

1 TO THE HONORABLE SENATE:

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 bill be amended by striking out all after the enacting clause and
6 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 or other law
15 enforcement activity on a school campus.

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

17 CHAPTER 33. FIRE AND EMERGENCY PREPAREDNESS DRILLS

18 AND, SAFETY PATROLS, AND IMMIGRATION PROTOCOLS

19 * * *

20 § 1486. IMMIGRATION PROTOCOLS

21 (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 includes any officer of a federal law enforcement agency
3 or any person acting on behalf of a local, state, or federal law enforcement
4 agency.

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

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

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

14 (b) Policy required. Each school district and approved independent school
15 in the State shall adopt a policy that reflects the requirements of this section
16 and review the policy at least once every two years to determine whether
17 updates are needed. Each superintendent and head of school of an approved
18 independent school shall develop and implement procedures in consultation
19 with the Vermont Superintendents Association and the Vermont School
20 Boards Association to carry out such policies.

1 (c) Immigration resources. A superintendent shall:

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

6 (2) at each school the superintendent oversees, designate an officer to
7 serve as a resource for immigration-related matters who shall receive on an
8 ongoing basis from the superintendent updated information and training
9 material as provided to the superintendent by the Office of the Attorney
10 General.

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

16 (e) Student records. Schools are prohibited from using policies or
17 procedures to engage in practices that have the effect of excluding a legal pupil
18 from school, including:

19 (1) collecting or requesting information regarding citizenship or
20 immigration status of students or their family members except as required by

1 State or federal law or as required to administer a State or federally supported
2 educational program:

3 (2) designating immigration status, citizenship, place of birth,
4 nationality, or national origin:

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

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

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

14 (f) Law enforcement on site and requests for information.

15 (1) The superintendent of a school shall:

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

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

1 (2) The superintendent or designee shall not allow a law enforcement
2 officer appearing on an immigration-related matter into a nonpublic area of a
3 school unless a judicial warrant is presented by the officer that names a
4 specific individual under arrest or subject to a search.

5 (3) In the event a law enforcement officer appearing on an immigration-
6 related matter enters a nonpublic area of a school without approval from the
7 superintendent or designee, the school shall not obstruct the officer from
8 entering the nonpublic area of a school.

9 (4) Absent a judicial warrant, no school shall reveal any information
10 about a student or school staff member in response to an immigration-related
11 request from a law enforcement officer.

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

16 (g) Immigration agreements. Except as required by federal or State law, no
17 school shall enter into an agreement with a State, local, or federal government
18 entity that furthers the enforcement of any immigration law. The school
19 superintendent is the sole individual to approve an agreement required by
20 federal or State law.

1 (h) Applicability. Nothing in this section is intended to prohibit or impede
2 any school from complying with the lawful requirements of 8 U.S.C. §§ 1373
3 and 1644.

4 Sec. 3. IMMIGRATION RESOURCE GUIDE

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

13 Sec. 4. MODEL POLICY; ADOPTION; DEADLINE

14 (a) Model policy. On or before August 1, 2026, the Agency of Education
15 in consultation with the Office of the Attorney General shall establish a model
16 policy that reflects the requirements set forth in 16 V.S.A. § 1486 and that
17 includes the following provisions:

18 (1) TBD...

19 (b) Adoption of policy. On or before January 1, 2027, each school district
20 and approved independent school subject to the requirements of this act shall
21 finalize a policy pursuant to 16 V.S.A. § 1486(b). If a school district or

1 approved independent school does not finalize such policy on or before
2 January 1, 2027, the school district or approved independent school shall be
3 deemed to have adopted, and shall follow and enforce, the model policy
4 established in subsection (a) of this section.

5 Sec. 5. EFFECTIVE DATE

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

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9 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE