

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

AB 419 (Connolly)
Version: March 27, 2025
Hearing Date: July 8, 2025
Fiscal: Yes
Urgency: No
ID

SUBJECT

Educational equity: immigration enforcement

DIGEST

This bill requires the governing boards or bodies of local educational agencies to post the Attorney General's "Know Your Educational Rights" guide, in every language in which the Attorney General provides it, in the administrative buildings of the agency, on the internet website of the agency, and at each of the agency's schoolsites.

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. In 2017, California enacted AB 699 (O'Donnell, Ch. 493, Stats. 2017) to prohibit school officials from collecting information or documents regarding the citizenship or immigration status of students or their family members. It also required local educational agencies to provide parents and guardians of students with information regarding their children's right to a free public education regardless of immigration status or religious beliefs, including a "know your rights" guide established by the Attorney General. AB 419 builds upon this requirement by requiring local educational agencies to provide the Attorney General's updated guide, and to post the guide, in all languages in which the Attorney General provides it, in the agency's administrative offices and at every schoolsite.

AB 419 is author-sponsored, and is supported by the California Teachers' Association and a number of unions and educational organizations. The Committee has received no timely letters of opposition. AB 419 previously passed out of the Senate Education Committee by a vote of 6 to 1.

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 which 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) Updates the required information that must be provided to parents and guardians of students described in (6), above, to include the Attorney General's most-recent guide, the "Know Your Educational Rights" guide.

- 2) Requires that the governing board or body of local educational agencies post the Attorney General's "Know Your Educational Rights" guide in the administrative buildings and on the internet websites of the local educational agency and at each of its schoolsites. Requires that the guide be posted in every language provided by the Attorney General.

COMMENTS

1. Author's statement

According to the author:

Every child in California deserves to pursue a public education without fear. In light of recent federal direction to conduct immigration enforcement even in locations like schools, hospitals, and places of worship, students should be aware of the confidentiality of their personal information and armed with resources for emergencies. This legislation will ensure that immigrant students and families know what their rights are, what information is required for school enrollment, and what steps can be taken to protect sensitive information about students and families.

2. California's undocumented and noncitizen residents are valuable members of their communities and California 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 foreign-born 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 who deserve just treatment and the right to go to school and be a part of

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 Migrant 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.*

their communities without constant fear of being forcibly deported to a foreign country. Moreover, in the case *Plyler v. Doe*, the Supreme Court ruled that all children in the United States, regardless of their immigration status, have a constitutionally protected right to a free public education. (*Plyler v. Doe* (1982) 457 U.S. 202.)

3. The increasing threat of immigration enforcement in California

The federal government, primarily through the Immigration and Customs Enforcement agency (ICE), enforces federal immigration laws in the interior of the country, through placing individuals suspected of being deportable in deportation proceedings or executing outstanding deportation orders of an immigration judge. 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. 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, 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.

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 to determine their deportability and if they have any defenses to deportation. So serious are the consequences of deportation proceedings that one immigration judge has called deportation proceedings “death penalty cases heard in traffic court.”⁴ When an individual is stopped by an immigration officer and placed in a removal proceeding, they may be detained in immigration detention, sometimes indefinitely while awaiting their case or deportation.

President Trump, since re-entering the office, has promised to ramp up immigration enforcement and greatly increase deportations, and in doing so has understandably stoked considerable fear among immigrant communities. Shortly after taking office, President Trump ended long-standing federal policy that limited immigration enforcement activity at “sensitive locations” like schools, places of worship, and funerals and other religious ceremonies.⁵ In 2021, the Biden administration

⁴ 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>.

⁵ See Benjamin 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> (hereafter Huffman memo); James A. Puleo, Memorandum:

strengthened this sensitive locations policy with new guidance that expanded the protected, sensitive locations to include places like licensed daycare centers, medical facilities, places where children gather, crisis centers, disaster relief centers, community-based organizations, homeless shelters, and domestic violence shelters.⁶ However, on January 2025, the Trump Administration rescinded the sensitive locations policy, and instead explicitly permitted immigration enforcement officers to conduct enforcement activities in any location at their individual discretion.⁷

The consequences of the threat of increased immigration enforcement activity is significant. Schools across the country have reported experiencing considerable drops in school attendance as students and their families fear being stopped or questioned by immigration authorities at or on their way to school.⁸ One report found that a 22 percent increase in school absences in Central Valley school districts coincided with recent increased immigration raids in those communities.⁹ There also have been numerous reports of immigration authorities attempting to carry out immigration enforcement activities at or near schools across the country, including a report of immigration agents who attempted to enter two Los Angeles elementary schools in April.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.

Enforcement Activities at Schools, Places of Worship, or at funerals or other religious ceremonies, Imm. & Nationality Svcs., HQ 807-P (May 17, 1993).

⁶ 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> (hereafter Mayorkas memo).

⁷ See, Huffman memo, *supra* note 5.

⁸ 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>.

⁹ Thomas Dee, *Recent Immigration Raids Increased Student Absences*, Annenberg Institute 25-1202 (Jun. 2025), available at <https://edworkingpapers.com/ai25-1202>.

¹⁰ Austin Turner, "Homeland security agents showed up at 2 L.A. schools. Here's what happened next," KTLA 5 (Apr. 10, 2025) <https://ktla.com/news/local-news/2-l-a-schools-deny-entry-for-federal-agents-as-immigration-enforcement-fears-ramp-up/>; 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>.

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>.

4. Recent California laws aim to protect California's noncitizen students and make California's schools a safe place for learning

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 prohibits a school from collecting information or documents regarding a pupil or their family members' immigration status and requires 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 requires 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 requires 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

Lastly, AB 699 requires that the governing body of a local educational agency must provide students and their parents and guardians with a variety of resources and information. It requires that parents and guardians be provided information regarding their children's right to a free public education regardless of immigration status or religious beliefs, including information related to an individual's rights when dealing with immigration enforcement officers, commonly called the "know your rights" guide, established by the Attorney General. (Ed. Code § 234.7(d).) AB 699 permitted this information to be provided to parents and guardians in annual notices.

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>.

After the passage of AB 699, the Attorney General published two guides.¹³ The Attorney General's "Know your Immigration Rights and Protection Under the Law" guide explains immigrants' rights to: an attorney; access to various public benefits and emergency medical care; work in a workplace free of harassment and discrimination; request companies to stop selling personal data; access the police report if they're a victim of crime; not to provide one's immigration status for immigration enforcement purposes to local and state law enforcement; and to not have one's personal information shared by local and state law enforcement for immigration enforcement; and, for students, their right to a free public education regardless of immigration status. It also explains that state and local law enforcement cannot assist with immigration enforcement, except for in limited instances. The other guide is titled "Protect Yourself from Immigration Scams," and advises immigrants seeking legal assistance with their immigration status on how to find qualified assistance and to avoid unlicensed immigration consultants, or "notarios."

In January 2025, the Attorney General published two new, updated guides. One, called the "Know your Educational Rights," guide, expands upon the know-your-rights information of the Attorney General's previous guide, and includes information regarding family safety plans in case the parent or guardian is detained or deported, how to file a complaint for a hate crime, and the information that an individual does not have to share with school officials. The second guide provides a reference guide for school officials regarding how to handle immigration enforcement officers or requests for information about a student or a student's family members. Both guides are available in both English and Spanish.

5. AB 419 expands AB 699's requirements to increase access to vital "know your rights" information

Knowing one's rights, including your rights when interacting with officers conducting immigration enforcement activities, is essential to ensuring that those rights are respected and that communities are protected. AB 419 expands upon the requirements established by AB 699 to make the Attorney General's "know your rights" guide more available in California's educational settings. It would require this guide be posted in the administrative buildings and on the internet websites of local educational agencies as well as each schoolsite in the school district. This would ensure that the guide is readily available on California's schoolsites and schools' administrative offices, and thus make it accessible if any individual or school official needs to refer to it in response to an immigration enforcement action taken or attempted to be taken on the school grounds. To also better increase the availability of the guide, AB 419 requires that the

¹³ See, Office of Attorney General, "Attorney General Bonta Issues Guidance on Educational Rights of Immigrant Students and Their Families," (Jan. 6, 2025) <https://oag.ca.gov/news/press-releases/attorney-general-bonta-issues-guidance-educational-rights-immigrant-students-and->

guide be posted in all languages in which it is provided by the Attorney General. Currently, the guide is provided in English and Spanish.

SUPPORT

California Academy of Child and Adolescent Psychiatry
California Alliance of Child and Family Services
California Association for Bilingual Education (CABE)
California Federation of Labor Unions, AFL-CIO
California State Council of Service Employees International Union
California Teachers Association
California Undocumented Higher Education Coalition
Californians Together
CFT- a Union of Educators & Classified Professionals, Aft, AFL-CIO
Fresno Unified School District
Los Angeles County Office of Education
Partnership for Los Angeles Schools
Teach Plus - California

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 Assembly Education Committee.

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 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 this 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.

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. Required the governing body of local educational agencies to provide specified information of their rights to parents and guardians of students.

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 1)

Assembly Floor (Ayes 64, Noes 8)

Assembly Appropriations Committee (Ayes 11, Noes 1)

Assembly Judiciary Committee (Ayes 9, Noes 1)

Assembly Education Committee (Ayes 7, Noes 2)
