
UNFINISHED BUSINESS

Bill No: SB 98
Author: Pérez (D), et al.
Amended: 8/28/25
Vote: 27 - Urgency

SENATE EDUCATION COMMITTEE: 6-0, 3/19/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Cortese, Gonzalez, Laird
NO VOTE RECORDED: Choi

SENATE JUDICIARY COMMITTEE: 11-1, 4/8/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener
NOES: Valladares
NO VOTE RECORDED: Niello

SENATE APPROPRIATIONS COMMITTEE: 5-1, 5/23/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto
NO VOTE RECORDED: Dahle

SENATE FLOOR: 29-8, 6/2/25
AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon,
Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón,
McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio,
Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NOES: Alvarado-Gil, Choi, Dahle, Grove, Jones, Seyarto, Strickland, Valladares
NO VOTE RECORDED: Hurtado, Niello, Reyes

ASSEMBLY FLOOR: 54-8, 9/2/25 – Roll call not available

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

SOURCE: California Faculty Association
California State Student Association

Generation Up
Student Senate for California Community Colleges
University of California Student Association

DIGEST: This bill, an urgency measure, requires the governing boards of school districts and county offices of education, and the governing boards of charter schools, to include procedures for notifying parents and school staff when immigration enforcement is confirmed on the school site within the school safety plan. It further requires the California State University (CSU), each California Community College (CCC) District (CCD), and each Cal Grant qualifying independent institution of higher education and requests the University of California (UC) Regents to issue a notification to specified individuals when the presence of immigration enforcement is confirmed on their respective campuses or schoolsites.

Assembly Amendments shift notification requirements into the school safety plans framework, explicitly extend the provisions to charter schools, and move responsibility for issuing notifications from the postsecondary governing boards to the individual campuses.

ANALYSIS:

Existing law:

- 1) 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 citizenship or immigration status of students or their family members. (Education Code (EC) § 234.7 et seq.)
- 2) Requires the superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, to report to the respective governing board or body of the LEA in a timely manner any requests for information or access to a schoolsite by an officer or employee of a law enforcement agency 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 (b))
- 3) Requires the Attorney General (AG), by April 1, 2018, 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 ensure that public schools remain safe and accessible to all California residents, regardless of immigration status. Existing law requires that the AG, in developing the model policies, consider all of the following:

- 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 their designee, the superintendent of the county office of education or their designee, or the principal of the charter school or their designee, as applicable, if an individual requests or gains access to school grounds for purposes related to immigration enforcement.
 - c) Procedures for responding to requests for personal information about students or their family members for purposes of immigration enforcement. (EC § 234.7 (f)(1)(A-C inclusive))
- 4) Requires all school districts, county offices of education, and charter schools to adopt the AG's model policies or equivalent policies limiting assistance with immigration enforcement. (EC § 234.7 (g) and Government Code § 7284.8 (a))
 - 5) Establishes the CSU, under the administration of the Trustees of the CSU, the UC, under the administration of the Regents of the UC, the CCC, under the administration of the Board of Governors of the California Community Colleges, and independent institutions of higher education as four segments of postsecondary education in the state. (EC § 66010, § 70900, § 66600 and California Constitution, Article IX, Section 9)
 - 6) Requires the Trustees of the CSU, the governing boards of CCDs, and independent institutions of higher education that are qualifying institutions for purposes of the Cal Grant Program, and requests the Regents of the UC, to the fullest extent consistent with state and federal law, to implement various precautionary measures when federal immigration enforcement activities are undertaken on campuses of those segments, as specified, including, among others, that those postsecondary entities advise all students, faculty, and staff to notify the office of the chancellor or president, or their designee, as soon as possible, if they are advised that an immigration officer is expected to enter, will enter, or has entered the campus to execute a federal immigration order. (EC § 66093.3 et seq.)

This bill:

- 1) Requires when a comprehensive school safety plan is next reviewed on or before March 1, 2026 through January 1, 2031, it include procedures to notify parents and guardians, teachers, administrators, and other school personnel when the school confirms the presence of immigration enforcement on the schoolsite.
- 2) Requires the content and timing of the notification to consider the safety and well-being of the students, employees, and community members of the schoolsite in the issuing of such notifications.
- 3) Authorizes the notification to include a hyperlink to additional resources for families with information about their educational rights, state laws that protect parents' and students' privacy and confidentiality, and, if available, counseling or support services.
- 4) Applies the notification requirements to charter schools through January 1, 2031.
- 5) Requires each campus of the CCCs, CSUs and independent institution of higher education that is a Cal Grant qualifying institution and requests each UC campus, through January 1, 2031, to notify all students, faculty, and other campus community members who work on campus when the presence of immigration enforcement at a campus is confirmed, to the fullest extent consistent with state and federal law.
- 6) Requires the notifications in (1) and (5) 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.
- 7) Prohibits the notifications from including any personally identifiable information.
- 8) Specifies that these provisions do not prohibit the governing board or body of an LEA from establishing stronger standards or protections.

- 9) 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.).
- 10) Includes an urgency clause, based on the need 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.

Comments

- 1) *Need for this 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 officers 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 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) *Enforcement actions in or near protected areas.* On January 20, 2025, the acting director of the US Department of Homeland Security issued a memo,

effectively rescinding special protection of immigration enforcement activity in or near certain areas. The formerly protected areas included, among other areas, places where children gather, such as schools, daycares, preschools, and other early learning programs, primary and secondary schools, college campuses, as well as education-related activities. Months after the announcement, a team of homeland security agents entered the front office of two Los Angeles Unified School District (LAUSD) campuses—Russell Elementary School and Lillian Street Elementary School seeking to question students they identified as unaccompanied minors. In both cases, principals followed LAUSD protocols and AG’s guidance by requesting identification and judicial warrants. The principals denied access, citing student privacy protections under federal law, including FERPA. Current law requires LEAs to inform families of their right to a free public education regardless of immigration status. This measure additionally seeks to ensure that the broader school and campus community receive communication when immigration enforcement activities are physically present. Notifications are to be issued for confirmed cases.

- 3) *Right to education.* As cited in the AG’s “Guidance and Model Policies to Assist California’s K-12 Schools in Responding to Immigration Issues,” although California cannot control the actions of federal immigration-enforcement agencies, federal and California laws empower schools to welcome all students and to reassure them of their educational rights and opportunities. Further, under the U.S. Constitution, all students have a right to receive an education without discrimination based on immigration status. In *Plyler v. Doe*, the U.S. Supreme Court recognized that undocumented immigrants are guaranteed due-process and equal-protection rights under the U.S. Constitution and that children cannot be denied equal access to a public education on the basis of their immigration status. Therefore, K-12 schools must provide free public education to all students regardless of their immigration status and regardless of the citizenship status of the students’ parents or guardians. Similarly, the California law affirms the equal educational rights of immigrant students. It further affirms that all students and staff, regardless of immigration status, have the right to attend campuses that are safe, secure, and peaceful. Further, the education code prohibits discrimination on the basis of a student’s immigration status.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee analysis, this bill would have the following fiscal impact:

- 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.
- 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.

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

SUPPORT: (Verified 9/2/25)

California Faculty Association (Co-Source)
California State Student Association (Co-Source)
Generation Up (Co-Source)
Student Senate for California Community Colleges (Co-Source)
University of California Student Association (Co-Source)
Alianza
Alliance College-Ready Public Schools
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 Federation of Labor Unions
California Labor Federation, AFL-CIO
California School Employees Association
California State Council of Service Employees International Union
California State PTA
California Undocumented Higher Education Coalition
Californians Together

Coalition for Humane Immigrant Rights
Ednovate
EdTrust-West
Fresno Unified School District
Friends Committee on Legislation of California
Gathering for Justice
Hispanas Organized for Political Equality
Latino Legislative Caucus
Los Angeles County Office of Education
Loyola Marymount University - the Center for Equity for English Learners
NextGen California
Pacific Juvenile Defender Center
Partnership for Los Angeles Schools
Power California Action
Sacramento Immigration Coalition
Santa Clara County School Boards Association
Students for Quality Education at CSU Sacramento
Swing Left Inland Valley
Teach Plus
The Black Alliance for Just Immigration
The Education Trust - West
The Gathering for Justice
Western Center on Law & Poverty
3 Individuals

OPPOSITION: (Verified 9/2/25)

None received

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9/2/25 16:47:13

**** **END** ****