

University System of Maryland (USM)

Guidance on Federal Immigration and Customs Enforcement (ICE)

Updated February 18, 2026

The University System of Maryland (USM) is the state's public university system, which includes 12 universities and three regional higher education centers.

The information in this document is intended to summarize the advice of the Maryland Office of the Attorney General (OAG) in its memorandum "[Guidance for Colleges and Universities on Responding to Immigration Enforcement Requests.](#)" This document is not legal advice and is not intended to contradict or supersede the OAG's guidance.

Is ICE Allowed on Our Campus?

The Immigration and Customs Enforcement (ICE) unit of the U.S. Department of Homeland Security (DHS) enforces federal immigration laws. Its enforcement activities include arrests, detentions, searches, service of subpoenas and other legal documents, interviews, and surveillance. Historically, DHS has limited enforcement at or near places considered "sensitive locations" or "protected areas" such as university campuses. In January 2025, DHS rescinded the guidance limiting enforcement actions at or near these areas, but it has not focused its enforcement efforts on college and university campuses.

Can Anyone Stop ICE from Accessing Our Campus?

ICE officials may engage in enforcement activities in areas of campus that are open to the general public. ICE officials may arrest and detain individuals for whom an administrative warrant has been issued, but administrative warrants do not give them permission to enter areas of campus that are not open to the general public. ICE officials may enter non-public areas only if they have a judicial warrant or if they are given consent to enter. A judicial warrant is one issued by a state or federal court signed by a judge or magistrate judge. A warrant issued by an immigration judge is not a judicial warrant.

What Is Considered a Non-Public Area?

Non-public areas include, without limitation, private offices, residence halls, classrooms while classes are in session, areas restricted by key card, locked doors or monitored entryways, locker rooms, laboratories, kitchens and food preparation areas, maintenance areas, and storage facilities.

What Should Someone Do If Witnessing Immigration Enforcement Activity on Campus?

1. Remain calm.
2. As soon as it is practical, contact: FSU Campus Police Department at 301-687-4223 for non-emergency or 301-687-4222 or 911 in an emergency); and FSU's Office of Legal Counsel at 301-687-3160.
3. **If agents request access to non-public areas**, records or other information, call the campus police department and legal counsel at the numbers listed above. If you are a university employee, alert your supervisor as well.
 - **Do not say or do anything that could be construed as an unwillingness to cooperate, and do not interfere with or obstruct the actions of the agents.**
 - If agents enter a residence hall and inquire about student residents: Ask agents for their credentials and ask them to wait in an area open to the public while legal counsel for the institution are contacted. If presented with a subpoena or warrant, indicate that you are not authorized to accept service of a subpoena or warrant on behalf of your institution or any other person.
 - Do not invite agents to enter or consent to their entrance into non-public areas (i.e., residence hall, laboratory, faculty or staff office) of the University. However, if agents enter or attempt to enter non-public areas without your consent, **under no circumstances should you attempt to physically obstruct agents' activities.** You may state, "I am not authorized to consent to your entry, but I will call campus police to assist you," but — again — you should not attempt to obstruct agents' activities.
 - Do not disclose personal, confidential or sensitive information, such as names, addresses, or immigration status, without first speaking with legal counsel for your institution. For student employees (i.e., Resident Assistants), if asked about other individuals, you may state, "I am not authorized to disclose information about students, but I will call campus police to assist you."

What About Documents?

Educational institutions are required to comply with the Family Educational Rights and Privacy Act. FERPA provides that institutions may not release student education records without student consent, unless the requestor has produced a court order or lawfully issued subpoena, or another FERPA exception applies. The institution must make a reasonable effort to notify the student (or parent, if the student is a minor) before

producing documents in response to a subpoena unless the subpoena has been issued for law enforcement purposes, and it prohibits such notification.

ICE has administrative subpoena power and can issue a subpoena requiring production of records. However, the Maryland Public Information Act (MPIA) requires State and local officials to deny requests by federal agencies to inspect a part of a public record containing personal information or to inspect photographs where access is sought for the purpose of enforcing federal immigration law, unless the federal agency presents a valid *judicial* (not administrative) warrant. A judicial warrant is one issued by a state or federal court signed by a judge or magistrate judge. A warrant issued by an immigration judge is not a judicial warrant.

The MPIA does not prohibit officials from providing information to federal agents about citizenship or immigration status of individuals already known to federal immigration officials. In fact, federal law *prohibits* state or local government entities from prohibiting or restricting “any government entity or official from sending to, or receiving from, (ICE) *information regarding the citizenship or immigration status, lawful or unlawful, of any individual.*”

Therefore, Maryland public colleges and universities should not prohibit their employees from sharing information about an individual’s immigration status with federal officials. But before disclosing a person’s name, address, or other personal information, you should consult with legal counsel. With respect to student records, FERPA requirements would apply, unless a FERPA exception is applicable.

Can Someone Who Is a Target Refuse to Answer Questions?

Individuals who are the focus of federal immigration officials’ enforcement activities have the right to decline to provide personal information or consent to a search until they have had an opportunity to speak with legal counsel.

Where Can Our Campus Community Find More Information?

The Maryland Office of the Attorney General (OAG) memorandum “[Guidance for Colleges and Universities on Responding to Immigration Enforcement Requests](#)” is the primary source for this Q-and-A and contains additional information.

The OAG offers a resource, [Know Your Rights](#), which addresses several issues, including immigration matters.

The OAG has also compiled a [comprehensive website](#) with resources to support our Maryland immigrant community.