

DIVISION OF LEARNER SUPPORT SERVICES

Frequently Asked Questions (FAQs) Federal Immigration Enforcement – Rights and Responsibilities



ANNE ARUNDEL
COMMUNITY COLLEGE

Students with undocumented citizenship status who have graduated from a high school in the United States or who have earned a General Educational Development (GED) diploma in the United States may be admitted to Anne Arundel Community College.

In response to student inquiries concerning immigration enforcement occurring across the country, and possibly at AACC and its satellite locations, we have compiled this FAQ to explain, advise and direct those who need our assistance.

Anne Arundel Community College will respond, as required by law, to federal, state and local law enforcement officials who bear administrative or criminal warrants for individuals wanted by the Department of Homeland Security (DHS), U.S. Customs and Border Patrol (CBP) and/or Immigration and Customs Enforcement (ICE). At present, undocumented immigrants in the United States for less than 14 days and caught within 100 miles of the border can be deported without a hearing. Otherwise, undocumented immigrants do have a right to an administrative hearing to determine their status and basis for arrest and possible deportation.

AACC provides the following frequently asked questions and answers, which are intended to provide general information on matters related to and resources available for individuals with the status of Deferred Action for Childhood Arrivals (DACA) and Undocumented Students.

FREQUENTLY ASKED QUESTIONS (FAQS)

(Some of the following FAQs were compiled and adopted or adapted from various sources including the American Civil Liberties Union, Division of Student Affairs - University of California Berkeley, Department of Homeland Security, George Mason University, University of Maryland Baltimore, Princeton University and NAFSA: Association of International Educators.)

What is the Trump administration's executive order titled, "Border Security and Immigration Enforcement Improvements?"

On Feb. 21, 2017, President Trump issued an executive order designed to further enforce the arrest, detention and/or deportation of undocumented immigrants. According to Homeland Security, the executive order includes, among other provisions, "... establishing operational control of the border, establishing and controlling a physical barrier, detaining illegal aliens at or near the border, ending the practice of 'catch and release,' and returning aliens to the territory from which they came pending formal proceedings. ..."

What is Deferred Action for Childhood Arrivals (DACA) and who is eligible?

Under the Deferred Action for Childhood Arrivals (DACA), undocumented immigrants under the age of 31 as of June 15, 2012, who came to the U.S. before they were 16 years old and have remained here continuously since, can apply to remain for two years. They also are eligible to secure work permits.

To qualify, an immigrant has to be in school, have graduated from high school or be an honorably discharged veteran of the Armed Forces of the United States. An applicant also has to pass a background check to show he or she has not been convicted of a felony, a significant misdemeanor or three or more other misdemeanors - and do not pose a threat to national security or public safety.

The Deferred Action for Childhood Arrivals (DACA) program will be rescinded effective March 5, 2018. Anyone who has a DACA permit expiring between now and March 5, 2018 can apply for a two-year renewal if the application is submitted by Oct. 5, 2017. Congress may act to reinstate DACA or some similar program prior to the deadline. In the meantime, the college will continue its commitment to educating all students.

What is the Maryland Dream Act?

The Maryland Dream Act was passed on Dec. 6, 2012, allowing certain high school graduates who are undocumented immigrants and meet the prescribed requirements the opportunity to qualify for special tuition rates at Anne Arundel Community College. Qualified graduates of an Anne Arundel County high school may be eligible for tuition equal to the in-county or out-of-county, in-state rate. Students who continue to meet Maryland Dream Act requirements can transfer and pay in-state tuition at Maryland's public four-year colleges and universities if they earn an associate degree or 60 credits from a Maryland community college.

Whom at AACC can I talk to about my immigration status and enrollment?

You can consult with the admissions office or Emma Thompson, international admissions specialist, in Student Services Building Room 107 or call **410-777-2152**. In some cases, we may refer you to an outside immigration counsel. We strongly encourage all international students, especially those from the six identified countries in Trump's executive order, to consult with Thompson prior to any international travel. For enrollment or tuition questions, contact John Grabowski, Ph.D., dean of Enrollment, **410-777-2231** or email jfgrabowski@aacc.edu.

Whom should I contact for general assistance regarding any questions or concerns about immigration enforcement?

Students can contact the Office of the Dean of Student Engagement, Student Union Room 210, **410-777-2582** or deanstudents@aacc.edu; or Felicia Patterson, vice president for Learner Support Services, **410-777-2256** or email flpatterson@aacc.edu.

Employees should contact Melissa Beardmore, vice president for Learning Resources Management, in Ludlum Hall Room 213, **410-777-2411** or mabeardmore@aacc.edu.

What should I do if I am approached or questioned by an official from the DHS, ICE or CBP?

If you are a student, immediately contact Felicia Patterson at the contact information above. If you are an employee, immediately contact Melissa Beardmore at the contact information above. Undocumented immigrants have the right to remain silent in most circumstances and not answer any questions. You do not have to answer questions about your immigration status, unless you have a nonimmigrant visa (e.g. F-1 student visa).

You have the right not to sign any documents; the right to a hearing before an immigration judge; and the right to call an attorney or family member.

AACC's Department of Public Safety and Police will be contacted by college officials for assistance in all cases involving federal law enforcement officials.

As a student, are my personal information and student records protected from federal authorities?

Consistent with FERPA, AACC's general rule is not to disclose a student's personal information to anyone outside the college – including government officials or law enforcement officers – without the student's prior written consent.

The college typically releases only name, terms enrolled, full-time or part-time enrollment status, and degrees earned as directory information. To have directory information withheld, notify the registrar in writing.

AACC may be legally required to provide a student's records and personal information to government officials or law enforcement officers if presented with a subpoena or comparably binding requirement (for example, a court order). When we plan to provide the information, we will notify the student.

Can the college prevent federal immigration enforcement officers from coming on campus or other AACC locations?

Generally, no. AACC does not have authority to prohibit federal immigration enforcement officers or other law enforcement officers from coming on campus to enforce federal, state or county laws. Also remember that AACC is a public institution and a large portion of AACC is open to the general public. Those areas also are open to federal immigration enforcement officers.

Public access also is limited in certain areas of the AACC campus and satellite locations because of privacy concerns, operational needs or safety considerations. Campus buildings and spaces in which access is physically restricted, such as by key card, locked doors or monitored entryways, fall into this category. Limited access spaces also include some administrative or faculty offices, classrooms in session, locker rooms, laboratories, kitchen and food preparation areas, maintenance areas, storage facilities and physical plant operations.

AACC employees are not required to affirmatively assist federal immigration authorities or grant permission to enter limited access space when officers do not have a judicial warrant to enter. It is appropriate to seek guidance from campus officials (for example, Department of Public Safety and Police, college counsel, etc.) to understand your duties in particular circumstances. However, federal law prohibits you from hiding evidence, concealing or hiding individuals who are the subjects of law enforcement activity, or interfering with an arrest. Further, you should not put yourself in physical danger.

What role does AACC's Department of Public Safety and Police play in immigration enforcement?

Enforcement of immigration laws is primarily a federal responsibility. The role of the AACC Department of Public Safety and Police is to assist federal or local law enforcement agencies in executing their lawful duties and, at the same time, preserve the peace and uninterrupted functioning of the college. DPS will escort these law enforcement units to the student or employee, have them step out of class or office and then allow the federal officers or agents to perform their duties.

Note for students: There is a law enforcement exemption to FERPA as it pertains to the release of police records or information from one law enforcement agency to another.

How should I respond if I am asked about my immigration status by a police officer or immigration agent (e.g. ICE)?

You have the right to remain silent and not answer any questions about your immigration status, where you were born, whether you are a U.S. citizen, or how you entered the country. If you are not a U.S. citizen and have valid immigration papers, you may show them if an immigration agent requests it.

What agencies in the community, county or state are available for assistance and guidance regarding immigration matters?

There are a number of agencies available in Anne Arundel County and Maryland ready to assist anyone of undocumented status. These include, but are not limited to:

ACLU OF MARYLAND

3600 Clipper Mill Road,
Suite 350
Baltimore, MD 21211
443-524-2558

ANNE ARUNDEL COMMUNITY ACTION PARTNERSHIP

251 West St.
Annapolis, MD 21401
410-626-1900

BALTIMORE WELCOME & WORKER CENTER

2224 E. Fayette St.
Baltimore, MD 21231
410-732-2694

BOX OF RAIN

P.O. Box 3557
Annapolis, MD 21403
410-657-3117

CASA DE MARYLAND

8151 15th Ave.
Hyattsville, MD 20783
301-431-4185

THE CENTER OF HELP

1906 Forest Drive, Suite 2B
Annapolis, MD
410-295-3434

CENTRO DE LOS DERECHOS DEL MIGRANTE INC.

10 E. North Ave., #9
Baltimore, MD 21202
401-783-0236

COMMUNITY HEALTH CENTER

3 Harry S Truman Parkway
Annapolis, MD 21404
410-222-7381

ESPERANZA CENTER (Catholic Charities - Legal Services)

430 S. Broadway
Baltimore, MD 21231
410-534-8015

HIAS

1300 Spring St., Suite 500
Silver Spring, MD 20910
301-844-7300

MARYLAND COMMISSION ON CIVIL RIGHTS

6 Saint Paul St., Suite 900
Baltimore, MD 21202
410-767-8600

Toll Free: **800-637-6247**

Maryland Relay: **7-1-1**

THE SALVATION ARMY

351 Hilltop Lane
Annapolis, MD 21403
410-263-4091 (Lisa Lima ext. 102)

