

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

SB 48 (Gonzalez)
Version: April 23, 2025
Hearing Date: April 29, 2025
Fiscal: Yes
Urgency: Yes
ID

SUBJECT

Immigration enforcement: schoolsites: prohibitions on access and sharing information

DIGEST

This bill prohibits a local educational agency from granting an immigration authority access to a schoolsite, providing a pupil for questioning, consenting to a search of the schoolsite, or disclosing student, staff, or teacher information without a valid judicial warrant, as provided.

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 California schools and communities that undocumented and noncitizen students or their family members will be subject to immigration enforcement actions while at school. California has enacted numerous laws to limit public schools' assistance with immigration enforcement. SB 48 builds on these laws by prohibiting a local educational agency from granting an immigration authority access to the nonpublic areas of a schoolsite, providing a pupil for questioning, or consenting to a search of any nonpublic areas of the schoolsite without a valid judicial warrant. SB 48 would also provide specified procedures that a school or its personnel must follow for any such requests by an immigration authority. It also prohibits a local educational agency or its personnel from disclosing student, staff, or teacher information without a valid judicial warrant, as provided. SB 48 is an urgency measure that would take effect immediately if enacted. SB 48 is sponsored by the California Superintendent of Public Instruction Tony Thurmond and CFT – A Union of Educators and Classified Professionals, AFT, AFL-CIO. It is supported by a number of nonprofits and public interest groups who support immigrants and immigrant rights. The Committee has received no timely letters of opposition. SB 48 previously passed the Senate Education Committee by a vote of six to one.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Prohibits law enforcement agencies from using agency or department moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, place peace officers under the supervision of federal agencies, use immigration authorities as interpreters for law enforcement matters, transfer an individual to immigration authorities unless authorized by a judicial warrant, provide office space exclusively dedicated to immigration authorities, and contract with the federal government for the use of law enforcement agency facilities to house individuals as federal detainees for the purposes of civil immigration custody, as specified. (Gov. Code § 7284.6.)
- 2) 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, public libraries, health facilities operated by the state or a political subdivision thereof, courthouses, Division of Labor Standards Enforcement facilities, the Agricultural Labor Relations Board, the Division of Workers Compensation, and shelters, 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.
 - a) Requires all public schools, health facilities operated by the state or a political division thereof, and courthouses to implement the Attorney General's model policy, or an equivalent.
 - b) Encourages the Agricultural Labor Relations Board, the Division of Workers' Compensation, the Division of Labor Standards Enforcement, shelters, libraries, and all other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice, including the University of California, to adopt the model policy. (Gov. Code § 7284.8.)
- 3) Defines, for the purposes of the California Values Act, including (2), above, "public schools" to include all elementary and secondary schools under the jurisdiction of local governing boards or a charter school board, the California State University, and California Community Colleges. (Gov. Code § 7284.4(j).)
- 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. (Edu. Code § 234.7(d).)
- 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).)

This bill:

- 1) Makes specified findings and declarations relating to immigration and immigration enforcement at or near California's schools.
- 2) Prohibits a local educational agency and its personnel from doing any of the following, to the extent possible, unless pursuant to a valid judicial warrant:

- a) grant permission to access the nonpublic areas of a schoolsite to an immigration authority;
 - b) produce a pupil for questioning by an immigration authority at a schoolsite; and
 - c) consent to a search of any kind of the nonpublic areas at a schoolsite by an immigration authority.
- 3) Requires a local educational agency and its personnel, if an immigration authority presents a valid judicial warrant or court order to access a nonpublic area of a schoolsite, have a pupil be produced for questioning at a schoolsite, or conduct a search of any kind of a nonpublic area at the schoolsite, to do the following:
 - a) request from the immigration authority valid personal identification and a written statement of purposes, and retain a copy of the provided documentation;
 - b) notify the designated local educational agency administrator of the request as soon as possible, and advise the immigration authority that the local educational agency administrator is required to provide direction before access may be granted; and
 - c) if an immigration authority requests access to a nonpublic area of the schoolsite, that a pupil be produced for questioning at the schoolsite, or to conduct a search of a nonpublic area of the schoolsite without a warrant, that the local educational agency and its personnel:
 - i. notify the designated local educational agency administrator of the request;
 - ii. deny the immigration authority access to the nonpublic area of the schoolsite; and
 - iii. make a reasonable effort to have the denial witnessed and documented.
- 4) Prohibits a local educational agency and its personnel from disclosing or providing in writing, verbally, or in any other manner, the education records of or any information about a pupil, the pupil's family or household, a school employee, or a teacher, as specified, to an immigration authority without a valid judicial warrant or court order directing the agency or its personnel to do so. Specifies that any disclosure of a pupil's education records pursuant to a valid judicial warrant or court order must satisfy the parent notification requirements of the federal Family Educational Rights and Privacy Act of 1974 (FERPA).
- 5) Specifies that its provisions do not prohibit or restrict any governmental entity or official from sending to or receiving from federal immigration authorities immigration status information of any individual, or from maintaining or exchanging that information with any federal, state, or local governmental entity pursuant to specified federal statutes.

- 6) Requires the Attorney General to publish model policies to assist K-12 schools in responding to immigration issues pursuant to this bill.
- 7) Defines, for the purposes of its provisions, the following:
 - a) “Immigration authority” to mean any federal, state, or local officer, employee, or person performing immigration enforcement functions;
 - b) “Immigration authority” to include any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and 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 re-entry to, or employment in, the United States.
 - c) “local educational agency” to mean a school district, county office of education, or a charter school.
- 8) Specifies that it is an urgency statute to take effect immediately, and specifies the facts constituting this necessity are:
 - a) To ensure that schools continue to provide children and their families guaranteed access to school campuses without contributing to fear of deportation, harassment, or intimidation by immigration authorities, and to retain critically needed attendance-based funding.

COMMENTS

1. Author’s statement

According to the author:

All children, regardless of immigration status, have the constitutional right to a free education. With each day that passes, the federal government’s efforts to target immigrant communities further jeopardize California’s ability to uphold that constitutional right.

Raids and threats of deportation across our state have ignited fear and anxiety among families. Parents are scared to send their children to school, and children themselves are fearful that they will return home after the school day to never to see their loved ones again. These actions have alarming impacts on student learning, mental health, well-being, and attendance – which in turn impacts school funding and the quality of education students receive. Our schools must not be a battleground for immigration enforcement. Senate Bill 48 sends a clear message: California is committed to protecting our students and their families.

Specifically, SB 48 would prevent school personnel from permitting immigration law enforcement officers access to a school campus without a judicial warrant.

The bill will also prevent school personnel from disclosing educational records or any information about a pupil, pupil's family and household, school employees, or teacher to an immigration law enforcement officer without a judicial warrant.

Schools shape the next generation of leaders and must continue to be a safe, nurturing environment for students to learn and grow together – without disruption and without living in fear that their families will be torn apart.

2. California's undocumented and non-citizen students are essential members of their communities and California's schools

California is home to about 10.6 million immigrants, accounting for 22% of the foreign-born population nationwide.¹ In 2023, 27% of the state's population was foreign born, the highest of any state. Of California's immigrant population, about 45% are non-citizens, and about 1.8 million are undocumented. There are an estimated 133,000 undocumented children in California public K-12 schools, and one in five California children live in a mixed-status household where at least one member is not a U.S. Citizen.² Some undocumented individuals have Deferred Action for Childhood Arrivals (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. 6,784 DACA recipients work in education in the state.³ Undocumented and non-citizen Californians are important members of their communities. Many attend California schools or are studying to enter fields greatly impacted by worker shortages, work in essential services, and play vital roles in their towns and cities. Undocumented Californians also contribute millions to the California economy and in taxes every year. They help make California a thriving, diverse, and healthy state.

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 been a part of their communities. 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 have lived in the United States for eight years on average.⁴ Lacking

¹ Marisol Cuellar Mejia et al., Fact Sheet: Immigrants in California, Public Policy Institute of California (Jan. 2025), available at <https://www.ppic.org/publication/immigrants-in-california/>.

² Migration Policy Institute, "Profile of the unauthorized population: California" (accessed Apr. 13, 2025), <https://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/CA#>; Office of Digital Services, "Immigration and California families," Ca.gov (accessed Apr. 13, 2025), <https://www.ca.gov/immigration/>.

³ *Id.*

⁴ American Immigration Council and Presidents' Alliance on Higher Education and Immigration, "Undocumented Students in U.S. Higher Education" (Jun. 2024), available at

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 more than two decades to be able to receive it due to backlogs and administrative delays. Without comprehensive immigration reform from Congress, the United States' immigration system continues to be broken and fails to provide meaningful opportunities for undocumented individuals and those who wish to stay in the United States to do so with immigration status.

3. Non-citizen Californians hold a variety of immigration statuses

In addition to undocumented individuals and DACA recipients, many other individuals with immigration status or visas call California's public schools home for education or for work. Some are international students, who are in the United States on student visas that have strict requirements regarding their education and employment, or unaccompanied minors with Special Immigrant Juvenile Status (SIJS) due to abandonment, abuse, or neglect by one or both of their parents. In addition, others are recipients of immigration statuses like u-nonimmigrant status, t-nonimmigrant status, or asylum, which all provide temporary status and the ability to apply for lawful permanent residency. Others have lawful permanent residency, and simply have not obtained U.S. Citizenship yet or do not qualify for citizenship. In addition to these categories of immigration status, various other categories of status exist that are tied to the visa holder's employment, or are temporary visas for specific purposes like tourism.

4. Immigration enforcement poses significant risk of harm to undocumented and non-citizen students in California

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.⁵ 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. However, many undocumented individuals reside in the United States for many years or without ever being subject to immigration enforcement, in part because the federal government's capacity for enforcing immigration laws is limited.

If an individual is apprehended by an official for immigration enforcement purposes, 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. Deportation proceedings are informal, administrative proceedings, in which an administrative law judge makes a determination of whether a non-citizen before the judge should be granted relief from deportation and some type of immigration status, such as asylee status, or be deported. 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. So serious are the consequences of deportation proceedings that one immigration judge has called deportation proceedings "death penalty cases heard in traffic court."⁶ 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.⁷ 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 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.

⁵See 8 U.S.C. § 1227.

⁶ Dana Leigh Marks, "Immigration judge: death penalty cases in a traffic court setting," CNN (Jun. 26, 2014), <https://www.cnn.com/2014/06/26/opinion/immigration-judge-broken-system/index.html>.

⁷ 8 U.S.C. § 1225(b).

5. Increased immigration enforcement activity has significant impacts on those targeted by such enforcement and their families

President Trump, since re-entering the office, has promised to ramp up immigration enforcement and greatly increase deportations. Already, he has attempted to make due on this promise, through various executive actions that have declared a national emergency at the southern border, halted refugee admission, expanded who immigration enforcement officers can prioritize for deportation, expanded expedited removal, increased the hiring of immigration officers, and expanded immigration detention. In addition, the Trump Administration ended long-standing federal policy that limited immigration enforcement activity at “sensitive locations” like schools, places of worship, courthouses, and healthcare facilities.⁸ Although reports of immigration enforcement actions taking place at schools have been limited, they have occurred. A charter school in Chicago, Illinois, for example, recently reported the detention of a father while the father was dropping his children off at school.⁹

The consequences of the threat of immigration enforcement activity and these recent changes in policy regarding such activity 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.¹⁰ In addition, research has shown that many immigrant youth 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.¹¹ Stressors related to immigration status and the risk of deportation negatively impact all aspects of an undocumented or non-citizen individual’s life, including their education. In addition, a deportation can severely impact the individual deported, sending them to a country in which they have not lived for many years or where they fear for their life, and separating them from their families. Family members of those subject to immigration enforcement often suffer as well, through the

⁸ See 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>; 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); 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>.

⁹ 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>.

¹⁰ 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>.

¹¹ 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>.

psychological pain of family separation as well as through financial strain and other hardships as a result.

6. Recent California laws aim to limit the use of state resources for immigration enforcement activity

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. AB 699 required all local educational agencies to adopt the Attorney General's model policies or an equivalent. The Attorney General issued its guidance and model policies in 2018, though they were updated in December 2024. The model policies for K-12 schools include that: personnel should not inquire specifically about a student or their parent or guardian's citizenship or immigration status; local educational agencies avoid disclosing information that might indicate a student or their family's immigration status; schools should prohibit access to school grounds during school hours for all outsiders who have not registered; entry to the schoolsite by immigration enforcement officers is reported to on-site police and administrators; any request for access to a school by an immigration officer, including of specific information requested from the officer, be reported to an administrator; and school personnel generally do not consent to an immigration officer's access to the school without a valid warrant or a claim of exigent circumstances.¹²

The same year that the Legislature passed AB 699, it also passed two other immigration-related bills: AB 450 (Chiu, Ch. 492, Stats. 2017) and SB 54 (De León, Ch. 495, Stats. 2017). AB 450 prohibited an employer from providing voluntary consent to an immigration officer to enter a non-public area of the workplace without being provided a judicial warrant, and placed a similar prohibition on providing immigration officers access to the employer's employee records. SB 54 prohibited law enforcement agencies from using their resources for immigration enforcement or from cooperating in

¹² 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. (Dec. 2024), available at <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and>.

immigration enforcement activities. In addition, SB 54 also required the Attorney General to publish various model policies regarding local entities' involvement or cooperation with immigration enforcement.

7. SB 48 aims to limit immigration enforcement activities at California schools

SB 48 aims to build on these laws. Specifically, it prohibits a local educational agency and its personnel from granting permission to access a nonpublic area of a schoolsite to an immigration authority, producing a student for questioning by an immigration authority, or consenting to a search of a nonpublic area of the schoolsite by an immigration authority, unless the immigration authority has a valid judicial warrant. SB 48 would specify that, if the immigration authority does have a valid warrant, the agency or its personnel must request valid identification from the officer and a written statement of purpose, and must notify a designated administrator of the request as soon as possible. If an immigration officer does not have a valid judicial warrant, SB 48 requires the school or its personnel to deny access to the immigration officer, document the denial, and notify the designated administrator.

In addition to these requirements regarding an immigration authority's request for access to a schoolsite, SB 48 creates a similar prohibition on the disclosure or providing of the educational records of or any information about a student, the student's family or household, a school employee, or a teacher. If an immigration authority requests such information pursuant to a valid judicial warrant or court order, SB 48 specifies that the disclosure must satisfy the parent notification requirements of FERPA. This means that the school must make reasonable efforts to notify the parent or certain eligible students of the judicial warrant or court order in advance of the school's compliance, so that the parent or student can seek protective action. (*See* 34 C.F.R. 99.31(a)(9)(ii).) SB 48 specifies that it is an urgency clause to take immediate effect upon enactment, which is necessary to ensure that schools continue to provide children and their families guaranteed access to school campuses without contributing to fear of deportation, harassment, or intimidation by immigration authorities, and to retain critically needed attendance-based funding.

8. Arguments in support

According to the California Superintendent of Public Instruction, who is a sponsor of SB 48:

This bill prohibits local educational agencies (LEAs) from granting immigration authorities access to school sites or to students for the purpose of searching or questioning without a valid judicial warrant. The bill requires LEAs to follow a specified process in these instances and mandates that the Attorney General public model policies for LEAs to respond to immigration enforcement actions.

Nearly 11 million immigrants call California home. One in five California children live in mixed-status families, in which at least one parent is undocumented. Every student, no matter their immigration status or their family's status, has the right to an education. This right to education is a fundamental guarantee protected by law, ensuring that every individual, regardless of background or status, has access to learning opportunities and the resources needed to succeed. Our immigrant communities in California are under attack, and many are fearful about sending their children to school. The rising fears of deportation among families creates a chilling effect on educational activities, leading to lower school attendance and reduced funding that supports all students.

SB 48 strengthens California's ability to ensure safe, supportive learning environments by prohibiting LEAs and staff from allowing immigration authorities on school sites or sharing student, family, or staff information without a judicial warrant. This significant legislation builds guardrails to guarantee all students and families can safely enter school environments without the crippling fear of immigration enforcement actions.

SUPPORT

California Superintendent of Public Instruction Tony Thurmond (sponsor)
CFT- a Union of Educators & Classified Professionals, AFT, AFL-CIO (sponsor)
Alameda County Office of Education
Alliance College-ready Public Schools
Aspire Public Schools
Bend the Arc: Jewish Action California
California Alliance of Child and Family Services
California Association for Bilingual Education (CABE)
California Association of Food Banks
California Community Foundation
California County Superintendents
California Faculty Association
California Federation of Labor Unions, AFL-CIO
California Immigrant Policy Center
California School Employees Association
California State Council of Service Employees International Union (SEIU California)
California Teachers Association
California Undocumented Higher Education Coalition
Children Now
County of Alameda
County of Monterey
Davis College Democrats
Disability Rights California

Early Edge California
Electronic Frontier Foundation
Fresno Unified School District
Hispanas Organized for Political Equality
Long Beach Community College District
Los Angeles County Office of Education
Nextgen California
Northern California College Promise Coalition
Public Advocates
San Mateo; County of
Santa Monica Democratic Club
Seneca Family of Agencies
Soledad; City of
Teachers Association of Long Beach
The Education Trust - West
Western Center on Law & Poverty

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation:

SB 98 (Cervantes, 2025) 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. SB 98 is currently pending before the Senate Appropriations 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, 2020) 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 due to COVID-19 related bill limits.

SB 54 (De León, Ch. 495, Stats. 2017) prohibited state and local law enforcement agencies from using money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, subject to exception, and required the issuance and adoption by various entities of model policies limiting assistance with immigration enforcement and limiting the availability of information for immigration enforcement.

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 450 (Chiu, Ch. 492, Stats. 2017) prohibited an employer from providing voluntary consent to an immigration officer to enter a non-public area of the workplace without being provided a judicial warrant. AB 450 also prohibited an employer from providing immigration officers voluntary consent to access, review, or obtain an employer's employee records without a subpoena or judicial warrant, except for in the context of a valid request to review I-9 employment eligibility verification forms and related records.

PRIOR VOTES:

Senate Education Committee (Ayes 6, Noes 1)
