

Guidance on Responding to Law Enforcement Requests for Student or Employee Information

This memorandum provides guidance to the DU community regarding how to respond to non-routine outreach from federal, state, or local law enforcement officials, including U.S. Immigration and Customs Enforcement (ICE), who may contact DU faculty and staff requesting information about our students and employees and/or seeking to make contact with those individuals.

Requests for information about students or employees

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects the privacy of student education records and prohibits disclosing those records without the student's consent or in certain limited circumstances, specifically in response to a lawfully-issued subpoena. For more information about employees' obligations under FERPA, please review the [Office of the Registrar's FERPA Guide for DU Employees](#). Similarly, the University does not generally share confidential information concerning its employees without the employee's consent or a lawfully-issued subpoena.

In general, DU faculty and staff should not respond to inquiries or share any information about a DU student or employee with law enforcement officials without the written consent of that student or employee unless you have consulted with the Office of General Counsel.

Generally, all DU employees should refer inquiries from law enforcement agencies (whether in person, electronic, or written) about DU students or employees to the Office of General Counsel, or to the Department of Campus Safety if there is an inquiry outside of the University's business hours that needs immediate attention. The only offices authorized to accept subpoenas or other legal documents on behalf of the University are the Office of General Counsel or the Senior Vice Chancellor for Business and Financial Affairs.

If a law enforcement agent requests information or seeks to contact a student or employee **in person**, a DU employee should escort (or ask Campus Safety to escort) the individual to either the Office of General Counsel (during business hours) or Department of Campus Safety (outside of business hours). Employees may explain this requirement to the agent using the following language:

Our University policies and applicable law do not permit me to share any information with you. However, I am happy to escort you or have Campus Safety escort you to the Office of General Counsel (or the Department of Campus Safety).

Responding to background checks and similar routine requests for information with a signed release

Investigators from federal and state agencies periodically visit our campus to request student and employee information as part of routine employment background checks and security clearance processes. These investigators must present a signed release from the subject of the

inquiry. Some University employees respond to such requests regularly as part of their normal job duties. If that is the case, the employee may provide student records or information designated in the release to such investigators. The employee must retain a copy of the release and the investigator's business card and place those documents with the student's records. If the investigator does not have a signed release, or if the release states "signature on file" in lieu of an actual signature, then the investigator should be referred to the Office of the Registrar for requests relating to students or to the Office of General Counsel for requests relating to employees. If you have any doubt, question or concern regarding an information request of this nature, please consult with one of the resource offices listed below.

Resource Offices

Please remember that ALL law enforcement requests for student information should be handled by the Office of General Counsel, Office of the Registrar, or Department of Campus Safety. If you have any questions regarding this process, please contact:

- Office of General Counsel
 - 303-871-4646 or counsel@du.edu
 - The Office of General Counsel provides legal advice to all University offices.
 - Regular business hours are Monday through Friday from 8:00 a.m. to 4:30 p.m.
- Office of the Registrar
 - 303-871-4095 or registrar@du.edu
 - The Office of the Registrar may respond to law enforcement requests for student information with a signed release.
 - Regular business hours are Monday through Friday from 8:00 a.m. to 4:30 p.m.
- Department of Campus Safety
 - Chief Michael Bunker, michael.bunker@du.edu, 303-874-4578
 - The Department of Campus Safety is the University's liaison with local, state, and federal law enforcement agencies.
 - The Department of Campus Safety can provide assistance outside of the University's regular business hours.