

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 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 for 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 using policies or
9 procedures to engage in practices that have the effect of excluding a student
10 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) designating 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 a judicial warrant is presented by the officer that names a
17 specific individual under arrest or subject to a search.

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

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

4 (5) 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 (6) On or before January 1, 2027, the Agency of Education, in
9 consultation with the Vermont Superintendents Association, shall develop, and
10 review at least annually, model administrative procedures to help schools
11 execute the policies set forth in this subsection.

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

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

1 (g) Policy required.

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

7 (2) Adoption of policy.

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

15 (B) Beginning with the 2027–2028 school year, each approved
16 independent school shall develop, adopt, and ensure enforcement of an
17 immigration protocol policy that shall be at least as stringent as the model
18 policy developed by the Agency. Any approved independent school that fails
19 to adopt a policy shall be presumed to have adopted the most current model
20 policy published by the Agency.

1 Sec. 3. IMMIGRATION RESOURCE GUIDE

2 (a) The Office of the Attorney General, in consultation with the Agency of
3 Education, shall develop an immigration resource guide pursuant to 16 V.S.A.
4 § 1486(b)(1). The guide shall:

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

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

11 (3) be completed on or before August 1, 2026, and be sent to all
12 superintendents for distribution to school districts on or before August 31,
13 2026.

14 (b) The Office of the Attorney General shall review the guide at least once
15 annually and send any updates to the guide to all superintendents not later than
16 30 days after completing the update.

17 Sec. 4. EFFECTIVE DATE

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

1 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE