

Allegany College of Maryland
IMMIGRATION ENFORCEMENT ON CAMPUS POLICY

Adopted 2025
Approved by Board of Trustees 9/22/25
Implementation Date 10/1/25
Type of Policy: Mandatory

BACKGROUND AND PURPOSE

Allegany College of Maryland is committed to providing a healthy and safe community for learning and engagement for all students, employees, and guests. It is the responsibility of every person to ensure his/her actions do not compromise the health and safety of any person or the campus community. The College has numerous policies including those mandated by federal or state law. The Maryland General Assembly enacted the Maryland Values Act during the 2025 legislative session; the law directs Maryland's Attorney General to provide written guidance to the "sensitive locations" to which the law applies, and the Maryland Attorney General has determined that public institutions of higher education constitute "sensitive locations"; therefore, the law mandates each Maryland college to adopt a policy that implements its requirements and restrictions related to federal immigration enforcement. This policy satisfies the mandate.

POLICY

I. SCOPE OF THE POLICY

This policy applies to all Allegany College of Maryland programs, activities, and services. This policy applies to all students, employees, volunteers, interns, vendors, visitors, parents, spectators, Trustees, and/or any person who is present on any College property or participating in any College program/activity unless otherwise noted. College owned or managed property includes (but is not limited to) Cumberland campus, Bedford County Campus, Somerset County site, Gateway Center, Garrett site, Makerspace, and Willowbrook Woods. This policy also applies to any student or employee who is engaged in any college-sponsored or college-affiliated activity at an off-campus location including but not limited to sporting events, field trips, clinical/practicum course requirements, and conferences. This policy applies while using College owned or rented vehicles.

II. POLICY STATEMENT

Allegany College of Maryland is not an agent of federal criminal or civil immigration enforcement but will comply with both state and federal laws that apply to immigration enforcement on college property through the least disruptive means while maintaining public safety.

III. DEFINITIONS

- A. Compliance visits: federal immigration officials make site visits to check whether institutions or employers are in compliance with immigration rules. Per Maryland's Attorney General, any access granted to spaces or information for compliance purposes must clearly state that limitation.
- B. Exigent circumstances: emergency situations that require law enforcement to act immediately to address a threat to public safety without pausing to obtain the prior approval from a judge that would typically be required. Examples include imminent risk of death, violence, or harm to a person or property; hot pursuit of a dangerous subject; and the imminent risk of the destruction of evidence of a crime.
- C. Federal law enforcement officer: an officer who may make an arrest with or without a warrant for violations of the United States Code and carry firearms in the performance of the officer's duties.
- D. Immigration enforcement: federal immigration enforcement actions related to apprehension and removal of persons not lawfully in the country. Per Maryland's Attorney General, compliance visits do not constitute enforcement activity if the visits are unrelated to apprehension and removal.
- E. Private spaces: Generally, the College and most facilities are open to the public, but the following are designated private spaces (not accessible to the general public): classrooms if a class is being held at the time access is sought, individual offices, Nurse Managed Wellness Clinic examining rooms, personal counseling spaces in use, Reflection Room, and Willowbrook Woods (all inclusive).
- F. Warrant: a written order to execute a search or an arrest.

- (1) Administrative warrant: a warrant signed by immigration officers, not federal judges. They do not grant federal law enforcement officer authority to enter private spaces without permission.
- (2) Judicial warrant: a warrant signed by federal court judge. They grant federal law enforcement officer authority to enter private spaces without permission.

IV. FEDERAL IMMIGRATION ENFORCEMENT ACTIONS

A. Generally.

A federal law enforcement officer who acts under the authority granted by Maryland Values Act to conduct immigration enforcement shall present at (or be directed to) Campus Safety/Special Police Office in the WCT (ie., Correctional Training Center) to provide the requisite notification of an investigation or enforcement action to one of Allegany College of Maryland's designated Special Police Officer. The Special Police Officer shall verify the federal law enforcement action, accompany the federal law enforcement officer during execution of the action, document the enforcement activity, and obtain copies of warrants.

If no Special Police Officer is available, notification shall be made to local law enforcement (Cumberland City Police Chief). A responding CPD officer shall be accompanied by available Campus Safety/Special Police Security Guard during execution of the action, and the Security Guard shall document the activity.

Federal law enforcement officers shall provide their identity and show their credentials. College Officials shall document the federal law enforcement officer's name, agency, and badge number if available.

As needed, the Special Police Officer (or Security Guard) may contact a senior administrator or legal counsel (including the College's General Counsel) for guidance at any time.

B. Public versus Private Spaces

Immigration enforcement may be conducted by federal law enforcement officers in publicly accessible areas. No College Official may interfere with the federal law enforcement officers, attempt to conceal any person from federal law enforcement officers, or assist any person in evading federal law enforcement officers.

Access to designated private spaces shall be denied unless the federal law enforcement officer presents a valid judicial warrant issued by a federal court or exigent circumstances exist. If federal law enforcement officers proceed into private spaces without the judicial warrant or exigent circumstances, the College's Officer shall document, consult College authorities (which may include legal counsel), but shall not resist or block the federal law enforcement officers. Per guidance from Maryland's Attorney General, federal law enforcement officers may not require any College Official to open locked doors or to otherwise assist them in obtaining entry to private spaces.

C. Requests for Records or Information

Allegany College of Maryland maintains confidential records for students and employees as required by various laws, regulations, and institutional policies. They include, but are not limited to Americans with Disabilities Act, Federal Educational Rights and Privacy Act, Health Insurance Privacy and Portability Act, and Tax General Article of the Maryland Code. Directory or other publicly available information may be released as permitted. Requests by any outside person or entity including federal law enforcement officers for protected information shall comply with privacy laws including presenting a warrant or subpoena where necessary.

V. Procedures

Allegany College of Maryland shall use currently existing procedures or adopt new procedures to implement this policy.

VI. EDUCATION

Allegany College of Maryland shall provide prevention and awareness education to its employees. This education shall be designed to provide information regarding this policy, related procedures, and employee responsibilities.

VII. OTHER PROVISIONS

- A. Nothing in this policy shall be construed to prohibit senior officers of Campus Safety/Special Police from establishing communication with federal law enforcement authorities for the purpose of informing authorities of the College's procedures if immigration enforcement activity is anticipated and to facilitate advance notification of such activity on campus to minimize disruptions.
- B. Application of this policy may directly or indirectly require the application of other institutional policies; nothing in this policy shall be construed to prohibit the application of related policies which include, but are not limited to the policies listed here. Related policies include: Academic Regulations, Personnel/HR policies, FERPA Policy, Safety Risk Policy, First Amendment Policy Non-Discrimination Policy, ADA/504 Policy. Likewise, institutional procedures may apply including but not limited to Campus Safety/Special Police Comprehensive Principles, Guidelines, Procedures, and Safety Action Plans and ACM Emergency Procedures.
- C. If another College policy or state law conflicts with this policy, the College shall make reasonable efforts to resolve the conflict without violating any policy or law. If such resolution is not possible, the College shall apply the relevant policy or law in this order: constitutional protections, federal law, federal regulations, institutional policy to implement federal law/regulations, Maryland law, Maryland regulations, institutional policy to implement Maryland law/regulations, other state law, other state regulations, institutional policy to implement other state law/regulations, institutional policy unrelated to a federal or state law/regulation.

VIII. ADMINISTRATION OF POLICY

The Dean of Student & Legal Affairs is responsible for the implementation, administration, and oversight of this policy in consultation with Campus Safety/Special Police, other College Officials, and/or General Counsel as needed. Questions, concerns, and reports of non-compliance should be promptly reported to the Office of Student & Legal Affairs.

IX. Policy Changes

Substantive changes to this policy require approval by the Board of Trustees; editorial changes, title/position changes, and/or changes to its implementation procedures may be made as required by federal or state mandate and/or institutional need with timely notice to students and employees.