Workshop School Committee
Minutes -November 10, 2026

Mayor Johnson called the meeting to order at 5:32 pm in the Junior High Cafeteria.

School Committee Members in attendance - 5 present - 2 absence.

The Mayor announced that one School Committee member was absent now but would be coming a little late.

In addition, Cheryl Salomao, Rob Clickstein, Attorney Russ Dupre and Collen DeGeorge were all in attendance.

This workshop was to review the Protect Act & Policy ACL

Questions/Discussions

Attorney Russ Dupre - Explained that the Protect Act came about following changes that occurred a couple of years ago regarding ICE enforcement. Because most incidents happen outside of school, the district issued guidance at that time outlining the procedures for handling a situation if ICE were to come to a school. The Protect Act formalizes those same steps—which also align with our general guidance for dealing with law enforcement. Arrests would not happen inside the school, but rather before or after school hours. While the underlying requirements are already in place, this policy defines how staff should handle the situation. One update was made to this version of the policy: staff should contact Administration first, who will then contact me. Most districts have already adopted this policy.

Mayor Johnson- The Committee is looking for clarification of what the Protect Act says.

Attorney Russ Dupre - The policy won't change what you have to do as far as warrants. You have to have a process in place. You have to follow the law. The policy would protect you as long as you followed it. We have the ability to follow the policy and if something goes haywire, we would be protected for doing our part.

Dawn DeMatteo - If we already have these procedures in place, what is the purpose of having the policy?

Attorney Russ Dupre - You already have my guidance, the Protect Act has the policy you are supposed to follow.

Heather Zielenski - So if this is the law, why are we voting on it?

Attorney Russ Dupre - A policy is not currently in place, it is a procedure.

Dawn DeMatteo - Is this procedure followed somewhere?

Attorney Russ Dupre - I don't think so, my advice was for internal purposes. If there is a warrant then we have to let them in regardless.

Dawn DeMatteo - So we have the procedure if you have to let them in.

Attorney Russ Dupre - We have a procedure in place, but it would have to be communicated. If a policy was in place, this would require anyone that works for you to follow the policy.

Wendy Rua - So this policy protects the staff.

Attorney Russ Dupre - Consider a scenario where someone in the building, such as a new principal, hasn't seen this

procedure. If they allow ICE into the building and someone gets arrested, the district could get into serious trouble. At the same time, it works the other way as well—it is very rare for an arrest warrant to be sent directly to a school.

Heather Zielenski - So it is not up to them. There is already a procedure. I'm stuck on it because there is already a procedure in place.

Attorney Russ Dupre - This is my guidance. If I remember correctly, the Attorney General sent this out years ago.

Shelley Reed - If this is the law - why do you think that this is coming up now?

Attorney Russ Dupre - Nothing says that you have to abide by this.

Shelley Reed - Why does the state want the Protect Act?

Attorney Russ Dupre - It's more about political reasons.

Shelley Reed - This is political and there is an immigration law already in place that we have to follow.

Attorney Russ Dupre - My advice would be to adopt the policy. Even if it is political or not, it isn't going to change anything. It would protect you when referring to the policy.

Heather Zielenski- If this is currently what we are doing as a procedure, then it would make sense to have a policy.

Shelley Reed -Does everyone follow all of the policies?

Attorney Russ Dupre - If it is a policy, then you have to follow it.

Cheryl Salomao - Staff have to sign a sheet that they will abide by the policies in the beginning of every school year.

Michael Perry - I understand that we have to follow policies. There has not been an issue with ICE. I agree with Shelley that we are being put in a place that we have to side with a political view. If we don't write the policy correctly, then it will be our fault.

Attorney Russ Dupre - This policy will protect us upon future litigation.

Shelley Reed - I looked up some information and under the Massachusetts PROTECT Act, licensed child care providers—including both commercial centers and home-based daycares—have the same legal protections as public schools. This means law enforcement cannot make civil arrests on the property without a judicial warrant signed by a judge, and providers must have formal policies for how staff handle these situations and notify parents. In contrast, general private buildings are not automatically considered 'sensitive locations' under the law, though they are still protected by standard property rules and the Fourth Amendment. Officers cannot enter private homes without the resident's permission or a judge-signed judicial warrant. Similarly, private businesses and independent institutions can block law enforcement from entering nonpublic, employee-only areas unless they present a judicial warrant, and private employers are required to notify all workers within 48 hours if federal authorities issue a notice to inspect employment records

Michael Perry - They can't come into private areas. It is like writing a policy that you have to stop at a stop sign.

Dawn DeMatteo - What happens if we don't adopt it?

Attorney Russ Dupre - Litigation and possible holding back funding.

Dawn DeMatteo - So we are selling the policy.

Attorney Russ Dupre - I am just saying the potential fall out if we don't follow through with the policy.

Wendy Rua - Did anyone vote no?

Attorney Russ Dupre - Chicopee tabled it.

Wendy Rua- Most of our policies follow MASS general law.

Attorney Russ Dupre- It is not usual that you have to adopt a policy that is not based on MASS general law but there are a few - for example hazing, bullying.

*May*or Johnson - Technically - yes

Cheryl Salomao - Yes, DESE will review our policies and if they are not correct they will issue a formal finding of noncompliance and requires a Corrective Action Plan.

Mayor Johnson - With all due respect, you need to separate the policy from your personal beliefs. This policy protects us from potential liability—if we don't follow it, we jeopardize A, B, and C. I understand you may not agree with it, since it was created at a higher level without everyone's input, but we still have to follow it.

Michael Perry - We don't have a policy for aliens entering our buildings because it's not a realistic problem. By that same logic, I'm not sure why we need a policy for this.

Mayor Johnson - That is absurd. We've never had a school shooting in Agawam either, yet we still have a policy for it. It is about being prepared before something happens, not waiting for a crisis.

Wendy Rua - What is your recommendation?

Attorney Russ Dupre- I am an attorney - I have to tell you to follow the law.

Dawn DeMatteo - Can we take the "Protect Act" portion out of the policy?

Mayor Johnson- Yes, you can refer to MASS general law.

Dawn DeMatteo - That would be separating the law from the policy.

Heather Zielenski - I think that this cleared up some confusion on this policy.

Attorney Russ Dupre - This policy has had more discussion than other policies.

Mayor Johnson - I look at this from the liability standpoint. There are a lot of policies that we have that we have not had to use, they just protect us. There is no guarantee that they are going to abide by our policy. If they come in and it goes sideways, then this protects us. If we don't have the policy then there is a liability for us.

Attorney Russ Dupre - I can see where you want to take the "Protect Act" out of the title.

Mayor Johnson - Makes sense to make it more general.

Dawn DeMatteo - How do we proceed now?

Mayor Johnson - Based on Robert's Rules of Order, if we want to reconsider this and send it back to the policy subcommittee, the motion has to be initiated by at least 2 members who voted no. Since the motion failed, two members who voted 'no' would need to move and second it first.

Attorney Russ Dupre - Committee members can also explain their vote on the record—they can say, 'I may not personally agree with the Policy Act, but I'm voting to uphold the policy." During my time on the School Committee, I cast plenty of votes like that where I stated my reservations for the record while still doing what was required for the district

Shelley Reed- Can you vote to reconsider?

Mayor Johnson -To bring this back up, we need two members from the prevailing 'no' side to make and second the motion to reconsider. We are looking for a clear commitment on whether minds are actually going to change here. Voting to reconsider doesn't lock anyone into voting 'yes' on the policy itself—it just reopens the discussion. However, it doesn't make sense to send this back to the policy subcommittee if the committee isn't actually open to changing its stance.

Dawn DeMatto made the 1st motion and *Heather Zielenski* made 2nd motion. They both previously voted "no" on this policy.

Mayor Johnson - This will go to the Policy Subcommittee. Then 1st and 2nd motion to reconsider and then 1st and 2nd motion to vote on the policy. You are not obligated to change your vote.

Shelley Reed - We've heard the questions coming from the community, and we want to reassure everyone that we value every resident equally.

Attorney Russ Dupre - I can see what you were thinking about when you were voting on the Protect Act.

Heather Zielenski - I found this workshop very beneficial. It opened up a discussion.

Mayor Johnson - Anything else.

Dawn DeMatteo - In the future, if we have something of this magnitude, can we have a workshop and discuss this?

Mayor Johnson - Yes, and we can also invite Russ.

Attorney Russ Dupre - I can go to a meeting too if you would like.

The Chair moved to adjourn the meeting on a motion made by Dawn DeMatteo and seconded by Heather Zielenski without a vote "All those in favour say yea" and "All those opposed say nay.

Vote: Yea 6 to 1 absent.

Meeting adjourned at 6:11 pm

Respectfully submitted by:
Collen DeGeorge
Executive Assistant to the School Committee

Wendy Rua
Committee Secretary