Procedures for Implementing New York Education Law related to Immigration

The U.S. Supreme Court has long held that students may not be denied a free public education based on their immigration status or that of their parents or guardians (Plyler v. Doe, 457 U.S. 202 (1982)). And, in 2026, the New York State Legislature codified this right in New York State Education Law § 3201-b. This law required the Rye Neck Union Free School District to maintain a safe environment for all students, ensuring uninterrupted access to education regardless of immigration status, and to adopt certain procedures to implement the new law.

These procedures set forth the steps the Rye Neck Union Free School District will take to:

1. Review and authorize requests from immigration authorities to enter school property or take custody of a student;

2. Notify parents and persons in a parental relationship about the rights of and protection for students, parents, and persons in a parental relationship; and

3. Contact all emergency contacts prior to contacting the statewide register for child abuse and maltreatment where a parent or person in a parental relationship to the student has been detained.

Reviewing and Authorizing Requests from Immigration Authorities:

If a staff member is contacted by immigration authorities regarding a student, the staff member will contact Mr. Michael Burke (Superintendent of Schools) who shall, in turn, seek guidance from the District's attorney prior to releasing information about a student or releasing the student to such authorities.

Mr. Michael Burke shall be responsible for making the final decision regarding the release of information or a student to immigration authorities. While awaiting guidance from Mr. Michael Burke, designated building administrators are authorized to obtain additional information from immigration authorities in order to ensure that the District complies with its legal obligations.

Immigration officials should be asked to stay outside the building or in the Main Office (or other public space within the school). Staff should not be argumentative with immigration authorities or physically impede, interfere with, or obstruct immigration officials in performing their duties. Designated building administrators can ask the following questions of, and collect the following information from (including taking notes and making photocopies of all information presented), the immigration official or employee:

Identification and Credentials	• Can you provide identification and verify your credentials? • Which agency do you represent?

	• What is the purpose of your visit? • Are you acting under a warrant, subpoena, or any other legal authority?
Legal Documentation	• Do you have a judicial warrant signed by a judge? [If yes, request a copy and confirm its validity.] • Can you provide a copy of the warrant or subpoena for the school's legal review? [Always send to counsel for immediate review.] ○ If there is no warrant, are you stating there are exigent circumstances in order to access the student without a warrant? If so, can you please share, in general, what those exigent circumstances are? • Please wait while we contact the District's legal counsel to review your request.
Purpose of the Request	• What is the specific reason for your visit? • Is the student being detained, questioned, or served legal paperwork? [This allows school to tell the parent and counsel what's going on.]
Student and Family Rights	• Has the student's parent/guardian or legal representative been notified? • Do you know if the student or parent has access to legal counsel?
Impact on School and Students	• Why is it necessary to conduct this interaction on school property? Can this matter be addressed outside of school hours or off school property? • How can we work together to minimize disruption to the school environment?
School/District Policy and Next Steps	• Who from your organization should we contact for clarification or further instructions and follow-up questions?

Notifying Parents and Persons in a Parental Relationship regarding Immigration Rights:

The Rye Neck Union Free School District shall publish the following Notice of Immigration Rights on the Rye Neck Union Free School District's website in the beginning of each school year:

Rights of and Protections for Students, Parents and Persons in a Parental Relation related to School Enrollment and Immigration

In 1984, the United States Supreme Court ruled it is unconstitutional to deny undocumented children access to a free, public K-12 education. This ruling is still in place today and is the law. The Rye Neck Union Free

School District is committed to ensuring students have equal access to education, regardless of immigration status, national origin, citizenship, or any other protected reason, and strictly complies with the Supreme Court's decision.

The Rye Neck Union Free School District takes all legally allowable steps to protect students while they are attending school. The school has strict protocols in place for handling requests from immigration officials for (1) information about students; (2) cooperation with immigration enforcement activities; and (3) requests for a student to be released to immigration authorities.

Parents and persons in a parental relationship should make sure the Rye Neck Union Free School District has updated emergency contact information, including a list of all individuals authorized to pick your child up from school, in the event you are unavailable to do so. Please contact your building principal (914-777-5200) to provide any necessary updates.

Contact Procedures – Parent Detention

In the event the Rye Neck Union Free School District becomes aware that a parent of or person in a parental relationship to a student will be unavailable to retrieve the student from school or a school function because a person in a parental relationship has been detained by immigration authorities, or the student is not picked up as scheduled, the school shall make reasonable efforts to contact all known individuals authorized to pick the student up, and the school will retain the student until the student is picked up by an individual authorized by the parent or person in a parental relationship to such student or by law. Only when all reasonable efforts have been exhausted shall the school contact the statewide central register for child abuse and maltreatment.