



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

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. 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.

Article II: Request Review And Custody Care Protocol

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

When presented with such a request, the Superintendent of Schools will seek guidance from an attorney for the District before responding or producing a student. The Superintendent of Schools will also request to see any officer's badge or other government identification and will take note of any officer's name and agency and/or make copies of such credentials for record-keeping purposes. The Superintendent of Schools, 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 Magistrate judge. The Superintendent of Schools will immediately notify the student's parent or guardian, unless specifically prohibited, of any request.

If a parent or guardian is detained by immigration authorities or fails to pick up a student as scheduled, the school will keep the student safely on school premises and will not contact the statewide central register for child abuse and maltreatment unless personnel have made every reasonable effort to reach all other authorized emergency contacts and/or other authorized adults.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

Article III: Restricting The Use Of School Resources And Sharing Information

District personnel are strictly prohibited from:

- Using school resources for immigration enforcement purposes;
- Disclosing, or threatening to disclose, information or records about actual or perceived citizenship or immigration status of a student or student's family, subject to the exceptions listed below;
- Inquiring, or collecting information, about a student or student's family's citizenship, immigration status, nationality, or country of origin, subject to the exceptions listed below;
- Disclosing to employees of an immigration authority personally identifiable information of students, students' families, and staff, including name, SSN, physical description, associated addresses, phone number, financial/medical info, place of employment of a student or family, subject to the exceptions listed below;
- Designating immigration status, citizenship, nationality, or national origin as "directory information";
or
- Using registration and enrollment requirements or procedures that have the intent or effect of delaying or denying the enrollment of non-citizen students, including delaying the enrollment and attendance in class of students if they cannot immediately provide all documents required for registration, including proofs of residency and age.
- Implementing policies, procedures, practices, or actions that have the intent or effect of deterring a student from participating in or denying a student the benefits of programs or activities, or that exclude parents or guardians from participating in parental engagement activities, on account of perceived or actual citizenship or immigration status.

Exceptions: when disclosure is required by law, e.g., to comply with a federal judicial warrant or court order signed by a federal U.S. District Court or Magistrate judge; to administer a public program or benefit requested by the family; to exchange information regarding an individual's citizenship or immigration status with the United States Department of Homeland Security or any other federal, state, or local governmental entity, in compliance with 8 U.S.C. § 1373 and 8 U.S.C. § 1644; for voter registration.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

Article IV: Restricting Access To Property

District personnel will not grant or facilitate access to non-public areas of school property or facilities to any immigration authority unless presented with a valid federal judicial search or arrest warrant signed by a federal U.S. District Court or Magistrate Judge. Access will only be permitted by the Superintendent of Schools after fully implementing these procedures.

Article V: Restricting Access To Students

District personnel are prohibited from:

- Granting permission for or facilitating the release, transfer, surrender, escort of or delivery of a student into the custody of an immigration authority solely because a parent or legal guardian has been arrested, detained, or taken into federal custody, subject to the exceptions listed below;
- Releasing, transferring, surrendering, escorting, or otherwise delivering a student into the custody of an immigration authority based on a civil immigration warrant, immigration detainer, notice to appear, or other non-judicial document;
- Assisting immigration authorities in locating, questioning, or detaining a student, subject to the exceptions listed below;
- Using an immigration authority as interpreters or translators for any law enforcement matters involving individuals they interact with during the course of their employment duties.

Exceptions: to comply with a judicial warrant or court order from a competent state or federal explicitly authorizing the removal, detention, or assumption of custody of that student by an immigration authority after consultation with an attorney; to exchange information regarding an individual's citizenship or immigration status with the United States Department of Homeland Security or any other federal, state, or local governmental entity, in compliance with 8 U.S.C. § 1373 and 8 U.S.C. § 1644; to comply with valid court orders or judicial warrants issued by an Article III federal judge or a federal magistrate judge (e.g., to locate, question or detain a student); to comply with a judicial warrant, court order, or lawful criminal investigation conducted in accordance with applicable New York State criminal law and procedure.

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.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

School District Administrative Procedures

These protocols establish procedures for District personnel to follow when immigration authorities seek access to school property, school functions, students, student records, or information about a student or a person in a parental relationship. They are intended to implement Education Law § 3201-b and the New York State Education Department's model policy and procedures, while providing a clear, consistent response for school administrators and staff.

These protocols should be read together with the District's applicable policies, the District Code of Conduct, student privacy requirements, and the District's legal counsel guidance. Where a request presents a legal question, personnel shall not make the legal determination themselves; the matter shall be promptly referred to the Responsible Designee, Superintendent, and District legal counsel.

Designation of Responsible Personnel

The Superintendent shall designate, in writing, a Responsible Designee to coordinate all immigration-related requests.

Role	Primary Responsibility	Name	
Responsible Designee	Coordinates response; receives and routes documents; maintains incident records.	Polly Tavernia Assistant Superintendent of Special Services	
Building Principal	Initial building-level point of contact; keeps officials in Main Office/adjacent conference room while documents are reviewed.	Matthew Bezio BHS Principal Duffy Nelson BHS Principal	Melissa Barcomb BES Principal Darcy Stoutenger CHES Principal
Superintendent	District-level oversight and decision-making; coordinates with legal counsel.	Dustin Relation Superintendent of Schools	

All District employees' responsibility is to preserve safety, avoid unauthorized disclosure or access, and immediately notify the designated officials.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

Procedure When Immigration Authorities Appear at a School Building

1. Main Office staff shall immediately contact the Building Principal or Responsible Designee. Main Office staff should not answer substantive questions or attempt to interpret the authority of the officials.
2. The Building Principal shall request identification/credentials and all documents relating to the request, including any warrant, court order, subpoena, detainer, or other documentation.
3. The officials should be asked to remain in the Main Office or an adjacent conference room while the District reviews the documentation. Staff should remain calm, professional, and non-confrontational.
4. The Building Principal shall make copies of the identification and all documents provided and promptly forward them to the Responsible Designee or Superintendent.
5. The Responsible Designee shall immediately contact the Superintendent and District legal counsel and provide copies of all documents.
6. District legal counsel shall review the documents and advise whether they constitute a judicial warrant or court order issued by a qualifying judge, or whether another law requires District compliance.
7. Until the Responsible Designee and District legal counsel provide direction, District personnel shall not permit or facilitate access to non-public areas, release protected information, assist in locating/questioning/detaining a student, or release a student to immigration authorities.
8. If counsel determines that the District is legally required to comply, the Responsible Designee or Superintendent shall coordinate the response strictly in accordance with counsel's instructions and the scope of the legal document.
9. The District shall document the encounter, including the date, time, location, names and titles of officials, agency, credential information, documents presented, purpose of the request, administrators and legal counsel contacted, and actions taken.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

Requests to Locate, Question, Detain, or Take Custody of a Student

- A student should not be removed from class or another activity merely because immigration authorities request to speak with the student.
- District personnel shall not assist immigration authorities in locating, questioning, or detaining a student unless the applicable legal requirements have been satisfied.
- The District shall not release, transfer, surrender, escort, or otherwise deliver a student to immigration authorities solely because a parent or person in parental relationship has been arrested or detained.
- If a qualifying judicial warrant or court order authorizes action, the District shall proceed only after consultation with District legal counsel, except to the extent counsel determines that immediate compliance is required.
- Where appropriate and legally permissible, the parent/person in parental relationship should be contacted privately and promptly.

School Functions, Off-Site Activities, and School Transportation

- For each school function away from school property, the District shall designate an employee as the Person in Charge for responding to an encounter with immigration authorities.
- If immigration officials stop or detain a school bus away from school property, the school bus driver shall serve as the initial Person in Charge until a supervisor or administrator assumes responsibility.
- To the extent practicable and without placing anyone at physical risk, the Person in Charge should limit contact between officials and students while awaiting District direction.
- The Person in Charge shall contact their supervisor, who shall contact the Responsible Designee or Superintendent.
- The Responsible Designee or Superintendent shall arrange for an administrator to respond to the location as soon as practicable.
- The administrator or supervisor shall request identification and documentation and forward it to the Responsible Designee, Superintendent, and District legal counsel.
- No District employee shall place themselves or students at physical risk in attempting to limit access or contact.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

When a Parent or Person in Parental Relationship Is Detained, or a Student Is Not Picked Up

The District shall maintain a reliable emergency-contact process so that a student has an authorized adult available if a parent or person in parental relationship is detained or otherwise unavailable.

- If District personnel become aware that a parent/person in parental relationship is unavailable because of immigration detention, or that a student has not been picked up as scheduled, the school shall make reasonable efforts to contact all individuals authorized by the parent/person in parental relationship and all listed emergency contacts.
- The District shall safely retain the student on school premises until the student is picked up by an individual authorized by the parent/person in parental relationship or otherwise authorized by law.
- The District shall not contact the Statewide Central Register for Child Abuse and Maltreatment merely because a parent/person in parental relationship has been detained. Such contact should occur only after reasonable efforts have been made to contact all known authorized individuals and emergency contacts and after consultation with the Superintendent and District legal counsel, consistent with applicable law.
- If an alternate caregiver is needed, administrators should document the contacts attempted, the person ultimately authorized to retrieve the student, and the basis for that authorization.

Training and Annual Implementation

- The Superintendent shall ensure that Building Principals, Assistant Principals, Main Office personnel, transportation administrators, school bus drivers, School Resource Officers, and other personnel reasonably likely to encounter immigration authorities receive training on these protocols.
- A copy of the current protocols and contact information for the Responsible Designee shall be maintained at each school Main Office and in an accessible administrative location and on the District website.



Beekmantown Central School District Procedures & Protocols for Compliance with Education Law § 3201-b

9/15/2026

Required Incident Documentation

For every encounter or request involving immigration authorities, the District will complete an [incident record](#) containing, at minimum:

- Date and time of encounter/request.
- School, location, or school function.
- Names, titles, and agency of each immigration official.
- Credential or identification information, where available.
- Purpose stated by the officials.
- Documents presented and copies retained.
- Name of student or other individual involved, if known.
- District personnel contacted, including Responsible Designee, Superintendent, and legal counsel.
- Legal guidance or direction received.
- Actions taken by District personnel.
- Whether a parent/person in parental relationship was contacted and, if so, when and how.
- Final disposition of the request or encounter.