

ASSEMBLY THIRD READING  
AB 2460 (Celeste Rodriguez)  
As Amended April 6, 2026  
Majority vote

## SUMMARY

Requires the California Department of Education (CDE) by July 1, 2027, in consultation with appropriate stakeholders, to update the model behavioral health referral protocols to include guidance on providing supports in case of a local emergency related to immigration enforcement activities; and requires the governing board or body of a local educational agency (LEA) serving students in grades 7 to 12 to adopt an updated policy on referral protocols to include guidance on immigration enforcement.

### Major Provisions

- 1) Requires the CDE, in consultation with appropriate stakeholders, to update the model referral protocols for addressing pupil behavioral health concerns to include guidance on providing equity-centered mental health supports in case of a local emergency related to immigration enforcement activities or deportations of pupils or their family members, and to post these protocols on their website by July 1, 2027.
- 2) Requires the governing board or body of an LEA serving students in grades 7 to 12, by July 1, 2028, to adopt an updated policy on referral protocols for addressing pupil behavioral health concerns to include guidance on providing equity-centered mental health support in case of a local emergency related to immigration enforcement activities or deportations of pupils or their family members.
- 3) Requires the policy to be adopted by LEAs to be based on the updated model referral protocols developed by the CDE or developed locally in consultation with school and community stakeholders and school-linked behavioral health professionals, and at a minimum, address procedures relating to referrals to behavioral health professionals and support services.

## COMMENTS

*This bill* would not mandate the provision of any behavioral health services to students as it requires the adoption of guidance and protocols rather than any direct services. It requires the CDE to update the existing model behavioral health referral protocols to include guidance on supports in the case of impacts of immigration enforcement activities by July 1, 2027. LEAs serving students in grades 7 to 12 would be required to adopt updated protocols by July 1, 2028.

*LEAs currently required to develop policies on referral protocols.* SB 153 (Committee on Budget and Fiscal Review) Chapter 38, Statutes of 2024, requires LEAs to adopt a policy on referral protocols for addressing student behavioral health concerns in grades 7 to 12 by January 31, 2026. LEAs may adopt the model policy developed by the CDE or develop a local policy, as specified.

*Immigration status among California children and parents.* Approximately 4.2 million children in California had at least one immigrant parent in 2017-18, according to the Urban Institute. Of

these children, 93% are U.S. citizens. Over 1 million children in California have at least one undocumented parent.

*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 it is 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, Immigration and Customs Enforcement (ICE) officers detained parents after they dropped their children off at school. Students may underperform or exit school early based on 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)

*Increased immigration enforcement activity.* 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 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 more recent 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."

### **According to the Author**

According to the author, "Students cannot succeed in school when fear and trauma keep them from the classroom. In many immigrant communities, aggressive immigration enforcement has created deep anxiety for children who fear family separation, parental detention, or sudden disruption at home. That fear does not stay outside the school gates — it affects attendance, concentration, emotional well-being, and a student's ability to learn."

AB 2460 recognizes that schools need a clearer mental health framework to respond when students are experiencing this kind of community-wide trauma. California's children deserve learning environments that are prepared to support them with stability, compassion, and continuity during times of crisis."

### **Arguments in Support**

None on file

### **Arguments in Opposition**

None on file

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee:

- 1) Minor and absorbable costs to the CDE to update model referral protocols.
- 2) Proposition 98 General Fund costs of an unknown amount, likely minor and absorbable, for LEAs to update their existing referral protocols.

## **VOTES**

### **ASM EDUCATION: 9-0-0**

**YES:** Patel, Hoover, Alvarez, Bonta, Castillo, Garcia, Lowenthal, Pellerin, Zbur

### **ASM APPROPRIATIONS: 12-1-2**

**YES:** Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

**NO:** Tangipa

**ABS, ABST OR NV:** Dixon, Ta

## **UPDATED**

VERSION: April 6, 2026

CONSULTANT: Debbie Look / ED. / (916) 319-2087

FN: 0002678