

## College Update Regarding Law Enforcement Activity

February 3, 2025

Effective January 20, 2025, schools are no longer considered “protected areas” by the Department of Homeland Security (DHS). This means that DHS will no longer prohibit Immigration and Customs Enforcement (ICE) agents from carrying out enforcement activities at schools.

We understand that this change in DHS guidance will be concerning for members of our community. This document is designed to provide the College community with information about College policies and practices and what to do if ICE agents come on campus.

### **What is the College’s policy regarding law enforcement activity on campus?**

It’s important to remember that there are different kinds of legal orders, and the College’s response may vary depending on the documentation presented by the agent or officer.

The College will comply with judicial orders, including subpoenas, signed by a judge or magistrate, as required under applicable federal, state, and local laws and with proper documentation. Campus Police is responsible for reviewing these orders and determining the appropriate response, with additional review by College leadership or counsel as needed.

The College may not comply or assist with administrative warrants, orders of deportation, or other orders or subpoenas not signed by a judge or magistrate. Campus Police and College leadership will review these orders and determine the appropriate response, with additional review by College counsel as needed.

### **What happens if a judicial order is presented?**

When the College complies or assists with a judicial order, we will attempt to do so with as much respect for those involved, and with as little disruption to the College community, as possible. For example, if an agent needs to interview someone, Campus Police may attempt to locate the person on campus and escort them to the Campus Police offices so that the interview can take place in private.

### **Does ICE still need a warrant to enter College locations?**

ICE does not need a warrant to access public spaces, but they do need a judicial order to enter private spaces. At Cedar Crest, private spaces are those that are locked (such as the residence halls or the Fitness Center) and other spaces on campus that are typically reserved for members of the College community, such as classrooms or employee offices. If officers or agents do not have a judicial warrant to enter private spaces, they can also seek consent to do so. The College may not provide consent to enter private spaces

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depending on the facts and circumstances. Public spaces include lawns, roadways, sidewalks, the library, and other spaces that are typically open to the public.

**Can ICE access student information?**

The Federal Family Educational Rights and Privacy Act (FERPA) protects all students' information, regardless of immigration status. FERPA-protected information cannot be released without the student's consent or appropriate legal documentation. Directory Information is considered public information and may be shared with a requesting party. Information about what is considered Directory Information at Cedar Crest, and how students can restrict the release of their Directory Information, is available in the [Student Handbook](#) and from the [Registrar's Office](#). If students use the College's [Health & Counseling Services](#), the records held by that office are protected by the Health Insurance Portability and Accountability Act (HIPAA) and may not be released without the students consent or appropriate legal documentation.

**What do I do if I see ICE activity on campus or am approached by the ICE agent?**

If you observe ICE activity or are approached by ICE agents on campus, please contact Campus Police right away. Depending on the situation, Campus Police might come to the location of the activity, or they may ask you to help get the agent to Campus Police. If somebody pressures you to do something specific (like help them find someone) you can say "College policy is that Campus Police responds to all law enforcement activity on campus" and then invite them to have a seat while they wait for Campus Police to arrive, or walk them directly to Campus Police.

**What if I'm off campus with students, such as with an athletic team or on a field trip, and there is ICE activity?**

If you are at another school with students, you should follow the direction of that school's officials. If you are at another off-campus location or in transit between locations, clearly identify yourself and your students and follow the officer's instructions. Remind students of their rights and assist them during the interaction as you are comfortable. After any interaction with students off campus that involves law enforcement, including ICE, submit an [Incident Report](#) so that College officials can follow-up as needed.

**What if an ICE agent says they're just looking for information?**

In addition to the protections offered by our FERPA policies, the College has a protocol that specifically addresses how staff and faculty should respond to requests for information

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regarding international students or a student's immigration information. If a law enforcement agent contacts you for information about an international student or for information about a student's immigration status, staff and faculty should follow this protocol, and students should contact Campus Police. If you are pressured to release information, you can say "student information is protected by FERPA, but I can contact someone who may be able to help", and then follow the protocol or contact Campus Police. Questions about this protocol should be directed to [International Student Services](#).

### **What other rights can protect people during ICE interactions?**

People confronted with ICE enforcement activities still have rights, regardless of their immigration status. The Fourth Amendment protects all persons in the US from unreasonable search and seizure, and the Fifth Amendment affords the right to remain silent when questioned by law enforcement.

### **What other resources can be helpful?**

[Care Team](#)

[Center for Diversity and Inclusion](#)

[TELUS Health Student Support Program](#)

[Immigrant Legal Resource Center](#)

[Immigrants' Rights in Pennsylvania](#)