Access to University Property and Student Records for Immigration Purposes (Interim Policy)

University Operations - Administrative

CWU Policy 203-20

Effective: October 28, 2026

Policy Expiration Date: April 25, 2027

Policy Executive: Senior Vice President – Finance and Administration

Responsible Office/Unit: Human Resources

Policy Statement:

This policy is adopted pursuant to the requirements of RCW 43.17.425, the Keep Washington Working Act (KWW), and limits immigration enforcement to the fullest extent possible consistent with federal and state law to ensure Central Washington University (CWU) remains accessible to all Washington residents, regardless of immigration or citizenship status.

Applicability:

This policy applies to all CWU employees and students

Content:

Policy

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(1) Applicability of Policies Related to Immigration Enforcement

A. CWU adheres to all requirements of federal and state law.

B. The provisions of this policy shall apply to CWU and all university property or facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, and entrances and exits from said building spaces.

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

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

(2) Access to Education

A. CWU 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.

B. CWU shall ensure that all university employees and volunteers are aware of the rights of immigrant students to an education.

C. CWU shall ensure that information reviewed to determine eligibility for in-state tuition or other benefits and any reporting requirements is limited only to the information necessary for residency determinations and in compliance with KWW and any other applicable state or federal laws.

D. CWU 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 CWU enrollment platforms or other general directory information.

(3) Immigration Enforcement on University Property or Facilities

A. CWU does not grant permission for any person engaged, or intending to engage, in immigration enforcement, including surveillance, access to university property or facilities not otherwise open to the general public. CWU employees shall direct anyone engaging, or intending to engage, in immigration enforcement, including federal immigration authorities with official business that must be conducted on university grounds, to the **CWU Police / Executive Director of University Police**.

B. If anyone attempts to engage in immigration enforcement on or near CWU property or facilities, including requesting access to a student, employee, or university building:

1. Employee shall immediately alert and direct the person to the CWU Police / Executive Director of University Police, who shall verify and record the person's credentials (at least, badge number and name), record the names of all persons they intend to contact, collect the nature of their business at the university and request a copy of the court order or judicial warrant.

2. CWU Police / Executive Director of University Police shall review the court order or judicial warrant for signature by a judge and validity. For CWU 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.

3. If the requestor is seeking access or information regarding a student under 18 years old, the CWU Police / Executive Director of University Police shall contact the Vice President of Student Engagement & Success or Designee, who will 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. The CWU Police / Executive Director of University Police shall request the presence of a University representative to be present during any interview.

5. Access to information, records, or areas beyond that specified in the court order or judicial warrant shall be denied.

(4) Immigration Enforcement at University Centers Collocated on Community College (Host Institution) Campuses

A. Staff should follow the policies in place for the host institution in response to immigration enforcement matters.

B. The Regional Director must immediately afterwards contact the Senior Vice President for Finance and Administration and Vice President for Student Engagement and Success to determine what follow up, resources or support is needed.

(5) Gathering Immigration Related Information

A. CWU 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 university. CWU 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 CWU's purposes. This does not prohibit residency officers or related employees from reviewing information from students or others on a voluntary basis in order to determine that a student is qualified for in-state tuition rates.

B. CWU policies and procedures for gathering and handling student information during enrollment or other relevant periods shall be made available in writing to students and their guardian(s) at least once per academic year in a manner that Limited English Proficient (LEP) individuals will understand.

C. If CWU 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, CWU shall (except with respect to reporting requirements necessary for compliance with the Student and Exchange Visitor Program):

1. If feasible, consult with legal counsel regarding its options, including alternatives to the specific program or documents accepted as adequate proof for the program.

2. Explain reporting requirements to the student and student's parent(s) and/or guardian(s), in their requested language, including possible immigration enforcement impact.

3. If moving forward with collection of information, receive and collect written consent from the student, if over the age of 18, or the student's parent(s) and/or guardian(s); and

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

D. When CWU reviews information related to immigration status in order to make residency determinations, the residency officer'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 University records retention policy. Any University employee maintaining said information in any other way shall report their retention procedure and basis to Senior Vice President for Finance and Administration or Designee prior to collecting the information.

(6) Responding to Requests for Information

A. CWU 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 or approval by the Senior Vice President for Finance and Administration or Designee except as required by law. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.

B. CWU employees shall immediately report receipt of any information request relating to immigration enforcement to the Senior Vice President for Finance and Administration or Designee who shall document the request.

C. CWU shall, to the extent allowed by FERPA or as otherwise advised by legal counsel, notify the student's parent(s) and/or guardian(s) of the request for information at the earliest extent possible.

(7) Use of University Resources

A. CWU's resources shall not be used to engage in, aid, or in any way assist with immigration enforcement.

B. CWU's resources and policies regarding immigration enforcement shall be published and distributed to students and their parent(s) or guardian(s) on an annual basis. These resources shall include, at minimum;

1. Information about accommodations for limited English proficiency, disability accommodations, special education programs (if applicable), and tuition assistance grant or loan programs that may be available regardless of immigration or citizenship status.

2. General information policies including the types of records maintained by CWU, a list of the circumstances or conditions under which CWU might release student information to outside people or entities, including limitations under FERPA and other relevant law.

3. Policies regarding the retention and destruction of personal information.

4. The process of establishing consent from students and their parent(s) or guardian(s), as permitted under federal and state law, prior to releasing a student's personal information for immigration enforcement purposes.

5. Name and contact information for CWU's designated point of contact on immigration related matters; and

6. "Know Your Rights" resources and emergency preparedness forms to have completed in the event of a family separation.

History:

Interim Policy 2-4-2025, approved by: A. James Wohlpart, President
Reformatted and Assigned new Policy Number - Previous Policy CWUP 2-40-260, June 2025
1/26/2026 Created Permanent Policy, Approved by A. James Wohlpart, President.
10/28/2026 Interim Updates, Approved by A. James Wohlpart, President.