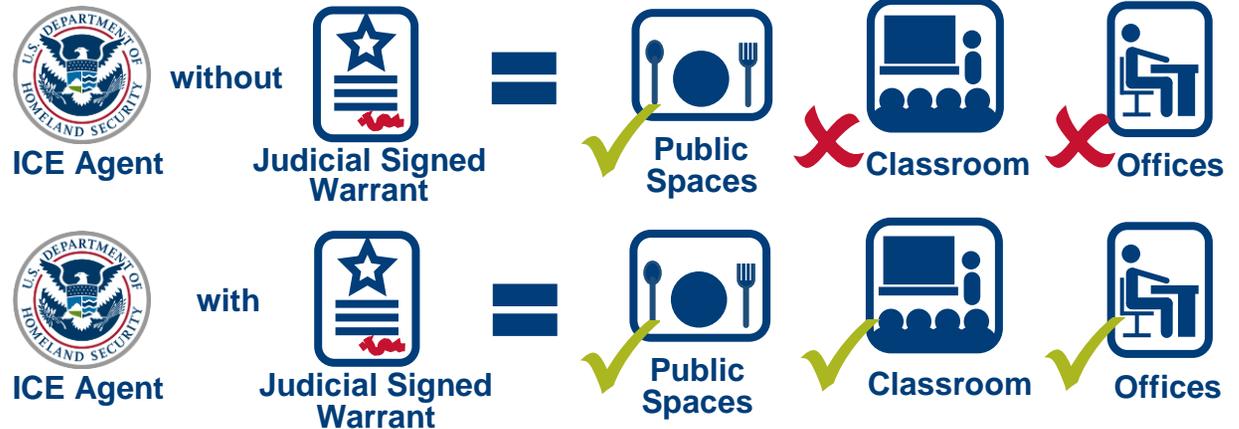


Pursuant to a 2011 Homeland Security Memorandum, the federal government has stated that it will not conduct ICE enforcement actions in sensitive areas, such as institutions of higher education. Should this policy change and ICE enforcement officers appear on campus, the College has adopted the following guidelines to ensure that the rights of students and their families are protected while the College appropriately responds to inquiries by federal authorities. **Any person seeking information regarding a student's immigration status should be referred to the Welcome Center, B125, regardless of who is making the request.**

Authentication Required

ICE should be directed to the Welcome Center, B125. They will initiate the process for authentication of the judicial warrant and subpoena.



What can ICE agents do with or without a judicial warrant?

- ICE agents can enter a **public space without prior notice**. These spaces include dining areas, parking lots, lobbies, and waiting areas.
- ICE agents have **no authority to enter non-public spaces – like offices or classrooms – unless they provide a signed judicial warrant**. **Bellevue College has the right to request ICE to leave and not re-enter a non-public area without a warrant signed by a judge.**

What information can be released?

FERPA protected

Generally, FERPA prohibits the College from disclosing personally identifiable student information contained in student records without the written consent of the student. While this general rule is subject to many exceptions, FERPA does not contain an exception allowing disclosure of student information for purposes of federal immigration enforcement (note, however, that federal authorities are entitled to access the records of international students to confirm compliance with visa requirements). Because there is no FERPA exception for immigration enforcement purposes, requests from ICE to disclose student records or personally identifiable information contained in student records will typically be denied, unless the student has signed a consent form or a FERPA exception applies. FERPA exceptions that may apply include a judicial order or lawfully issued subpoena and directory information.

- If the College receives an enforceable judicial order and subpoena seeking protected student information, FERPA requires that the College give the student advance notice of the request so that they have time to seek judicial protection, unless the subpoena or court order prohibits the College from doing so.
- Student information that can be disclosed as directory information is identified by [College Policy 2600, Federal Education Rights and Privacy Act: Disclosure of Student Information](#). Students who do not want their directory information to be disclosed by the College can "opt out" by completing a [Non-Disclosure of Directory Information form](#) and submitting it to Enrollment Services.

Last Updated 10/02/2019

Know your Rights!

Talking to ICE Agents

- You are not required to discuss your citizenship with an ICE Agent. This includes how you came to live in the country.

When In Custody

- You have the right to stay silent and can refuse to discuss anything with anyone besides your lawyer.
- You don't have to sign any documents without consulting with a lawyer.

What services also protect personal information?

The National Immigration Law Center has provided a list of federal programs and various privacy protections afforded under each benefit at: <https://www.nilc.org/wp-content/uploads/2018/03/privacy-protections-fed-programs-tbl-2018.pdf> that list includes:

- Medicaid, Children's Health Insurance Program (CHIP),
- Affordable Care Act Marketplace, Supplemental Nutrition Assistance Program (SNAP),
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC),
- National School Lunch Program,
- Temporary Assistance for Needy Families (TANF),
- TANF-funded Child Care,
- Child Care and Development Fund (CCDF) funded Child Care,
- Head Start and Early Head Start.

The following programs or services have confirmed to protect clients privacy.

- Hopelink (9/6/2019-phone confirmation)

Local Supporting Resources:

- Northwest Immigrant Rights Project: <https://www.nwirp.org/>
- Eastside Refugee and Immigrant Coalition (ERIC): <https://ericmembers.org/>
- Seattle-King County Immigrant Legal Defense Network: <https://createhousing.org/resources/seattle-king-county-immigrant-legal-defense-network/>

Legal References

- Guidance Concerning Immigration Enforcement: <https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/AGO%20Immigration%20Guidance.pdf>