Pioneer Valley Performing Arts Charter Public School

Governance Comm. Meeting

Regular

Published on September 25, 2026 at 4:31 PM EDT
Amended on September 29, 2026 at 11:31 AM EDT

Date and Time

Tuesday September 29, 2026 at 6:00 PM EDT

Location

Zoom
https://us02web.zoom.us/j/87553817738?pwd=6fM9jvGiir2Clej4Q24DdGda7zPGN5.1

Agenda

		Purpose	Presenter	Time
I.	**Opening Items**			**6:00 PM**
	A. Record Attendance		Thomas Roy	1 m
	B. Call the Meeting to Order		Thomas Roy	
	C. Read PVPA Mission Statement		Thomas Roy	1 m

The Pioneer Valley Performing Arts Charter Public School offers its students intensive exposure to the performing arts within the context of an excellent college preparatory curriculum. The goal is to provide students with a supportive and challenging environment that is responsive to multiple learning styles, emphasizes learning

		Purpose	Presenter	Time

through the arts, and integrates critical and creative thinking throughout the curriculum.

II. Approve Committee Meeting Minutes — 6:02 PM

		Purpose	Presenter	Time
A.	Approve Meeting Minutes	Approve Minutes	Thomas Roy	5 m

Approve minutes for Governance Committee Meeting on September 10, 2026

III. Governance — 6:07 PM

		Purpose	Presenter	Time
A.	Review PVPA Non-discrimination policy. VOTE on whether to adopt changes since last enacted	Vote	Thomas Roy	20 m

Non discrimination policy must be updated to conform with Massachusetts law was well as Federal law. The revised policy goals should support the community CARES pathways, incorporate DESE guidance, while instructing on procedure and compliance with Federal and State law.

		Purpose	Presenter	Time
B.	Review and Vote on PROTECT act policy	Vote	Thomas Roy	20 m

Protect Act is new Massachusetts law signed by Governor Healey on August 5, 026. PVPA is required to comply with this law and should have a policy to guide fault/staff/administration. The Protect act holds that except as required by state or federal law law, or as required for the Commonwealth or its subdivisions to administer a state or federally supported or funded program, civil arrests, including for federal immigration enforcement ARE NOT ALLOWED on school grounds during operating hours without a judicial warrant.

Definitions for School grounds, School hours, and a judicial warrant are available in attached guidance.

DESE approved policy is attached.

IV. Scheduling of Governance Committee Meetings — 6:47 PM

		Purpose	Presenter	Time
A.	Discussion:	Discuss	Thomas Roy	15 m

Traditional meeting schedule has been third Tuesday of the month.

Discuss efficacy of working/roundtable style meetings.

		Purpose	Presenter	Time
	Intent is for all meetings to show in the Board on track website so that governance members can edit and add agenda items in their own time/discretion. Editing in this manner will be closed once the Meetings/Agenda are published to the public in compliance with Open Meeting Law. Committee is to also set three meetings for board member candidate interviews over the course of this academic/leadership year.			
V.	**Closing Items**			**7:02 PM**
A.	Adjourn Meeting	Vote	Thomas Roy	3 m

Coversheet

Approve Meeting Minutes

Section:	II. Approve Committee Meeting Minutes
Item:	A. Approve Meeting Minutes
Purpose:	Approve Minutes
Submitted by:	
Related Material:	Minutes for Governance Committee Meeting on September 10, 2026

DRAFT

Pioneer Valley Performing Arts Charter Public School

Minutes

Governance Committee Meeting

Date and Time
Thursday September 10, 2026 at 6:00 PM

Location
Virtual Meeting Only.
https://us02web.zoom.us/j/82710150031?pwd=eXv1hjEnAZKwokWOLHaBITdrP8ZotM.1

Committee Members Present
Ann Dargie Gladd, Esq (remote), Azizah Yasin (remote), EJ Lafleur (remote), Thomas Roy (remote)

Committee Members Absent
None

Ex Officio Members Present
Brent Nielsen (remote)

I. Opening Items

A. Record Attendance

B. Call the Meeting to Order

Thomas Roy called a meeting of the Governance Committee of Pioneer Valley Performing Arts Charter Public School to order on Thursday Sep 10, 2026 at 6:05 PM.

C.

Read PVPA Mission Statement

Azizah Yasin read the PVPA mission statement.

II. Governance

A. Review of Policies and New Accountability Plan

Ann Dargie Gladd, Esq made a motion to approve policies and accountability plan.
EJ Lafleur seconded the motion.
Committee members and Head of School discussed the PVPA Accountability plan and the following policies:
1. Policy concerning board of trustees powers and duties'
2. Open meeting policy;
3. Policy on public complaints in accordance with 603 C.M.R. 1.09;
4. Reporting policy;
5. Reporting abuse and neglect policy; and

The discussion centered on ensuring all these policies and Accountability Plan are aligned with the current bylaws as approved by DESE June 29, 2026.
The committee **VOTED** to approve the motion.

Roll Call	
Azizah Yasin	Aye
Thomas Roy	Aye
EJ Lafleur	Aye
Ann Dargie Gladd, Esq	Aye

III. Closing Items

A. Adjourn Meeting

Azizah Yasin made a motion to adjourn the meeting.
Ann Dargie Gladd, Esq seconded the motion.
The committee **VOTED** to approve the motion.

Roll Call	
Azizah Yasin	Aye
EJ Lafleur	Aye
Ann Dargie Gladd, Esq	Aye
Thomas Roy	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 6:50 PM.

Respectfully Submitted,
Thomas Roy

Documents used during the meeting

- 1.f. Policy Concerning Board of Trustees Powers and Duties.pdf
- 1.k. Open Meeting Policy.pdf
- Public Complaints In Accordance with 603 CMR 1.09.pdf
- 3.b. Reporting Policy.pdf
- 2.j. Reporting Abuse and Neglect Policy.pdf
- PVPA Bylaws Approved by DESE June 29 2026.pdf

Coversheet

Review PVPA Non-discrimination policy. VOTE on whether to adopt changes since last enacted

Section: III. Governance
Item: A. Review PVPA Non-discrimination policy. VOTE on whether to adopt changes since last enacted
Purpose: Vote
Submitted by:
Related Material: PVPACS Non-Discrimination Policy (edits)(4-23-26).docx

BACKGROUND:

NOT LEGAL ADVICE. FOR GOVERNANCE COMMITTEE DISCUSSION

1. In 2012 DESE issued guidance on gender identity to help schools comply with Massachusetts' prohibitions of discrimination based on gender identity (G.L. Ch. 76, Sec. 5) The guidance contained policy suggestions, including that when a student consistently asserts a gender identity , a school should accept that student's stated gender. The guidance also acknowledged that some "transgender and gender nonconforming students are not openly so at home for reasons such as safety concerns or lack of acceptance" and school "personnel should speak with [a] student first before discussing [that] student's gender nonconformity or transgender status with the student's parent or guardian."
2. PVPA previously acted to comply with law and adopted DESE guidance in policy "Non-Discrimination on the Basis of Gender" 9-13-2022
3. Several states have enacted parental rights legislation requiring schools disclose student gender identity information to parents.
4. Some states have sought to protect students gender identity. *Mirabelli V. Bonata* involves a California lawsuit filed in 2023 by group of teachers/parents challenging California's SAFETY act on Due process/free speech grounds
5. California's SAFETY Act AB1955 : Support Academic Futures and Educators for Today's Youth sought to prohibit schools from disclosing a student's gender identity information to parents without the student's consent.
6. March 2, 2026, in a *per curiam* order the Supreme Court of the Untied States ruled in *Mirabelli v. Bonata* to block California's SAFETY act that prevented schools from disclosing a student's social gender transition to parents without the student's consent.
    1. Strict scrutiny - parents are legal guardians of their minor children-right to direct religious upbringing
    2. SCOTUS suggested California could protect at risk students without a ban on disclosure such as by with holding when a child is at risk of abuse or neglect.
    3. Policy not narrowly tailored
    4. Case allows partial injunction and the case continues before the Ninth Circuit

7. In April 2026 the Supreme Court turned down separate appeals cases from MA, FL & ME that challenged school confidentiality policies leaving the Lower court rulings in place.

Massachusetts

- Mass G.L. Ch. 4 Sec. 7 holds gender identity may be based on " identity, appearance, or behavior" rather than "physiology or assigned sex at birth".
- Mass discrimination law includes gender identity and expression as a protected class. https://www.mass.gov/lists/mass-general-laws-c151b
- The right to admission to public schools and protection from discrimination extends to individuals based on sex, gender identity, sexual orientation https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter76/Section5
- Gender identity prejudice is included in the Massachusetts definition of a hate crime.

MASSACHUSETTS CASE

Foote v. Ludlow School Committee128 F. 4th 336 (2025)

The U.S. District Court for Massachusetts rejected a parent's rights argument that a district's policy allowing students to socially transition in school without the administration having to notify parents.

https://www.ca1.uscourts.gov/sites/ca1/files/opnfiles/23-1069P-01A.pdf

CLOSING BY THE COURT-----

we acknowledge the fundamental importance of the rights [of] Parents to be informed of, and to direct, significant aspects of their child's life -- including their socialization, education, and health. Be that as it may,. . .parental rights are not unlimited. Parents may not invoke the Due Process Clause to create a preferred educational experience for their child in public school. . . And the Protocol of nondisclosure as to a student's at-school gender expression without the student's consent does not restrict parental rights in a way courts have recognized as a violation of the guarantees of substantive due process.

Pioneer Valley Performing Arts Charter Public School
Non-Discrimination on the Basis Of Gender
Approved by Board of Trustees: September 13, 2022
Amended by Board of Trustees:

The Pioneer Valley Performing Arts Charter Public School strives to provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. PVPA prohibits discrimination on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation and ensures that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges, and courses of study.

PVPA is committed to creating a safe and supportive environment for all students. This includes working with students in a manner that affirms their gender identity.
In practice, this means the following:

- We address students by their chosen name and use the pronouns that correspond to their gender identity, whether or not these are the same as the name and gender on students' legal documents.
- When requested, we will change the name and gender marker on students' unofficial and official school records in accordance with applicable state and federal laws.
- ~~We believe that students have the right to choose when and to whom to disclose personal information about gender identity. We do not share any information that identifies a student as trans or gender-nonconforming without the~~

~~student's permission. This means that when communicating with families, we use a student's legal name and assigned sex at birth unless we have confirmed otherwise with the student.~~We recognize that students have the right to privacy regarding their gender identity and to determine when, how, and to whom this information is disclosed. School staff will not disclose a student's transgender or gender-nonconforming status without the student's consent, except as required by law or where there is a compelling health or safety concern.

- When communicating with families, school personnel will work in partnership with the student to determine appropriate use of names and pronouns, taking into account the student's safety, well-being, and legal requirements. Decisions regarding disclosure will be made on a case-by-case basis, consistent with applicable state guidance and federal law, and in a manner that supports the student's dignity and access to an inclusive educational environment.
- Students are permitted ~~have the right~~ to use the bathroom and/or changing room that corresponds to their gender identity, and in which they feel most comfortable, in accordance with Massachusetts law and DESE guidance. At PVPA, students have access to male and female gendered bathrooms as well as single-use all-gender -bathrooms.
- Students have the right to participate in all gender-based school activities in a manner consistent with their gender

identity (e.g., boys' and girls' Ultimate teams) in accordance with applicable state and federal laws.

PVPA follows all applicable state and federal guidelines with respect to changing a student's name on unofficial and/or official school records. Please consult with the School Counselor if you wish to request a name change or discuss the process for a name change.

~~**To Change a Student's Name or Pronouns on Unofficial or Official School Records**~~

~~Upon request, the school will change a student's name or pronouns to reflect their identity properly on all school records, transcripts, class rosters, etc. This is not contingent upon a legal name or gender identifier change. Students who want to change their name or pronouns at school can accomplish this in one of three ways:~~

1. ~~Students wishing to add a "Preferred Name" and/or Preferred Pronouns" to our Student Information Management System can do so by their counselor upon request.~~

    1. ~~This option allows staff who have access to the student's records in the system to see the preferred name and pronouns.~~
    2. ~~PVPA will use preferred names when creating class rosters for events and activities such as picture day.~~

3. ~~Students may also elect to have their school email account name and address changed to reflect their chosen name with this option.~~
4. ~~With this option, the student's ID card will continue to include the student's legal name.~~

2. ~~Students wishing to change the name and/or pronouns associated with their State Assigned Student ID may do so after consultation with their counselor, by making a request to the Head of School.~~

    1. ~~This option results in a change to all future student records produced by the school including transcripts, grade reports, special education information, etc.~~
    2. ~~The student's email account name and address will be changed to be consistent with the name change.~~
    3. ~~The student's ID card will be reprinted to reflect the name change.~~

3. ~~The parent/guardian of a child under the age of 18 may file to change the child's name through the Probate and Family Court.~~

    1. ~~This change will affect the name associated with the child's Social Security Number, Learner's Permit/Driver's License, etc.~~

~~Students and families should consider their options carefully and are encouraged to consult with their school counselor before deciding which option is best for them.~~

Coversheet

Review and Vote on PROTECT act policy

Section:	III. Governance
Item:	B. Review and Vote on PROTECT act policy
Purpose:	Vote
Submitted by:	
Related Material:	PROTECT Act Model Policy.docx PROTECTactguidanceMA.pdf

PROTECT Act Model Policy

Interacting with Law Enforcement Officers Engaged in Civil Law Enforcement

Pioneer Valley Performance Arts Charter Public School recognizes the importance of all students being known and valued, and promotes a safe, inclusive, and welcoming learning environment for all students. All of our students have a right to a free public education regardless of race, color, sex, gender identity, religion, national origin, immigration or citizenship status, disability, or sexual orientation.

On August 5, 2026, Governor Maura Healey signed into law the PROTECT Act. It is now the law in Massachusetts that, except as required by state or federal law or as required for the Commonwealth or its subdivisions to administer a state or federally supported or funded program, civil arrests for civil law enforcement, including federal immigration enforcement, are not allowed on school grounds during school hours, student drop off and pick up windows, before- and after-school programming and school-sponsored events without a Judicial Warrant or Judicial Order.

The Head of School or their designee shall immediately implement PROTECT Act procedures consistent with the Model Procedures attached to this Model Policy and the Guidance for K-12 Schools Related to Interacting with Civil Law Enforcement issued by the Governor's Office, the Executive Office of Education and the Department of Elementary and Secondary Education on August 21, 2026. The procedures will promote a safe and accessible environment for students, staff, and visitors.

The procedures shall be implemented, wherever applicable, in alignment with the school's Emergency Preparedness Management Safety Plans and Medical and Behavioral Health Emergency Response Plans.

The procedures shall include:

(i) Procedures for identifying and designating a senior administrator at each district superintendent's office or executive director's office, as the case may be, to serve as the individual responsible for having primary contact with law enforcement agents engaged in civil law enforcement for the school system and the central point of contact for schools on interactions with civil law enforcement;
(ii) Procedures for identifying and designating a senior administrator at each school to serve as the individuals responsible for having primary contact with law enforcement agents engaged in civil law enforcement who arrive on site at the school or request information about students, employees, or other persons affiliated with the school;

(iii) Procedures for contacting the school district's attorney;
(iv) Procedures for contacting the senior administrator at the school and the district superintendent/executive director's office in the event law enforcement agents engaged in civil law enforcement arrive on school grounds or request information about students, employees, or other persons affiliated with the school;
(v) Procedures for documenting all interactions with law enforcement agents engaged in civil law enforcement while on school grounds;
(vi) Procedures for notifying a student's parents or guardian or the student directly if the student is 18 years or older or emancipated, if a law enforcement agent engaged in civil law enforcement requests access to a student or student's information for any civil law enforcement purpose;
(vii) Procedures following the confirmation of law enforcement agents engaged in civil law enforcement on school grounds, including notifying parents and guardians, teachers, administrators, and school personnel;
(viii) Procedures to confirm and update students' emergency contacts, with allowance for more than one person to be listed, and alternative caregiver plans; and
(ix) A plan to share these procedures with students and families on the school district's website.

Once adopted by a school district, charter school or collaborative school, this policy and the accompanying procedures shall constitute the written emergency response plan required by the Act.

The Department of Elementary and Secondary Education, in consultation with the Office of Refugees and Immigrants and the Attorney General's Office, will release a model training relating to the implementation of these procedures. Schools are encouraged to share this training, once released, with managers and other staff.

MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LT. GOVERNOR

EXECUTIVE OFFICE OF
EDUCATION

STEPHEN ZRIKE JR., Ed. D
SECRETARY

Guidance for K-12 Schools
Related to Interacting with Civil Law Enforcement

August 21, 2026

The Governor's Office, the Executive Office of Education (EOE), and the Department of Elementary and Secondary Education (DESE) issue this guidance pursuant to *An Act promoting rule of law, oversight, trust and equal constitutional treatment* ("PROTECT Act" or "Act"). Stat. 2026, c. 163, §§ 1–24. Please review this guidance together with DESE's Model Policy, for adoption by school committees and boards of trustees, and DESE's Model Procedures, for implementation by superintendents and executive directors, also released today.

In preparing this guidance, as well as the Model Policy and Model Procedures, DESE consulted with the Attorney General's Office, the Massachusetts Association of School Committees, the Massachusetts Association of 766 Approved Private Schools and numerous other stakeholders, consistent with the Act. As to the recommendations and obligations for K-12 schools, this guidance supersedes the *Recommendations For Entities Providing Education and Child Care Services Related to Interacting with Federal Immigration Officers* issued in May 2026 pursuant to the Governor's Executive Order 650: Protecting Access to Essential Services and Keeping Massachusetts Communities Safe.

I. Introduction

On August 5, 2026, Governor Maura Healey signed the PROTECT Act. It is now the law in Massachusetts that, except as required by state or federal law or as required for the Commonwealth or its subdivisions to administer a state or federally supported or funded program, civil arrests, including for federal immigration enforcement, **are not allowed** in the following nonpublic areas: school grounds during operating hours (defined below), without a Judicial Warrant or Judicial Order.[1]

[1] This guidance addresses the protections against civil arrests adopted in the PROTECT Act. Other constitutional protections limit civil law enforcement access to nonpublic places, regardless of whether the purpose is an arrest, without a Judicial Warrant or Judicial Order.

The Act requires that school committees, collaborative schools, and charter school boards of trustees ensure that every school under their jurisdiction has a written policy (described in the Act as an "emergency response plan") that addresses student and staff safety relating to interactions with law enforcement agents engaged in civil law enforcement.[2] Under the Act, that plan must reflect the seven required elements of the DESE Model Policy: (1) identification and designation of a person(s) at each school and the district/administrative office as the individual(s) responsible for having primary contact with law enforcement agents; (2) procedures for contacting the designated authorized person(s), who will contact the school's attorney; (3) procedures for documenting interactions with law enforcement agents on school grounds; (4) procedures for notifying a parent or guardian (or the student if 18 years or older or emancipated) if a law enforcement agent requests access to a student or to a student's information for any civil law enforcement purpose; (5) procedures following the confirmation of law enforcement agents engaged in civil law enforcement on school grounds, including procedures to notify parents and guardians, teachers, administrators, and school personnel in a manner that ensures the confidentiality and privacy of any potentially identifying information; (6) a plan to confirm and update students' emergency contacts and allow for more than one person to be listed; and (7) a plan to share these procedures and policies with students and families, including on the school website. Policies and procedures should apply equally to all forms of law enforcement and should be focused on maintaining student safety.

II. Definitions

This guidance uses the following words and phrases consistent with the PROTECT Act:

"Civil arrest" means an arrest that is not for the purpose of preparing the person subject to such arrest for criminal prosecution for an alleged violation of a state or federal criminal law. Civil arrests may be authorized by, among other things: (1) a parole warrant issued under G.L. c. 127, § 149A, or a probation warrant issued under G.L. c. 279, § 3; (2) state law permitting protective custody for incapacitated and intoxicated persons, G.L. c. 111B § 8, or (3) an administrative warrant issued by a federal agency like the United States Immigration and Customs Enforcement (ICE) agency for violations of the federal Immigration and Nationality Act, or related civil immigration enforcement efforts.

"Civil law enforcement" means efforts to investigate, enforce or assist in the investigation or enforcement of state or federal civil law, including, but not limited to, any federal civil immigration law. For added context, civil law enforcement often relates to preventative detention for an individual's safety or security, enforcement of civil actions in court,

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[2] While the PROTECT Act does not require private K-12 schools to adopt such policies, we encourage them to do so, consistent with this guidance and the *Recommendations For Entities Providing Education and Child Care Services Related to Interacting with Federal Immigration Officers*, which remain in effect for K-12 private schools and private (independent) colleges and universities.

or immigration law enforcement. In contrast, criminal law enforcement involves the investigation and enforcement of state or federal criminal laws (like those outlawing theft and assault). Note that law enforcement officers (defined below) can engage in civil law enforcement and/or criminal law enforcement.

"Judicial Warrant" or **"Judicial Order"** refers to an arrest warrant or other judicial order, signed by a judge or magistrate sitting in the judicial branch of a local or state government or of the federal government, authorizing an arrest. *See* Appendix A for examples.

"Law enforcement officer" or **"officer"** means any agent or officer of a federal, state, county, municipal, or district law enforcement agency, including but not limited to local police departments, sheriffs, constables, the Massachusetts State Police, the United States Immigration and Customs Enforcement (ICE) agency, the United States Customs and Border Protection (CBP) agency, and the United States Department of Homeland Security (DHS).

"Operating hours" means regular school hours, student drop off and pick up windows, before-school and after-school programming, and school-sponsored events.

"School" means a school administered by the school department of a city, town or regional school district; a county agricultural school; an independent vocational school or a vocational school operated by a county; a Commonwealth charter school or a Horace Mann charter school established under G.L. c. 71, § 89 ("charter school"); a special day school or other day facility or a short or long term residential school providing educational programs for children with disabilities established pursuant to chapter 71B and in accordance with chapter 766 of the acts of 1972; or a school operated by an education collaborative established under G.L. c. 40, § 4E ("collaborative school").

"School district" means the school department of a city or town, a regional school district, an independent vocational school or a vocational school or agricultural school operated by a county.

"School grounds" means the main school building(s) and any other building or property owned or controlled by a school or school district and used by the school in direct support of or in a manner related to the school's educational or athletic purpose. This includes playgrounds, fields, parking lots, recreation areas, athletic fields, courts, competition areas and other locations owned or controlled and used for school-related purposes, whether or not physically connected to the main school building(s). During operating hours, as defined above, school grounds are nonpublic.[3]

[3] Although bus stops are generally not considered "school grounds," please see Section III(C) (Escalation Protocol) for recommendations on how to handle law enforcement activity at bus stops.

III. Guidance Regarding Interactions with Law Enforcement Officers Engaged in Civil Law Enforcement

This guidance includes the topics required by the PROTECT Act, marked with an asterisk (*), and other information that the Governor's Office, Attorney General's Office, EOE, and DESE deem relevant to schools.

A. *General Guidance for Interacting with Law Enforcement Officers*

A written procedure should provide general advice for employees/staff and administrators about how to interact with law enforcement officers engaged in civil law enforcement, including:

1. Employees, staff, and administrators are encouraged to remain calm when engaging with law enforcement officers.
2. Employees, staff, and administrators should never attempt to physically interfere with law enforcement activities, nor should they feel compelled to approach a law enforcement officer or engage with them first.
3. If employees and staff feel unsafe engaging with law enforcement officers, they can decline to interact with the officers and instead rely on administrators, as described below.

Civil arrests are not allowed on school grounds during operating hours, unless law enforcement officers have a Judicial Warrant or Judicial Order.[4] If law enforcement officers proceed to conduct a civil arrest in these areas in violation of the PROTECT Act, no one should attempt to physically interfere with them; rather, on-site staff should follow the guidance for bystanders to document an interaction, included in Section III(G) (Documentation of Interactions) and Section IV(B) (Rights of Bystanders) below. After law enforcement has left the school grounds, the school should report the incident to the Attorney General's Office Civil Rights Division.

B. *Designated Contact Person(s)**

Under the PROTECT Act, schools must designate a contact person in the principal's office ("school-level contact person") and an authorized contact at the Superintendent's or Executive Director's office ("district-level contact person") to be notified if law enforcement officers arrive on site or request information.[5] Different people may serve as the designated

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[4] As noted in Section III(M) (Existing Obligations), nothing in this guidance prohibits appropriate cooperation with authorities, including police, fire departments, emergency medical services, child protective authorities, or other public safety officials, responding to an emergency, protecting a child from abuse or neglect, or otherwise exercising lawful authority unrelated to civil law enforcement.

[5] If the school does not have a district office or administrative office that is distinct from the school itself, it may be appropriate to have the same contact person serve as the school-level contact person and district-level contact person.

contact person at different times throughout the day, and you should strongly consider naming at least one "back up" contact person at the school- and district-levels. We recommend that (1) the highest-ranking administrator or manager at the school serve as the primary designated school-level contact person, and (2) the Superintendent, Executive Director, or their designee, or an attorney serve as the district-level contact person.

The written procedures required by the PROTECT Act must include the name(s) and contact information for the designated contact person(s). If multiple people will share this role, you may consider giving them a shared cell phone or telephone number, to make it easier for front-line staff to reach them in case of an emergency.

C. *Escalation Protocol**

The written procedures required by the PROTECT Act must address how employees, staff, and administrators should respond if law enforcement officers arrive on site and whom to notify (the "escalation protocol"). Schools must make sure that staff and employees are aware of the protocol, and how to contact the relevant individuals. This protocol should be simple, easy to remember, and consistent with procedures used in other circumstances. An escalation protocol should include the following instructions:

1. If law enforcement officers engaged in civil law enforcement arrive on site and there are no apparent exigent (emergency) circumstances, employees and staff should inform the officers that the employees/staff will contact an administrator to assist them and that they should wait where they are (ideally outside, away from students/children and their families).
2. The employee or staff member should immediately contact the school-level contact person.
3. Once notified, the school-level contact person should immediately call the district-level contact person and go to the location where the law enforcement officers are waiting. If the school has access to an attorney, the written procedures should provide for either the school-level contact person or the district-level contact person to call the attorney and keep them on the phone for advice.
4. The school-level contact person should speak to the law enforcement officers. The school-level contact person should ask the law enforcement officers for identification and record their names, agencies, and badge numbers.
5. The school-level contact person should ask to view any warrant or other documentation. The school-level contact person—with assistance from an attorney, if able, and/or the district-level contact person—should review the documents to determine whether the law enforcement officers have a valid Judicial Warrant or Judicial Order. *See* Section III(F) (Review of Warrant) for tips on reviewing a warrant.

a. If the law enforcement officers have a valid Judicial Warrant or Judicial Order authorizing an arrest or entry to search or both, the school-level contact person should inform the law enforcement officers that they may enter the school grounds; however, the school-level contact person should request that, where feasible, law enforcement officers avoid any areas where students/children are present.
b. If the law enforcement officers do not have a valid Judicial Warrant or Judicial Order, or they have only an administrative warrant (*see* Appendix A for an example), the school-level contact person must inform them that they are not authorized to conduct the arrest on school grounds and ask them to leave.[6]
c. If the law enforcement officers proceed to conduct a civil arrest on school grounds in violation of the PROTECT Act, no one should attempt to physically interfere with them; rather, staff should follow the guidance for bystanders to document an interaction, included in Section III(G) (Documentation of Interactions) and Section IV(B) (Rights of Bystanders) below. If there is an imminent threat to the safety of a child, staff member, family member, or other person, program staff should not hesitate to call 9-1-1 for assistance.
d. After law enforcement has left the school grounds, the school should report the incident to the Attorney General's Office Civil Rights Division.

In addition to the procedures described above, schools are encouraged to consider the various scenarios in which interactions with law enforcement officers engaged in civil law enforcement may occur in their programs and on their grounds, so that they may prepare escalation protocols for these particular scenarios. Schools should also consider including guidance tailored to certain staff positions, such as front-office staff, that may be more likely to interact with law enforcement officers engaged in civil law enforcement. Schools should also consider updating existing Emergency Operations Plans and Medical and Behavioral Health Emergency Response Plans to ensure student safety in the event of any type of law enforcement activity on or near school grounds.

Additionally, schools should review school transportation contracts and communicate with school transportation companies regarding policies and protocols for bus drivers in the event of active law enforcement activity near a school bus stop. This includes considerations for special education transportation. Transportation-related procedures should focus on maintaining

[6] In rare circumstances, law enforcement officers may identify a clear and immediate health or safety threat that qualifies as an exception to the warrant requirement.

student safety and avoiding dangers associated with dropping a student near an active crime scene or any law enforcement arrest or operation.

Schools should review and consider updating policies and protocols for ensuring student safety when law enforcement activities are being carried out on school grounds. Policies should apply equally to all forms of law enforcement and should be focused on maintaining student safety.

D. *Checklists and Approved Language*

We encourage schools to develop checklists and draft approved language for employees, staff, administrators, and the designated contact person(s) to use when interacting with law enforcement officers engaged in civil law enforcement. These checklists can include the escalation protocol with clear instructions about whom employees/staff should contact if law enforcement officers are on site or making requests.

Examples of "Approved Language" may include:

1. "I am not authorized to allow you to enter the school. Please wait here while I contact an administrator."
2. "I am not authorized to discuss specific individuals or to speak with you about this student/child/employee. I am going to contact an administrator who will discuss this further with you."
3. "I am not permitted to discuss/disclose private information to you."

E. *Proactive Discussions with School Attorney(s)*

Where applicable, the school and/or school district should confer with its attorney(s) about the best and most expedient way to reach them in an emergency, including the arrival of law enforcement officers to school grounds. The school/school district should make sure that the school-level and district-level contact persons have means to reach the attorney immediately if necessary. The school/school district may also want to consult its attorney as part of establishing the procedures outlined in this guidance.

F. *Review of Warrant*

Written procedures should include information about how to identify a valid Judicial Warrant or Judicial Order. *See* Appendix A (Sample Judicial Warrants and Administrative Warrants), below for sample warrants.

Judicial Warrants and Judicial Orders are documents issued by a judge or magistrate sitting in the judicial branch of state or federal government. These documents authorize a search of a specific place or an arrest of a specific person based on sufficient information to support that a crime has been committed ("probable cause"). Note that other judicial orders can include subpoenas or summons, but they do not allow physical access into nonpublic places.

A Judicial Warrant is: (1) signed by a judge, magistrate, or assistant clerk magistrate and dated; (2) issued by a court; and (3) includes the location to be searched or the persons or items to be seized/arrested.

A Judicial Order may take many forms but should include: (1) the caption of a court case; (2) the name of the court; and (3) a judge, clerk magistrate, or assistant clerk magistrate's signature, with a date.

As stated above in Section III(C) (Escalation Protocol), if law enforcement officers engaged in civil law enforcement arrive on-site, employees/staff should contact the school-level contact person who will contact the district-level contact person and proceed to the location where the law enforcement officers are waiting. (School procedures should direct either the school-level contact person or the district-level contact person to call the school attorney at this time, as well.) Once the school-level contact person meets the officer and asks to view any warrants or orders, they should describe those documents over the phone to the school's attorney, who will evaluate the documents and advise the school-level contact person on their validity. If the school-level contact person feels safe doing so, they may ask the law enforcement officer if they may send a photo of the warrant or order to the school's attorney or show the warrant or order to the attorney via a video call. If the school does not have access to an attorney, or cannot reach the attorney, the school-level contact person, in consultation with the district-level contact person, if there is one, should use this guidance and Appendix A to determine whether the law enforcement officers have a valid Judicial Warrant or Judicial Order. *See* Appendix A (Sample Judicial Warrants and Administrative Warrants).

G. *Documentation of Interactions**

Under the PROTECT Act, schools must include in their written procedures instructions for documenting interactions with law enforcement officers engaged in civil law enforcement. Employees, staff, administrators, and the designated contact person(s) are encouraged to wait until they feel safe to write down what happened. This may be after the officers leave the school grounds. Schools should use an existing form or create a new one to record interactions with law enforcement officers and keep those records as they would any other school records, in the normal course.

Under the escalation protocol recommended above, employees, staff, administrators, and the designated contact person(s) may interact with law enforcement officers in different ways and at different times. Everyone should be advised to write down what they remember of the incident, including but not limited to the following information:

- Date and time when law enforcement officers arrived on school grounds or made the information request;
- The names and badge numbers of the officers, and the agency they represented;
- The number of vehicles and license plate numbers, if visible;

- The names of witnesses, students, or other staff involved;
- Steps taken to notify the school-level contact person, the district-level contact person, or the school's attorney, as the case may be;
- The actions of the law enforcement officers, including whether the officers complied with school instructions;
- Whether the law enforcement officers had a valid Judicial Warrant or Judicial Order, or some other documentation;
- Whether a civil arrest was made on school grounds; and
- Impact on any students/children/employees/staff (after any immediate issues have been addressed) and any follow up actions needed to support them.

See DESE Model Procedures for a template form for recording interactions with law enforcement officers engaged in civil law enforcement.

Bystanders, including employees and staff, can openly (not secretly) videorecord the interaction, but they must not interfere.

H. *School Resource Officers*

School districts with School Resource Officers (SROs) should ensure that they have an SRO Memorandum of Understanding (MOU) that complies with the mandatory statewide model, and districts are encouraged to distribute this MOU to school administrators and school safety personnel. Under state law, the SRO shall not (i) serve as school disciplinarian, enforcer of school regulations, or in place of licensed school psychologists, psychiatrists, or counselors; or (ii) use police powers to address traditional school discipline issues, including non-violent disruptive behavior. According to the model MOU, "it may be appropriate for school administrators rather than the SRO [to] deal with low-level offenses including but not limited to misdemeanor allegations of threats, assault and battery, larceny, receiving stolen property, and willful, malicious, or wanton destruction or injury to personal property." For circumstances that require juvenile court intervention, a summons is the preferred method for bringing juveniles to court, rather than making an arrest on school grounds, unless there is reason to believe the juvenile will not appear upon a summons.

Per the model SRO MOU, school district personnel and SROs shall not disclose to a law enforcement officer or agency, including local, municipal, regional, county, state and federal law enforcement, any information relating to a student or a student's family member from its databases and other recordkeeping systems including: (i) immigration status; (ii) citizenship; (iii) neighborhood of residence; (iv) religion; (v) national origin; (vi) ethnicity; or (vii) suspected, alleged, or confirmed gang affiliation, unless it is germane to a specific unlawful incident or to a specific prospect of unlawful activity the school is otherwise required to report. Schools are encouraged to share any new or updated policies or procedures they adopt in accordance with the PROTECT Act, and policies pertaining to student privacy, with their on-site SROs.

I. *Parental Notice*

1. Notice to School Community of the Presence of Law Enforcement Officers*

When a school confirms the presence of law enforcement agents engaged in civil law enforcement on school grounds, the school should notify students' parents and guardians, teachers, administrators, and school personnel. The school should provide this notice in a manner that ensures the confidentiality and privacy of any potentially identifying information. *See* DESE Model Procedures for a template notice.

2. Individualized Notice to Parents When Law Enforcement Officers Are Seeking a Particular Student or Information about that Student

If the law enforcement officers are trying to reach a minor child/student or seeking information about a minor child/student, employees/staff should contact the school-level contact person(s) and then immediately inform the minor child/student's parent or legal guardian. If the student is 18 years or older, or emancipated, employees/staff should notify the student directly, in addition to notifying the school-level contact person. Schools are encouraged to designate an employee or staff member who will notify families or students as part of their escalation protocol. *See* DESE Model Procedures for a template notice.

J. *Protection of Personally Identifiable Information*

Schools cannot disclose personally identifiable information about a student or child in their care to third parties, including law enforcement officers and the media, either orally or in writing unless: the school has specific informed consent from the student/child's parent or guardian (or students themselves if at least 18 years old or emancipated); it is pursuant to a Judicial Warrant, Judicial Order, or subpoena; or there is a health or safety emergency, as the case may be. Generally, schools should also respect the privacy preferences and concerns of a student's parent or guardian (or the student themself if over 18 years old or emancipated) in response to media inquiries and, to the extent consistent with the law, interactions of law enforcement officers that may implicate students.

Schools should allow parents/guardians (or students themselves if at least 18 years old or emancipated) to opt out of being included in directory information. They may also limit what information is included in the directory (e.g., by excluding the child's/student's address and place of birth), and limit disclosure to the school community. Under federal law, schools are required to notify students and their families at least once per year of what information is included in the directory, and to permit parents/guardians to opt out of including information in the directory at any time. Schools must communicate this information using translation or interpretation services to parents/guardians with limited English proficiency.

In the event law enforcement officers seek confidential information about school personnel, the school should refer the officers to their human resources department, which should follow standard protocols.

K. *Caregiver Plans and Contact Information*

Schools are encouraged to establish clear protocols for their response in the event a child/student or their parent/guardian is detained by law enforcement officers. Under the PROTECT Act, schools are expected to develop a plan to make sure that emergency contact information, alternative caregiver contacts, and authorized pick-up contacts are up to date for all students/children. As part of this review, schools must allow parents/guardians to list more than one person as an emergency contact. Schools are also encouraged to keep any associated documentation on file, such as an authorization of another caregiver, temporary agent, or guardian.

L. *Visitor Policies*

Schools should adopt written visitor policies (or procedures) that specify restrictions for visitors and that apply equally to all visitors—that is, the visitor policy (or procedure) does not differentiate between law enforcement officers visiting to conduct civil law enforcement and other types of visitors.

M. *Existing Obligations*

Nothing in this guidance alters the school's obligations to comply with state and federal laws or existing policies or procedures.

Nothing in this guidance prohibits appropriate cooperation with authorities, including police, fire departments, emergency medical services, child protective authorities, or other public safety officials responding to an emergency, protecting a child from abuse or neglect, or otherwise exercising lawful authority unrelated to civil immigration enforcement. If there is an imminent threat to the safety of a child, staff member, family member, or other person, the school should not hesitate to call 9-1-1 for assistance.

IV. Rights of a Person Being Arrested/Detained and Rights of a Bystander

A. *Rights of the Person Being Arrested or Detained*

Right to Remain Silent: A person being arrested or detained by civil law enforcement officers, including federal immigration officers, does not have to answer questions about their immigration status, citizenship, where they were born, or how they entered the United States. The person can say, "I am exercising my right to remain silent," and refuse to speak with the law enforcement officer until they have spoken with an attorney. Beginning on September 4, 2026, the PROTECT Act prohibits law enforcement officers from asking about immigration status or citizenship, except as required by state or federal law, or materially related to a specific criminal offense.

Right to Hire/Consult Attorney: A person being arrested or detained has the right to hire and speak with an attorney, but the government is not generally required to provide one in immigration proceedings.

Right to Refuse to Sign Documents: A person being arrested or detained has the right to refuse to sign documents (e.g., waiver of rights, voluntary departure forms). The person has a right to read and understand any document before signing it.

B. *Rights of Bystanders*

Right to Observe: Bystanders to civil law enforcement actions, including federal immigration enforcement, have the right to observe officers and to video the encounter from a reasonable distance, as long as they do not interfere with the officers. Massachusetts law permits openly (not secretly) videorecording.

Right to Remain Silent: Though law enforcement officers may ask questions, bystanders have the right to remain silent. Bystanders are not required to answer questions about their own immigration status or the status of anyone else. As noted above, beginning on September 4, 2026, the PROTECT Act prohibits law enforcement officers from asking about immigration status or citizenship, except as required by other laws or specifically related to a potential criminal violation.

V. Support for Students and Children

We encourage schools to offer counseling and social work support to students and children experiencing increased anxiety, especially those who are personally affected, and those whose families are directly affected by civil law enforcement activity, including federal immigration enforcement.

Moreover, it is important for schools to maintain awareness and sensitivity regarding student absences and behavioral challenges in school. Staff and educators should proactively engage and build trusting relationships with parents and students, offer support, and partner with families to address any attendance or behavioral concerns that may emerge.

Pursuant to the PROTECT Act, schools must develop a plan to share the required policies and procedures with students and families affiliated with your school. We recommend posting that material on the school's and/or school district's website(s).

It is essential that all communications with parents and guardians relating to student needs, transportation, updating alternative contacts and directory information, emergency protocols, law enforcement activity, or other matters be communicated in the parent/guardian's primary language, utilizing interpreters. Parental notices and written communications should use plain language to the extent practicable and be translated into the languages primarily used by your school's community.

VI. Human Resources/Labor/Union Issues

Employees/staff are encouraged to raise any employment or labor concerns about interacting with law enforcement officers engaged in civil law enforcement, including federal immigration enforcement, with their human resources team or union representatives, respectively. These issues may include questions about this guidance and related policies or procedures, or general questions about personal situations involving civil law enforcement. Employees/staff are encouraged to review the resources listed in Section VIII (Additional Resources for Schools) for more information, as well.

VII. Trainings Regarding Interactions with Civil Law Enforcement

Schools are encouraged to conduct trainings on the requirements of the PROTECT Act, the recommendations included in this guidance, and any related policies or procedures adopted by the school or district to support safety on school grounds for all students and staff, regardless of national origin or immigration status. Reminders to employees and staff on escalation protocol are often best practice here. DESE, in consultation with EOE, the Massachusetts Office for Refugees and Immigrants, and the Massachusetts Attorney General's Office, will develop a model training incorporating the components of this guidance, along with its Model Policy and Model Procedures, that school committees, collaborative schools, and charter school boards of trustees may provide to their staff.

VIII. Additional Resources for Schools

The Massachusetts Attorney General's Office, Massachusetts Office for Refugees and Immigrants, and DESE have created the following resources for the public to learn more about their rights. We encourage members of the school community to review these resources, and we suggest that schools consider posting or disseminating these resources to students/children, families, and employees/staff.

- Massachusetts Attorney General: Resources for Immigrants in Massachusetts
- Massachusetts Office for Refugees and Immigrants: Community Resource Toolkit
- Massachusetts Attorney General Guidance: KNOW YOUR RIGHTS: ICE Enforcement An Updated Guide for Immigrants, Families, and Communities *(available in Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese)*
- Massachusetts Attorney General Guidance: General Information for Massachusetts Service Providers Regarding Immigration Enforcement *(available in Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese)*
- Massachusetts Attorney General Guidance: K-12 Schools' Obligations to Protect Students and Their Information
- Massachusetts Attorney General Flyer: Immigrant Students' Right to Attend School: A Guide for Families (a*vailable in Spanish, Portuguese, Haitian Creole, Vietnamese, Chinese*)

- Massachusetts Attorney General Flyer: K-12 Schools on Protections for Students and their Information
- Emergency Planning Guide for Parents with Uncertain Immigration Status *(available in Spanish, Portuguese, Haitian Creole, Simplified Chinese)*
- Emergency Planning Fact Sheet for Parents with Uncertain Immigration Status *(available in Spanish, Portuguese, Haitian Creole, Simplified Chinese)*
- Attorney General's Advisory Regarding Equal Access to Public Education for All Students Irrespective of Immigration Status *(available in Spanish, Portuguese, Arabic)*
- Upholding the Rights of Immigrant Students to Enroll in School: Guidance for School Committees and Districts
- Upholding the Rights of Immigrant Students to Enroll in School: Guidance for Families and Students *(available in Chinese,* Haitian Creole, Portuguese, Spanish, Vietnamese*)*

APPENDIX A

Sample Judicial Warrants and Administrative Warrants

Figure 1: State Court Judicial Warrant

APPLICATION FOR SEARCH WARRANT G.L. c. 276, §§ 1-7	TRIAL COURT OF MASSACHUSETTS
NAME OF APPLICANT [redacted]	SUPERIOR COURT DEPT. ESSEX **DIVISION**
POSITION OF APPLICANT Trooper, Massachusetts State Police	**SEARCH WARRANT DOCKET NUMBER**

I, the undersigned APPLICANT, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of 77 pages, which is (are) incorporated herein by reference.

2. Based upon this information, there is PROBABLE CAUSE to believe that the property decribed below:
   - [ ] *has been stolen, embezzled, or obtained by false pretenses.*
   - [X] *is intended for use or has been used as the means of committing a crime.*
   - [ ] *has been concealed to prevent a crime from being discovered.*
   - [X] *is unlawfully possessed or concealed for an unlawful purpose.*
   - [X] *is evidence of a crime or is evidence of criminal activity.*
   - [ ] *other (specify):*

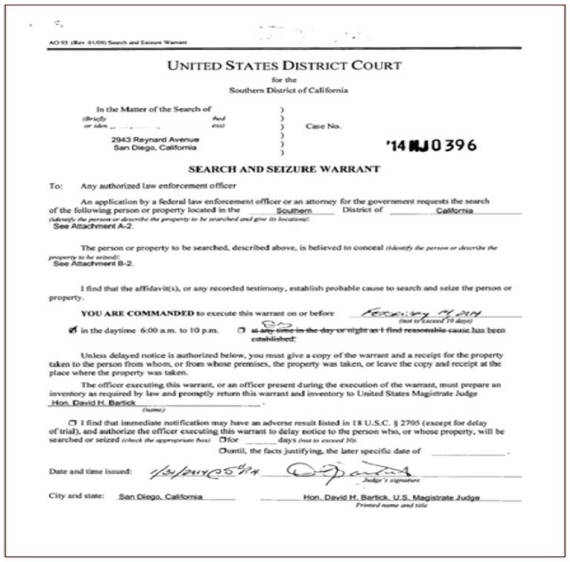
3. I am seeking the issuance of a warrant to search for the following property (*describe the property to be searched for as particularly as possible*):
   See Addendum A, which is incorporated herein by reference.

4. Based upon this information, there is also probable cause to believe that the property may be found (*check as many as apply*):
   - [X] *at (identify the exact location or description of the place(s) to be searched):* _____

APPENDIX A

Sample Judicial Warrants and Administrative Warrants

Figure 2: Federal Court Judicial "search warrant" (left) & Administrative "ICE Warrant" (right)



AO 93 (Rev. 01/09) Search and Seizure Warrant

UNITED STATES DISTRICT COURT

for the

Southern District of California

In the Matter of the Search of

(Briefly describe the property to be searched or identify the person by name and address)

2943 Reynard Avenue
San Diego, California

Case No. '14 MJ0396

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of California

(identify the person or describe the property to be searched and give its location):
See Attachment A-2.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):
See Attachment B-2.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before February 7, 2014 (not to exceed 14 days)

☑ in the daytime 6:00 a.m. to 10 p.m. ☐ ~~at any time in the day or night as I find reasonable cause~~ has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Hon. David H. Bartick (name).

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for ____ days (not to exceed 30).

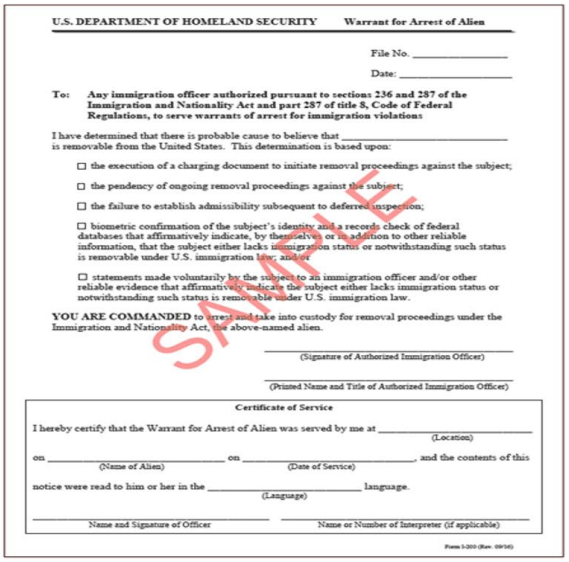
☐ until, the facts justifying, the later specific date of ____.

Date and time issued: 1/24/2014 5:14 p.m.

Judge's signature

City and state: San Diego, California

Hon. David H. Bartick, U.S. Magistrate Judge
Printed name and title



U.S. DEPARTMENT OF HOMELAND SECURITY Warrant for Arrest of Alien

File No. _____

Date: _____

To: **Any immigration officer authorized pursuant to sections 236 and 287 of the Immigration and Nationality Act and part 287 of title 8, Code of Federal Regulations, to serve warrants of arrest for immigration violations**

I have determined that there is probable cause to believe that _____ is removable from the United States. This determination is based upon:

☐ the execution of a charging document to initiate removal proceedings against the subject;

☐ the pendency of ongoing removal proceedings against the subject;

☐ the failure to establish admissibility subsequent to deferred inspection;

☐ biometric confirmation of the subject's identity and a records check of federal databases that affirmatively indicate, by themselves or in addition to other reliable information, that the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law; and/or

☐ statements made voluntarily by the subject to an immigration officer and/or other reliable evidence that affirmatively indicate the subject either lacks immigration status or notwithstanding such status is removable under U.S. immigration law.

YOU ARE COMMANDED to arrest and take into custody for removal proceedings under the Immigration and Nationality Act, the above-named alien.

_____
(Signature of Authorized Immigration Officer)

_____
(Printed Name and Title of Authorized Immigration Officer)

Certificate of Service

I hereby certify that the Warrant for Arrest of Alien was served by me at _____ (Location)

on _____ (Name of Alien) on _____ (Date of Service), and the contents of this notice were read to him or her in the _____ (Language) language.

_____ Name and Signature of Officer

_____ Name or Number of Interpreter (if applicable)

Form I-200 (Rev. 09/16)

SAMPLE