

Date of Hearing: July 2, 2025

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
SB 98 (Pérez) – As Amended June 23, 2025

**[Note: This bill was double referred to the Assembly Higher Education Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SENATE VOTE:**

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

**SUMMARY:** Requires, as an urgency measure, local educational agencies (LEAs) and institutions of higher education, as specified, to issue notification when the presence of immigration enforcement is confirmed on their respective campuses or schoolsites. Specifically, **this bill:**

- 1) Requires the superintendent of a school district or county office of education (COE), or their designee, and the principal of a charter school, or their designee, to notify all teachers, staff, other school community members that work on the schoolsite, parents, and guardians when the presence of immigration enforcement is confirmed on the schoolsite.
- 2) Requires the notifications in (1) to include all of the following:
  - 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 model policies related to immigration enforcement adopted by the LEA.
- 3) Specifies that these provisions do not prohibit the governing board or body of an LEA from establishing stronger standards or protections.
- 4) Prohibits the notifications from including any personally identifiable information.
- 5) Defines “immigration enforcement” as any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes 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 (U.S.).
- 6) Is an urgency statute in order to ensure the safety of all students, faculty, and staff by preventing panic and to promote a greater sense of calm and security on schoolsites and campuses.

**EXISTING LAW:**

- 1) States that it is the policy of the State of California to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, equal rights and opportunities in the educational institutions of the state. (Education Code (EC) Section 200)
- 2) Prohibits discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls students who receive state student financial aid. (EC Section 220)
- 3) Establishes the Safe Place to Learn Act, which requires the California Department of Education (CDE) to assess whether LEAs have adopted a policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics, including immigration status and established a process for receiving and investigating complaints of discrimination, harassment, intimidation and bullying based on those characteristics. (EC Section 234.1)
- 4) Prohibits LEAs from collecting information or documents regarding citizenship or immigration status of students or their family members. (EC 234.7)
- 5) Requires the superintendent of a school district or county office of education (COE) and the principal of a charter school to report to the respective governing board or body of the LEA any requests for information or access to a schoolsite by a law enforcement official for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. (EC 234.7)
- 6) Requires that if a school employee is aware that a student's parent or guardian is not available to care for them, the school first exhausts any parental instruction relating to the student's care in the emergency contact information it has to arrange for the student's care. Encourages schools to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian. (EC 234.7)
- 7) Requires LEAs 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. This includes information relating to "know your rights" immigration enforcement established by the Attorney General (AG) and may be provided in the annual notification to parents and guardians or any other cost-effective means determined by the LEA; and

- b) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs. (EC 234.7)
- 8) Requires the AG, in consultation with stakeholders, to publish model policies limiting assistance with immigration enforcement at public schools to the fullest extent possible, consistent with federal and state law, by April 1, 2018. Requires the AG to consider all of the following issues in developing the model policies:
- a) Procedures related to requests for access to school grounds for purposes related to immigration enforcement;
  - b) Procedures for LEA employees to notify the superintendent of the school district or the COE or the principal of the charter school 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. (EC 234.7)
- 10) Requires all LEAs to adopt the model policies developed by the AG by July 1, 2018. (EC 234.7)

**FISCAL EFFECT:** According to the Senate Appropriations Committee:

- The Chancellor’s Office estimates one-time Proposition 98 costs of \$16,000 to \$24,000 per community college district, or \$1.2 million to \$1.7 million statewide, to develop and update the necessary policies, training, and technology systems to ensure all students, faculty, and staff are notified regarding the presence of federal immigration authorities. This estimate primarily includes the costs to update existing protocols and procedures regarding immigration enforcement actions and clarify the responsibilities of the district chancellor/college president.
- The UC and CSU indicate that any costs resulting from the bill would be minor and absorbable within existing resources.

**COMMENTS:**

***This bill*** requires public schools operated by a school district, COE, or charter school, to notify parents and all staff working on the schoolsite once the presence of immigration enforcement is confirmed. The bill does not require that this notification be provided to students in schools serving grades TK through 12.

***Need for the bill.*** 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 on campus 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 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.”

***New federal policy on immigration enforcement in schools.*** Since 1993, the Department of Homeland Security (DHS), formerly known as the Immigration and Naturalization Service, has had a policy to "attempt to avoid apprehension of persons and to tightly control investigative operations on the premises of schools, places of worship, funerals and other religious ceremonies." In 2011, the DHS reaffirmed the policy of avoiding enforcement actions at “sensitive locations” such as schools and churches, unless exigent circumstances exist, a law enforcement action leads to a sensitive location, or prior approval is obtained.

A 2021 memo from the U.S. DHS reiterated guidance for Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) in or near sensitive locations and included the following statement:

To the fullest extent possible, we should not take an enforcement action in or near a location that would restrain people’s access to essential services or engagement in essential activities. Such a location is referred to as a protected area.

The memo includes examples of protected areas, including “a school, such as a pre-school, primary or secondary school, vocational or trade school, or college or university.” It also included “a place where children gather, such as a playground, recreation center, childcare center, before- or after-school care center, foster care facility, group home for children, or school bus stop.”

A communication from the U.S. Department of Justice issued on January 21, 2025 rescinded guidelines for ICE and CBP enforcement actions that prohibit law enforcement activity in or near so-called “sensitive areas.” The memo notes that federal law prohibits state and local actors from resisting, obstructing, and otherwise failing to comply with lawful immigration-related commands and requests. A DHS spokesperson noted, “Criminals will no longer be able to hide in America’s schools and churches to avoid arrest. The Trump Administration will not tie the hands of our brave law enforcement, and instead trusts them to use common sense.”

***Immigration status among California students and parents.*** According to the Public Policy Institute of California (PPIC), an estimated 133,000 California public school students are undocumented. Almost one in eight students—about 750,000 young people—have at least one parent who is undocumented; the ratio is higher if it includes grandparents, aunts and uncles, cousins, neighbors, and friends. California also has the second largest population of unaccompanied minors in the United States—nearly 100,000 in 2024. These children are required to enroll in school while navigating deportation proceedings.

***Right to public education.*** The U.S. Supreme Court, in a 1982 decision, *Plyler v. Doe*, upheld the right of undocumented children to free public education. The lawsuit stemmed from a 1975 Texas law that authorized school districts to deny enrollment of children and withhold state funds for the education of children not legally admitted to the U.S. The Supreme Court argued that the denial of public education would be a violation of the U.S. Constitution's Fourteenth Amendment, which does not allow states to deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

In 1994, Proposition 187 was approved by the voters. It would have prohibited the provision of public health, social services, and education to undocumented immigrants, and would have required law enforcement, teachers, social service, and healthcare workers to verify a person's immigration status. A federal judge found the initiative unconstitutional.

***Harm to children from immigration enforcement.*** According to a report from the Center for American Progress, it is not simply enforcement actions themselves, such as detentions, deportations, raids, or traffic stops, that affect undocumented immigrants and their communities, but also the fear of enforcement actions. The expansion of immigration enforcement pushes even those with legal status to fear that their loved ones could be deported. This fear can take many forms, such as individuals refusing to leave their homes or take their children to school due to an impending raid. Within the school, these actions instill fear in young people and their families, making them perceive schools as a place where family members may be detained. In some cases, ICE officers detained parents after they dropped their children off at school. Students may underperform or drop out of school early due to fears of detention or the knowledge that without legal status, access to higher education and a good job are inaccessible. (Center for American Progress, 2012)

This report further notes that “some youth, particularly those whose parents are undocumented, learn early on that their undocumented status makes them different, vulnerable, and even suspect. This is especially driven home by nervous parents who, when fearful of deportation, may not take their children, including U.S.-born children, to school. Even though research by the Urban Institute found that schools provide a safe haven for children who have lost a family member to immigration enforcement, helping these students cope and adjust, the schools can only provide these functions when parents feel comfortable enough to send their children, not fearing immigration reprisal.” (Center for American Progress, 2012)

In addition to impacts on a child’s schooling, “families may avoid interacting with officials in social service agencies, even when this means denying children the social, medical, and educational services they need and are entitled to. In the process, children learn to be fearful of authorities who may, at any moment during a regular activity such as attending school, separate them from their families or send them to a country they do not remember or simply do not know.” (Center for American Progress, 2012)

The American Psychological Association reports that research has found that the fear of deportation and the perceived impact of the vulnerability of the family are associated with poorer emotional well-being and academic performance for children (Brabeck, 2010). Raids and deportation are traumatic experiences resulting in fear, isolation, and depression for children, who are mostly U.S. citizens.

***Immigration enforcement impacts student absenteeism.*** Recent research has identified numerous ways in which immigration enforcement actions can affect educational outcomes for students, regardless of their immigration status, including student absenteeism. One study looked at the immediate and sustained impacts of immigration arrests on student attendance. Findings suggest that incidents involving a greater number of immigration arrests correspond to immediate spikes in student absenteeism, as high as 11% points for certain student demographics. Additionally, the district’s attendance rate sustained a cumulative 2% decline following two incidents involving the greatest number of arrests. (Kirksey, 2024)

A study released in June 2025 examined the attendance patterns of five school districts in California’s Central Valley, including Kern, Kings, Tulare, and Fresno counties. The study evaluated whether student absences during the recent increase in immigration enforcement in January and February of 2025 differed from what would be expected based on the seasonal patterns observed during prior school years. The results identified a 22% increase in daily student absences during this period. The increase in absences was particularly acute for students in grades K-5, as it was over three times larger than the effect among students in high school. The author notes that this increase in absenteeism may have educational implications for all students as the pacing and character of classroom instruction respond to the challenges created by increased absenteeism and stress among students. (Dee, 2025)

***The Committee may wish to consider*** whether notifying parents of incidents of immigration enforcement at their child’s school would further exacerbate student absenteeism.

***Arguments in support.*** The Fresno Unified School District writes, “The presence of immigration enforcement officers can have detrimental effects on the student body and staff. 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 this gap by requiring that the school community is notified of confirmed immigration enforcement efforts on campus. These notifications are important 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.”

***Related legislation.*** AB 49 (Muratsuchi) of the 2025-26 Session, an urgency measure, would prohibit an LEA from allowing an immigration enforcement agency employee or officer to enter a schoolsite without valid identification and a warrant, court order, or exigent circumstances. Specifies that an officer or employee of an immigration enforcement agency meeting the bill’s requirements shall only have access to facilities where students are not present. Also prohibits an LEA from collecting information or documents regarding citizenship or immigration status of students or their family members.

SB 48 (Gonzalez) of the 2025-26 Session, an urgency measure, would prohibit an LEA from granting an ICE officer permission to access a school campus without a judicial warrant and

would require an LEA to have the denial of permission for access witnessed and documented, to the extent possible. Prohibits an LEA from disclosing or providing the education records or any information about a student or their family to an ICE officer without a judicial warrant and the written consent of the student's parent or guardian. Also prohibits California law enforcement agencies from collaborating with, or providing information about, students or their families, or school employees, to immigration authorities during immigration enforcement actions taking place within one mile of a schoolsite.

AB 495 (Celeste Rodriguez) of the 2025-26 Session encourages schools to work with parents or guardians to update their student's emergency contact information; provide information to parents, including the AG's guidance on responding to immigration issues, as well as information related to plans for family safety; and require LEAs to revise their model policies on responding to immigration enforcement as necessary to align with updates to the model policies developed by the AG. The bill also establishes the Family Preparedness Plan Act of 2025 and authorizes a court to appoint guardians of a minor when the parent is temporarily unavailable to care for the child due to immigration administrative actions. The bill would also prohibit licensed childcare facilities and employees of such facilities from collecting information or documents regarding citizenship or immigration status of children or their family members and require reporting to the Department of Social Services and the AG of any requests for information or access to the facility by an officer or employee of a law enforcement agency conducting immigration enforcement actions. AB 495 also requires the AG, by April 1, 2026, to publish model policies limiting assistance with immigration enforcement at childcare facilities and requires all licensed childcare facilities to adopt the model policies by July 1, 2026.

AB 419 (Connolly) of the 2025-26 Session requires LEAs to post specified information about immigration enforcement actions at California schools on its website and the website of each school within the LEA in English and any additional languages that a school is required to provide translated documents.

AB 699 (O'Donnell) Chapter 493, Statutes of 2017, requires the AG to publish model policies limiting assistance with immigration enforcement at public schools, requires LEAs to adopt the model policies or equivalent policies, and provides education and support to immigrant students and their families.

SB 54 (De León) Chapter 495, Statutes of 2017, limits the involvement of state and local law enforcement agencies in federal immigration enforcement. Requires the AG to publish model policies limiting assistance with immigration enforcement to the fullest extent possible consistent with federal and state law at public schools, public libraries, health facilities operated by the state or a political subdivision of the state, courthouses, Division of Labor Standards Enforcement facilities, the Division of Workers Compensation, and shelters, and ensuring that they remain safe and accessible to all California residents, regardless of immigration status. Requires all public schools, health facilities operated by the state or a political subdivision of the state, and courthouses to implement the model policy or an equivalent policy.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Alianza  
Alliance College-ready Public Schools

Alliance for a Better Community  
California Academy of Child and Adolescent Psychiatry  
California Alliance of Child and Family Services  
California Association for Bilingual Education  
California Catholic Conference  
California Charter Schools Association  
California Community Colleges Chancellor's Office  
California Faculty Association  
California Federation of Labor Unions  
California Immigrant Policy Center  
California Labor Federation  
California Latino Legislative Caucus  
California School Employees Association  
California State Council of Service Employees International Union  
California State PTA  
California State Student Association  
California Undocumented Higher Education Coalition  
Californians Together  
CFT- a Union of Educators & Classified Professionals  
Coalition for Humane Immigrant Rights  
College for All Coalition  
Ednovate  
Edtrust-west  
First 5 California  
Fresno Unified School District  
Friends Committee on Legislation of California  
Gathering for Justice  
Generation Up  
Hispanas Organized for Political Equality  
Hispanas Organized for Political Equality  
Latino and Latina Roundtable of the San Gabriel and Pomona Valley  
Los Angeles County Office of Education  
Loyola Marymount University - the Center for Equity for English Learners  
Nextgen California  
Nextgen Policy  
Pacific Juvenile Defender Center  
Partnership for Los Angeles Schools  
Power California Action  
Sacramento Immigration Coalition  
San Bernardino Community College District  
San Francisco Unified School District  
Santa Clara County School Boards Association  
Student Senate for California Community Colleges  
Swing Left Inland Valley  
Teach Plus  
The Black Alliance for Just Immigration  
The Education Trust - West  
The Gathering for Justice  
UC Student Association



Unidosus  
University of California Student Association  
1 individual

**Opposition**

6 individuals

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