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AB-419 Educational equity: immigration enforcement. (2025-2026)

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Date Published: 10/13/2025 02:00 PM

Assembly Bill No. 419

CHAPTER 663

An act to amend Section 234.7 of the Education Code, relating to educational equity.

[Approved by Governor October 12, 2025. Filed with Secretary of State October 12, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 419, Connolly. Educational equity: immigration enforcement.

Existing law 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 local educational agency from collecting information or documents regarding citizenship or immigration status of pupils or their family members. Existing law requires the governing board or body of a school district, county office of education, or charter school to perform specified actions relating to pupils and immigration status, including, among others, providing information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs.

This bill would require the governing board or body of a local educational agency to post specified information related to immigration enforcement in the administrative buildings and on the internet websites of the local educational agency and each of its schoolsites, as provided. To the extent the bill imposes additional duties on local educational agencies, the bill would impose a state-mandated local program.

This bill would incorporate additional changes to Section 234.7 of the Education Code proposed by AB 49 to be operative only if this bill and AB 49 are enacted and this bill is enacted last.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 234.7 of the Education Code is amended to read:

234.7. (a) 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 local educational agency shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

(b) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency 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.

(c) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update the emergency contact information and not to contact a child protective services agency to arrange for the pupil'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.

(d) The governing board or body of a local educational agency shall do all of the following:

(1) (A) Provide information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to the Immigration-Enforcement Actions at California Schools Guide for Students and Families, also known as "Know Your Educational Rights," developed by the Attorney General and may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(B) Post the guide specified in subparagraph (A) in the administrative buildings and on the internet websites of the local educational agency and each of its schoolsites. The guide shall be posted in every language that the Attorney General provides and shall be updated the school year following any updates published by the Attorney General.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(e) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(f) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall 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. The Attorney General shall, at a minimum, consider all of the following issues when 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 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 pupils or their family members for purposes of immigration enforcement.

(2) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(g) All local educational agencies shall adopt the model policies developed pursuant to subdivision (f), or equivalent policies, by July 1, 2018.

(h) For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.

SEC. 1.5. Section 234.7 of the Education Code is amended to read:

234.7. (a) 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 local educational agency shall not do either of the following:

(1) Collect information or documents regarding citizenship or immigration status of pupils or their family members.

(2) Allow an officer or employee of an agency conducting immigration enforcement to enter a nonpublic area of a schoolsite for any purpose without being presented with a valid judicial warrant or judicial subpoena, or a court order. Any school official or employee of a local educational agency shall, to the extent practicable, request a valid identification from an officer or employee of an agency conducting immigration enforcement seeking to enter a nonpublic area of a schoolsite. This subdivision

shall not be construed to limit a local educational agency's or school official's right to consult with counsel or challenge the validity of a warrant, subpoena, or court order in a court of competent jurisdiction.

(b) A local educational agency and its personnel, to the extent practicable, shall not disclose or provide in writing, verbally, or in any other manner, the education records of or any information about a pupil or a pupil's family and household without the pupil's parents' or guardians' written consent, a school employee, or a teacher, including, but not limited to, personal information as defined in subdivision (a) of Section 1798.3 of the Civil Code, information about a pupil's home, and information about a pupil's travel schedule, to an officer or employee of an agency conducting immigration enforcement absent a valid judicial warrant or judicial subpoena, or court order directing the local educational agency or its personnel to do so. Any disclosure of a pupil's education records pursuant to a valid judicial warrant or judicial subpoena, or court order shall be in accordance with the parent notification requirements set forth in Section 99.31(a)(9)(ii) of Title 34 of the Code of Federal Regulations.

(c) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency 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.

(d) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update the emergency contact information and not to contact a child protective services agency to arrange for the pupil'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.

(e) The governing board or body of a local educational agency shall do all of the following:

(1) (A) Provide information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to the Immigration-Enforcement Actions at California Schools Guide for Students and Families, also known as "Know Your Educational Rights," developed by the Attorney General and may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.

(B) Post the guide specified in subparagraph (A) in the administrative buildings and on the internet websites of the local educational agency and each of its schoolsites. The guide shall be posted in every language that the Attorney General provides and shall be updated the school year following any updates published by the Attorney General.

(2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

(f) This section does not prohibit the governing board or body of a local educational agency from establishing stronger standards and protections.

(g) (1) The Attorney General, by April 1, 2018, in consultation with the appropriate stakeholders, shall 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. The Attorney General shall, at a minimum, consider all of the following issues when 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 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 pupils or their family members for purposes of immigration enforcement.

(2) The Attorney General shall, no later than December 1, 2025, update the model policies described in paragraph (1) to ensure that these policies align with the prohibition applicable to school officials and employees of local educational agencies as described in paragraph (2) of subdivision (a), and the requirements for local educational agencies, as described in this section.

(3) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the Department of Justice may implement, interpret, or make specific this section without taking any regulatory action.

(h) All local educational agencies shall adopt the model policies developed pursuant to paragraph (1) of subdivision (g), or equivalent policies, by July 1, 2018, and shall update those policies to align with this section, including paragraph (2) of subdivision (g), by March 1, 2026.

(i) This section does not prohibit or restrict any governmental entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities immigration status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local governmental entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

(j) A local educational agency shall maintain its policy adopted pursuant to subdivision (h) and make the policy available to the department upon request.

(k) Local educational agencies may be subject to monitoring and auditing by the department to ensure compliance with the requirements of subdivisions (h) and (j).

(l) For purposes of this section, the following definitions apply:

(1) "Immigration enforcement" includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and 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.

(2) "Local educational agency" means a school district, county office of education, or charter school.

(3) "Schoolsite" means an individual school campus of a school district, county office of education, or charter school, an area where a local educational agency's school-sponsored activity is currently being held, or a schoolbus or other transportation provided by a local educational agency.

SEC. 2. Section 1.5 of this bill incorporates amendments to Section 234.7 of the Education Code proposed by both this bill and Assembly Bill 49. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 234.7 of the Education Code, and (3) this bill is enacted after Assembly Bill 49, in which case Section 234.7 of the Education Code, as amended by Assembly Bill 49, shall remain operative only until the operative date of this bill, at which time Section 1.5 of this bill shall become operative, and Section 1 of this bill shall not become operative.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.