

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred Senate Bill No. 227  
3 entitled “An act relating to creating immigration protocols in Vermont  
4 schools” respectfully reports that it has considered the same and recommends  
5 that the House propose to the Senate that the bill be amended by striking out all  
6 after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. PURPOSE

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

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

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

18 \* \* \*

19 § 1486. IMMIGRATION PROTOCOLS

20 (a) Definitions. As used in this section:

1           (1)(A) “Law enforcement officer” has the same meaning as in 20 V.S.A.  
2           § 2351a and includes any officer of a federal law enforcement agency or any  
3           person acting on behalf of a local, state, or federal law enforcement agency.

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

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

10           (3) “School” means a public school or an independent school approved  
11           under section 166 of this title, and includes employees, independent  
12           contractors, and school resource and safety officers working within the school.

13           (b) Immigration resources. A superintendent shall:

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

18           (2) at each school the superintendent oversees, designate at least one  
19           individual to serve as a resource for immigration-related matters who shall  
20           receive on an ongoing basis from the superintendent updated information and

1 training material as provided to the superintendent by the Office of the  
2 Attorney General; and

3 (3) foster, to the greatest extent possible, a relationship with a legal or  
4 immigration advocacy institution that will provide assistance to a student with  
5 regard to immigration-related concerns, including a situation where a guardian  
6 of the student has been detained by immigration authorities while the student is  
7 in school.

8 (c) Student records. Schools are prohibited from **engaging in, and from**  
9 **using policies or procedures to engage in,** practices that have the **purpose or**  
10 effect of excluding a student from school, including:

11 (1) collecting or requesting information regarding citizenship or  
12 immigration status of a student or of a family member of the student except as  
13 required by State or federal law or as required to administer a State or federally  
14 supported educational program;

15 (2) **disclosing** the student's immigration status, citizenship, place of  
16 birth, nationality, or national origin:

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

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

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

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

7           (1) The superintendent of a school shall:

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

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

14           (2) The superintendent or designee shall not allow a law enforcement  
15           officer appearing on an immigration-related matter into a nonpublic area of a  
16           school unless the officer provides official identification and a judicial warrant  
17           that names a specific individual located within the school who is subject to a  
18           search or arrest.

19           (3) Absent a judicial warrant pursuant to subdivision (2) of this  
20           subsection, no school shall reveal any information about a student or school

1 staff member in response to an immigration-related request from a law  
2 enforcement officer.

3 (4) As used in this subsection, “immigration-related matter” and  
4 “immigration-related request” mean an administrative warrant, civil warrant,  
5 immigration detainer, or any other document or request that pertains to an  
6 individual’s immigration or citizenship status.

7 (5) On or before January 1, 2027, the Agency of Education, in  
8 consultation with the Vermont Superintendents Association, shall develop, and  
9 review at least annually, model administrative procedures to help schools  
10 execute the policies set forth in this subsection. The procedures shall  
11 additionally provide a process to follow in the event that a law enforcement  
12 officer on an immigration-related matter enters a nonpublic area of a school  
13 without providing official identification or a judicial warrant.

14 (e) Immigration agreements.

15 (1) Except as required by federal or State law, no school shall enter into  
16 an agreement with a State, local, or federal government entity that furthers the  
17 enforcement of any immigration law.

18 (2) Any proposed agreement pursuant to subdivision (1) of this  
19 subsection that purports to be required by federal or State law shall be subject  
20 to review and approval by the school superintendent after the superintendent  
21 has consulted with the Office of the Attorney General.

1        (f) Applicability. Nothing in this section is intended to prohibit or impede  
2        any public agency from complying with the lawful requirements of 8 U.S.C. §§  
3        1373 and 1644. To the extent any school or school district policy or practice  
4        conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, the  
5        policy or practice is, to the extent of such conflict, abolished.

6        (g) Policy required.

7                (1) Model policy. On or before January 1, 2027, the Agency of  
8        Education, in consultation with the Office of the Attorney General, the  
9        Vermont Independent Schools Association, and the Vermont School Boards  
10        Association, shall develop, and review at least annually, a model policy that  
11        reflects the requirements set forth in this section.

12                (2) Adoption of policy.

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

20                        (B) Beginning with the 2027–2028 school year, each approved  
21        independent school shall develop, adopt, and ensure the enforcement of an

1 immigration protocol policy that shall be at least as stringent as the model  
2 policy developed by the Agency. Any approved independent school that fails  
3 to adopt a policy shall be presumed to have adopted the most current model  
4 policy published by the Agency.

5 Sec. 3. IMMIGRATION RESOURCE GUIDE

6 (a) The Office of the Attorney General, in consultation with the Agency of  
7 Education, shall develop an immigration resource guide pursuant to 16 V.S.A.  
8 § 1486(b)(1). The guide shall:

9 (1) include immigration- and civil rights–related resources; information  
10 regarding standby guardianships pursuant to 14 V.S.A § 2626a; and a list of  
11 immigration, human rights, and relevant advocacy organizations available to  
12 provide immigration assistance to students and staff;

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

15 (3) be completed on or before August 1, 2026, and be sent to all  
16 superintendents for distribution to school districts on or before August 31,  
17 2026.

18 (b) The Office of the Attorney General shall review the guide at least once  
19 annually and send any updates to the guide to all superintendents not later than  
20 30 days after completing the update.

1       Sec. 4. EFFECTIVE DATE

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

3

4           (Committee vote: \_\_\_\_\_)

5

\_\_\_\_\_

6

Representative \_\_\_\_\_

7

FOR THE COMMITTEE