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NORTH SALEM CENTRAL SCHOOL DISTRICT COMPLIANCE PROCEDURES: IMPLEMENTATION OF NY EDUC. LAW § 3201-b

ARTICLE I: PURPOSE AND LEGAL AUTHORITY

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 requires all New York State Public School Districts, Charter Schools, Boards of Cooperative Educational Service (BOCES), State-Operated Schools, Special Act School Districts, and Universal Pre-Kindergarten (UPK) Programs operating on school property to maintain safe environments for all students, ensuring uninterrupted access to education regardless of immigration status.

In accordance with New York Education Law § 3201-b (enacted as Part LL, Subpart D of the Public Protection and General Government budget bill), these procedures establish mandatory operational standards to safeguard the rights of immigrant and noncitizen students at the North Salem Central School District (“District”). The purpose of these procedures is to guarantee all children an uninterrupted free public education and to ensure that school environments remain safe havens free from unauthorized immigration enforcement or discrimination based on actual or perceived immigration status, citizenship, nationality, or country of origin.

These procedures set forth the steps the 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.

ARTICLE II: REQUEST REVIEW and CUSTODY CARE PROTOCOL

The District designates the Superintendent to handle all immigration authorities' requests to enter school property or take custody of a student.

When presented with such a request, the Superintendent will seek guidance from an attorney for the District before responding or producing a student. The Superintendent will also request to see any officer's badge or other government identification and will take note of any officer's name and agency for record-keeping purposes. The Superintendent, working with the attorney for the District, will determine whether the request is accompanied by a valid judicial warrant or court order issued by a federal U.S. District Court, if exigent circumstances have been declared or if any other valid reason under State or Federal Law has been presented. The Superintendent will

immediately notify the student's parent or guardian, unless specifically prohibited, of any request.

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?

ARTICLE III: NOTIFYING PARENTS AND PERSONS IN A PARENTAL RELATIONSHIP REGARDING IMMIGRATION RIGHTS

The District shall publish the following Notice of Immigration Rights on its website in the beginning of each school year and shall these procedures with parents, guardians or stakeholders upon request:

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 North Salem Central 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 North Salem Central 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 North Salem Central 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 the Superintendent of Schools at (914) 669-5414, 1011 to provide any necessary updates.

ARTICLE IV CONTACT PROCEDURES – PARENT DETENTION

In the event the 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.

ARTICLE VI: NOTIFICATION OF RIGHTS AND PROCEDURES

The District will post these procedures on the District's website. The District will directly share these procedures with parents, guardians, and students when relevant and upon request.