

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SB 98 (Pérez)
Version: April 2, 2025
Hearing Date: April 8, 2025
Fiscal: Yes
Urgency: Yes
ID

SUBJECT

Elementary, secondary, and postsecondary education: immigration enforcement:
notification

DIGEST

This bill requires the governing bodies of local educational agencies and California State Universities, community colleges, and specified independent institutions of higher education, and requests the Regents of the University of California, to notify students or their parents and guardians, teachers and other specified school community members when immigration enforcement activity is confirmed on the schoolsite or campus.

EXECUTIVE SUMMARY

Immigration enforcement and the risk of deportation or family separation it presents is a serious stressor for many immigrant families and students in California. Recent increased immigration enforcement and federal policy changes regarding immigration enforcement on schoolsites have further increased fears among many school or university communities that undocumented or noncitizen students or their family members will be subject to immigration enforcement actions while at school. While California has enacted numerous laws to limit local educational agencies' and public and certain independent institutions of higher education's assistance with immigration enforcement, existing law does not require such educational institutions to notify the school community when immigration enforcement activity does take place on the schoolsite or campus. In response to these developments and gaps in current law, SB 98 requires the governing bodies of local educational agencies to notify all teachers, parents and guardians, staff, and other community members that work on the schoolsite when immigration enforcement is confirmed on the schoolsite. SB 98 also requires the governing bodies of California State Universities (CSU), community college districts, and certain independent institutions of higher education, and requests the Regents of the University of California (UC), to notify all students, faculty, staff, and other campus community members when the presence of immigration enforcement is

confirmed on campus. The bill contains an urgency clause. SB 98 is sponsored by the California Faculty Association and the Student Senate for California Community Colleges, and supported by the California Labor Federation, AFL-CIO, and a broad coalition of nonprofits and teacher, school, and student associations. The Committee has received no timely opposition to the bill. SB 98 previously passed out of the Senate Education Committee by a vote of 6 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the UC as a public trust to be administered by the Regents of the UC, and grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services. (Art. IX, sec. (9)(a), California Constitution.)
- 2) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, control of the CSU system and provides that the Trustees are responsible for the rule of government of their appointees and employees. (Edu. Code §§ 66606, 89500, et seq.)
- 3) Establishes the California Community Colleges (CCC) under the administration of the Board of Governors of the California Community College, as one of the segments of public postsecondary education in this state, and specifies that the CCC is comprised of community college districts. (Edu. Code § 70900.)
- 4) Prohibits, except as required by state or federal law or as required to administer a state or federally-supported educational program, school officials and employees of a school district, county office of education, or charter school from collecting information or documents regarding the citizenship or immigration status of a student or their family members. (Edu. Code § 234.7(a).)
- 5) Requires the superintendent of a school district and county office of education, and the principal of a charter school, to report to their respective governing board or body in a timely manner and in a manner that ensures the confidentiality and privacy of any potentially identifying information, any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency for the purpose of enforcing immigration law. (Edu. Code § 234.7(b).)
- 6) Requires the governing board or body of a local educational agency to:
 - a) provide information to parents and guardians regarding their children's right to a free public education, regardless of immigration status or religious beliefs,

- including information relating to “know your rights” regarding immigration enforcement established by the Attorney General; and
- b) educate students about the negative impact of bullying other students based on their actual or perceived immigration status or religious beliefs and customs.
- 7) Requires the Attorney General, by April 1, 2018, and in consultation with the appropriate stakeholders, to publish model policies limiting assistance with immigration enforcement at public schools, to the fullest extent possible consistent with federal and state law, and ensuring that public schools remain safe and accessible to all California residents, regardless of immigration status. Requires the Attorney General to consider, at a minimum, all of the following in developing the model policies:
- a) procedures related to requests for access to school grounds for purposes related to immigration enforcement;
 - b) procedures for local educational agency employees to notify specified officers of the governing board or body of public or charter schools if an individual requests or gains access to school grounds for purposes related to immigration enforcement; and
 - c) procedures for responding to requests for personal information about students or their family members for purposes of immigration enforcement. (Edu. Code § 234.7(f).)
- 8) Requires local educational agencies to adopt the model policies developed by the Attorney General pursuant to (7), above, by July 1, 2018. (Edu. Code § 234.7(g).)
- 9) Requires the Trustees of the California State University, the governing board of each community college district, each independent institution of higher education that is Cal-grant eligible, and requests the Regents of the University of California, to take various actions relating to immigration enforcement on campus and students’ immigration-related personal information to the fullest extent consistent with state and federal law, including:
- a) refraining from disclosing personal information about students, faculty, and staff, except with specified consent or in other limited circumstances;
 - b) advising all students, faculty, and staff to notify the office of the chancellor or president of their designee as soon as possible if they are advised that an immigration officer is expected to enter, will enter, or has entered campus to execute a federal immigration order;
 - c) notifying the emergency contact of a student, faculty, or staff person as soon as possible, if there is reason to suspect that the individual has been taken into custody as a result of an immigration enforcement action;
 - d) complying with a request from an immigration officer for access to a non-public area of campus only when presented with a judicial warrant, with limited exceptions for non-enforcement activities;

- e) advising all students, faculty, and staff responding to or having contact with an immigration officer executing a federal immigration order, to refer the entity or individual to the office of the chancellor or president or their designee for the purpose of verifying the legality of any warrant, court order, or subpoena;
- f) designating a staff person to serve as a point of contact for any student, faculty, or staff who may or could be subject to an immigration order or inquiry on campus;
- g) maintaining a contact list of legal services providers that provide legal immigration representation, and provide this list free of charge to any students who request it;
- h) adopting and implementing, by March 1, 2019, the model policies developed by the Attorney General or an equivalent policy limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law;
- i) posting on its website and providing by email each quarter or semester to all students, faculty, and staff a copy of the school's policies limiting assistance with immigration enforcement and guidance relating to their rights under state and federal immigration laws, among other information; and
- j) ensuring, in the event that an undocumented student is subject to a federal immigration order, that the student can retain eligibility for various school benefits and re-enrollment, and that staff is available to assist students, faculty, and staff who may be subject to a federal immigration order or inquiry. (Edu. Code § 66093.3.)

This bill:

- 1) Makes the following findings and declarations:
 - a) that California is responsible for ensuring access to a quality education; and
 - b) that ensuring access to a quality education includes creating a safe and inclusive campus environment for students, regardless of their backgrounds or origins.
- 2) Defines, for the purposes of its provisions, immigration enforcement as including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and as including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in, the United States.
- 3) Requires the governing board or body of a local educational agency to notify all teachers, staff, parents and guardians, and other school community members that work on the schoolsite when the presence of immigration enforcement is confirmed on the schoolsite.

- 4) Requires the Trustees of the California State University, the governing board of each community college, and each independent institution of higher education that is a Cal-grant eligible institution, and requests the Regent of the University of California, to notify all students, faculty, staff, and other campus community members when the presence of immigration enforcement is confirmed on campus, to the fullest extent consistent with state and federal law.
- 5) Requires the Trustees of the California State University, the governing board of each community college, each independent institution of higher education that is a Cal-grant eligible institution, and requests the Regents of the University of California, to ensure that all students, faculty, staff, and campus community members are notified when the presence of immigration enforcement is confirmed on campus, in the event that an undocumented student is subject to a federal immigration order.
- 6) Specifies that, for the notification required by (3) through (5), above, the notice include:
 - a) the date and time the immigration enforcement was confirmed;
 - b) the location of the confirmed immigration enforcement; and
 - c) a hyperlink to additional resources, including the model policies adopted by the local educational agency.
- 7) Specifies that a notice required by (3) through (5), above, may not include any personally identifiable information.
- 8) Makes numerous technical changes to the relevant sections of law.
- 9) Specifies that this is an urgency statute, and that the reason for the urgency is to ensure the safety of all students, teachers, faculty, and staff by preventing panic and promoting a greater sense of calm and security on schoolsites and campuses.

COMMENTS

1. Author's statement

According to the author:

Ensuring access to education in a safe space for all students is largely a state responsibility. Unfortunately, school campuses have begun to see an increased presence of immigration enforcement entities on campuses. The presence of immigration enforcement officers can have detrimental effects on the student body and staff – especially for those who may be undocumented or otherwise without permanent status. A 2018 study from the American Psychological Association found that immigrant youth, especially those in mixed-status

families, experience higher levels of anxiety and depression due to fears of deportation and family separation.

Although schools and higher education institutions in California have guidelines for individuals on their rights and how to engage with immigration enforcement agents when they are present on campus, there are no requirements for school or campus administration to inform the campus community of their presence on campus.

SB 98 addresses the aforementioned gap by requiring that students and the school are notified of immigration enforcement agents on campus. These timely notifications are imperative for schools to be able to prevent panic, promote a sense of security, and maintain an environment where all students—regardless of immigration status—feel safe and supported. This bill will give students and educators peace of mind in the classroom while also maintaining the state’s commitment that educational institutions are safe places where students can learn, teachers can educate, and schools can be a place exclusively dedicated to teaching and uplifting the next generation.

2. California’s undocumented and noncitizen students

There are an estimated 408,000 undocumented students enrolled in colleges and universities across the United States.¹ 182,000 of these students are students with Deferred Action for Childhood Arrivals (DACA) or who are eligible for DACA, a program created by President Obama in 2012 that provides temporary protection from deportation and the opportunity for employment authorization to certain undocumented youth who entered the United States as children and have, or are, completing some amount of school.² In California alone, there are an estimated 87,000 undocumented university students.³ Many of California’s undocumented students have DACA, though the numbers of DACA recipients in California universities have been decreasing in recent years, as the time-based requirements for DACA mean that fewer and fewer of incoming undocumented university students are eligible for DACA, and ongoing lawsuits around DACA have prevented the federal government from approving new applications since July 16, 2021.

Undocumented Californians are important members of their academic communities and California communities at large. Many undocumented students are studying to

¹ American Immigration Council and Presidents’ Alliance on Higher Education and Immigration, “Undocumented Students in U.S. Higher Education” (Jun. 2024), available at <https://www.higheredimmigrationportal.org/research/undocumented-students-in-higher-education-updated-march-2021/> (*hereafter* American Immigration Council).

² *Id.*

³ *Id.* Higher Ed Immigration Portal, “California” (accessed Jun 13, 2024), available at <https://www.higheredimmigrationportal.org/state/california/> (*hereafter* Higher Ed Immigration Portal).

enter fields greatly impacted by worker shortages, or conduct vital research in important fields of academic study and research. Additionally, 6,784 DACA recipients work in education, and another 23,369 DACA recipients work in STEM or health professions.⁴ Undocumented Californians also contribute millions to the California economy and in taxes every year.

The term “undocumented” generally refers to a person who is in the United States without immigration status from the federal government. Many undocumented Californians arrived to the United States when they were young, and have long attended California schools. About 76% of undocumented students arrived in the United States when they were children or adolescents, and those who arrived to the United States as adults on average have lived in the United States for eight years.⁵ Many came to the United States with family, and were too young to remember the journey. Lacking immigration status can be incredibly limiting; without immigration status, individuals are usually ineligible for federal public benefits and federal student loans, and may become subject to a deportation proceeding by federal immigration authorities at any time. In addition, undocumented persons are generally not authorized to work in the United States.

An undocumented person may have entered the United States without any visa or immigration status, or they may have entered with an immigration status that has since expired. A person with a visa that is expiring is generally expected to renew or apply to adjust their status to a new category of immigration status, or depart the United States. However, many visas are only designed to be temporary, and eligibility for and availability of permanent immigration status – called lawful permanent residency, or a green card – is incredibly limited. Even those who qualify for a green card may have to wait a decade or even two decades to be able to receive it due to backlogs and administrative delays. Without immigration reform from Congress, the United States’ immigration system continues to be broken and fails to provide meaningful opportunities for undocumented students and those who wish to stay in the United States to do so with immigration status.

In addition to undocumented individuals and DACA recipients, many other individuals with immigration status or visas call California’s public schools and universities home for education or for work. These include international students, who are in the United States on student visas that have strict requirements regarding their education and employment, as there are an estimated 14,000 international students in California.⁶ Many other students and school employees in the state are recipients of immigration statuses like u-nonimmigrant status or asylum, which provide temporary status and the ability to apply for lawful permanent residency. Others have lawful

⁴ *Id.*

⁵ American Immigration Council, *supra* note 1.

⁶ Higher Ed Immigration Portal, *supra* note 3.

permanent residency, and simply have not obtained U.S. Citizenship yet or do not qualify for citizenship.

3. The risks and harm that immigration enforcement activities pose to undocumented and non-citizen Californians

Any person in the United States who is not a citizen has some level of risk that they could be deported from the United States. In order to be deported from the United States, an individual needs to be found to have triggered a ground of deportability. There are numerous grounds of deportability, such as making a false claim to U.S. Citizenship or being convicted of certain criminal offenses.⁷ An individual who is present in the United States without ever having been admitted or paroled into the United States by an immigration officer is deportable, as is an individual who has violated their immigration status or has had their immigration status expire. Thus, an undocumented person is always at risk of being subject to immigration enforcement activities by the federal government.

If an individual is apprehended by an immigration official, such as an officer of Immigration and Customs Enforcement (ICE), the agency responsible for enforcing the nation's immigration laws within the United States, or an officer of Customs and Border Patrol (CBP), the agency responsible for inspecting and patrolling the nation's borders and ports of entry, and the officer believes the individual is undocumented or has done something to trigger a ground of deportability, they may be placed into a deportation proceeding before an immigration judge. While such proceedings often take years to resolve, the result of either failing to appear at such a proceeding or failing to defend against the government's charges of deportability is that the individual is ordered removed from the United States. If an individual has an outstanding removal order, they may be detained and removed at any time, except in narrow circumstances.

In addition, under a process called expedited removal, if an immigration officer stops an individual who cannot provide documentation proving that they have legal status to reside in the United States and that they have been in the United States for a certain period of time, they may be removed through an expedited process without the ability to defend against their deportation before an immigration judge.⁸ For much of the time that expedited removal has existed, it was limited to stops within 100 miles of the United States border and cases in which the detained individual was unable to prove that they have resided in the United States for at least two weeks.⁹ However, under President Trump's first term, and again under his second term, expedited removal was expanded to be available throughout the entire United States, and to require that a detained individual must be able to prove that they have been in the United States for at

⁷See 8 U.S.C. § 1227.

⁸ 8 U.S.C. § 1225(b).

⁹ American Immigration Council, "Fact Sheet: A primer on expedited removal," (Feb. 2025), available at <https://www.americanimmigrationcouncil.org/research/expedited-removal>.

least the past two years. When an individual is stopped by an immigration officer and placed in either expedited removal or a removal proceeding, they may be detained in immigration detention, sometimes indefinitely while awaiting their case or deportation.

4. Recent state laws aimed at protecting California's noncitizen students

Given recent developments in federal immigration policy in the last eight years and the risks that California's undocumented and noncitizen students face relating to immigration enforcement activity, the Legislature has passed various laws aimed at protecting the state's undocumented and noncitizen students and minimizing the disruption that immigration enforcement activities can have at the state's educational institutions. In 2017, the Legislature passed AB 699 (O'Donnell, Ch. 493, Stats. 2017) to ensure that all students in California public schools have equal access to education regardless of their immigration status. AB 699 also prohibited a school from collecting information or documents regarding a pupil or their family members' immigration status and required school officials to report to their governing bodies any requests for information or access to the schoolsite for the purpose of immigration enforcement.

In addition, AB 699 required that, by April 2018, the Attorney General issue and publish model policies for public schools regarding limiting assistance with immigration enforcement at schools. That same year, the Legislature also passed AB 21 (Kalra, Ch. 488, Stats. 2017), which required public higher educational institutions and each Cal Grant-eligible institution of higher education to adopt the Attorney General's model policies for colleges and universities. The Attorney General issued its guidance and model policies in 2018, though they were updated in December 2024. The model policies for colleges and universities include that colleges and universities must provide students and their families with an annual notice of the institution's policies for privacy of students' personal information, including information regarding their immigration status, and that colleges and universities must advise all students, faculty, and staff to immediately notify the office of the chancellor or president or their designee when they are advised that an immigration officer is planning to, will, or has entered the campus for immigration enforcement purposes.¹⁰ In addition, the model policies require that, if there is reason to suspect that a student, faculty member, or staff member has been taken into custody for immigration enforcement, the college or university must notify the person's emergency contact that the person may have been taken into custody. The Attorney General's model policies for K-12 schools include similar policies, though they are specific to K-12 schools and minor students.¹¹

¹⁰ California Attorney General, Promoting a Safe and Secure Campus for All: guidance and model policies to assist California's colleges and universities in responding to immigration issues, Cal. Dept. of Just. (Dec. 2024), available at <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and>.

¹¹ California Attorney General, Promoting a Safe and Secure Learning Environment for All: guidance and model policies to assist California's K-12 schools in responding to immigration issues, Cal. Dept. of Just.

5. This bill would provide California students and other community members of California educational institutions information regarding immigration enforcement activities on campus

Neither the Attorney General’s model policies nor current state law require California’s educational institutions to notify the school community when immigration enforcement activity takes place at the schoolsite. This bill addresses this gap by requiring that the governing board or body of a local educational agency notify all teachers, staff, parents and guardians of students, and other community members that work at the schoolsite when there has been a confirmed instance of immigration enforcement activity at the schoolsite. It also requires the Trustees of the California State University, the governing board of each community college district, and each independent institution of higher education that is eligible for Cal-grants to notify all students, faculty, staff, and other campus community members when immigration enforcement activity is confirmed on campus. Because the University of California is a public trust with constitutional autonomy, the bill requests that the University of California provide this notification. This bill would require schools to include at least the date and time that the immigration enforcement was confirmed, the location of the immigration enforcement, and a hyperlink to additional resources and the school’s model policies. The bill does not prohibit a school from providing additional information, except that they cannot include any personally identifiable information.

The author states that this notification is important because school campuses have begun to see an increased presence of immigration enforcement activities on campus, and because of the detrimental effects that the stress and anxiety of the fears of deportation and family separation cause. In recent history, immigration enforcement actions taking place at schools have been limited. However, a charter school in Chicago, Illinois, recently reported the detention of a father while the father was dropping his children off at school.¹² In addition, the risk of immigration actions at schools is greater because of the Trump Administration. Long-standing federal policy has limited immigration enforcement activity at “sensitive locations” like schools, places of worship, and funerals and other religious ceremonies.¹³ However, on January 2025, the Trump Administration rescinded the sensitive locations policy, thereby eliminating the

(Dec. 2024), available at <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and>.

¹² Matt Masterson, “Immigration agents detain man outside Chicago charter school, officials say,” WTTW (Feb. 27, 2025), <https://news.wttw.com/2025/02/27/immigration-agents-detain-man-outside-chicago-charter-school-officials-say>.

¹³ James A. Puleo, Memorandum: Enforcement Activities at Schools, Places of Worship, or at funerals or other religious ceremonies, Imm. & Nationality Svcs., HQ 807-P (May 17, 1993); *see also* Dept. of Homeland Sec., “Secretary Mayorkas Issues New Guidance for Enforcement Action at Protected Areas,” (Oct. 27, 2021), available at <https://www.dhs.gov/archive/news/2021/10/27/secretary-mayorkas-issues-new-guidance-enforcement-action-protected-areas>.

protections that the long-standing policy provided to schools from immigration enforcement activity¹⁴.

The consequences of the threat of immigration enforcement activity and these recent changes in policy regarding such activity on school campuses is significant. Schools across the country are experiencing significant drops in school attendance as students and their families fear being stopped or questioned by immigration authorities at school.¹⁵ In addition, research has shown that many immigrant students experience high levels of mental health symptoms like anxiety, depression, and post-traumatic stress due to fears of immigration enforcement and separation from their family due to immigration enforcement.¹⁶ Stressors related to immigration status and the risk of deportation negatively impact all aspects of an undocumented or immigrant student's life, including their education.

The impacts of these developments are being felt at schools already. As such, SB 98 also contains an urgency clause to ensure the provisions take effect immediately.

6. This bill's policies are within the state's constitutional authority

Under the United States Constitution, the federal government has exclusive authority over immigration law. (*Arizona v. U.S.*, (2012) 567 U.S. 387, 394.) Although the Supremacy Clause of the United States forbids states from interfering with or enacting laws that conflict with immigration law, the "anti-commandeering" principle of the Tenth Amendment prohibits the federal government from requiring state officials to enforce federal laws.¹⁷ Moreover, the Tenth Amendment of the United States Constitution provides states with general police powers and all other powers not explicitly delegated to the federal government. Under that general police power, the provision of education is an area of law reserved to the states. All undocumented students in the United States are guaranteed equal access to a public education under U.S. Supreme Court precedent. (*Plyler v. Doe*, (1982) 457 U.S. 202.)

This bill relates to California's schoolsites and schools' communication with its students and school community regarding federal activities on the schoolsite. It does not regulate immigration law or prevent immigration officers from carrying out enforcement

¹⁴ Benjamine C. Huffman, Memorandum: Enforcement Actions in or Near Protected Areas, Dept. of Homeland Sec. (Jan. 20, 2025), available at <https://www.nafsa.org/regulatory-information/dhs-rescinds-biden-protected-areas-enforcement-policy>.

¹⁵ Jasmine Garsd, "The prospect of immigration agents entering schools is sending shockwaves among communities," NPR (Feb. 4, 2025), <https://www.npr.org/2025/02/04/nx-s1-5277170/schools-ice-immigration>.

¹⁶ Randy Capps & Michael Fox, "How the fear of immigration enforcement affects the mental health of latino youth," Migration Policy Institute (Dec. 2020), <https://www.migrationpolicy.org/news/how-fear-immigration-enforcement-affects-mental-health-latino-youth>.

¹⁷ See *United States v. California* (2019) 921 F.3d 865; *United States v. California* (2020) 141 S. Ct. 124 (upholding California's SB 54 (De Leon, Ch. 495, Stats. 2017) under the anti-commandeering doctrine).

activities, it simply provides the school community with timely information. SB 98's notification requirements aim to prevent panic, promote a sense of security and peace of mind, and maintain an environment where all students regardless of immigration status feel safe and supported. If students, staff, and other community members know that they will be notified if immigration enforcement takes place on the schoolsite, they can focus on the educational mission of the school without the constant fear of immigration enforcement while they are at school. It also furthers the constitutional right to a public education recognized in *Plyler v. Doe*, as recent reports have documented that the fear of immigration enforcement at schools is resulting in many immigrant students not attending school. As such, SB 98 regulates an area of traditional state control, does not interfere or conflict with federal immigration law, and serves an important purpose in ensuring equal access to public education and furthering the mission of California's educational institutions.

SUPPORT

California Faculty Association (sponsor)
Student Senate for California Community Colleges (sponsor)
California State Student Association (sponsor)
Alianza
Alliance College-ready Public Schools
California Alliance of Child and Family Services
California Association for Bilingual Education
California Charter Schools Association
California Federation of Labor Unions, AFL-CIO
California School Employees Association
California State Council of Service Employees International Union (SEIU California)
California State PTA
California Undocumented Higher Education Coalition
Californians Together
Gathering for Justice
Generation Up
Hispanas Organized for Political Equality
Nextgen California
Pacific Juvenile Defender Center
Sacramento Immigration Coalition
Teach Plus
The Black Alliance for Just Immigration
The Education Trust - West
University of California Student Association
Western Center on Law & Poverty

OPPOSITION

None received.

RELATED LEGISLATION

Pending Legislation:

SB 48 (Gonzalez, 2025) prohibits a local educational agency and its personnel from granting an immigration official access to schoolsites without a judicial warrant, and from providing information about a student, their family and household, school employees, or a teacher without a judicial warrant. SB 48 also prohibits California law enforcement agencies from collaborating with, or providing any information about a student, the student's family and household, a school employee, or a teacher to immigration authorities regarding immigration enforcement actions that could be or are taking place within a one mile radius of any schoolsite. SB 48 is currently pending before the Senate Education Committee.

AB 419 (Connolly, 2025) requires the governing board or body of a local educational agency to post the "Know Your Educational Rights" guide developed by the Attorney General in the administrative buildings and on the website of the local educational agency and at each of its schoolsites, including in each language other than English that the school is required to translate documents into pursuant to existing law. AB 419 is currently pending before the Assembly Education Committee.

AB 49 (Muratsuchi, 2025) prohibits school officials and employees of a local educational agency, or employees of a day care facility, from allowing a federal immigration officer to enter a schoolsite or day care facility for any purpose without providing valid identification, a written statement of purpose, and a valid judicial warrant, and without receiving approval from specified school officials, and limits an approved official's access to only facilities where students or children are not present. AB 49 is currently pending before the Assembly Education Committee.

Prior Legislation:

SB 959 (Hurtado, 2019) would have defined "pupil," for the purposes of existing law that provides what school officials and employees of a school district cannot do with information related to the citizenship or immigration status of a pupil or their family members, and related provisions, to mean a child enrolled in a childcare or development program, transitional kindergarten, kindergarten, or the first through twelfth grades. SB 959 died in the Senate Education Committee.

AB 699 (O'Donnell, Ch. 493, Stats. 2017) included immigration status in the list of specified characteristics for which law states it is the policy of the State of California to

provide equal rights and opportunities in the state's educational institutions, and prohibited school officials and employees of a school district, county office of education, or charter school from collecting information or documents regarding the citizenship or immigration status of pupils or their family members. Required specified school officials to take certain actions in response to requests for information or access to a schoolsite by an immigration officer for the purposes of immigration enforcement, required the Attorney General to publish, by April 1, 2018, model policies limiting assistance with immigration enforcement at public schools, and required all local educational agencies to adopt these model policies or equivalent policies.

AB 21 (Kalra, Ch. 488, Stats. 2017) required the Trustees of the California State University, the governing boards of community college districts, and independent institutions of higher education, and requested the Regents of the University of California, to take certain actions regarding immigration enforcement activities on campus, including: refraining from disclosing personal information concerning students, faculty, and staff except under specified circumstances; advising all students, faculty, and staff to notify the office of the chancellor or president as soon as possible if they are advised that an immigration officer will or has entered campus to execute an immigration order; complying with a request from an immigration officer for access to a non-public area of campus only upon the presentation of a judicial warrant; and designating a staff person to serve as a point of contact for those who may be subject to immigration actions, among other requirements. Required such institutions of higher education to adopt and implement the model policy limiting assistance with immigration enforcement developed by the Attorney General, or an equivalent.

PRIOR VOTES:

Senate Education Committee (Ayes 6, Noes 0)
