



<b>Board Policy:</b> Keep Washington Working Act Implementation	<b>Policy Number:</b> BP 01.02.17
<b>Article:</b> 1.) Institutional Integrity/ Board of Trustees <b>Section:</b> 1.) Board Authority and Responsibilities	<b>Adopted by the BOT:</b> 1/15/2025
<b>Applicable WAC/RCW:</b> <a href="#">RCW 43.17.420: Immigration and citizenship status—Definitions.</a> <a href="#">RCW 43.17.425: Immigration and citizenship status—State agency restrictions.</a>	

The Washington State Legislature passed the Keep Washington Working Act (KWW) during the 2019 legislative session to ensure the state of Washington “remains a place where the rights and dignity of all residents are maintained and protected in order to keep Washington working.” Pursuant to RCW 43.10.310(2), Cascadia College adopts the following policy consistent with the AGO model policy which implements the KWW Act and ensure that all residents have access to high quality education.

#### Applicability of Policies Related to Immigration Enforcement

1. Cascadia College adheres to all requirements of federal and state law.
2. The provisions of this policy shall apply to Cascadia College and all school facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, and entrances and exits from said building spaces.
3. Cascadia’s policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against students and their families, staff, and volunteers.
4. Cascadia personnel shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

#### B. Access to Schools

1. Cascadia College 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.
2. Cascadia College shall ensure that all school staff and volunteers are aware of the rights of immigrant students to an education.
3. Cascadia College 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.

4. Cascadia College 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)<sup>15</sup> as part of the Student and Exchange Visitor Program from general enrollment platforms or other directory information. For information about SEVIS, please refer to Student and Exchange Visitor Program, U.S. Immigration and Customs Enforcement, available online at <https://www.ice.gov/sevis> (last visited May 17, 2020).

C. Immigration Enforcement on School Grounds

1. Cascadia College does not grant permission for any person engaged, or intending to engage, in immigration enforcement, including surveillance, access to school grounds or their immediate vicinity. Cascadia College staff shall direct anyone engaging, or intending to engage, in immigration enforcement, including federal immigration authorities with official business that must be conducted on school grounds, to the President's Office prior to permitting entrance. Cascadia College employees shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.
2. If anyone attempts to engage in immigration enforcement on or near Cascadia College grounds, including requesting access to a student, employee, or school grounds:
  - i. Employees shall immediately alert and direct the person to the President's Office 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 school, request a copy of the court order or judicial warrant, and log the date and time and forward the request to Cascadia legal counsel for review.
  - ii. Employees shall request that any person desiring to communicate with a student, enter school grounds, or conduct an arrest first produce a valid court order or judicial warrant.
  - iii. Cascadia legal counsel shall review the court order or judicial warrant for signature by a judge and validity. For Cascadia College 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.
  - iv. Cascadia legal counsel shall review written authority signed by an appropriate level director of an officer's agency that permits them to enter Cascadia College property, for a specific purpose. If no written authority exists, Cascadia legal counsel shall contact the appropriate level director for the officer's agency to confirm permission has been granted to enter Cascadia College property for the specific purpose identified.
  - v. Upon receipt and examination of the required information, the Cascadia Legal Council will determine whether access shall be allowed to contact or question the identified individual and shall communicate that decision to the President's Office.
  - vi. If the requestor is seeking access or information regarding a student under 18 years old, the executive team of the college shall 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.
  - vii. The College President, authorized designee, or legal counsel shall request the presence of a college representative to be present during any interview. Access

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

D. Gathering Immigration Related Information

1. Cascadia College 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 school. Cascadia College 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 the college purposes. This does not prohibit residency officers or related staff 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.
2. Cascadia College 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 school year in a manner that Limited English Proficient (LEP) individuals will understand.
3. If Cascadia College 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, Cascadia College shall (except with respect to reporting requirements necessary for compliance with the Student and Exchange Visitor Program):
  - i. If feasible, consult with legal counsel regarding its options, including alternatives to the specific program or documents accepted as adequate proof for the program;
  - ii. Explain reporting requirements to the student and student's parent(s) and/or guardian(s), in their requested language, including possible immigration enforcement impact;
  - iii. 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
  - iv. Collect and maintain this information separately from the school/class enrollment process and student's records in order to avoid deterring enrollment of immigrants or their children.
4. When Cascadia College 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 Cascadia's records retention policy. Any college employee maintaining said information in any other way shall report their retention procedure and basis to legal counsel prior to collecting the information.

E. Responding to Requests for Information

1. Cascadia College 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 legal counsel,

except as required by law. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.

2. Cascadia College employees shall immediately report receipt of any information request relating to immigration enforcement to the President's Office who shall document the request.
3. Cascadia College 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.

F. Use of School Resources

1. Cascadia College's resources shall not be used to engage in, aid, or in any way assist with immigration enforcement.
2. Cascadia College'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;
  - i. 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;
  - ii. General information policies including the types of records maintained by the [higher education institution], a list of the circumstances or conditions under which the [higher education institution] might release student information to outside people or entities, including limitations under FERPA and other relevant law;
  - iii. Policies regarding the retention and destruction of personal information;
  - iv. 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;
  - v. Name and contact information for [higher education institution]'s designated point of contact on immigration related matters; and
  - vi. "Know Your Rights" resources and emergency preparedness forms to have completed in the event of a family separation.