

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 to enter, consistent with the policy required by
8 section 1484 of this chapter, and includes any area a school administrator
9 determines to be nonpublic.

10 (3) “School” means a public school or an independent school approved
11 under section 166 of this title.

12 (4) “School administrator” means a:

13 (A) superintendent; or

14 (B) headmaster of an independent school.

15 (b) Immigration resources. A school administrator shall:

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

20 (2) at each school the school administrator oversees, designate at least
21 one individual to serve as a resource for immigration-related matters who shall

1 receive on an ongoing basis from the school administrator updated information
2 and training material as provided to the school administrator by the Office of
3 the Attorney General; and

4 (3) provide support, to the greatest extent possible, to a student with
5 regard to immigration-related concerns, including:

6 (A) connecting the student and the student’s family with an
7 immigration advocacy institution; and

8 (B) providing the student with access to mental health professionals.

9 (c) Student information privacy. School districts and independent schools
10 are prohibited from:

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 a student’s immigration status, citizenship, place of birth,
16 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) A school administrator 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 school administrator in the event that the school
13 administrator is not present when the law enforcement officer appears on-site.

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

20 (3) Absent a judicial warrant pursuant to subdivision (2) of this
21 subsection, no school or individual working at a school shall reveal any

1 information about a student or school staff member in response to an
2 immigration-related request from a law enforcement officer unless otherwise
3 required by law.

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

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

16 (e) Immigration agreements.

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

1 (2)(A) Any proposed agreement pursuant to subdivision (1) of this
2 subsection (e) that purports to be required by federal or State law shall be
3 subject to review by the school administrator after the school administrator has
4 consulted with the Office of the Attorney General.

5 (B) The school administrator shall provide a recommendation on the
6 proposed agreement to the school’s appropriate governing body after the
7 school administrator’s review pursuant to subdivision (A) of this subdivision
8 (2).

9 (f) Applicability. Nothing in this section is intended to prohibit or impede
10 any public agency from complying with the lawful requirements of 8 U.S.C.
11 §§ 1373 and 1644. To the extent any school, school district, or supervisory
12 union policy or practice conflicts with the lawful requirements of 8 U.S.C. §§
13 1373 and 1644, the policy or practice is, to the extent of such conflict,
14 abolished.

15 (g) Policy required.

16 (1) Model policy. On or before January 1, 2027, the Agency of
17 Education, in consultation with the Office of the Attorney General, the
18 Vermont Independent Schools Association, and the Vermont School Boards
19 Association, shall develop, and review at least annually, a model policy that
20 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 independent
10 school shall develop, adopt, and ensure the enforcement of an immigration
11 protocol policy that shall be at least as stringent as the model policy developed
12 by the Agency. Any approved independent school that fails to adopt a policy
13 shall be presumed to have adopted the most current model policy published by
14 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 school
6 administrators for distribution to schools on or before August 31, 2026.

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

10 Sec. 4. EFFECTIVE DATE

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

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE