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Whiting
LD 2106

Senator Rafferty, Representative Murphy, and members of the Judiciary Committee, I am submitting this testimony in opposition to LD 2106.

My opposition is grounded not in immigration policy, but in the appropriate role of educational institutions and the growing number of non-educational responsibilities that continue to be placed on schools, often at the expense of instruction and student outcomes.

Public schools exist to educate children. They are not law enforcement agencies, courts, or legal gatekeepers. This bill places schools, child care providers, and educational institutions in the position of inserting themselves into immigration enforcement decisions by requiring staff to determine when cooperation is permissible, when consent is considered “voluntary,” and when access to nonpublic areas or records must be refused. That is not a function schools are trained for, resourced for, or accountable for.

Educational systems are already experiencing significant strain. Schools are increasingly tasked with responsibilities far beyond instruction, including social services coordination, mental health intervention, housing and food insecurity support, transportation gaps, and compliance with expanding regulatory requirements. Academic performance data, including literacy and math outcomes, clearly show the effects of this cumulative overload. Adding another legally complex and politically charged responsibility further diverts administrative attention, staff time, and institutional focus away from teaching and learning.

This bill also risks creating inconsistency and legal uncertainty across districts. Educators and administrators should not be expected to interpret warrants, assess exigent circumstances, or manage the legal risks associated with refusing cooperation with law enforcement. Those decisions belong with courts and law enforcement agencies, not with school personnel.

Additionally, while the bill is framed as protecting access and safety, it may inadvertently create instability for children by encouraging schools to act as buffers between families and lawful processes. In situations where parents have not completed required immigration processes, maintaining family unity through lawful resolution is preferable to prolonged uncertainty created by institutional noncooperation. Schools should not become the entities determining how or when those processes unfold.

Finally, the requirement that model policies be issued by the Attorney General and adopted by educational institutions raises concerns about future over-interpretation and risk-averse behavior that could further limit transparency, communication, and accountability within public systems.

For these reasons, I respectfully oppose LD 2106. Schools should be allowed to focus on their core mission: educating students and improving outcomes. When we continue to assign non-educational legal and enforcement-adjacent responsibilities to educational institutions, we should not be surprised when instructional performance suffers.

Thank you for the opportunity to submit testimony.

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