

FAQ: RESPONDING TO REQUESTS FROM U.S. GOVERNMENT OFFICIALS

Primarily the Department of Homeland Security, U.S. Customs & Border Protection (CBP), and U.S. Immigration & Customs Enforcement (ICE) Agents

This FAQ provides answers to some questions faculty, students, and staff may have about requests from U.S. government officials and federal immigration enforcement officers entering MIIS property. If you are unsure of your role and/or obligations, or have additional questions, please contact one of the key staff members identified at the end of this document.

1. Is MIIS voluntarily providing information to the federal government regarding the immigration status of any individual?

No. MIIS will not voluntarily provide personally identifiable information about students, faculty or staff to the federal government. At this time, February 19, 2025, MIIS has not received any requests for information about the immigration status of any identified individuals.

2. Is MIIS designated as a “sanctuary” location?

No. The label of a “sanctuary” city or location is not a legal definition. The federal government does not recognize any “sanctuary” status.

3. Can MIIS prevent federal immigration enforcement officers from coming on campus in Vermont?

No. Although MIIS is a private educational institution, our campus is generally open to the public. Federal immigration enforcement officers may enter a public area on MIIS’s campus without a warrant, just like any other member of the public. Thus, students, faculty, and staff may not block federal immigration enforcement officers from entering public areas on MIIS property.

However, public access is restricted in various areas of the campus because of privacy concerns, operational needs, or safety considerations. These include residential halls and buildings where access is restricted by ID cards, locked doors, or monitored entryways. Non-public spaces also include some areas that may normally be left unlocked during the workday, including, for example, administrative or faculty offices, classrooms while classes are in session, kitchens and food preparation areas, maintenance areas, storage facilities, and physical plant operations. Federal immigration enforcement officers may not access non-public areas of MIIS property without permission from an authorized MIIS official.

Faculty, students, and staff may not grant immigration officers permission to enter non-public spaces, even if they have a judicial warrant.¹ **If the officer has a warrant or order of any kind, let them know that only the General Counsel or Vice President’s office is authorized to accept such documents and provide consent for access. Provide the officer with the address of Segal Building, at 425 Van**

¹ If an unauthorized employee/student provides consent, even if that employee/student does not have the authority to do so, federal immigration officers may be permitted to take enforcement action in non-public spaces. It is crucial that all employees/students understand their responsibilities and know whom to contact if a federal immigration officer requests access to such areas.

Buren Street. Then, let them know that an officer is on their way by calling Hannah Ross at (802) 443-5229 and/or Jeff Dayton-Johnson at (831) 647-4647.

PLEASE NOTE that federal law prohibits ALL people from hiding evidence, concealing or hiding individuals who are the subjects of law enforcement activity (including immigration enforcement), or interfering with an arrest. All MIIS employees are expected to comply with applicable laws while working for MIIS and should never physically interfere with an enforcement action or do anything to put themselves in physical danger.

4. Which federal immigration enforcement officers might seek access to the campus, and what authority do they have?

Officers of U.S. Immigration & Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), or other agencies may appear on campus for a variety of reasons unrelated to apprehending and removing (or “deporting”) an individual they believe is unlawfully present in the United States. For example, many international students participate in the U.S. State Department’s Student and Exchange Visitor Program (SEVP). MIIS is required to report certain information about SEVP students to ICE, and ICE may come to campus to meet with SEVP students and/or MIIS staff who have responsibilities under the SEVP program.

ICE, CBP, or USCIS may also come on campus in connection with regulations that do not involve alleged immigration violations. It is a mistake to assume that any immigration enforcement employee visiting campus is present to apprehend or remove a member of the MIIS community. Rumors about immigration or ICE enforcement actions on campus can spread anxiety and panic. **Therefore, if you observe ICE or other federal immigration officers on campus and have concerns about their activities, please call one of the staff members listed at the end of this memo. If an officer or agent requests that you take an action that is outside their usual visit or checks (or that you’re not sure of or uncomfortable with), please contact one of the key staff members listed at the end of this document.**

ICE or CBP officers are required to have a *criminal* arrest warrant or search warrant (i.e. a judicial warrant) to lawfully enter non-public areas. Generally, the warrants these officers carry are *civil*, *administrative* warrants that do not give them the authority to enter non-public spaces. **Therefore, if an officer or agent presents you with a warrant or order of any kind, let them know that only the General Counsel or Vice President’s office is authorized to accept such documents and provide consent for access. Provide the officer with the address of Segal Building, at 425 Van Buren Street. Then, let them know that an officer is on their way by calling Hannah Ross at (802) 443-5229 and/or Jeff Dayton-Johnson at (831) 647-4647.**

Please note that Campus Security staff are not law enforcement personnel; rather, they are private security staff supporting our educational operations. Campus Security does not contact, detain, or question any individuals regarding immigration status, and Campus Security does not undertake joint efforts with federal immigration enforcement authorities to investigate, detain, or arrest individuals for violation of federal immigration law.

5. Will federal immigration enforcement agencies target the MIIS campus?

We do not know whether federal immigration enforcement agencies will conduct enforcement activities on the MIIS campus. Under the Obama administration, the Department of Homeland Security (DHS) issued memos to ICE and CBP officers providing that arrests, interviews, searches, and surveillance should not generally focus on “sensitive locations,” including schools, university campuses, hospitals, and institutions of worship. The ICE memo also includes sites during the occurrence of a public demonstration, such as a march, rally, or parade. The CBP memo also includes “community centers.” President Trump signed executive orders in January 2025 withdrawing these memos and therefore this guidance no longer impacts the actions of the Department of Homeland Security.

6. What should I do if a federal immigration enforcement officer presents me with a warrant or a subpoena?

As a MIIS employee, you are required to maintain the confidentiality of personally identifiable information and records containing such information. If you are presented with a warrant, subpoena or court order by a federal immigration enforcement officer, including if they are seeking to enter non-public areas of the MIIS campus, **let them know that only the General Counsel or Vice President’s office is authorized to accept such documents and provide consent for access. Provide the officer with the address of Segal Building, at 425 Van Buren Street. Then, let them know that an officer is on their way by calling Hannah Ross at (802) 443-5229 and/or Jeff Dayton-Johnson at (831) 647-4647.**

7. Does it make a difference if a student is an international student?

Universities are required to exchange data with federal immigration agencies on the status of international students on F-1, J-1, or M visas through use of a government database named “SEVIS,” which is the Student and Exchange Visitor Information System that is part of the Student and Exchange Visitor Program (SEVP). In addition, certain information about those students is required to be retained and produced by MIIS upon request from DHS and ICE.

According to the Department of Education, the Family Education Rights & Privacy Act (FERPA) permits institutions to comply with information requests from DHS in order to comply with the requirements of the SEVP program. However, this does NOT create a blanket waiver of an international student’s FERPA rights; the information that can be disclosed is limited to the categories listed in DHS regulations, and a request must be made to an authorized MIIS official. Please refer any DHS or ICE requests for information about an international student or scholar to Tabitha Fleming, Assistant Director of International Student and Scholar Services (ISSS) at (831) 647-3586 or tabithaf@middlebury.edu.

Key staff members will take steps to ensure that the requested access, information, or document request is properly authorized and executed. Key staff members will ask the officer for their name, identification number, and agency affiliation and ask for a copy of any warrant, subpoena, or order, and may consult with Middlebury's General Counsel as needed.

KEY STAFF MEMBERS INCLUDE THE FOLLOWING PEOPLE:

For questions regarding **students**:

Ashley Arrocha

Associate Dean of Students
(831) 647-4654
aarrocha@middlebury.edu

For questions regarding **international students and scholars**:

Tabitha Fleming

Assistant Director of International Student and Scholar Services (ISSS)
(831) 647-3586
tabithaf@middlebury.edu

For questions regarding **faculty or staff**:

Meili Chen

Human Resources Business Partner
(831) 647-6404
meilic@middlebury.edu

For questions regarding a **warrant, subpoena, or other order**:

Hannah Ross

General Counsel
(802) 443-5229
hross@middlebury.edu
Segal Building
425 Van Buren Street

Jeff Dayton-Johnson

VP & Dean of the Institute
(831) 647-4647
jdaytonjohnson@middlebury.edu
Segal Building
425 Van Buren Street

If the designated individuals listed above are not available, please contact Barbara Burke at (831) 647-3513 and/or Security at (831) 647-4153.