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To: House Education Committee

Date: April 8, 2026

Subject: S. 227 “An act relating to creating immigration protocols in Vermont Schools”

From: Jay Nichols, Senior Executive Director Vermont Principals’ Association

For the record, Jay Nichols, Senior Executive Director the Vermont Principals’ Association.

Our testimony on this issue is consistent with testimony that we have delivered in both Senate and House Judiciary Committees this session. We appreciate the General Assembly seeking to provide any legal protections possible to protect our students as well as any school employees that may be vulnerable through their own immigration status or even perceived immigration status. In a time when we are dealing with increasing concerns around chronic absenteeism, any actions that make students fear attending school are bad for those students, other students, and our society at large.

We have advised our members after consultation with education legal experts that schools should only allow law enforcement and/or ICE officers on campus if:

1. They are invited by the school for a legitimate education reason or emergency,
2. They present a judicial warrant, or;
3. They insist on entry despite objections—in which case staff should not physically interfere with the law enforcement official whether they are federal or state.

Before issuing any specific protocols or communications on these matters, we advise school leaders to consult with their district leadership and legal counsel to ensure consistency with applicable law and local policy.

We believe that many of the concepts included in S. 227, as it passed the Senate, are already implemented in Vermont schools and protected by current law (both federal and state).

The Agency of Education has worked with the VPA and other associations to try and clarify rules regarding immigration enforcement around schools, procedures around what is allowed and what is not by the Family Educational Rights and Privacy Act (FERPA-1974) and school districts have worked with legal counsel to safeguard student and families rights. This bill as it passed the Senate references the Attorney General's office working with Superintendents. Typically, the interface between school system leaders and the state are conducted through the Vermont Agency of Education (AOE). Given the ongoing working relationship between superintendents and the AOE this might be a change that the House Education Committee may want to consider.

That said, any support that the General Assembly can provide parents and students in our more vulnerable school populations would be greatly appreciated. The VPA encourages you to use any tools in your legislative tool kit to protect all Vermont children and their parents who may be the target of Immigration Enforcement around schools. Having a baseline policy across the state that is in effect in each school district in the state makes sense to us. Additionally, guidance for school districts in the way of model template procedures that schools can use and adapt also makes sense.

Respectfully submitted,

Jay Nichols