



## FAQs Regarding Immigration Enforcement Actions

Various offices on campus have asked for guidance about what to do if U.S. Immigration and Customs Enforcement (ICE) agents arrive on campus as part of an immigration law enforcement action in light of recent changes to ICE guidance regarding enforcement actions at schools and other sensitive areas. This document is meant to provide guidance to frontline employees in such an event.

### Are college and university campuses still defined as “sensitive” or “protected” locations where ICE enforcement actions are limited?

- No. On January 21, 2025, the Acting Secretary of the Department of Homeland Security (DHS) announced the rescission of prior ICE guidance on “sensitive” or “protected” locations. Since 2011, ICE had operated under internal guidance memoranda that prohibited ICE agents from engaging in enforcement actions (arrests, interviews, searches, or surveillance) at “sensitive locations” such as colleges and universities, with limited exceptions. That internal ICE guidance is no longer in place.

### Does ICE need a warrant to access L&C’s campus?

- Areas open to the general public (public space such as the Estate Gardens, Albany Quadrangle, Graduate School Commons, Law Schools Commons, parking lots, lobbies and reception areas of publicly accessible buildings. etc.), may be entered without a warrant.
- However, ICE agents must have a judicial search or arrest warrant signed by a judge of a federal or state court (as opposed to an administrative warrant) to access nonpublic areas of campus (areas not open to the public such as residence hall buildings, classroom buildings, or faculty and staff offices).

### What should an employee do if agents ask to enter non-public areas of a college building?

- The employee should ask agents to wait to enter any nonpublic areas and should immediately contact Campus Safety dispatch at 503-768-7777. If there is no answer, call 503-593-5457.
- Campus Safety will come to meet with the agents, and will also attempt to contact the college’s General Counsel or other senior administrative leader for assistance.
- Faculty and staff are not authorized to permit agents to enter nonpublic areas without a warrant and are not authorized to accept service of a warrant or subpoena on behalf of the college.
- The employee should remain polite and may wish to say, “I understand you are here for law enforcement purposes, but I am not authorized to grant you permission to enter nonpublic areas or accept any documentation on behalf of the college. I am not obstructing your process, but I do need to refer this to appropriate college personnel.”

- If an agent forces their way in, call Campus Safety immediately and alert your supervisor. Under no circumstances should you attempt to physically obstruct a law enforcement agent's activity.
- Campus Safety and/or the General Counsel, or another senior administrative leader, will review any warrant or subpoena carefully.

What should employees do if a law enforcement agency contacts them and asks for information about a student or a student's education record?

- An employee who receives an in-person request from law enforcement for information about a student (including "directory information" as defined in L&C's [FERPA Policy](#)) or for access to college records or property, should immediately contact Campus Safety dispatch at [503-768-7777](#). If there is no answer, call [503-593-5457](#). Campus Safety will attempt to contact the college's General Counsel or other senior administrative leader for assistance.
- The employee may wish to say, "I understand you are requesting student information, which, consistent with the college's legal confidentiality obligations under FERPA, I am not authorized to provide. Your request needs to be directed to the General Counsel."
- Employees who receive a subpoena of any kind, whether it is from a government agency or third-party, or other written request for student information, should immediately direct the subpoena to the Office of General Counsel at [reese@lclark.edu](mailto:reese@lclark.edu) (or 503-768-7696), with a copy to [lthomas@lclark.edu](mailto:lthomas@lclark.edu). The General Counsel will determine the college's obligations regarding the subpoena and respond accordingly. In doing so, the college will comply with the Family Education Rights and Privacy Act (FERPA).
- FERPA generally prohibits schools from disclosing personally identifiable information from a student's education records, with certain exceptions. The most important exception to FERPA's general rule prohibiting disclosure of a student's education records is when disclosure is done pursuant to a lawfully issued subpoena. Again, it is up to the General Counsel to determine the college's legal obligations pursuant to a subpoena.
- An additional exception to privacy protections are immigration records for foreign nationals sponsored by the institution. Colleges are required to exchange data with federal immigration agencies on the status of international students on F-1 and J-1 visas through use of a government database named "SEVIS," which is part of the Student and Exchange Visitor Program (SEVP). In addition, certain information about those students is required to be retained and produced by the College upon request from DHS and ICE. If an individual states that they are requesting documents under the authority of the SEVP, direct them to the General Counsel, at [reese@lclark.edu](mailto:reese@lclark.edu) (or 503-768-7696), with a copy to [lthomas@lclark.edu](mailto:lthomas@lclark.edu), who will work with the Office of International Students & Scholars to respond. For specific questions about international students or their SEVIS records, contact the Office of International Students & Scholars at 503-768-7307.

### What should employees do if they observe ICE agents/officers on campus?

- Agents from DHS, which includes ICE, or other federal agencies, may appear on campus for a variety of reasons. As noted above, ICE may come to campus for reasons related to regulations that do not involve alleged immigration violations. It is a mistake to assume that any ICE employee visiting campus is present as part of an enforcement action. Rumors about ICE enforcement actions on campus can spread anxiety, making it important to verify the actual reasons for their presence.
- If you encounter ICE or other law enforcement agents on campus and are concerned about their activities, you should immediately contact Campus Safety dispatch at 503-768-7777. If there is no answer, please call 503-593-5457.
- Employees should remain polite but should also document any concerning activities they observe, if it is safe and possible to do so.

### What should I do if somebody asks me for help regarding an immigration-related issue?

Although the college cannot give legal advice, we have compiled a list of resources that can be easily shared. You can refer such requests to [Resources for Immigrant Members of the LC Community](#).