

S.227

Introduced by Senators Gulick, Vyhovsky, Major, Ram Hinsdale and White

Referred to Committee on

Date:

Subject: Education; safety; immigration

Statement of purpose of bill as introduced: This bill proposes to require all Vermont schools to adopt a policy that would prevent the school from providing sensitive information about a student to a federal agency and would require that a federal immigration authority present a judicial warrant before entering the nonpublic area of a school.

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

CHAPTER 33. FIRE AND EMERGENCY PREPAREDNESS DRILLS₂

~~AND SAFETY PATROLS, AND IMMIGRATION PROTOCOLS~~

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§ 1486. IMMIGRATION PROTOCOLS

(a) Definitions. As used in this section:

(1) “Federal immigration authority” means a federal agency or department, along with its employees or contractors, tasked with enforcement

1 of immigration law and border entry, including the Department of Homeland
2 Security, Immigration and Customs Enforcement, and U.S. Customs and
3 Border Protection.

4 (2) “Nonpublic area of a school site” means an area of a school that
5 normally requires authorization by the school to enter, consistent with the
6 policy required by section 1484 of this chapter, and includes classrooms, the
7 cafeteria, the gymnasium, playgrounds, and any other location where students
8 gather.

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

12 (b) Policy required. Each school district and approved independent school
13 in the State shall adopt and maintain a policy that reflects the requirements of
14 this section. Each superintendent and head of school of an approved
15 independent school shall develop and implement procedures to carry out such
16 policies.

17 (c) Immigration resources. A superintendent shall:

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

1 (2) at each school the superintendent oversees, designate an officer to
2 serve as a resource for immigration-related matters who shall receive from the
3 superintendent updated information and training material on an ongoing basis.

4 (d) Guardian detainment. A superintendent or designee shall, to the
5 greatest extent possible, partner with a legal advocacy institution that will
6 provide assistance to a student in the event that a guardian of the student has
7 been detained by immigration authorities while the student is in school.

8 (e) Student records. School districts are prohibited from using policies or
9 procedures to engage in practices that have the effect of excluding a legal pupil
10 from school, including:

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

15 (2) designating immigration status, citizenship, place of birth,
16 nationality, or national origin as directory information, as that term is defined
17 by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.
18 § 1232g and 34 C.F.R. Part 99; and

19 (3) voluntarily sharing student information, including immigration
20 status, citizenship, place of birth, nationality, national origin, sexual
21 orientation, status as a survivor of domestic violence or sexual assault, status as

1 a recipient of public assistance, or school discipline records, with a third party
2 unless required to do so by State or federal law.

3 (f) Immigration authorities on site.

4 (1) The superintendent of a school shall:

5 (A) subject to subdivision (B) of this subdivision (1), be the sole
6 authority to admit a federal immigration authority into a nonpublic area of
7 school site; and

8 (B) designate one individual that works at each school site to serve as
9 a designee of the superintendent in the event that the superintendent is not
10 present when a federal immigration authority appears on site.

11 (2) The superintendent or designee shall not allow a federal immigration
12 authority into a nonpublic area of a school site unless a judicial warrant is
13 presented by the federal immigration authority that names a specific individual
14 under arrest or subject to a search.

15 (3) In the event a federal immigration authority enters a nonpublic area
16 of a school site without approval from the superintendent or designee, the
17 school shall not obstruct the federal immigration authority from entering a
18 nonpublic area of a school site.

19 (4) Absent a judicial warrant, no school shall reveal any information
20 about a student or school staff member in response to a request from a federal
21 immigration authority.

1 (g) Immigration agreements. Except as required by federal law, no school
2 shall enter into an agreement with a State, local, or federal government entity
3 that furthers the enforcement of any federal immigration law. The school
4 superintendent is the sole individual that may approve an agreement required
5 by federal law.

6 Sec. 2. IMMIGRATION RESOURCE GUIDE

7 The Office of the Attorney General, in consultation with the Agency of
8 Education, shall develop an immigration resource guide pursuant to 16 V.S.A.
9 § 1486(c)(1). The guide shall be developed in a manner that serves to protect
10 the privacy and safety of students and staff. The guide shall be completed on
11 or before March 1, 2026, and be sent to all superintendents for distribution to
12 school districts on or before March 31, 2026. The Office shall review the
13 guide at least once annually and send any updates to the guide to all
14 superintendents not later than 30 days after completing the update.

15 Sec. 3. POLICY ADOPTION DEADLINE

16 Each school district and approved independent school subject to the
17 requirements of this act shall finalize a policy pursuant to 16 V.S.A. § 1486(b)
18 on or before August 1, 2026.

19 Sec. 4. EFFECTIVE DATE

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