



## **Policy on Disclosure of Information to Federal Immigration Authorities**

This policy is adopted to comply with Colorado Revised Statutes § 24-74.1-102 (enacted through SB 25-276), which prohibits the unauthorized disclosure of personal identifying information to federal immigration authorities and protects the privacy and safety of students, families, and staff.

### **Scope**

This policy applies to all employees, contractors, volunteers, representatives, school resource officers (SROs), and any law enforcement or security personnel operating on school grounds or acting in an official capacity on behalf of Colorado Early Colleges (CEC).

### **Definitions**

- **Personal identifying information:** As defined in C.R.S. § 24-74-102(1), any information that identifies or describes an individual and is maintained by the school, including but not limited to a name, address, telephone number, school identification number, social security number, biometric record, date of birth, school records, contact information, citizenship or immigration status, and other identifiers.
- **Federal immigration authorities:** Any officer, agent, or representative of U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), or any other federal agency enforcing immigration law.
- **Valid judicial order:** A court-issued subpoena, warrant, or writ signed by a judge and served in accordance with law.

### **Prohibition on Disclosure and Collection**

[Colorado Early Colleges (CEC)] employees and representatives shall not:

- Disclose, share, or permit access to any personal identifying information about students, parents, staff, or visitors to federal immigration authorities, unless:
  - A valid judicial order is presented, and
  - The order is reviewed by the Head of School (or designee)
  - The order is forwarded to the Chief Executive Officer (CEO) for approval. (Consultation with legal counsel will be at the discretion of the CEO.)

- Ask for, collect, or retain any information regarding an individual's immigration or citizenship status, unless explicitly required by federal or state law.
- Permit federal immigration authorities to enter school property or facilities unless presented with a valid judicial order that has been reviewed and approved by CEO.

### **Verification Requirement**

No employee shall comply with any request for information from a federal immigration authority without:

- Receiving a copy of the judicial order in writing, and
- Verifying the authenticity and scope of the order with CEO.

### **Response Procedures**

If an employee is approached by a federal immigration officer:

- The employee shall immediately refer the request to the Head of School or designee.
- No verbal or written information shall be disclosed unless authorized under this policy.
- No physical access shall be granted to school facilities or records unless a valid judicial order is presented and approved.

### **Documentation**

All requests from federal immigration authorities and school responses shall be:

- Documented in writing,
- Reviewed by CEO, and
- Retained in school records consistent with applicable privacy laws.

### **Optional Family Notification**

If legally permissible, the school will notify affected individuals or families when a request for information from federal immigration authorities is received.

### **Non-Retaliation**

No employee shall be retaliated against for refusing to disclose information in violation of this policy.

### **Staff Training**

The school shall provide annual training to all staff on:

- The contents of this policy,
- How to identify and respond to federal requests for information,
- Their legal obligations under state and federal law.

## **Policy Enforcement**

Violations of this policy may result in disciplinary action up to and including termination, and the school may be subject to civil penalties and legal injunctions under C.R.S. § 24-74.1-102.

## **LEGAL REFS.:**

- C.R.S. § 24-74.1-102 (Protection of Personal Identifying Information)
- 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
- C.R.S. §§ 22-16-101 through 22-16-112 (Colorado Student Data Transparency and Security Act)