immigration status for purposes of making residency determinations, the residency officer's written confirmation that a student meets any applicable immigration status requirements is sufficient documentation that the student meets the requirements of RCW 28B.15.012. All other documents used to prove student immigration status, aside from those specifically required to be retained by law, is transitory and must be disposed of in accordance with EWU's records retention policy for transitory records.

3. ACCESS TO UNIVERSITY PROPERTY

3-1. Permission to Nonpublic Spaces

A. EWU does not grant permission for any person engaged in, or intending to engage in, immigration enforcement, including surveillance, access to university property. All EWU staff and faculty shall direct anyone engaging in, or intending to engage in, immigration enforcement, including federal immigration authorities with official business that must be conducted on school grounds, to the Office of Risk Management (Tawanka 211) prior to permitting entrance.

All employees shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

B. If anyone attempts to engage in immigration enforcement on or near EWU property, including requesting information about a student or employee, all faculty and staff must direct the individual to the Office of Risk Management (Tawanka 211 or 509-359-6724).

C. Any subpoenas or search warrants for university data must be immediately forwarded to the Office of Risk Management.

D. The Associate Vice President for Civil Rights & Compliance shall document the requests and comply on behalf of the university to the extent required by law. Notice of the requests will be provided to students to the extent permitted by the Family Educational Rights and Privacy Act. No faculty or staff may permit federal immigration authorities to access nonpublic space for immigration enforcement purposes unless authorized by the Associate Vice President for Civil Rights & Compliance.

4. TRAINING AND RESOURCES

Training will be provided to EWU employees regarding the rights of immigrant students to an education and how to respond to potential immigration enforcement activities on campus.