**Designation of Nonpublic Areas Under the Massachusetts "PROTECT Act"**

## I. Background

Massachusetts Bay Community College (the "College" or "MassBay") complies with the Massachusetts "PROTECT Act," G.L. c. 6, § 225(a) (2026), which authorizes the Governor of the Commonwealth to prohibit or limit civil immigration enforcement activities in the nonpublic areas of any state entity, including a state community college.

Based on the implementation guidelines issued by the Governor in response to the PROTECT Act, along with the Governor's concomitant delegation of authority to the community colleges, MassBay has adopted the following nonpublic area designations for the College. These designations apply solely and distinctly in the context of the PROTECT Act and civil immigration enforcement, and should not be interpreted to apply in other circumstances, including those governed by separate College policies defining nonpublic areas.

## II. Definitions

"Civil Immigration Enforcement:" MassBay defines civil immigration enforcement as activity that includes efforts to investigate, enforce, or assist in enforcing federal civil immigration laws.

"Nonpublic Areas:" MassBay defines nonpublic areas as spaces where entry is restricted and requires the College's consent for entry. These spaces are usually closed to the general public and open only to authorized College officials, faculty, staff, students, invited guests, or those with a legitimate College business purpose. For purposes of the PROTECT Act, MassBay also treats some additional areas as nonpublic so that people can work, attend class, use services, or conduct College business without disruption, fear, or intimidation.

"Public spaces:" MassBay defines public spaces as those that are accessible to the public at large without restriction.

## III. Significance of Nonpublic Areas Designation

Access to nonpublic spaces generally requires that outside law enforcement or federal immigration agents (like ICE) procure a proper judicial warrant rather than an administrative warrant to enter without permission from the College.

Note, however, that nothing in the PROTECT Act, the Governor's guidelines for implementation, or MassBay's own designations of nonpublic areas, prohibits any federal law enforcement agency or the MassBay Community College Police Department from engaging in criminal law enforcement activities consistent with applicable constitutional,

federal, or state law, so long as they do not undertake that work for the purpose of conducting or participating in federal civil immigration enforcement.

**IV. List of Designated Nonpublic Areas at MassBay Under the PROTECT Act**

Areas that are in, on, or near to:

- all lands and buildings owned, used, or leased by the College or the MassBay Community College Foundation that are held for the benefit of the College ("campus grounds", generally);
- athletic fields, gymnasiums, recreational spaces, and related facilities;
- building hallways;
- bus stops;
- classrooms;
- client/patient treatment or meeting rooms;
- computer labs;
- conference rooms;
- dining areas and cafeterias;
- employee break rooms;
- entrances, lobbies, and waiting rooms within College facilities;
- faculty, librarian, and staff offices;
- individual or shared bathrooms, kitchens, hallways, common spaces, and study lounges;
- interior spaces of College administration or academic buildings;
- laboratories;
- lecture halls;
- libraries;
- locker rooms;
- other sensitive locations identified by signs;
- parking lots;

- spaces marked with no-trespassing signs or stickers;
- spaces protected by gates, fences, or staff monitors;
- spaces requiring appointments;
- spaces that are accessible only with specific permission, including those requiring a badge, code, or key to enter; or requiring admission by a College employee (even if such spaces are left unlocked or unmonitored during certain times of day, they may remain nonpublic based on their function);
- storage rooms, spaces and areas;
- the interior of College vehicles, including contracted public transit buses, regardless of where they are situated;
- ticketed events, or spaces reserved for events.