

STOCKBRIDGE VALLEY CENTRAL SCHOOL DISTRICT

ADMINISTRATIVE PROCEDURES

Implementation of New York Education Law § 3201-b

1. Purpose

- The District will maintain a safe environment for all students and ensure uninterrupted access to education regardless of the actual or perceived immigration status, citizenship, nationality, or country of origin of a student or the student's parent or person in parental relation. These procedures establish the District's operational response to requests involving immigration authorities.

2. Designated District Official

- The Superintendent or their designee is the District's Designated Official for requests from immigration authorities involving a student or a student's parent or person in parental relation. All School Personnel who receive such a request must immediately refer the request to the Designated Official and must not independently authorize access, release information, or transfer custody.

3. Requests to Enter School Property, Access a Student, or Take Custody

- School Personnel will not grant or facilitate access by an immigration authority to a student or to non-public areas of District property or facilities unless legally authorized as described below.
- The staff member receiving the request must immediately contact the Designated Official and, when feasible, obtain the officer's name, agency, badge or government identification, and copies of all documents presented.
- Before responding to the request, the Designated Official will provide the request and documentation to District legal counsel and await legal guidance.
- The District and legal counsel will determine whether the request is supported by a valid judicial warrant or court order. Civil immigration warrants, administrative warrants or detainers, notices to appear, and other non-judicial immigration documents are not sufficient authority to access non-public areas of school property or to take custody of a student.
- School Personnel will not assist immigration authorities in locating, questioning, detaining, releasing, transferring, surrendering, escorting, or otherwise delivering a student except as required by a valid judicial warrant, court order, or other applicable law.
- The Designated Official will immediately notify the student's parent or person in parental relation of a request to access, question, detain, or take custody of the student unless notification is specifically prohibited by a judicial order or other law.

4. Requests for Student or Family Information

School Personnel are prohibited from:

- Disclosing to an immigration authority personally identifiable information (PII) concerning a student or the student's family, except as required by law.
- Disclosing or threatening to disclose information or records concerning the actual or perceived citizenship or immigration status of a student or the student's family, except as required by law.
- Inquiring about or collecting a student's or family member's citizenship, immigration status, nationality, or country of origin, except when required by law or necessary to administer a public program or benefit requested by the family, for lawful election-related purposes, or another legally authorized purpose.

- Designating immigration status, citizenship, nationality, or national origin as directory information under FERPA.
- If a federal, local, or immigration law-enforcement official requests student information, the staff member must immediately refer the request to the Designated Official. The Designated Official will obtain the supporting documentation, consult District legal counsel before any disclosure, notify the student's parent or guardian of the request unless legally prohibited, and, following consultation with counsel, notify the NYSED Privacy Office of the request.

5. Enrollment and Participation Safeguards

- The District will not use registration or enrollment requirements or practices that have the intent or effect of delaying or denying enrollment to non-citizen students.
- The District will not request a Social Security card or number, or other information that would reveal immigration status, as a condition of enrollment.
- The District will consider legally acceptable forms of proof of residency and will maintain a publicly available, non-exhaustive list of acceptable documentation.
- Migrant and unhoused students will be immediately enrolled when required by law even if documents ordinarily requested for registration are not immediately available.
- The District will not implement practices that deter a student from participating in District programs or activities, deny benefits, or exclude parents or persons in parental relation from parental engagement activities because of actual or perceived citizenship or immigration status.

6. Emergency Placement and Pickup Safeguards

- If a student's parent or person in parental relation is detained by immigration authorities or fails to pick up the student as scheduled, School Personnel will keep the student safely on District premises until an individual authorized by the parent/person in parental relation, or otherwise authorized by law, is able to pick up the student.
- Appropriate School Personnel will make and document reasonable efforts to contact all known individuals authorized to pick up the student, including all emergency contacts designated by the parent/person in parental relation.
- School Personnel will not contact the Statewide Central Register for Child Abuse and Maltreatment solely because the parent/person in parental relation is detained or unavailable for pickup unless all reasonable efforts to reach authorized emergency contacts have been exhausted and a report is otherwise warranted under applicable law.
- The District should periodically encourage families to maintain current primary and secondary emergency-contact information.

7. Other Restrictions on School Resources and Personnel

- School resources may not be used for immigration-enforcement purposes except as required by law.
- Immigration authorities may not be used as interpreters or translators for law-enforcement matters involving individuals encountered by School Personnel in the course of their duties.
- School Resource Officers and other School Personnel may not question students or family members about immigration status or use school facilities for immigration-enforcement purposes except as required by law.

8. Parent/Family Notification

- The Superintendent or their designee will establish and implement a process to notify parents and persons in parental relation of the statutory rights, privacy protections, and safety safeguards afforded to students and families under Education Law § 3201-b. The notice should be provided

through one or more ordinary District communication channels (for example, ParentSquare, email, website posting, registration materials, or another written communication) and should be translated or otherwise made accessible consistent with the District's language-access obligations.

- In addition, the District will provide the annual FERPA notice required by law, including information about directory information and the right to opt out, and will provide event-specific parent/guardian notice when law-enforcement officials request a child's information or seek access to the child, unless notification is legally prohibited.

9. Staff Implementation and Training

- The Superintendent or designee will ensure that administrators, main-office staff, registrars, transportation personnel, School Resource Officers, and other personnel likely to receive law-enforcement requests understand these procedures and know how to contact the Designated Official.
- A copy of these procedures, or a concise response protocol derived from them, should be maintained at each school office and with appropriate transportation supervisors.
- Questions about a request from immigration or law-enforcement authorities must be referred to the Designated Official and District legal counsel before action is taken, except where immediate action is necessary to address an imminent safety emergency.

10. Documentation and NYSED Compliance

- The Designated Official will maintain appropriate documentation of requests from immigration authorities and the District's response, consistent with applicable confidentiality and records-retention requirements.
- The Superintendent will ensure that the District completes any certification or verification required by NYSED concerning development and implementation of procedures compliant with Education Law § 3201-b.