The University of Idaho issued a statement of support to its noncitizen students, faculty, and staff on January 30, 2017. To effectuate this statement of support and ensure the University of Idaho is a safe and welcoming environment for our entire UI community regardless of citizenship, the University of Idaho Faculty Senate hereby reaffirms and urges the University Administration to reaffirm the following principles:

1. The University of Idaho welcomes all members of its community, including those born abroad. We remain committed to the core values of inclusion and diversity from which we have always drawn great strength and to respecting the dignity of each individual—regardless of race, color, religion, national origin, sex, sexual orientation, gender identity/expression, age, disability or veteran status. Faculty Staff Handbook 3200

2. The University is dedicated to providing all students with access to higher education. That unqualified support extends to our foreign-born students as well. FSH 3200 and 4330

3. A safe and welcoming environment for students, faculty, and staff and their families on campus facilitates the physical safety and emotional well-being that is essential to a student’s ability to achieve academically and to an employee’s ability to succeed at their job. FSH 3170.

4. To ensure that our University campus is safe and welcoming for all members of the UI community, we must adopt policies that protect student’s information and integrity on campus in accordance with local, state, and federal law. FSH 2600.

To fulfill the principles above, the University of Idaho Faculty Senate urges the University Administration to affirm and adopt the following policies:

1. The University will continue to admit students consistent with its nondiscrimination policies so that undocumented students will be considered for admission under the same criteria as U.S. citizens or lawful permanent residents.

2. With the exception of the mandatory reporting requirements within the Student and Exchange Visitor Program (SEVP) and other visas, all requests by immigration officials and other law enforcement agents for information regarding students or their families will be directed to the Office of General Counsel.

3. Consistent with the protections of educational records under federal law, no confidential student records or employment files will be released to federal immigration enforcement officials without a valid judicial warrant, subpoena or court order, unless authorized by the student or required by law. This includes, but is not limited to, immigration status, citizenship status, place of birth, or other personally identifiable information of any student. Students will be notified of any subpoena prior to complying with the order and disclosing information unless otherwise required by law.

4. Consistent with existing policy, no confidential employment records for faculty or staff will be released to immigration officials or other law enforcement without a subpoena or other court order. FSH 3170 B.4

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1 This policy is a reaffirmation of the requirements already set forth in the Family Education Rights and Privacy Act (FERPA). 20 U.S.C. § 1232g.

2 See 20 U.S.C. § 1232g(b)(1)(J)
The University will not voluntarily grant access to property owned and controlled by the University to federal immigration officials for enforcement purposes unless required by judicial order.  

In order to encourage cooperation between members of the UI Community and campus security in maintaining a safe environment on campus, campus security will not stop and investigate a student or a faculty or staff member based on his or her suspected immigration status, and campus security will not document an individual's immigration status in their records.  

Further, campus security will not undertake joint efforts with local, state or federal law enforcement agencies to investigate an individual for violations of federal immigration law. This includes campus security not detaining individuals or assisting immigration agents or local law officials in arrests of members of the UI community based on civil immigration violations and administrative warrants.

The University will not cooperate with any federal effort to create a registry of individuals based on any protected characteristics such as religion, national origin, race, or sexual orientation.

In addition to affirming and adopting the principles and policies above, the Faculty Senate supports the following investments—implementation steps to meet the growing demands and concerns of noncitizen students, faculty, and staff on campus:

1. Seeking to limit the type of information that the University considers “directory information” which could be disclosed without a student’s consent.
2. Training students on their rights to restrict access to their personal information under FERPA as well as its exceptions and allowing them to make changes to the information they choose to restrict.
3. Ensuring that all faculty, staff, administrators, and other employees will be trained on how to respond to requests for information from immigration officials consistent with this policy and FERPA.
4. Making available to members of the UI community information on the areas of campus that are not open to the public, including classrooms during scheduled class time and dorm rooms, and would therefore require judicial warrants for law enforcement to access. Mapping the restricted areas of the campus and sharing that information with students to ensure the fullest protection of students’ privacy and clear boundaries for the purposes of current immigration policy which directs officers not to enforce immigration law on school property absent emergency circumstances.
5. Preparing an implementation plan defining partnerships with community organizations and training and support for campus employees to ensure rapid response and effective coordination and report back to the Faculty Senate.
6. Assigning an administrative office the responsibility for counseling noncitizen faculty, staff and students on their educational, employment, psychological, and legal situations.

This policy does not interfere with any mandatory on-site visits by Student and Exchange Visitor Program (SEVP) officials regarding initial certification or re-certification of the College/University to enroll foreign exchange. 22 C.F.R. § 62.

This policy reflects affirms the voluntary nature of entering into agreements with federal immigration enforcement as set forth in the Immigration and Nationality Act. 8 U.S.C. § 1357(g)(9).
7. Ensuing that all faculty, staff, administrators, and other employees will be trained on how to implement this policy and rights pertaining to noncitizens-students.