

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 98 (Pérez) – As Amended June 23, 2025

As Proposed to Be Amended

Policy Committee:	Education	Vote:	7 - 2
	Higher Education		7 - 2

Urgency: Yes      State Mandated Local Program: Yes      Reimbursable: Yes

**SUMMARY:**

This bill, as proposed to be amended, requires, for the 2025-26 academic year through January 1, 2031, specified officials of a California State University (CSU) and California Community College (CCC), and requests a University of California (UC), to notify all faculty, staff, students, and other campus community members who work on campus when the presence of immigration enforcement is confirmed on the campus. The bill also requires a public school, by March 1, 2026, to update its comprehensive school safety plan to include immigration enforcement notification procedures, for use until January 1, 2031.

Specifically, the bill defines “immigration enforcement” as any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including an 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. The bill also requires that the notice include specified information regarding the date, time, and location the immigration enforcement was confirmed.

**FISCAL EFFECT:**

- 1) One-time Proposition 98 costs of approximately \$1.2 million to \$1.7 million for the CCCs, collectively 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 assumes a cost of \$16,000 to \$24,000 per community college district to perform these tasks and primarily consists of updating existing protocols and procedures regarding immigration enforcement actions and clarifying the responsibilities of the district chancellor or college president.
- 2) One-time Proposition 98 General Fund costs of an unknown but potentially significant amount for public schools to incorporate immigration enforcement notification procedures into their comprehensive school safety plans pursuant to the requirements of the bill as proposed to be amended.

If each of the state’s approximate total of 2,300 LEAs incur costs of \$250 on average to update policies or resources to comply with this bill, total costs statewide would be around \$1.2 million.

- 3) The UC and CSU indicate that any costs resulting from the bill would be minor and absorbable within existing resources.

**COMMENTS:**

- 1) **Purpose.** According to the author:

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

- 2) **Background. *A Student’s Right to an Education.*** In 1982, the U.S. Supreme Court issued a landmark ruling in *Plyer v. Doe*, holding that a state may not prohibit or prevent undocumented students from attending public schools, absent a substantial state interest. The case arose from a Texas law that withheld funding from school districts because it was used for students that were not “legally admitted” into the United States, and authorized districts to refuse to reimburse local school boards for the cost allocated to educating undocumented students enrolled in the district. The Court dismissed the State of Texas’ proffered “substantial goals.” It reasoned that there was no evidence that the challenged statute would decrease the number of undocumented immigrants in the state, or that undocumented immigrants overburdened the state’s resources including public education, and that there was no indication that undocumented students would not enrich their own communities in Texas as a result of their public education. The court thus held that Texas had failed to demonstrate a sufficiently substantial state interest that justified denying all undocumented students within its borders access to a public education, and thus the statute was an unconstitutional violation of the Fourteenth Amendment.

***Undocumented Students in Higher Education.*** According to the American Immigration Council and Presidents’ Alliance on Higher Education and Immigration, there are approximately 408,000 undocumented students enrolled in colleges and universities in the United States, with an estimated 87,000 of these students attending universities in California. Many of California’s undocumented students have Deferred Action for Childhood Arrivals (DACA) status, which is a federal designation, established in 2012, providing for a deferral of removal action of an individual for a specified number of years so that eligible individuals may have work authorization. However, ongoing litigation has prevented the federal government from approving new applications since July 16, 2021. Should DACA end, recipients will face the risk of deportation similar to all other undocumented individuals.

***Support for Undocumented Students.*** The California Legislature has made a concerted effort to ensure that DACA recipients and undocumented students in general have the ability to earn a college degree and feel safe on campus. For example, in 2017, the Legislature passed the California Values Act, SB 54 (De León), Chapter 495, Statutes of 2017, which limited local law enforcement agencies’ sharing of inmate information with federal immigration

agencies, and prohibited law enforcement agencies from using their resources for immigration enforcement or from cooperating in immigration enforcement activities. SB 54 also required the Attorney General to publish various model policies regarding local entities' involvement or cooperation with immigration enforcement. Such policies were updated in December 2024 and include limiting assistance with immigration enforcement at public schools, public libraries, health care facilities, courthouses, various state agencies, and universities, which public schools, health care facilities operated by the state, and courthouses are required to implement.

The model policies for colleges and universities include that colleges and universities must provide students and their families with an annual notice of the institution's policies for privacy of students' personal information, including information regarding their immigration status, and that colleges and universities must advise all students, faculty, and staff to immediately notify the office of the campus chancellor or president, or their designee, when they are advised that an immigration officer is planning to, will, or has entered the campus for immigration enforcement purposes.

Further, the model policies require that, if there is reason to suspect that a student, faculty member, or staff member has been taken into custody for immigration enforcement, the college or university must notify the person's emergency contact that the person may have been taken into custody. SB 54 encouraged, but did not require, that the UC, CSU, and CCCs implement these model policies. This bill builds upon these model policies by requiring notification campus community members when the presence of immigration enforcement is confirmed on the campus.

***Recent Immigration Enforcement Actions at Schools.*** On Monday, April 7, 2025, several plainclothes federal agents arrived at two Los Angeles-area elementary schools looking for five children who the agents claimed had entered the country without authorization. According to Los Angeles Unified School District (LAUSD) Superintendent Alberto Carvalho:

They declared to the principals in both instances that the caretakers of these students have authorized them to go to the school. We have confirmed that this is a falsehood. We've spoken with the caretakers of these children, in some cases parents, and they deny any interactions, deny providing authorization for these individuals to have any contact with these children at the school.

At the time, district officials could not confirm the individuals were, in fact, representatives of U.S. Immigration and Customs Enforcement (ICE); and in both instances, school officials denied the agents' access to the students. A few days later, Tricia McLaughlin, assistant secretary of the Department of Homeland Security (DHS) confirmed that the individuals were federal agents with Homeland Security Investigations, an ICE unit that conducts criminal investigations into smuggling operations and drug trafficking. However, according to LAUSD, the agents did not present court orders during their visits to the two elementary schools and appeared reluctant to provide identification. LAUSD also indicates the agents left no information at the school about how the students could contact them, or information about how the students could obtain legal and emotional help if they were, in fact, victims of human trafficking.

- 3) **Related Legislation.** AB 49 (Muratsuchi) of the current legislative session, prohibits a school official and employee of a local educational agency from allowing an officer conducting immigration enforcement to enter a schoolsite for any purpose, unless they provide valid identification and a valid judicial warrant or court order, or exigent circumstances necessitate immediate action. The bill is currently awaiting hearing in the Senate Appropriations Committee.

SB 307 (Cervantes) of the current legislative session, requires the Trustees of the CSU, and requests the Regents of the UC, to ensure that an undocumented student's inability to satisfy their academic requirements due to an immigration enforcement activity at their institution does not affect the student's nonresident tuition exemption. The bill is awaiting third reading on the Assembly floor.

**Analysis Prepared by:** Aaron Heredia / APPR. / (916) 319-2081