

## FREQUENTLY ASKED QUESTIONS REGARDING IMMIGRATION ENFORCEMENT ON CAMPUS

### 1. May Immigration and Customs Enforcement (ICE) Enter UWM's Campus?

Technically, ICE may enter campus since it is public property. As a practical matter, however, we would not expect ICE to enter campus since an ICE memo directs that immigration enforcement should not occur on college campuses. Specifically, the ICE memo on Enforcement Actions at or Focused on Sensitive Locations (<https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf>), which has been in effect since 2011, designates schools, including colleges and universities, as "sensitive locations" at which certain enforcement actions should generally not occur with no requirement for universities to designate portions of their campuses as "sensitive locations." Thus, while exceptions exist to address exigent circumstances such as those involving violent crimes and terrorism, UWM would not ordinarily expect ICE to come to campus to execute any enforcement actions unless ICE explicitly withdraws the memo on Enforcement Actions at or Focused on Sensitive Locations. In the event that ICE were to enter campus, contact UWMPD (x4627) or the Office of Legal Affairs (x4278) to make sure that they are aware of ICE's presence and for assistance in responding to their request.

### 2. What Do I Do If ICE Wants to Enter My Classroom?

While classrooms are public spaces, access during classes is subject to reasonable restriction by an instructor to maintain order. At the same time, law enforcement may legally enter a classroom subject to a lawful subpoena or other lawful authority. If this happens, you should contact the UWMPD (x4627) or the Office of Legal Affairs (x4278) to confirm that law enforcement is present with lawful authority. **You should not try to determine whether any subpoena, warrant, or other document is legally valid.** You may also ask that law enforcement wait outside until class is dismissed, although they are not required to grant such a request. .

### 3. What Do I Do If ICE Comes to My Campus Office?

Offices assigned to individuals are not generally publicly accessible if they are closed and locked, but anyone can approach and/or enter a shared or open office on campus. Any location on campus, regardless of building rules, is accessible subject to lawfully signed warrants or other lawful authority, and UWM cannot legally deny access to such locations subject to a lawfully issued and signed warrants or other lawful authority. If law enforcement presents a lawful subpoena or warrant or claims other legal authority to enter any space on campus, you should contact the UWMPD (x4627) or the Office of Legal Affairs (x4278) to confirm that law enforcement is present with lawful authority. **You should not try to determine whether any subpoena, warrant, or other document is legally valid.**

### 4. Can the UWMPD Prevent ICE from Coming to Campus by Refusing to Cooperate with Immigration Enforcement?

The UWM Police Department cannot prohibit another law enforcement agency with jurisdiction or other legal authority from entering campus, although the UWMPD works with all outside law enforcement to minimize intrusion into classes in session, other campus activities, and day-to-day business.

### 5. Can UWM or the UWMPD Share Information about a Student's Location?

**FERPA** prevents UWM or the UWMPD from providing information about student class schedules and/or class location and information other than directory information if a student has opted out of making such information publicly accessible. If any student does not want their directory information to be available to anyone upon request, they can opt out of sharing that information. “Directory information” is defined at UWM to include a student’s name and address but not course schedules.

(<https://uwm.edu/onestop/personal-info/sharing-and-protecting-your-information/#ferpa>). Students may restrict the printing of their contact information in UWM’s annual directory in PAWS as well as block the release of directory information under FERPA by using this form:

[https://uwm.edu/onestop/wp-content/uploads/sites/82/2017/03/FERPA\\_WITHHOLD\\_RELEASE\\_INFORMATION\\_FORM.pdf](https://uwm.edu/onestop/wp-content/uploads/sites/82/2017/03/FERPA_WITHHOLD_RELEASE_INFORMATION_FORM.pdf).

If a student who has restricted the release of their directory information has a need to have that information made available for scholarship, internship or employment application purposes they can go to this link and complete a release authorization form listing the agency authorized to receive the information.

[https://uwm.edu/onestop/wp-content/uploads/sites/82/2017/03/FERPA\\_WITHHOLD\\_RELEASE\\_INFORMATION\\_FORM.pdf](https://uwm.edu/onestop/wp-content/uploads/sites/82/2017/03/FERPA_WITHHOLD_RELEASE_INFORMATION_FORM.pdf).

If ICE presents exigent circumstances, which may constitute an exception to FERPA if the safety of the student or public is at issue, UWMPD would assist ICE in safely carrying out their actions. “Exigent circumstances” are emergency situations requiring swift action to prevent imminent danger to life or serious damage to property. In such cases, UWMPD’s focus would be the safety of the UWM community and the public.

## **6. Can ICE Enter UWM Residence Halls?**

Residence halls and resident rooms are accessible subject to the rules of each residence hall. Any location on campus, regardless of building rules, is accessible subject to lawfully signed warrants or other lawful authority, and UWM cannot legally deny access to such locations subject to a lawfully issued warrant or other lawful authority. UWM Housing staff is trained whether to permit access to the residence halls by law enforcement and consults with the UWMPD and/or the Office of Legal Affairs if there are questions about whether such access is lawful and required.

## **7. How does UWM Support DACA Students?**

The Roberto Hernandez Center has a number of resources for students with questions about Deferred Action for Childhood Arrivals (DACA), including a DACA and Undocumented Student Toolkit and referrals to local immigration attorneys.

The Inclusive Excellence Center (IEC) coordinates the UWM “Dreamers” initiative and provides support and information to undocumented students at UWM. They have trained and will continue to offer training for faculty and staff who wish to understand the problems undocumented students face and what resources exist to help them.