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S.227

An act relating to creating immigration protocols in Vermont schools

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. PURPOSE

The purpose of this act is to secure the right of every child to equal access to a free public education and to a school that is safe from intimidation and fear, regardless of immigration status. In order to ensure the right to educational equality, schools must take steps to protect the integrity of school learning environments for all children, so that no parent is discouraged from sending a child to, and no child is discouraged from attending, school, including due to the threat of immigration enforcement on a school campus.

Sec. 2. 16 V.S.A. chapter 33 is amended to read:

CHAPTER 33. FIRE AND EMERGENCY PREPAREDNESS DRILLS
~~AND~~, SAFETY PATROLS, AND IMMIGRATION PROTOCOLS

* * *

§ 1486. IMMIGRATION PROTOCOLS

(a) Definitions. As used in this section:

(1)(A) “Law enforcement officer” has the same meaning as in 20 V.S.A. § 2351a and includes any officer of a federal law enforcement agency or any person acting on behalf of a local, state, or federal law enforcement agency.

1 (B) “Law enforcement officer” does not include a school resource
2 officer or safety officer who is stationed at a school.

3 (2) “Nonpublic area of a school” means an area of a school that
4 normally requires authorization by the school to enter, consistent with the
5 policy required by section 1484 of this chapter, and includes any area a school
6 determines to be nonpublic.

7 (3) “School” means a public school or an independent school approved
8 under section 166 of this title, and includes employees, independent
9 contractors, and school resource and safety officers working for the school.

10 (b) Immigration resources. A superintendent shall:

11 (1) distribute immigration and civil rights–related resources to staff,
12 students, and family members of students that are provided to the
13 superintendent by the Office of the Attorney General or by another source that
14 has had its resources reviewed and approved by the Office;

15 (2) at each school the superintendent oversees, designate at least one
16 individual to serve as a resource for immigration-related matters who shall
17 receive on an ongoing basis from the superintendent updated information and
18 training material as provided to the superintendent by the Office of the
19 Attorney General; and

20 (3) foster, to the greatest extent possible, a relationship with a legal or
21 immigration advocacy institution that will provide assistance to a student with

1 regard to immigration-related concerns, including a situation where a guardian
2 of the student has been detained by immigration authorities while the student is
3 in school.

4 (c) Student records. Schools are prohibited from using policies or
5 procedures to engage in practices that have the effect of excluding a student
6 from school, including:

7 (1) collecting or requesting information regarding citizenship or
8 immigration status of a student or of a family member of the student except as
9 required by State or federal law or as required to administer a State or federally
10 supported educational program;

11 (2) designating the student's immigration status, citizenship, place of
12 birth, nationality, or national origin:

13 (A) in any database that the school maintains; or

14 (B) as directory information, as that term is defined by the Family
15 Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g and 34
16 C.F.R. Part 99; and

17 (3) voluntarily sharing student information, including immigration
18 status, citizenship, place of birth, nationality, national origin, sexual
19 orientation, status as a survivor of domestic violence or sexual assault, status as
20 a recipient of public assistance, or school discipline records, with a third party
21 unless required to do so by State or federal law.

1 (d) Law enforcement on site and requests for information.

2 (1) The superintendent of a school shall:

3 (A) subject to subdivision (B) of this subdivision (1), be the sole
4 authority to admit a law enforcement officer who appears on an immigration-
5 related matter into a nonpublic area of school; and

6 (B) designate at least one individual who works at each school to
7 serve as a designee of the superintendent in the event that the superintendent is
8 not present when the law enforcement officer appears on site.

9 (2) The superintendent or designee shall not allow a law enforcement
10 officer appearing on an immigration-related matter into a nonpublic area of a
11 school unless the officer provides official identification and a judicial warrant
12 that names a specific individual under arrest or subject to a search.

13 (43) Absent a judicial warrant, no school shall reveal any information
14 about a student or school staff member in response to an immigration-related
15 request from a law enforcement officer.

16 (54) As used in this subsection, “immigration-related matter” and
17 “immigration-related request” mean an administrative warrant, civil warrant,
18 immigration detainer, or any other document or request that pertains to an
19 individual’s immigration or citizenship status.

20 (65) On or before January 1, 2027, the Agency of Education, in
21 consultation with the Vermont Superintendents Association, shall develop, and

1 review at least annually, model administrative procedures to help schools
2 execute the policies set forth in this subsection. The procedures shall
3 additionally provide a process to follow in the event that a law enforcement
4 officer on an immigration-related matter enters a nonpublic area of a school
5 without providing official identification or a judicial warrant.

6 (e) Immigration agreements. Except as required by federal or State law, no
7 school shall enter into an agreement with a State, local, or federal government
8 entity that furthers the enforcement of any immigration law. The school
9 superintendent is the sole individual to approve an agreement required by
10 federal or State law.

11 (f) Applicability. Nothing in this section is intended to prohibit or impede
12 any school from complying with the lawful requirements of 8 U.S.C. §§ 1373
13 and 1644.

14 (g) Policy required.

15 (1) Model policy. On or before January 1, 2027, the Agency of
16 Education, in consultation with the Office of the Attorney General, the
17 Vermont Independent School Association, and the Vermont School Boards
18 Association shall develop, and review at least annually, a model policy that
19 reflects the requirements set forth in this section.

1 (2) Adoption of policy.

2 (A) Beginning with the 2027–2028 school year, each school board
3 shall develop, adopt, ensure the enforcement of, and make available in the
4 manner described under subdivision 563(1) of this title an immigration
5 protocol policy that shall be at least as stringent as the model policy developed
6 by the Agency. Any school board that fails to adopt a policy shall be
7 presumed to have adopted the most current model policy published by the
8 Agency.

9 (B) Beginning with the 2027–2028 school year, each approved
10 independent school shall develop, adopt, and ensure enforcement of an
11 immigration protocol policy that shall be at least as stringent as the model
12 policy developed by the Agency. Any approved independent school that fails
13 to adopt a policy shall be presumed to have adopted the most current model
14 policy published by the Agency.

15 Sec. 3. IMMIGRATION RESOURCE GUIDE

16 (a) The Office of the Attorney General, in consultation with the Agency of
17 Education, shall develop an immigration resource guide pursuant to 16 V.S.A.
18 § 1486(b)(1). The guide shall:

19 (1) include immigration- and civil rights–related resources; information
20 regarding standby guardianships pursuant to 14 V.S.A § 2626a; and a list of

1 immigration, human rights, and relevant advocacy organizations available to
2 provide immigration assistance to students and staff;

3 (2) be developed in a manner that serves to protect the privacy and
4 safety of students and staff; and

5 (3) be completed on or before August 1, 2026, and be sent to all
6 superintendents for distribution to school districts on or before August 31,
7 2026.

8 (b) The Office of the Attorney General shall review the guide at least once
9 annually and send any updates to the guide to all superintendents not later than
10 30 days after completing the update.

11 Sec. 4. EFFECTIVE DATE

12 This act shall take effect on July 1, 2026.