

Undocumented Status FAQ

1. Are federal immigration officers allowed to enter campus buildings and other university property?

UCCS is a public institution, and most of the campus is open to the public. Classrooms in buildings that are open to the public are also considered public spaces.

Immigration and Customs Enforcement (ICE) officers and other federal immigration authorities may enter areas open to the public.

Restricted buildings and spaces include:

- Buildings with locked doors
- Buildings with restricted access requiring a university-issued ID card
- Classrooms in residence halls and other nonpublic, limited-access spaces
- Residence halls with monitored entryways

UCCS Public Safety has created a process for UCCS staff and faculty to follow -[Information for the UCCS Community Relative to Immigration](#) document. If you encounter a federal immigration officer, contact UCCS Police Department Dispatch at 719.255.3111.

2. Will the UCCS Police Department work with federal immigration officers to apprehend and remove individuals from campus?

UCCS Police are dedicated to maintaining a safe and inclusive environment for all students, staff, and faculty, regardless of their immigration status.

Colorado law prohibits law enforcement officers, including UCCS Police officers, from acting on ICE detainers or stopping, arresting or searching an individual based solely on immigration status.

The [2019 Protect Colorado Residents from Federal Overreach Act](#) also bars law enforcement agencies from jailing inmates based solely on an ICE detainer request.

3. What should UCCS employees and students do if a federal immigration enforcement officer asks for access to a nonpublic, limited-access area such as a residence hall?

University employees and students should immediately **call the UCCS Police Department dispatch at (719)-255-3111** for assistance and ask the federal immigration enforcement officer to wait until additional guidance is provided by UCCS Police. For a full overview on UCCS's process view the [Information for the UCCS Community Relative to Immigration](#) document.

It is critical to note that Immigration and Customs Enforcement (ICE) ICE officers are required to present a judicial warrant — a criminal arrest or search warrant signed by a judge – to lawfully enter university spaces on or off campus that provide limited access or are not open to the public. Residence halls, restricted buildings and other nonpublic, limited-access areas on and off campus carry privacy interests – and a person need not provide consent to ICE officers who do not present a judicial warrant signed by a judge in these instances.

Restricted buildings and spaces include:

- Buildings with locked doors
- Buildings with restricted access requiring a university-issued ID card
- Classrooms in residence halls and other nonpublic, limited-access spaces
- Residence halls with monitored entryways

4. Can residence hall advisers, other university employees and students refuse to allow federal immigration enforcement officers to enter residence hall rooms?

If an ICE officer asks to enter a residence hall room, university employees and students should immediately **call the UCCS Police Department dispatch at (719)-255-3111** for assistance ask the federal immigration enforcement officer to wait until additional guidance is provided by UCCS Police.

5. What should I do if I'm uncomfortable calling the campus police department?

Anyone with emergency issues should call or text 911.

Those who need additional support may also contact the following offices:

- [UCCS Mental Health Services](#)
 - 719-255-4444
 - Mental Health Clinicians are available in person for emergency/crisis sessions Monday – Friday, 8:00 a.m. – 5:00 p.m.
 - In-person and telehealth appointments are available for individual, couples and family counseling.
- Faculty and Staff Support Resources
 - See this [curated list of support resources](#) dedicated to promoting the emotional and mental well-being of UCCS employees.
- [Dean of Students](#)
 - 719-255-3091

- Contact the Office of the Dean of Students if you are concerned for the well-being of a student, you want to report a concerning incident, or if you are feeling uncertain and need guidance.
- Local, State, and National Immigrant Resources
 - [Colorado Immigrant Rights Coalition](#)
 - Visit the Pikes Peak Library District's guide on [Immigrant and Refugee Resources](#)
 - See the Dean of Students list of [Legal Resources](#)
 - [Know your rights](#)

6. Can federal immigration enforcement officers enter off-campus housing?

ICE officers cannot enter student housing on or off campus without a judicial warrant or consent in most circumstances. Residence halls, restricted buildings and other nonpublic, limited-access areas on and off campus carry privacy interests – and a person need not provide consent to ICE officers who do not present a judicial warrant signed by a judge in these instances.

7. In what instances might local law enforcement be required to take enforcement action?

Local law enforcement officers are required by law to take action when a judge has signed a valid judicial warrant, such as a criminal arrest warrant or search warrant, which cannot be ignored. A judicial warrant alone would be sufficient to authorize law enforcement action

Local law enforcement officers may cooperate with or assist ICE officers in the execution of a valid judicial warrant signed by a judge

Law enforcement officers may inquire about an individual's country of origin to notify their consulate of an arrest, but those inquiries do not include questions about immigration status.

Learn more about the [different types of warrants and subpoenas](#).

8. Where can students and employees go for legal advice?

The website of the [American Immigration Lawyers Association](#) includes an Immigration Lawyer Search tool that you can use to find a local immigration attorney who is a member of that organization.

Additional Community Resources:

- [Colorado Immigrant Rights Coalition](#)

- Visit the Pikes Peak Library District's guide on [Immigrant and Refugee Resources](#)
- See the Dean of Students list of [Legal Resources](#)
- [Know your rights](#)

Under the [Fifth Amendment of the U.S. Constitution individuals have the right to remain silent](#) and do not need to answer questions or sign or provide any documents without an attorney present.

9. What should university employees do if a federal officer asks for or presents a subpoena for personally identifiable, private student or employee information or records?

In this instance, UCCS employees should start by asking the immigration officer for their name, identification number and agency affiliation and ask them to wait while the employee notifies UCCS Police. Employees should call UCCS Police at 719-255-3111 (24/7) to notify them of the presence of a non-UCCS affiliated, federal law enforcement officer on campus. UCCS employees should not provide information or records unless directed by University Counsel.

10. Are student and employee records and personally identifiable private information protected?

Personally identifiable educational records of students are protected by the Family Education Rights and Privacy Act (FERPA). All UCCS employees are required to maintain the confidentiality of these records for all individuals with such records on campus.

The university is not obligated to comply with requests for student or employee records without a subpoena or warrant. Under FERPA, a valid subpoena, warrant, or court order is required for nonconsensual access to student records. Various legal frameworks also protect most employee records such as personnel documents and files. Contact campus counsel at 719-255-3820 if you have questions about a request for student or employee records.

11. What about data held by the Department of Education or other federal agencies?

Similar restrictions exist for other federal agencies that may hold information, such as the Department of Education for the Free Applications for Federal Student Aid (FAFSA) for mixed status families. FAFSA information also may be protected by Section 483(a)(3)(E) of the Higher Education Act. Federal tax information is also protected. Federal agencies are subject to the Privacy Act of 1974, but there are exceptions.

Moreover, FAFSA data held by the Department of Education is protected by FERPA if the applicant becomes a student at the institution. If federal agency policies were to change, it is likely that attempts to use DACA data for broader enforcement efforts would be challenged in court based on previous guidance. It is too soon to assess the nature and chances of success of those challenges.

12. In what other circumstances might the federal Department of Homeland Security officials be on campus?

It is important to note that ICE or federal Department of Homeland Security officials may be on campus for reasons unrelated to enforcement actions, such as recruitment events, lectures or routine reporting by the appropriate campus office related to visa status of international students and scholars. The university is required to report certain information about F-1 or J-1 visa status students to ICE, and must comply with on-site visits to review records when requested.

13. Can the current administration end the Deferred Action for Childhood Arrivals (DACA) through an executive order?

No. Since DACA is a federal regulation, termination of the program would have to go through the lengthy formal rulemaking process.

14. If DACA ends, is there anything preventing federal immigration enforcement officers from using an individual's DACA data to facilitate their deportation?

The DACA regulation explicitly states that data will not be disclosed to ICE or U.S. Customs and Border Protection (CBP) officers for the purpose of immigration enforcement proceedings unless certain criteria are met, such as concerns related to national security, fraud or misrepresentation or specific criminal offenses.

15. Can undocumented students still seek university medical services provided at UCCS's Wellness Center?

Yes, all students including undocumented students can utilize the [UCCS Wellness Center](#) to consult with a health care or mental health provider.

