



Subject: Notice to County and District Superintendents, Charter School Administrators, School District and Charter School Boards, County Offices of Education, the California State University, California Community College Districts, Cal Grant qualifying independent institutions of higher education, the University of California, and other interested parties re: Legal Requirements under Senate Bill 98 regarding immigration enforcement

The Office of the Attorney General is issuing this bulletin to provide notice to impacted educational entities regarding new legal requirements under Senate Bill (SB) 98. SB 98 requires the governing boards of school districts, county offices of education, and charter schools to include in their school safety plans procedures for notifying parents and school staff when a school confirms the presence of immigration enforcement at its schoolsite. It also requires the California State University, each California Community College District, each Cal Grant qualifying independent institution of higher education, and requests the University of California Regents, to issue notifications to specified individuals when immigration enforcement is confirmed on their campuses or schoolsites. In addition, SB 98 authorizes a chartering authority to deny a charter school's petition if its proposed development of a school safety plan does not include procedures for notifying parents and school staff when immigration enforcement is confirmed on its schoolsite. The requirements related to immigration enforcement notifications under SB 98 are operative from September 20, 2025 until January 1, 2031, at which point, these requirements will be repealed.¹ This bulletin provides an overview of SB 98 and California educational entities' new affirmative obligations under the law.

Existing Legal Requirements

Current California law:

1. Prohibits school officials and employees of a local educational agency from collecting information or documents regarding citizenship or immigration status of students or their family members, except as required by state or federal law or as required to administer a state or federally supported educational program (Ed. Code, § 234.7, subd. (a));
2. Requires the superintendents of school districts and of county offices of education and the principals of charter schools, as applicable, to report 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 potentially identifying information (Ed. Code, § 234.7, subd. (c));
3. Requires the Attorney General to publish model policies limiting assistance with immigration enforcement at public schools by April 1, 2018, and to update the model policies by December 1, 2025.² Requires all local educational agencies to adopt the Attorney General's model policies or equivalent policies limiting assistance with immigration enforcement by July 1, 2018, and to update their policies by March 1, 2026 (Ed. Code, § 234.7, subds. (g) & (h); Gov. Code, § 7284.8, subd. (a));

¹ SB 98 enacts additional provisions that will become operative on January 1, 2031. These provisions are unrelated to the immigration enforcement notification requirements for educational institutions and are thus outside the scope of this bulletin.

² California Department of Justice, *Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes* (Dec. 2025) <<https://oag.ca.gov/system/files/media/school-guidance-model-k12.pdf>> (as of Dec. 31, 2025).



4. Establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, the California Community Colleges, 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 (Ed. Code, §§ 66010, 70900, 66600; Cal. Const., art. IX, § 9);
5. Requires the Trustees of the California State University, the governing boards of the California Community College districts, Cal Grant qualifying independent institutions of higher education, and requests the Regents of the University of California, to the fullest extent consistent with state and federal law, to implement precautionary measures when federal immigration enforcement activities are undertaken on campuses, including advising 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 (Ed. Code, § 66093.3 et seq.); and
6. Allows the governing board of the school district, and mandates the county board of education, to deny petitions for the establishment of charter schools that do not contain a reasonably comprehensive description of the development of a school safety plan, which must include the applicable safety topics listed in Education Code section 32282, subdivision (a)(2).³ (Ed. Code, § 47605, subd. (c)(5)(F)(ii); Ed. Code § 47605.6, subd. (b)(5)(G)(ii).)

New Legal Requirements for Local Educational Agencies (school districts, county offices of education, and charter schools)

SB 98 amends Education Code section 32282, as set forth below:

1. When a comprehensive school safety plan is next reviewed and updated, but by no later than **March 1, 2026**, it must include procedures specifically designed to notify parents and guardians, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement⁴ on the schoolsite (Ed. Code, § 32282, subd. (a)(2)(N)(i));
2. The content and timing of the notifications must consider the safety and well-being of the students, employees, and community members of the schoolsite (Ed. Code, § 32282, subd. (a)(2)(N)(ii));
3. The notification may 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 (Ed. Code, § 32282, subd. (a)(2)(N)(iii)); and

³ The safety topics include: child abuse reporting procedures; routine and emergency disaster procedures, including adaptations for students with disabilities; policies regarding expulsion and referrals to a program of study for students who committed an act listed in Education Code section 48195, subdivision (c) and other school-designated serious acts; procedures to notify teachers of dangerous students; a discrimination and harassment policy; provisions of any schoolwide dress code; procedures for safe ingress and egress of students, parents, and school employees to and from school; a safe and orderly environment conducive to learning; rules and procedures on school discipline; procedures for conducting tactical responses to criminal incidents; emergency drill procedures, if applicable; procedures to assess and respond to reports of any dangerous, violent, or unlawful activity being conducted or threatened to be conducted; procedures to respond to incidents involving an individual experiencing a sudden cardiac arrest or a similar life-threatening medical emergency; and for schools that serve students in any of grades 7 to 12, a protocol for situations in which a student is experiencing, or is reasonably believed to be experiencing, an opioid overdose. (Ed. Code, § 32282, subd. (a)(2)(A-N).)

⁴ "Immigration enforcement" includes 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. (Ed. Code, § 32282, subd. (a)(2)(N)(v).)

4. Notifications cannot include any personally identifiable information. (Ed. Code, § 32282, subd. (a)(2)(N)(iv).)

New Legal Requirements for Petitions to Establish Charter Schools

SB 98 amends Education Code sections 47605 and 47605.6, and adds 47606.3, as set forth below:

1. The governing board of the school district is authorized, and the county board of education is mandated, to deny petitions for the establishment of charter schools that do not contain a reasonably comprehensive description of the development of a school safety plan, and the annual review and update of the plan by March 1 each year (Ed. Code, § 47605, subd. (c)(5)(F)(ii); Ed. Code § 47605.6, subd. (b)(5)(G)(ii); Ed. Code, § 47606.3, subd. (a)(3)); and
2. The description of the development of a school safety plan must include procedures specifically designed to notify parents and guardians, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on the schoolsite, pursuant to Education Code section 32282, subdivision (a)(2)(N).⁵ (Ed. Code, § 47606.3, subd. (a)(1).)

New Legal Requirements for Postsecondary Educational Institutions

The following are affirmative obligations for the Trustees of the California State University, the governing boards of the California Community College Districts, and Cal Grant qualifying independent institutions of higher education, and are advisory for the Regents of the University of California, under Education Code section 66093.3:

1. Each campus shall notify all students, faculty, staff, and campus community members who work on campus when the presence of immigration enforcement⁶ is confirmed on campus, to the fullest extent consistent with state and federal law. The notice cannot include any personally identifiable information and must include:
 - 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 the information posted on its website pursuant to Education Code section 66093.3, subdivision (a)(9)⁷ (Ed. Code, § 66093.3, subd. (b)(1-3)); and

5 Please refer to the “New Legal Requirements for Local Educational Agencies (school districts, county offices of education, and charter schools)” section for the notification procedures under Education Code section 32282, subdivision (a)(2)(N).

6 “Immigration enforcement” includes 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. (Ed. Code, § 66093.3, subd. (c)(1).)

7 Education Code section 66093.3, subdivision (a)(9) requires that the Trustees of the California State University, the governing board of each Community College District, each Cal Grant qualifying independent institution of higher education, and requests the Regents of the University of California, post on their internet websites in a conspicuous location, and provide via email quarterly or each semester to all students, faculty, and staff:

- (i) A copy of the policy adopted pursuant to the Attorney General’s model policy or an equivalent policy pursuant to the California Values Act, limiting assistance with immigration enforcement; and
- (ii) Guidance informing students, faculty, and staff of their rights under state and federal immigration laws and how to respond to a federal immigration action or order.

The posted information should be updated as often as is necessary to reflect any changes to federal and state immigration laws and university or college policies and procedures.

2. If an undocumented student is subject to a federal immigration order, all students, faculty, staff, and campus community members who work on campus shall be notified when the presence of immigration enforcement is confirmed on campus. The notice cannot include any personally identifiable information and must include:
 - 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 the information posted on its website pursuant to Education Code section 66093.3, subdivision (a)(10). (Ed. Code, § 66093.3, subd. (a)(10)(C)(i-iii).)

Implementation Costs

If the Commission on State Mandates determines that SB 98 contains costs mandated by the state, local agencies and school districts shall be reimbursed for those costs pursuant to Part 7 of Division 4 of Title 2 of the Government Code. (Sen. Bill No. 98 (2025-2026 Reg. Sess.) § 10.)