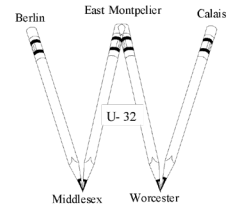


# Washington Central Unified Union School District

*WCUUSD exists to nurture and inspire in all students the passion, creativity and power to contribute to their local and global communities.*

1130 Gallison Hill Road  
Montpelier, VT 05602  
Phone (802) 229-0553  
Fax (802) 229-2761



**WCUUSD  
Policy Committee Agenda  
February 12, 2025  
5:15-6:45 PM  
Central Office  
1130 Gallison Hill Rd  
Montpelier, VT  
Virtual Only**

**Virtual Meeting Information**

**<https://tinyurl.com/48ja9wnr>**

**Meeting ID: 829 9218 0624**

**Password: 778549**

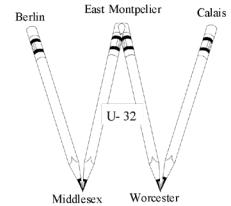
**Dial by Your Location: 1-929-205-6099**

1. Call to Order
2. Approve Minutes of 1.8.25 – pg. 2
3. [Policy Workplan – pg.4](#)
  - 3.1. Procedures Update
4. Policies for Review ( Discussion/Action)
  - 4.1. [Procurement Conflict of Interest - pg.9](#)
  - 4.2. [B31](#) Educator Supervision and Evaluation (Removed By VSBA 1/12/24) – pg. 10
  - 4.3. [B30](#) Staffing and Job Descriptions - pg. 12
  - 4.4. [C30](#) Student Medication ( Removed by VSBA 10/7/24) replaced by VSBA with [C71](#) Emergency Medication – pg. 13
  - 4.5. Electric Vehicle (EV) Policy
  - 4.6. Sanctuary School Policy – pg. 16
5. Future Agenda Items
  - 5.1. Next Meeting: March 12, 2025
6. Adjourn

**Washington Central Unified Union School District**

***WCUUSD exists to nurture and inspire in all students the passion, creativity and power to contribute to their local and global communities.***

1130 Gallison Hill Road  
Montpelier, VT 05602  
Phone (802) 229-0553  
Fax (802) 229-2761



**WCUUSD  
Policy Committee  
Wednesday, January 8, 2025  
5:00 - 6:00 PM  
Rumney Memorial School**

**Present:** Chris McVeigh, Natasha Eckart, Steven Dellinger-Pate, Gillian Fuqua, Amelia Contrada, Ursula Stanley

- 1. Call to Order:** Chris McVeigh called the meeting to order at 5:15 p.m.
- 2. Approve Minutes of 10.10.24, 11.13.24, 12.9.24:** Amelia Contrada moved to approve the minutes as presented. This motion carried unanimously.
- 3. Policy Workplan:** Superintendent Dellinger-Pate provided this document as a reference to committee members. He noted that this is considered a “living document” that will evolve in an ongoing way depending on the work of the committee.
- 4. Policies for Review**
  - 4.1. C9 Nutrition & Wellness:** Superintendent Dellinger-Pate stated that this policy would come back before the committee at a future date. However, there is state guidance that a group of stakeholders should review this policy at least every three years, and notes from the review will come to this policy committee to review/ update the policy. Some discussion followed around the composition of the group to review the policy. Steven Dellinger-Pate indicated that he thinks it will be at least another month to two months before this group comes together. He will keep the committee updated on the work of the group.
    - 4.1.1.VSBA Model Policy**
  - 4.2. F20 Fiscal Management & General Fiscal Accountability:** Superintendent Dellinger-Pate shared that Susanne Gann had reviewed this policy; there was some discussion of the best use of the board’s time to review inventory annually. She had recommended that this not be part of the policy; the board can request a review if they see the need. Amelia Contrada suggested changing the verbiage to “maintaining a system...” Steven Dellinger-Pate stated that these more detailed accounting practices (such as inventory report) are part of the annual audit, so it seems redundant to have it in the policy. Amelia suggested that “maintaining a system...” and perhaps referring to the audit would be keeping it clear for future board members. Ursula Stanley stated that if the board wants something to happen as procedure on a regular basis then it should be written in policy; this makes a case for putting the verbiage as suggested by Amelia into the policy.

- 4.3. **Procurement Conflict of Interest:** Zach Sullivan had provided some written feedback about this policy. Committee members discussed this policy, especially the concept of “accepting” items from others, (for example, items such as a pen or a coffee mug or food items like cookies, etc.) and the idea of “conflict of interest.” Steven Dellinger-Pate will follow up with Susanne Gann via our auditors and others, to see if there are similar policies that work for others.
- 4.4. **Amendment to Building Use Policy:** Steven Dellinger-Pate had expressed concern with the “automatic approval” clause that Chris McVeigh had suggested at the previous meeting. He would like to leave the policy as it is, and address issues on a case-by-case basis, within procedure, around building use requests that languish without timely response from building administrator.
- 4.5. **B31 Educator Supervision and Evaluation (Removed by VSBA 1/12/24):** Superintendent Dellinger-Pate shared that this model policy had been removed in January 2024 and is no longer listed in the recommended policy list. He noted that the supervision/ evaluation process is spelled out in the teachers’ contracts. He noted that the up-to-date teacher’s contract has some inconsistencies with the policy that is currently in place. Natasha Eckart suggested, in the language of the policy, referring to the contract; that way the policy will be kept up to date along with the updated contract. Discussion followed regarding the teacher’s contract.

Natasha Eckart had shared with the committee information about a “Sanctuary City” policy. She will forward more information to committee members for future consideration.

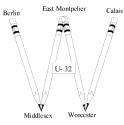
- 4.6. **B30 Staffing and Job Descriptions**
- 4.7. **C30 Student Medication ( Removed by VSBA 10/7/24) replaced by VSBA with C71**
- 4.8. **Emergency Medication**

**5. Future Agenda Items**

- 5.1. Update from workgroup regarding Nutrition & Wellness
- 5.2. **Next Meeting: Feb 12, 2024 (meeting start time 5:15 p.m.)**

**6. Adjourn: The meeting adjourned at 6:03 p.m.**

Respectfully submitted,  
Lisa Grace, Committee Recording Secretary



## BOARD POLICY DEVELOPMENT & MAINTENANCE PROCEDURES

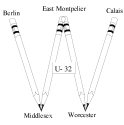
The development and maintenance of school district policies is the central job of school boards. The Vermont statute entitled “Powers of School Boards” lists over twenty-five specific duties delegated to local boards by the General Assembly. The very first responsibility on the list is the duty to “Determine the educational policies of the school district...” ([VT School Boards Association Resource Directory, 2022](#))

One of the standing committees of the Boards of WCUUSD is the Policy Committee. The board selects representatives to the Committee. In addition, three administrators (two local building administrators and one central office administrator) are on the committee. The committee meets once per month to review policies and each year a work plan is established outlining which policies will be reviewed or developed during the school year. Policies are identified for review or development three ways:

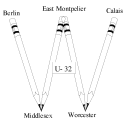
1. Mandatory review/development (State and federal law may require the adoption of new policies or revision of existing board policies and often have a deadline for doing so.)
2. Selected review/development (Board or Policy Committee requests a review ahead of the regular review cycle or identifies a need for a new policy that does not yet exist. The Policy Committee establishes a process for considering requests for policy review that come from the public.)
3. As part of the policy review cycle (Our goal is that all policies are reviewed no less than every five years and policies are reviewed in sequential order.)

As stated in the VSBA reference above, policy is different than procedures. Except when required by law, the Policy Committee generally does not include procedures in policy. Policy implementation and procedure development is the role of the administration. Sometimes guidelines are added to policy to provide guidance to the administration as it develops procedures and implements policy.

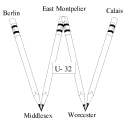
All board policies, by state law, must be warned before the board can adopt a new policy, revise and/or repeal an existing policy. This process helps all of the boards to efficiently address their policy governance role. We are continually making improvements to the system.



Month	Goal #1: Educational and Academic Outcomes Goal #2: Broadening Communication with the Community Goal #3: Long Term Planning		
	Mandatory Review/ Development	Selected Review/Development	Policy Review Cycle <i>(sequential order by adoption date - beginning from 2019)</i>
August			
September 11	Work Plan development		
Oct 10	Affirm work plan		
November 13	<p><a href="#">D4</a>: Title I Comparability (VSBA updated model policy)</p> <p><a href="#">F20</a>: Fiscal Management &amp; General Fiscal Accountability (VSBA Recommended policy)</p> <p><a href="#">C9</a> Nutrition &amp; Wellness (AOE has issued a new model policy and replaces the VSBA policy) Triennial Policy Review</p>	<p>Education Philosophy Instruction (including curriculum)</p> <p>D24: Teaching and Learning About Controversial Issues</p> <p>District Conflict of Interest</p>	<p><a href="#">F45</a>: Fundraising</p> <p><a href="#">F45</a>: Fundraising</p>



<p><b>December 9</b></p> <p><b>Review Progress on Admin Procedures</b></p>	<p><a href="#">D4</a>: Title I Comparability (VSBA updated model policy)</p> <p><a href="#">F20</a>: Fiscal Management &amp; General Fiscal Accountability (VSBA Recommended policy)</p> <p><a href="#">C9</a> Nutrition &amp; Wellness (AOE has issued a new model policy and replaces the VSBA policy) Triennial Policy Review</p> <p>Procurement Conflict of Interest</p>		
<p><b>January 8</b></p>		<p><a href="#">B31</a> Educator Supervision and Evaluation ( 1/12/24) Removed by VSBA</p>	
<p><b>February 12</b></p> <p><b>Review Progress on <a href="#">Admin Procedures</a></b></p>		<p><a href="#">B30</a> Staffing and Job Descriptions (10/2/23)</p> <p><a href="#">C30</a> Student Medication ( removed by VSBA (10/7/24)</p> <p>EV Charger Policy</p> <p>Sanctuary Schools Policy</p>	<p><a href="#">A21</a>: Public Participation at Board Meetings</p> <p><a href="#">A23</a>: Community Engagement &amp; Vision</p> <p><a href="#">A31</a>: Board Member Education</p>
<p><b>March 12</b></p>		<p><b>Act 15 Policy Requirement Review</b></p>	<p><a href="#">A32</a>: Board Goal Setting &amp; Evaluation</p> <p><a href="#">A34</a>: Board Relations with School Personnel</p> <p><a href="#">A24</a>: Board Supervision Relationship</p> <p><a href="#">C20</a>: Student Conduct and Discipline (discussed in 22-23 &amp; committee request admin feedback; VSBA updated in 2022 to <a href="#">C15</a>)</p>



<p><b>April 9</b></p> <p><b>Review Progress on Admin Procedures</b></p>			<p><a href="#">C47</a>: Student Exchanges  <a href="#">C48</a>: Foreign Exchange Students  <a href="#">C50</a>: Comprehensive Sexual Health Services  <a href="#">C8</a> Pupil Privacy (Revised 11/4/24 VSBA)    <a href="#">C34</a>: Use of Restraint &amp; Seclusion (VSBA updated model policy to <a href="#">C70</a> in 2022)  <a href="#">C45</a>: Bus discipline</p>
<p><b>May 14</b></p>			<p><a href="#">D1</a>: Proficiency-Based Graduation Requirements  <a href="#">D2</a>: Grade Advancement: Retention, Promotion and Acceleration of Students  <a href="#">E46</a>: Memorials</p>

**Policies Approved/Revised 24-25**

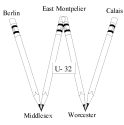
**[D24 Creating Learning Environments to Engage in Civil Discourse](#)**

**Policies Approved/Revised 23-24**

- F3 Fire and Emergency Preparedness (8.23.23)
- F4 Access Control and Visitor Management (8.23.23)
- B20 Personnel Recruitment, Selection, Appointment and Background Checks (January)
- C6 Home Study Students (November)
- C3 Transportation ( November)
- D22 Instructional & Library Materials Selection ( January)
- A2 Policies and Procedures ( January)
- A20 Board Meetings, Agenda Preparation and Distribution ( January)
- A22 Notice of Non- Discrimination ( January)
- F26 Security Cameras ( January)

**Policies Discussed by the Committee No Actions**

- School Choice - Board opted not to create a policy
- D4-Discussed in February by committee, agreed to send to full board , has not been reviewed by the full board due to budget
- A21 Public Participation at Board Meetings- Discussed in December no further action
- A23 Community Engagement and Vision -Discussed in December no further action
- A24 Board Supervision Relationship - Discussed in December no further action
- A31 Board Member Education - Discussed in December no further action
- A32 Board Goal Setting & Evaluation - Discussed in December no further action
- A34 Board Relations with School Personnel - Discussed in December no further action



F45 Fundraising - First Reading in May , no changes recommended, will go to next Board meeting in October

C20 Student Conduct and Discipline - Currently being discussed by committee

**Policies not yet Discussed by Committee**

F20 Fiscal Management & General Fiscal Accountability (VSBA Recommended Policy)

C34 Use of Restraint & Seclusion ( VSBA updated model policy to C70 in 2022)

C45 Bus Discipline

C47 Student Exchanges

C48 Foreign Exchange Students

C50 Comprehensive Sexual Health Services

C9 Nutrition & Wellness ( AOE has issued a new model policy and replaces the VSBA policy)

D1 Proficiency Based Graduation

D2 Grade Advancement Retention, Promotion and Acceleration of Students

E46 Memorials

**Mandatory Review/Newly Revised**

E21 Distribution of Non-School Sponsored Literature in Schools ( 6/5/24 by VSBA) WCUUSD

Does not currently have a policy E21

**Policies Recently Removed by VSBA that we have**

B31 Educator Supervision and Evaluation ( 1/12/24)

B30 Staffing and Job Descriptions (10/2/23)



## **Prevention of Conflict of Interest in Procurement**

It is the policy of the Washington Central Unified Union School District Board that all purchasing and contracting comply with state and federal laws.

No employee, officer, or agent of the Washington Central Unified Union School District may participate in the selection, award, or administration of a purchase or contract if that person has a real or apparent conflict of interest. Any employee, officer or agent with a real or apparent conflict of interest shall notify the superintendent of the conflict and not participate in the selection, award or administration of the purchase or contract at issue. The superintendent or his or her designee will develop written procedures to implement this policy.

A conflict of Interest arises if an employee, officer, agent, immediate family member, partner, or an organization which employs or is about to employ any of the parties indicated herein, has a direct or indirect financial or other interest in, or a tangible personal benefit from a vendor considered for a purchase or contract.

An employee will not solicit or accept any favor, gratuity, or anything of monetary value from such vendors, which exceeds a \$100 value.

In the event of a violation of this policy, the District may take disciplinary action against the employee, officer or agent according to procedures in the Washington Central Unified Union School District personnel manual and/or collective bargaining agreement.

Date Adopted:

Date Revised:

Legal Reference(s): 2 CFR 200.318

NOTE: This policy satisfies the federal regulatory requirement in 2 CFR 200.318. Alternatively, the district or supervisory union may fulfill this legal requirement by developing "written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts."

**WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT**

**Board of Directors' Policy**

<b>POLICY:</b>	<u><b>B31</b></u>
<b>WARNED:</b>	<u><b>2.14.20</b></u>
<b>ADOPTED:</b>	<u><b>3.4.20</b></u>
<b>EFFECTIVE:</b>	<u><b>3.15.20</b></u>

**EDUCATOR SUPERVISION AND EVALUATION:  
PROBATIONARY TEACHERS**

---

**Policy**

It is the policy of the Washington Central Unified Union School District to provide appropriate supervision and evaluation as a basis for improving the knowledge and skills of the school staff which will advance student achievement. Effective supervision and regular evaluation provide constructive feedback on teaching methods and materials enabling professional educators to improve their abilities to help all students achieve at high levels.

**Implementation**

The superintendent will ensure that all those engaged in supervision and evaluation are appropriately trained to do so and have appropriate time allocated to carry out those responsibilities.

The superintendent, in collaboration with the principal and teacher representatives, will develop procedures for the supervision and evaluation of educators. The superintendent, in collaboration with the principal, will implement those procedures which will be consistent with the following recommended guidelines:

1. A job description will be developed for each professional educator's position. Job descriptions will specify the required qualifications, performance responsibilities, general evaluation criteria, terms of employment and supervisor.
2. Performance goals set by the educator and their supervisor will be clearly articulated.
3. Evaluations will be based substantially on criteria set forth in approved job descriptions, articulated goals, and linked directly to the school's needs to improve student performance as outlined in its Continuous Improvement Plan;
4. Educator evaluations will be carried out annually.
5. In any case requiring discipline of a professional educator, applicable state law, due process procedures, and contractual requirements will be followed.

Principals will ensure that educator supervision and evaluation priorities are linked closely to the school's current Continuous Improvement Plan.

**Probationary Teachers**

Teachers who have been employed for less than two school years in the school district are probationary

teachers. The principal will ensure that probationary teachers have intensive support, including the assignment of a mentor, regular supervision and at least two written evaluations each year during the two year probationary period. When the required evaluations have been carried out, the standard for non-renewal of a probationary teacher's contract is any reason not prohibited by law, and the decision of the school board is final in the absence of contrary provisions in the teacher's contract. If the probationary teacher has not received at least two written performance evaluations per year of probationary service, the standard for non-renewal of contract is just and sufficient cause.

Administrators will use a variety of staff evaluation strategies based on current research which may include:

1. pre and post classroom visitation conferences;
2. announced and unannounced classroom observations including walkthroughs;
3. educator performance feedback from students and parents which will not be included in the educator's personnel file;
4. formative and summative evaluation reports.

The superintendent, in consultation with the principals and central office administrators will prepare and deliver, at least annually in June to the school board, a progress report and recommendations about the effectiveness of the supervision and evaluation system and practices.

On the basis of evaluations carried out in accordance with this policy, the principal will collaborate with the superintendent to identify educators in need of intensive support or other special attention.

*Legal Reference(s): 16 V.S.A. § 165 (Public School Quality Standards)  
16 V.S.A. § 563 (12) (Powers of school boards)  
16 V.S.A. § 1752 (Suspension and dismissal)  
16 V.S.A. §§1981 et seq. (Labor relations - professional staff)  
21 V.S.A. §§1721 et seq. (Labor relations)  
Vermont State Board of Education Rules §§2120.4, 2120.5*

**WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT**

**Board of Directors' Policy**

<b>POLICY:</b>	<u><b>B30</b></u>
<b>WARNED:</b>	<u><b>2.14.20</b></u>
<b>ADOPTED:</b>	<u><b>3.4.20</b></u>
<b>EFFECTIVE:</b>	<u><b>3.15.20</b></u>

**STAFFING AND JOB DESCRIPTIONS**

---

**Policy**

It is the policy of the Washington Central Unified Union School District to provide the level of staffing needed to accomplish the school system's goals and objectives. All staff positions will be created by the board and only the board may abolish a position. Positions may remain unfilled.

**Implementation**

Each time a new position is established by the board, the superintendent will present for approval a job description for the position that specifies the qualifications required for the position, performance responsibilities, evaluation criteria, terms of employment, and supervisor. Employee evaluation will be based substantially on criteria stated in approved job descriptions.

*Legal Reference(s): 16 V.S.A. §563(12) (Powers of school boards)*

**WASHINGTON CENTRAL UNIFIED  
UNION SCHOOL DISTRICT**

**Board of Directors' Policy**

**POLICY:** C30

**WARNED:** 5.15.20

**ADOPTED:** 6.3.20

**EFFECTIVE:** 6.13.2020

**STUDENT MEDICATION**

---

Washington Central Unified Union School District recognizes that some students are able to attend school because of the effective use of prescription and over the counter medication in the treatment of chronic or acute disabilities or illnesses. It is more desirable for medication to be administered at home; however, any student who needs to take medication during the regular school day must comply with school procedures. It is the policy of the Washington Central Unified Union School District to have procedures in place to assure that medication required by students during the school day will be administered and maintained in a safe manner as directed by the school nurse in collaboration with the student's parent/guardian and health care provider.

CODE C71<sup>1</sup>  
(Recommended)

## POSSESSION AND ADMINISTRATION OF EMERGENCY MEDICATION

*ADOPTION NOTES – This text box and the disclaimer should be removed prior to adoption.*

*(a) General – As with all model policies, VSBA recommends that each board carefully review this model prior to adoption to assure suitability with the district’s own specific circumstances, internal coding system, current policies, and organizational structures. Highlighted language or blank, underscored spaces indicate areas which Boards must change/complete to reflect local personnel titles, policy references, duty assignments etc. There may also be optional language for the board to consider; in this case the word [OPTIONAL] should be removed.*

*(b) Legal references are listed for convenience, but do not need to be included in the policy as adopted.*

*(c) Any model policies listed under “cross-reference” indicate a reference to another related VSBA model policy. A district should check its own current policies to assure internal consistency.*

*(d) Withdrawn and earlier versions of revised policies should be maintained separately as part of the permanent records of the District.*

### **Policy**

The \_\_\_\_\_ School District (District) shall have procedures in place to ensure compliance with laws and regulations governing the possession, administration, and storage of emergency prescription medications needed by students at school or during school sponsored activities.

### **Definition:**

“**Health care professional**” means a physician licensed pursuant to 26 V.S.A. Chapters 23 and 33, an advanced practice registered nurse licensed to prescribe drugs and medical devices pursuant to 26 V.S.A. Chapter 28, or a physician assistant licensed to prescribe drugs and medical devices pursuant to 26 V.S.A. Chapter 31.

### **Administrative Responsibilities:**

The superintendent or designee will develop a procedure governing the possession, administration and storage of emergency medication needed by any student during the regular school day or during school sponsored activities. The procedure will comply with the following:

1. In an emergency, epinephrine may be given by the school nurse, or a person designated and trained by the school nurse.<sup>2</sup>
2. In an emergency, medication may be given by the school nurse, or a person designated and trained by the school nurse, upon written orders from a medical

<sup>1</sup> Act 175 of 2008, codified as 16 V.S.A. § 1387, requires that public and approved independent schools have procedures in place to ensure that students with life-threatening allergies or with asthma are permitted to possess and self administer emergency medication at school, on school grounds, at school sponsored activities, on school provided transportation, and during school related programs. The Act does not require the adoption of a school board policy. This model is intended to provide guidance to school boards and administrators who choose to revise current policies on emergency medication or who wish to adopt new board policies on this subject.

<sup>2</sup> See, 16 V.S.A. § 1388 Stock supply and emergency administration of epinephrine auto-injectors

- provider, and upon written request or documented permission when written permission is not possible (ie: a phone call) from a student's parent or guardian that the School District comply with the medical provider's order. The medical provider's orders must detail the name of the drug, route of administration, dose, and the time interval the emergency medication is to be given, diagnosis and reason for giving.
3. Other than emergency medication authorized by the Commissioner of Health, medication must be brought to school in a container labeled by the pharmacy or medical provider and stored by the school nurse or designee in a secure storage place.
  4. Students with life-threatening allergies or with asthma, whose parents or guardians have complied with all of the requirements outlined in 16 V.S.A. §1387, shall be permitted to possess and self-administer emergency medication at school, on school grounds, at school-sponsored activities, on school-provided transportation, and during school-related programs.<sup>3</sup>

The school shall:

1. Provide an opportunity for communication with the pupil, parent or guardian, and medical provider regarding the efficacy of the emergency medication administered during school hours.
2. In the case of emergency medication possessed by students with life-threatening allergies or with asthma, the school shall provide forms for parents to submit authorizing possession of the emergency medication and releasing the school from liability as a result of any injury arising from the student's self-administration of the emergency medication.

<i>VSBA Version:</i>	<i>October 7, 2024</i>
<i>Date Warned:</i>	
<i>Date Adopted:</i>	
<i>Legal Reference:</i>	<i>16 V.S.A. §1387 (Possession and self-administration of emergency medication) 16 V.S.A. § 1388 (Stock supply and emergency administration of epinephrine auto-injectors) 26 V.S.A. chapters 23, 26, 28, 31, 33</i>
<i>Cross Reference</i>	<i>Student Alcohol and Drugs Wellness &amp; Comprehensive Health</i>

*DISCLAIMER: This model policy has been prepared by the Vermont School Boards Association for the sole and exclusive use of VSBA members, as a resource to assist member school boards with their policy development. School Districts should consult with legal counsel and revise model policies to address local facts and circumstances prior to adoption, unless the model policy states otherwise. VSBA continually makes revisions*

<sup>3</sup> See, 16 V.S.A. § 1387(b). Parents must provide annual written authorization and documentation from the student's physician as to the need for emergency medication. Parents must also annually develop, in consultation with the school nurse or designee, a plan of action for the school and student to follow when possessing emergency medication, and must sign a statement releasing the school and its agents from liability as a result of any injury arising from the student's self-administration of the emergency medication.

\_\_\_\_\_ **BOARD OF EDUCATION**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, it is the right of every child, regardless of immigration status, to access a free public K-12 education and the District welcomes and supports all students;

**WHEREAS**, the District has a responsibility to ensure that all students who reside within its boundaries, regardless of immigration status, can safely access a free public K-12 education;

**WHEREAS**, federal immigration law enforcement activities, on or around District property and transportation routes, whether by surveillance, interview, demand for information, arrest, detention, or any other means, harmfully disrupt the learning environment to which all students, regardless of immigration status, are entitled and significantly interfere with the ability of all students, including U.S. citizen students and students who hold other legal grounds for presence in the U.S., to access a free public K-12 education;

**WHEREAS**, through its policies and practices, the District has made a commitment to a quality education for all students, which includes a safe and stable learning environment, means of transportation to and from school sites, the preservation of classroom hours for educational instruction, and the requirement of school attendance;

**WHEREAS**, parents and students have expressed to the District fear and confusion about the continued physical and emotional safety of all students and the right to access a free public K-12 education through District schools and programs;

**AND WHEREAS**, educational personnel are often the primary sources of support, resources, and information to assist and support students and student learning, which includes their emotional health;

**NOW, THEREFORE, BE IT RESOLVED** that the U.S. Immigrations Enforcement Office (ICE), state or local law enforcement agencies acting on behalf of ICE, or agents or officers for any federal, state, or local agency attempting to enforce federal immigration laws, are to follow District Policy \_\_\_\_, attached to and incorporated in this Resolution, to ensure the District meets its duty to provide all students, regardless of immigration status, access to a free public K-12 education;

**BE IT FURTHER RESOLVED**, that the Board declares the District to be a Safe Zone for its students, meaning that the District is a place for students to learn, to thrive and to seek assistance, information, and support related to any immigration law enforcement that interferes with their learning experience;

**BE IT FURTHER RESOLVED**, that the District shall, within 30 days of the date of this Resolution, create a Rapid Response Team to prepare in the event a minor child attending school in the



District is deprived of adult care, supervision, or guardianship outside of school due to a federal law enforcement action, such as detention by ICE or a cooperating law enforcement agency;

**BE IT FURTHER RESOLVED**, it continues to be the policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit; given the likelihood of substantial disruption posed by the presence of ICE or state or local law enforcement agencies acting for ICE, any request by ICE or other agencies to visit a school site should be presented to the Superintendent's Office for review as to whether access to the site is permitted by law, a judicial warrant is required, or any other legal considerations apply; this review should be made expeditiously, but before any immigration law enforcement agent or officer appears at a school site;

**BE IT FURTHER RESOLVED**, in its continued commitment to the protection of student privacy, the District shall review its record-keeping policies and practices to ensure that no data is being collected with respect to students' immigration status or place of birth; and cease any such collection as it is irrelevant to the educational enterprise and potentially discriminatory;

**BE IT FURTHER RESOLVED**, should ICE or other immigration law enforcement agents request any student information, the request should be referred to the Superintendent's Office to ensure compliance with Family Educational Rights and Privacy Act (FERPA), student constitutional privacy, standards for a judicial warrant, and any other limitation on disclosure; this review should be conducted expeditiously, but before any production of information is made;

**BE IT FURTHER RESOLVED**, the District shall post this Resolution at every school site and distribute it to District staff, students, and parents using usual means of communication, and that the Resolution will be translated into all languages spoken by students at home;

**BE IT FURTHER RESOLVED**, the Superintendent shall report back on compliance with this Resolution to the Board at its next meeting;

**BE IT FURTHER RESOLVED**, the Board directs the Superintendent to review District policies and practices regarding bullying and report back to the Board at its next meeting and communicate to staff, students, and parents the importance of maintaining a bullying-free environment for all students;

**BE IT FURTHER RESOLVED**, the Board affirms that certificated District employees have the academic freedom to discuss this Resolution during class time provided it is age-appropriate; and students are to be made aware that District counselors are available to discuss the subjects contained in this Resolution; and

**BE IT FURTHER RESOLVED**, after-school providers and other vendors and service providers who contract with the District shall be notified of this Resolution within 30 days and required to abide by it.

[FOLLOWED BY SCHOOL BOARD SIGNATURE PAGE]

**DISTRICT POLICY NO. \_\_\_\_\_**

**ACCESS TO EDUCATION, STUDENT PRIVACY, AND IMMIGRATION ENFORCEMENT**

School personnel must not allow any third party access to a school site without permission of the site administrator. The site administrator shall not permit third party access to the school site that would cause disruption to the learning environment.

The School Board, in Resolution No. \_\_\_\_\_, based on its educational experience and as part of its deliberative process as our governing body, has found that access to a school site by immigration law enforcement agents substantially disrupts the learning environment and any such request for access should be referred to the Superintendent's Office immediately.

School personnel must contact the Superintendent's Office immediately if approached by immigration law enforcement agents. Personnel must also attempt to contact the parents or guardians of any students involved.

The Superintendent's Office must process requests by immigration law enforcement agents to **enter a school site** or **obtain student data** as follows:

1. Request identification from the officers or agents and photocopy it;
2. Request a judicial warrant and photocopy it;
  - a. If no warrant is presented, request the grounds for access, make notes, and contact legal counsel for the District;
3. Request and retain notes of the names of the students and the reasons for the request;
  - a. If school site personnel have not yet contacted the students' parents or guardians, do so;
  - b. Do not attempt to provide your own information or conjecture about the students, such as their schedule, for example, without legal counsel present;
4. Provide the agents with a copy of this Policy and Resolution No. \_\_\_\_\_;
5. Contact legal counsel for the District;
6. Request the agents' contact information; and
7. Advise the agents you are required to complete these steps prior to allowing them access to any school site or student data.



## WSD Policy L1

### WINOOSKI SANCTUARY SCHOOLS POLICY

ADOPTION DATE:

---

#### SECTION 1: POLICY SUMMARY

In fulfillment of its obligation to provide a public education free of barriers, regardless of a child's or family member's immigration status, absent any applicable federal or state law, state regulation, or court decision, the Winooski School District site shall establish itself as a safe place for its students and their families if faced with fear and anxiety about immigration enforcement efforts.

#### SECTION 2: BACKGROUND

A model version of this policy was first developed by legal advocacy organizations, including the ACLU of California and the National Immigration Law Center, for K-12 school Districts that are contemplating adopting protections for their immigrant students. A volunteer Vermont taskforce of educators and advocacy organizations provided localized revisions to the model policy in December of 2024. Key provisions of this policy are:

- Limiting the sharing of student and family information for anyone who is not authorized to have access to such information, including federal immigration authorities.
- Preventing community fear by lawfully restricting immigration agents' access to school sites.
- Prohibiting any unauthorized school staff from collaborating with federal immigration authorities, including off-duty collaboration for employees with access to confidential information.
- Providing resources and information for immigrant students and their families as needed.

### SECTION 3: RATIONALE

The Winooski School District, abiding by its responsibility to fulfill its Global Ends Policy and to protect the integrity of an educational program for students that is free of fear, has considered the following:

1. Threats of legal action, and particularly of separation and deportation, against students and their families create severe emotional, psychological and physical barriers to learning and education that can and should be allayed or reduced through support systems;
2. ICE's longstanding policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission by specific federal law enforcement officials, unless exigent circumstances exist;
3. No written state or federal law mandates that local Districts assist ICE in the enforcement of immigration laws;
4. The United States Supreme Court held in Plyer v. Doe (1982) that no public school District has a basis to deny children access to education based on their immigration status, citing the harm it would inflict on the child and society itself and their rights to equal protection and due process enshrined by the Fourteenth Amendment;
5. The US Supreme Court has long affirmed all people's Fourth Amendment right to freedom from unlawful government search and seizure, including by Immigration and Customs Enforcement officers;
6. Since 1974, the Federal Family Educational Rights and Privacy Act (FERPA) has prohibited schools from releasing information from students' educational records absent express written permission from parents, caregivers, or eligible students. Since 1996, the Health Insurance Portability and Accountability Act (HIPAA) has similarly prohibited health care providers, which in rare circumstances can include school nurses or other similar school-based health care settings, from releasing protected health information absent express written permission;
7. Migration to this country is often propelled by social, economic, and political factors and native country conditions, immigrants and their families are entitled to compassionate and humane treatment in this country;
8. In Vermont, there is a strong economic and workforce development need that makes in-migration critical to our future;
9. Ensuring that our schools are safe and inviting for all students and their families will facilitate the physical safety and emotional well-being of all children in the District, and is paramount to students' ability to achieve;

10. This safe and inviting environment would be disrupted by the presence of immigration agents who come onto District property for the purposes of removing students or their family members, or obtaining information about students and their families;
11. Immigration and Customs Enforcement (“ICE”) activities in and around schools would be a severe disruption to the learning environment and educational setting for students;
12. Immigration enforcement activities around schools create hardships and barriers to health and educational attainment, and a pervasive climate of fear, conflict and stress that affects all students in our District, regardless of their background or status. Children who have a status but whose family members, friends, or schoolmates do not, and students who are themselves undocumented, are all affected and at risk;
13. Students’ ability to achieve is undermined by the removal of their family members during ICE raids and arrests that leave students without adults to supervise or care for them, and the District should have in place policies and procedures to protect and care for such students until a guardian or other designated adult is contacted;
14. Immigration arrests, detentions, and deportations affects families every day, and indications that deportations will increase dramatically has created a climate of heightened fear and anxiety for some students and their families;
15. The record number of deportations in recent administrations tragically has broken apart loving families, devastated communities, and caused widespread fear among immigrants and their family members;
16. Involving school staff in enforcing federal civil immigration law will create the perception that they are immigration agents and decrease students’ likelihood of cooperating with educators, the District Liaison Officer, and other school personnel based on fears that this would lead to their deportation or the deportation of family members;
17. Some cities, counties, school Districts, and higher education institutions have adopted policies that restrict entanglement with ICE and resist any government action that may lead to the discovery of a person’s immigration status;

## SECTION 4: POLICY REQUIREMENTS

In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal or state law, state regulation, or court decision, the Winooski School District site shall establish itself as a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts; Furthermore:

1. The Superintendent will designate a District officer and respective office to be established as resource and information site for immigrant students and families; The Superintendent designee will seek to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation; This includes offering free space to community organizations doing immigration rights work such as know your rights trainings and resource and information sites as described above.
2. The Superintendent designee will distribute in-language Know Your Rights resources for students and family members to cover their rights regarding interactions with law enforcement and immigration agents.
3. District personnel will not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act ("FERPA") and The Health Insurance Portability and Accountability Act "HIPAA", will not disclose, without parental consent, the immigration status of any student or other personally identifiable information.
4. Any communication to federal agencies or officials initiated by a school or school personnel concerning confidential information about a student or a student's family member, including but not limited to: information about gender identity; sexual orientation; status as a survivor of domestic violence; survivor of sexual assault; crime witness; recipient of public assistance; actual or perceived immigration or citizenship status; national origin; school discipline record; and all information included in an individual's or household's income tax records, is prohibited, unless permission is granted by the student if 18 years of age or student's parent or guardian.
5. The District will refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent possible under the law.
6. Absent exigent circumstances, any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Superintendent for review and a decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will ensure District

compliance with *Plyler v. Doe* and other applicable laws. The request must be provided with adequate notice so that the Superintendent can take steps to provide for the emotional and physical safety of its students and staff.

7. Should an immigration agent request access to a school site, the Superintendent will ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge. Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.
8. The District will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.
9. Neither the District nor its staff, faculty, employees, agents, or site-based officers will honor or comply with or otherwise reveal information in response to ICE detainers or other ICE requests within District sites absent a duly executed judicial warrant.
10. The Superintendent will ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.
11. The Superintendent or designee will report to the United We Dream hotline at 1-844-363-1423 if an immigration raid occurs at the school or ICE (or direct partners of ICE) violates its policy to stay off school grounds.
12. The Superintendent or designee will identify multilingual staff and/or volunteer community members that are willing and well-equipped to assist in an emergency. This list will be made available to students, family members, and caregivers.
13. The Superintendent shall ensure that all teachers, school administrators, and other staff gain timely awareness of this policy and notification in the appropriate languages spoken by students throughout the District to be distributed to families to fully inform them of their rights in the District;

## SECTION 5: DEFINITIONS

- “Citizenship or immigration status” means all matters regarding questions of citizenship or nationality of the United States or any other country, the authority to reside in or otherwise be present in the United States, the time or manner of a person’s entry into the United States, a person’s past or present immigration status under federal law, or any other civil immigration matter administered or enforced by the Department of Homeland Security or other federal agency charged with the administration or enforcement of civil immigration law.
- “Immigration agent” shall mean an agent of the U.S. Department of Homeland Security, such as the U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C. §1357(g) or any other federal law, other federal agents charged with enforcement of civil immigration laws, and any successors.
- “Enforcement actions” include checkpoints; arrests; interviews; searches; surveillance; obtaining records, documents, and similar materials; and other actions for the purposes of civil immigration law administration or enforcement.



## **Policy to Ensure Safety and Resources for Families Impacted by Immigration Enforcement**

### **Background:**

The attached Policy was first developed by the National Immigration Law Center for K-12 school districts that are contemplating adopting protections for their immigrant students. We recommend that any resolution contain language to address these critical issues:

- Limiting the sharing of student and family information with federal immigration authorities and anyone who is not authorized to have access to such information
- Restricting immigration agents' access to campuses
- Prohibiting any school staff from collaborating with federal immigration authorities, including off-duty collaboration i.e. in the form of deputization
- Providing resources and information for immigrant students and their families

The model resolution provides sample language for these issues. We encourage you to use this language as a template and to adopt as many pieces to fit the needs of your school district. We also encourage you to add additional points beyond what is in this resolution and to share your creative and innovative ideas with us.

This model policy was updated and **endorsed by the following organizations** and individuals on December, 19th 2024. You can reach out via the contact info below if you have questions or need support:

Education Justice Coalition of Vermont - Alyssa Chen - [alyssa.edjvt@gmail.com](mailto:alyssa.edjvt@gmail.com)

Monica Nachemja-Bunton, Upper Valley Educators Institute - [mnachemja-bunton@uvei.org](mailto:mnachemja-bunton@uvei.org)

Vermont Asylum Assistance Project - Jill Martin Diaz, Esq., [info@vaapvt.org](mailto:info@vaapvt.org)

Vermont Language Justice Project - Alison Segar - [asegar@cctv.org](mailto:asegar@cctv.org)

Winooski School District - Wilmer Chavarria - [wchavarria@wsdvt.org](mailto:wchavarria@wsdvt.org)

### **Policy Rationale**

The United States Supreme Court held in Plyer v. Doe (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing the harm it would inflict on the child and society itself and their rights to equal protection and due process enshrined by the Fourteenth Amendment.

Furthermore, the Supreme Court has long affirmed all people's Fourth Amendment right to freedom from unlawful government search and seizure, including by Immigration and Customs Enforcement officers.

Since 1974, the Federal Family Educational Rights and Privacy Act (FERPA) has prohibited schools from releasing information from students' educational records absent express written permission from parents, caregivers, or eligible students. Since 1996, the Health Insurance Portability and Accountability Act (HIPAA) has similarly prohibited healthcare providers, which in rare circumstances can include school nurses or other similar school-based healthcare settings, from releasing protected health information absent express written permission.

Migration to this country is often propelled by social, economic, and political factors and native country conditions, immigrants and their families are entitled to compassionate and humane treatment in this country;

In Vermont, there is a strong economic and workforce development need that makes immigration critical to our future.

Ensuring that our schools are safe and inviting for all students and their families will facilitate the physical safety and emotional well-being of all children in the District, and is paramount to students' ability to achieve;

This safe and inviting environment would be disrupted by the presence of immigration agents who come onto District property for the purposes of removing students or their family members, or obtaining information about students and their families;

Immigration and Customs Enforcement ("ICE") activities in and around schools, early education centers, and adult school facilities would be a severe disruption to the learning environment and educational setting for students;

Immigration enforcement activities around schools create hardships and barriers to health and educational attainment, and a pervasive climate of fear, conflict and stress that affects all students in our District, regardless of their background or status, such that children who have a status but whose family members, friends, or schoolmates do not, and students who are themselves undocumented, are all affected and at risk;

Threats of legal action, and particularly of separation and deportation, against students and their families create severe emotional, psychological and physical barriers to learning and

education that can and should be allayed or reduced through support systems.

Students' ability to achieve is undermined by the removal of their family members during ICE raids and arrests that leave students without adults to supervise or care for them, and the District should have in place policies and procedures to protect and care for such students until a guardian or other designated adult is contacted, and all teachers, administrators and staff should be trained on such procedures;

Immigration arrests, detentions, and deportations affect families every day, and indications that deportations will increase dramatically have created a climate of heightened fear and anxiety for many students and their families;

The record number of deportations in recent years tragically has broken apart loving families, devastated communities, and caused widespread fear among immigrants and their family members;

Involving school staff in enforcing federal civil immigration law will create the perception that they are immigration agents and decrease students' likelihood of cooperating with campus police based on fears that this would lead to their deportation or the deportation of family members;

Some cities, counties, school districts, and higher education institutions have adopted policies that restrict entanglement with ICE and resist any government action that may lead to the discovery of a person's immigration status;

ICE's longstanding policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission from specific federal law enforcement officials, unless exigent circumstances exist;

No written state or federal law mandates that local districts assist ICE in the enforcement of immigration laws;

### **POLICY:**

In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the XX School District site shall establish itself as a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts; Furthermore:

1. The Superintendent will offer all K-12 schools, early education centers, adult schools, and parent centers be established as resource and information sites for immigrant students and families; The Superintendent will seek to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation; This includes offering free space to community organizations doing immigration rights work such as know your rights trainings and resource and information sites as described above.
2. The Superintendent will distribute in-language Know Your Rights resources for students and family members to cover their rights regarding interactions with law enforcement and immigration agents..
3. District personnel will not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act ("FERPA") and The Health Insurance Portability and Accountability Act "HIPAA", will not disclose, without parental consent, the immigration status of any student or other personally identifiable information.
4. Any communication to federal agencies or officials initiated by a school or school personnel concerning confidential information about a student or a student's family member, including but not limited to: information about gender identity; sexual orientation; status as a survivor of domestic violence; survivor of sexual assault; crime witness; recipient of public assistance; actual or perceived immigration or citizenship status; national origin; school discipline record; and all information included in an individual's or household's income tax records, is prohibited, unless permission is granted by the student if 18 years of age or student's parent or guardian.
5. The District will refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent possible under the law.
6. Any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Superintendent for review and a decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will ensure District compliance with *Plyler v. Doe* and other applicable laws. The request must be provided with adequate notice so that the Superintendent can take steps to provide for the emotional and physical safety of its students and staff.
  - a. Should an immigration agent request access to a school site, the Superintendent will ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge.

- b. Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.
7. The District will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.
  8. Consistent with the District's Fair and Impartial Policing Policy, neither the District nor its staff, faculty, employees, agents, or site-based officers will honor or comply with or otherwise reveal information in response to ICE detainers or other ICE requests within district sites absent a duly executed judicial warrant.
  9. The Superintendent will ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.
  10. The Superintendent or designee will report to the United We Dream hotline at 1-844-363-1423 if an immigration raid occurs at the school or ICE (or direct partners of ICE) violate its policy to stay off school grounds.
  11. The Superintendent or designee will identify multilingual staff and/or volunteer community members that are willing and well-equipped to assist in an emergency situation. This list will be made available to students, family members, and caregivers.
  12. The Superintendent shall ensure that all teachers, school administrators, and other staff gain timely awareness of this policy and notification in the appropriate languages spoken by students throughout the District to be distributed to families to fully inform them of their rights in the District;
  13. Within the next 90 days, the Superintendent shall develop a procedure for implementation of this policy that is inclusive of guidance for teachers, administrators and other staff on how to respond to ICE personnel who are requesting information about students and families and/or are attempting to enter school property. The procedure shall also include steps for notifying families about ICE efforts to gain information about students and families, and how to support students whose family members have been displaced because of ICE. This plan shall be communicated to all school district families in all supported languages.

### Definitions

- "Citizenship or immigration status" means all matters regarding questions of citizenship or nationality of the United States or any other country, the authority to reside in or otherwise be present in the United States, the time or manner of a person's entry into the United States, a

person's past or present immigration status under federal law, or any other civil immigration matter administered or enforced by the Department of Homeland Security or other federal agency charged with the administration or enforcement of civil immigration law.

- "Immigration agent" shall mean an agent of the U.S. Department of Homeland Security, such as the U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C. §1357(g) or any other federal law, other federal agents charged with enforcement of civil immigration laws, and any successors.

- "Enforcement actions" include checkpoints; arrests; interviews; searches; surveillance; obtaining records, documents, and similar materials; and other actions for the purposes of civil immigration law administration or enforcement.

Appreciation to these organizations who helped create this model policy:

ACLU of California

Advancement Project

Asian Americans Advancing Justice-California (AAAJ-CA)

Americans Advancing Justice-Los Angeles (AAAJ-LA)

National Immigration Law Center (NILC)

Services, Immigrant Rights, and Education Network (SIREN)

## **Policy to Ensure Safety and Resources for Families Impacted by Immigration Enforcement**

### **Policy Rationale**

The United States Supreme Court held in Plyer v. Doe 457 U.S.202 (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing the harm it would inflict on the child and society itself and their rights to equal protection and due process enshrined by the Fourteenth Amendment.

~~Furthermore, the Supreme Court has long affirmed all people's Fourth Amendment right to freedom from unlawful government search and seizure, including by Immigration and Customs Enforcement officers.~~

Since 1974, the Federal Family Educational Rights and Privacy Act (FERPA) has prohibited schools from releasing information from students' educational records absent express written permission from parents, caregivers, or eligible students. Since 1996, the Health Insurance Portability and Accountability Act (HIPAA) has similarly prohibited healthcare providers, which in rare circumstances can include school nurses or other similar school-based healthcare settings, from releasing protected health information absent express written permission.

Migration to this country is often propelled by social, economic, and political factors and native country conditions, immigrants and their families are entitled to compassionate and humane treatment in this country;

In Vermont, there is a strong economic and workforce development need that makes immigration critical to our future.

Ensuring that our schools are safe and inviting for all students and their families will facilitate the physical safety and emotional well-being of all children in the District, and is paramount to students' ability to achieve;

This safe and inviting environment would be disrupted by the presence of immigration agents who come onto District property for the purpose of removing students or their family members, or obtaining information about students and their families;

Immigration and Customs Enforcement ("ICE") activities in and around schools, ~~early education centers, and adult school facilities~~ would be a severe disruption to the learning environment and educational setting for students;

Immigration enforcement activities around schools create hardships and barriers to health and educational attainment, and a pervasive climate of fear, conflict and stress that affects all students in our District, regardless of their background or status, such that children who have a status but whose family members, friends, or schoolmates do not, and students who are themselves undocumented, are all affected and at risk;

Threats of legal action, and particularly of separation and deportation, against students and their families create severe emotional, psychological, and physical barriers to learning and education that can and should be allayed or reduced through support systems.

Students' ability to achieve is undermined by the removal of their family members during ICE raids and arrests that leave students without adults to supervise or care for them, and the District should have in place policies and procedures to protect and care for such students until a guardian or other designated adult is contacted, and all teachers, administrators and staff should be trained on such procedures;

Immigration arrests, detentions, and deportations affect families every day, and indications that deportations will increase dramatically have created a climate of heightened fear and anxiety for many students and their families;

~~The record number of deportations in recent years tragically has broken apart loving families, devastated communities, and caused widespread fear among immigrants and their family members;~~

School staff should not be involved in enforcing federal civil immigration laws; ~~will create the perception that they are immigration agents and decrease students' likelihood of cooperating with campus police based on fears that this would lead to their deportation or the deportation of family members;~~



~~Some cities, counties, school districts, and higher education institutions have adopted policies that restrict entanglement with ICE and resist any government action that may lead to the discovery of a person's immigration status;~~

~~ICE's longstanding policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission from specific federal law enforcement officials, unless exigent circumstances exist;~~

No written state or federal law mandates that local districts assist ICE in the enforcement of immigration laws;

**POLICY:**

In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the *Washington Central Unified Union School District* site shall establish itself as a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts; Furthermore:

1. The Superintendent will offer all K-12 schools, early education centers, adult schools, and parent centers be established as resource and information sites for immigrant students and families; Community-based organizations and legal services organizations who provide resources for families facing deportation; *will have access to school families under the Districts Building use policy* for community organizations doing immigration rights work such as know your rights trainings and resource and information sites as described above.
2. The Superintendent will *have available* in-language Know Your Rights resources for students and family members to cover their rights regarding interactions with law enforcement and immigration agents..
3. District personnel will not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act ("FERPA") and The Health Insurance Portability and Accountability Act "HIPAA" , will not disclose, without parental consent, the immigration status of any student or other personally identifiable information.
4. Any communication to federal agencies or officials *neither the school nor any district employee will initiate* a school or school personnel concerning confidential information about

a student or a student's family member, including but not limited to: information about gender identity; sexual orientation; status as a survivor of domestic violence; survivor of sexual assault; crime witness; recipient of public assistance; actual or perceived immigration or citizenship status; national origin; school discipline record; and all information included in an individual's or household's income tax records, unless permission is granted by the student if 18 years of age, or a student's parent or guardian.

5. The district will refuse all voluntary information fully sharing with immigration agents across all aspects of the district possible under the law.
6. Any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Superintendent for review. Any decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will *be provided must comply with the district's responsibilities under Plyler v. Doe* and other applicable laws. Any request must be provided with adequate notice so that the Superintendent can take steps to provide for the emotional and physical safety of its students and staff.

Furthermore,

- a. Should an immigration agent request access to a school site, the Superintendent will ask for and copy the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge, *and copy the warrant produced.*
  - b. Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest, *and the Superintendent or designee shall copy the paperwork provided.*
7. The District will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.
  8. Consistent with the District's Fair and Impartial Policing Policy, neither the District nor its staff, faculty, employees, agents, or site-based officers will honor or comply with or otherwise reveal information in response to ICE detainers or other ICE requests within district sites, absent a duly executed judicial warrant.

9. The Superintendent, *or designee* will ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.
10. The Superintendent or designee will report to the United We Dream hotline at 1-844-363-1423 if an immigration raid occurs at the school or ICE (or direct partners of ICE) violate its policy to stay off school grounds.
11. The Superintendent or designee will identify multilingual staff and/or volunteer community members that are willing and well-equipped to assist in an emergency situation. This list will be made available to students, family members, and caregivers.
12. The Superintendent shall ensure that all teachers, school administrators, and other staff gain timely awareness of this policy and notification in the appropriate languages spoken by students throughout the District to be distributed to families to fully inform them of their rights in the District;
13. Within the next 90 days, the Superintendent shall develop a procedure for implementation of this policy that is inclusive of guidance for teachers, administrators, and other staff on how to respond to ICE personnel who are requesting information about students and families and/or are attempting to enter school property. The procedure shall also include steps for notifying families about ICE efforts to gain information about students and families, and how to support students whose family members have been displaced because of ICE. This plan shall be communicated to all school district families in all supported languages.

### **Definitions**

- "Citizenship or immigration status" means all matters regarding questions of citizenship or nationality of the United States or any other country, the authority to reside in or otherwise be present in the United States, the time or manner of a person's entry into the United States, a person's past or present immigration status under federal law, or any other civil immigration matter administered or enforced by the Department of Homeland Security or other federal agency charged with the administration or enforcement of civil immigration law.

- "Immigration agent" shall mean an agent of the U.S. Department of Homeland Security, such as the U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C.

§1357(g) or any other federal law, other federal agents charged with enforcement of civil immigration laws, and any successors.

- "Enforcement actions" include checkpoints; arrests; interviews; searches; surveillance; obtaining records, documents, and similar materials; and other actions for the purposes of civil immigration law administration or enforcement.

## **Policy to Ensure Safety and Resources for Families Impacted by Immigration Enforcement**

### **Background:**

The attached Policy was first developed by the National Immigration Law Center for K-12 school districts that are contemplating adopting protections for their immigrant students. We recommend that any resolution contain language to address these critical issues:

- Limiting the sharing of student and family information with federal immigration authorities and anyone who is not authorized to have access to such information
- Restricting immigration agents' access to campuses
- Prohibiting any school staff from collaborating with federal immigration authorities, including off-duty collaboration i.e. in the form of deputization
- Providing resources and information for immigrant students and their families

The model resolution provides sample language for these issues. We encourage you to use this language as a template and to adopt as many pieces to fit the needs of your school district. We also encourage you to add additional points beyond what is in this resolution and to share your creative and innovative ideas with us.

This model policy was updated and **endorsed by the following organizations** and individuals on December, 19th 2024. You can reach out via the contact info below if you have questions or need support:

Education Justice Coalition of Vermont - Alyssa Chen - [alyssa.edjvt@gmail.com](mailto:alyssa.edjvt@gmail.com)

Monica Nachemja-Bunton, Upper Valley Educators Institute - [mnachemja-bunton@uvei.org](mailto:mnachemja-bunton@uvei.org)

Vermont Asylum Assistance Project - Jill Martin Diaz, Esq., [info@vaapvt.org](mailto:info@vaapvt.org)

Vermont Language Justice Project - Alison Segar - [asegar@cctv.org](mailto:asegar@cctv.org)

Winooski School District - Wilmer Chavarria - [wchavarria@wsdvt.org](mailto:wchavarria@wsdvt.org)

### **Policy Rationale**

The United States Supreme Court held in Plyer v. Doe (1982) that no public school district has a basis to deny children access to education based on their immigration status, citing the harm it would inflict on the child and society itself and their rights to equal protection and due process enshrined by the Fourteenth Amendment.

Furthermore, the Supreme Court has long affirmed all people's Fourth Amendment right to freedom from unlawful government search and seizure, including by Immigration and Customs Enforcement officers.

Since 1974, the Federal Family Educational Rights and Privacy Act (FERPA) has prohibited schools from releasing information from students' educational records absent express written permission from parents, caregivers, or eligible students. Since 1996, the Health Insurance Portability and Accountability Act (HIPAA) has similarly prohibited healthcare providers, which in rare circumstances can include school nurses or other similar school-based healthcare settings, from releasing protected health information absent express written permission.

Migration to this country is often propelled by social, economic, and political factors and native country conditions, immigrants and their families are entitled to compassionate and humane treatment in this country;

In Vermont, there is a strong economic and workforce development need that makes immigration critical to our future.

Ensuring that our schools are safe and inviting for all students and their families will facilitate the physical safety and emotional well-being of all children in the District, and is paramount to students' ability to achieve;

This safe and inviting environment would be disrupted by the presence of immigration agents who come onto District property for the purposes of removing students or their family members, or obtaining information about students and their families;

Immigration and Customs Enforcement ("ICE") activities in and around schools, early education centers, and adult school facilities would be a severe disruption to the learning environment and educational setting for students;

Immigration enforcement activities around schools create hardships and barriers to health and educational attainment, and a pervasive climate of fear, conflict and stress that affects all students in our District, regardless of their background or status, such that children who have a status but whose family members, friends, or schoolmates do not, and students who are themselves undocumented, are all affected and at risk;

Threats of legal action, and particularly of separation and deportation, against students and their families create severe emotional, psychological and physical barriers to learning and

education that can and should be allayed or reduced through support systems.

Students' ability to achieve is undermined by the removal of their family members during ICE raids and arrests that leave students without adults to supervise or care for them, and the District should have in place policies and procedures to protect and care for such students until a guardian or other designated adult is contacted, and all teachers, administrators and staff should be trained on such procedures;

Immigration arrests, detentions, and deportations affect families every day, and indications that deportations will increase dramatically have created a climate of heightened fear and anxiety for many students and their families;

The record number of deportations in recent years tragically has broken apart loving families, devastated communities, and caused widespread fear among immigrants and their family members;

Involving school staff in enforcing federal civil immigration law will create the perception that they are immigration agents and decrease students' likelihood of cooperating with campus police based on fears that this would lead to their deportation or the deportation of family members;

Some cities, counties, school districts, and higher education institutions have adopted policies that restrict entanglement with ICE and resist any government action that may lead to the discovery of a person's immigration status;

ICE's longstanding policy states that it will not conduct immigration enforcement activity at any sensitive location, which includes schools, without special permission from specific federal law enforcement officials, unless exigent circumstances exist;

No written state or federal law mandates that local districts assist ICE in the enforcement of immigration laws;

**POLICY:**

In order to provide a public education, regardless of a child's or family member's immigration status, absent any applicable federal, state, or local law, regulation, ordinance or court decision, the XX School District site shall establish itself as a safe place for its students and their families to seek help, assistance, and information if faced with fear and anxiety about immigration enforcement efforts; Furthermore:

1. The Superintendent will offer all K-12 schools, early education centers, adult schools, and parent centers be established as resource and information sites for immigrant students and families; The Superintendent will seek to increase and enhance partnerships with community-based organizations and legal services organizations who provide resources for families facing deportation; This includes offering free space to community organizations doing immigration rights work such as know your rights trainings and resource and information sites as described above.
2. The Superintendent will distribute in-language Know Your Rights resources for students and family members to cover their rights regarding interactions with law enforcement and immigration agents..
3. District personnel will not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act ("FERPA") and The Health Insurance Portability and Accountability Act "HIPAA", will not disclose, without parental consent, the immigration status of any student or other personally identifiable information.
4. Any communication to federal agencies or officials initiated by a school or school personnel concerning confidential information about a student or a student's family member, including but not limited to: information about gender identity; sexual orientation; status as a survivor of domestic violence; survivor of sexual assault; crime witness; recipient of public assistance; actual or perceived immigration or citizenship status; national origin; school discipline record; and all information included in an individual's or household's income tax records, is prohibited, unless permission is granted by the student if 18 years of age or student's parent or guardian.
5. The District will refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent possible under the law.
6. Any request by immigration agents for information or to access a school site shall be initially denied and immediately forwarded to the Superintendent for review and a decision on whether to reverse the denial and allow access to the site, and/or a decision on whether the information will ensure District compliance with *Plyler v. Doe* and other applicable laws. The request must be provided with adequate notice so that the Superintendent can take steps to provide for the emotional and physical safety of its students and staff.
  - a. Should an immigration agent request access to a school site, the Superintendent will ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state Judge.



- b. Immigration agents must provide written authority from ICE instructing them to enter District property and for what purpose as well as a warrant signed by a federal or state Judge which specifies the name of the person under arrest.
7. The District will not enter into agreements with state or local law enforcement agencies, ICE, or any other federal agency for the enforcement of federal immigration law, except as required by law.
  8. Consistent with the District's Fair and Impartial Policing Policy, neither the District nor its staff, faculty, employees, agents, or site-based officers will honor or comply with or otherwise reveal information in response to ICE detainers or other ICE requests within district sites absent a duly executed judicial warrant.
  9. The Superintendent will ensure that students are aware of opportunities to gain access to college, in-state tuition, financial aid, scholarships, internships and career opportunities, regardless of their status.
  10. The Superintendent or designee will report to the United We Dream hotline at 1-844-363-1423 if an immigration raid occurs at the school or ICE (or direct partners of ICE) violate its policy to stay off school grounds.
  11. The Superintendent or designee will identify multilingual staff and/or volunteer community members that are willing and well-equipped to assist in an emergency situation. This list will be made available to students, family members, and caregivers.
  12. The Superintendent shall ensure that all teachers, school administrators, and other staff gain timely awareness of this policy and notification in the appropriate languages spoken by students throughout the District to be distributed to families to fully inform them of their rights in the District;
  13. Within the next 90 days, the Superintendent shall develop a procedure for implementation of this policy that is inclusive of guidance for teachers, administrators and other staff on how to respond to ICE personnel who are requesting information about students and families and/or are attempting to enter school property. The procedure shall also include steps for notifying families about ICE efforts to gain information about students and families, and how to support students whose family members have been displaced because of ICE. This plan shall be communicated to all school district families in all supported languages.

### Definitions

- "Citizenship or immigration status" means all matters regarding questions of citizenship or nationality of the United States or any other country, the authority to reside in or otherwise be present in the United States, the time or manner of a person's entry into the United States, a

person's past or present immigration status under federal law, or any other civil immigration matter administered or enforced by the Department of Homeland Security or other federal agency charged with the administration or enforcement of civil immigration law.

- "Immigration agent" shall mean an agent of the U.S. Department of Homeland Security, such as the U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C. §1357(g) or any other federal law, other federal agents charged with enforcement of civil immigration laws, and any successors.

- "Enforcement actions" include checkpoints; arrests; interviews; searches; surveillance; obtaining records, documents, and similar materials; and other actions for the purposes of civil immigration law administration or enforcement.

Appreciation to these organizations who helped create this model policy:

ACLU of California

Advancement Project

Asian Americans Advancing Justice-California (AAAJ-CA)

Americans Advancing Justice-Los Angeles (AAAJ-LA)

National Immigration Law Center (NILC)

Services, Immigrant Rights, and Education Network (SIREN)

---

## MEMORANDUM

TO: Superintendents, Principals, Independent School Heads of School  
FROM: Zoie Saunders, M.Ed., Secretary of Education  
SUBJECT: Updated Immigration Guidance for Vermont Schools  
DATE: January 31, 2025

---

This updated guidance is intended to assist schools in ensuring that all students have equal access to educational opportunities regardless of actual or perceived immigration status. Each school board should consult with their legal counsel regarding any specific policy or guidance that they may wish to issue to their staff related to requests for student information and/or compliance with immigration enforcement actions involving their schools or students. School administrators also may choose to work with advocacy organizations to support their students and families at their discretion.

The U.S. Department of Education recently issued a [Dear Colleague Letter: Resources for Ensuring Equal Access to Education for Immigrant Students](#), that we would encourage school administrators and board members to review.

The Agency will continue to monitor the immigration enforcement environment and will update this guidance as needed.

### **Undocumented Students' Right to Public Education**

Public schools may not deny access to students based on immigration status. The U.S. Supreme Court held in *Plyler v. Doe*, 457 U.S. 202 (1982) that all students, including undocumented students, have a right to attend public schools. Vermont state law also enshrines the rights of all Vermont students – regardless of immigration status – to educational opportunities that are substantially equal (16 V.S.A. § 1).

### **Students' Rights to be Free of Harassment and Discrimination**

Under Vermont state law, schools have the obligation to protect against discrimination and/or harassment on the basis of protected classes, which includes national origin [16 V.S.A. § 11(26)(A); 16 V.S.A. § 570; 9 V.S.A. § 4502]. Titles IV and VI of the Civil Rights Act of 1964 also protect against discrimination on the basis of race, color, or national origin, among other factors [42 U.S.C. § 2000c-6; 42 U.S.C. § 2000d]. Students or their parents/guardians may file a complaint with the [Vermont Human Rights Commission](#) if

they believe they have been subjected to discrimination based on their real or perceived race or national origin. Students or their parents/guardians also may make a report of harassment, hazing, or bullying to their school. Students or their parents/guardians also may make a report of harassment, hazing, or bullying to their school.

### **Privacy of Student Information**

Schools have no legal obligation to collect information related to a student's or their family's legal citizenship or immigration classification (i.e., their legal right to remain in this country).

As a general reminder, students' personally identifiable information and educational records are protected under the Family Educational Rights and Privacy Act of 1974 (FERPA) and can only be disclosed if specific conditions are met. We recommend that SU/SDs contact their legal counsel if they receive any requests from immigration authorities for personally identifiable information in education records to ensure they are maintaining compliance with FERPA.

We would encourage school boards to review what information they consider "directory information" under FERPA. Directory information is student information that can be shared with third parties without the student's or parent's consent under FERPA. School districts must provide parents/guardians with written notice of their directory information policy and provide them with the option to refuse release of their child's information. This policy regarding directory information should be provided in form(s) that are accessible to all the parents/guardians in the school.

### **School Enrollment**

School districts may accept a variety of documents to demonstrate proof of residency or proof of a child's age. When providing information for proof of a student's residency or age, schools should not ask for documents that could reveal information related to student or their parent/guardian's immigration status. A Social Security number is **not** needed for school enrollment. Also, as a reminder, proof of residency is not required if it has been determined that a student's living situation meets the definition of homelessness under the McKinney-Vento Homeless Education Act.

### **Preparing for Emergencies**

While some states allow parents to delegate educational rights or power of attorney to a non-parent for educational purposes, Vermont does not. Parents should be discouraged from relying on written forms delegating parental authority or custody for the purpose of

ensuring residency in a particular school district or for assigning educational decision-making rights.

The Agency recommends that schools encourage all parents/guardians to regularly update their emergency contacts to prepare in advance of any family emergency.

The protections of the McKinney-Vento Homeless Assistance Act may be triggered if a student's parent/guardian(s) are deported or detained and the child or youth's housing is no longer fixed, regular, and adequate, even if they are staying with friends or other relatives. Such children should be identified and supported as unaccompanied homeless youth under the McKinney-Vento Act, which guarantees certain educational rights and supports for students experiencing homelessness.

### **Immigration Enforcement at Schools**

Previously, guidance from the U.S. Department of Homeland Security restricted federal immigration enforcement on or around school grounds or school buses. However, this guidance was rescinded on January 21, 2025, which could result in increased immigration enforcement in or around schools or other places where children gather.

There is no legal requirement that generally entitles federal immigration authorities to enter the physical grounds of a school building. As such, schools can prevent entry by federal immigration authorities to the school building in an enforcement capacity unless the federal immigration authorities have a valid judicial criminal warrant or judicial order. An "administrative warrant" or "immigration detainer" is not judicially issued and does not carry the legal authority of a judicial warrant. SU/SDs should establish a plan for how and when they will consult with their legal counsel in the event that immigration authorities seek entry to school grounds, to determine what type of warrant has been presented and what is required of school officials as a result.

Additionally, under 20 V.S.A. § 4652, SU/SDs, as well as school resource officers and their law enforcement agency, are generally prohibited from entering into agreements with the federal government regarding immigration enforcement. Only the Governor can generally enter such agreements.