

Operational Area	Administration
Responsible Executive	General Counsel
Responsible Office	General Counsel's Office
Effective	September 1, 2025

Access to Information and Immigration Related Requests Policy

Administration

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I. INTRODUCTION

- A. **Authority:** C.R.S. § 23-54-102, et seq. (2025) authorizes the Trustees of Metropolitan State University of Denver ("MSU Denver" or "University") to establish rules and regulations to govern and operate the University and its programs. The Trustees retain authority to approve, interpret, and administer policies pertaining to University governance. The Trustees authorize the President of MSU Denver to approve, administer, and interpret policies pertaining to University operations.
- B. **Purpose:** The purpose of this policy is to ensure MSU Denver's compliance with [Colorado Senate Bill 25-276 and C.R.S. § 24-74.1-102\(3\)\(a\)](#), which prohibits institutions of higher education from collecting or disclosing certain Personal Identifying Information (PII) for the purpose of Federal Immigration Enforcement, except as required by law. This policy supports the privacy rights of students, employees, and community members.
- C. **Scope:** This policy applies to all employees, students, contractors, and agents, including those acting on behalf of the University, and covers all University properties.

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II. ROLES AND RESPONSIBILITIES

- A. **Responsible Executive:** General Counsel
- B. **Responsible Administrator:** Deputy General Counsel
- C. **Responsible Offices:** General Counsel's Office and Human Resources
- D. **Policy Contact:** General Counsel, GeneralCounsel@msudenver.edu

III. POLICY STATEMENT

- A. MSU Denver will not inquire into, collect, or disclose Personal Identifying Information (PII) related to immigration status, nor provide access to campus spaces or records to Federal Immigration Enforcement authorities, unless required or permitted by law or as necessary to perform University duties, activities, or programs, such as collecting information for student visa sponsorship and student financial aid eligibility. MSU Denver is committed to fostering a safe and supportive environment that respects the privacy and rights of all individuals, regardless of immigration status.

IV. PROCEDURAL PROCESSES

A. Prohibited Data Collection

- 1. MSU Denver employees must not collect information about place of birth, immigration or citizenship status, or any data from federal immigration documents, unless:
 - a. Required to comply with federal or state law;
 - b. Necessary for lawful visa sponsorship, financial aid, or any other University program or activity; or
 - c. Necessary to determine eligibility for government-funded programs.

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B. Restrictions on Access to Information or Facilities

1. MSU Denver will not disclose Personal Identifying Information (PII) or allow Federal Immigration Enforcement access to non-public campus areas unless:
 - A. A valid subpoena, court order, or judicial warrant signed by a federal judge or magistrate is presented; or
 - B. The student or individual of interest provides informed, written consent.

C. Required Procedures and Designation

1. The Office of General Counsel (OGC) is to be notified at GeneralCounsel@msudenver.edu in the event of any federal request for information or access. In response to any such federal request, OGC will:
 - a. Request and seek to document the identity and credentials of requesting federal officials, including name, agency, badge number, and any supporting legal documentation (e.g., subpoena, warrant, or court order issued by a federal judge or magistrate);
 - b. Communicate with affected individuals or their families when appropriate about the nature and scope of the request;
 - c. Review and approve any disclosure of Personal Identifying Information (PII) about a student, employee, patient, or patron, as required by federal or state law;
 - d. Review and approve any disclosure of Personal Identifying Information (PII) about a parent, guardian, or relative of a student, employee, patient, or patron, as required by federal or state law.

D. Policy Distribution and Awareness

1. All employees, particularly those in forward-facing roles (e.g., Admissions, International Programs, Student Services, HR, and other high-interaction units), will be provided with information on this procedure to ensure they can recognize and appropriately escalate any federal immigration-related requests.
2. This policy is available on [MSU Denver's Policy Library](#) and through other regular communications.

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E. Compliance with this Policy

1. Compliance with this policy is mandatory. Any employee found to have intentionally violated this policy may be subject to disciplinary action and civil penalties as provided by state law. If approached by law enforcement, contact the [AHEC Police Department](#) or MSU Denver Office of General Counsel at GeneralCounsel@msudenver.edu. For assistance with interpretation or application of this policy, contact the Office of General Counsel.

F. DEFINITIONS

- A. **Confidential Records:** Records protected by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. Part 99 (FERPA), or other applicable federal and state privacy laws.
- B. **Employee:** Any individual employed by the University in a full-time, part-time, temporary, or contract capacity, including volunteers when acting on the University's behalf.
- C. **Federal Immigration Enforcement:** Efforts to investigate, enforce, or assist in the enforcement of federal civil or criminal immigration laws.
- D. **Personal Identifying Information (PII):** Includes place of birth, immigration or citizenship status, and data from passports, permanent resident cards, alien registration cards, and employment authorization documents.

G. RELATED INFORMATION

- A. [Colorado General Assembly- Protect Civil Rights Immigration Status](#)
- B. [Colorado Senate Bill 25-276](#)
- C. [Family Educational Rights and Privacy \(FERPA\)](#)
- D. [AHEC Immigration Enforcement Policy](#)

H. POLICY HISTORY

- A. **Effective:** September 1, 2025
- B. **Original Enactment Date:** September 1, 2025

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C. **Review:** This policy will be reviewed as deemed necessary by University leadership.

I. POLICY APPROVAL



Janine Davidson, Ph.D.
President, Metropolitan State University of Denver

N/A
Chair, Board of Trustees, Metropolitan State University of Denver