



# New York State Association of Small City School Districts, Inc.

NYSASCD, Inc.  
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## MEMORANDUM IN SUPPORT February 2, 2026

### **S.8597 by Senator Shelley Mayer** **A10021 by Member of Assembly Catalina Cruz**

AN ACT to amend the education law, in relation to prohibiting children from being denied access to free public education due to citizenship or immigration status

On behalf of the New York State Association of Small City School Districts representing small city school districts throughout the State, we **support S.8597/A.10021**.

**S.8597/A.10021 of 2026 strengthens the rule of law as federal policies continue to push against the fabric of legal and societal norms and protections.** Such pressures not only interrupt the opportunity for learning in our schools but also rips into communities causing trauma that will be felt throughout those communities for many years.

**Provisions within this bill have been well crafted to support and strengthen** the 2025 guidance released by The State Education Department, Attorney General's Office, and Office of Governor Kathy Hochul to protect students under *Plyler v. Doe* (457 U.S. 202, 1982), and state and federal law.

**Amendments within this bill establish further important protections** by prohibiting schools from any policy or practice which has the effect of excluding students or their families from school or school activities based on immigration status and admitting immigration enforcement to school property or a school function if they do not have a valid judicial warrant or subpoena.

The requirement to establish procedure(s) for reviewing requests from immigration enforcement to enter school property, including contacting the school's attorney to review whether the authorities have a valid warrant or subpoena, procedures to monitor immigration enforcement's activity while on school property, and procedures for notifying and requesting consent from the family of any student immigration enforcement requests access to **will prepare our districts to be ready to respond**.

The requirement that schools have a procedure in place to notify families of the protections for their children **will strengthen the community trust in our public schools as places where our children are safe**.

The bill also grants enforcement authority to the Attorney General, allowing the AG to bring a case on behalf of an injured party **supports an avenue of accountability**.

Schools must remain enclaves of education, exploration and inquiry. Schools must protect the safety, both physical and emotional, of every child in every circumstance.

Law enforcement of adult crimes and misdemeanors must not encroach on a school's prima facia duty to protect minor children, keep them safe and maintain order so learning can occur.

It is because of these proposed protections; the Association **supports** this bill.