



**Los Angeles County
Office of Education**

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August 8, 2025

TO: Superintendents

FROM: Vibiana M. Andrade, General Counsel
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SUBJECT: AB 49 and SB 98 Immigration Bills – Next Steps for Schools

1. INTRODUCTION

On September 20, 2025 Governor Newsom signed AB 49 and SB 98 which were both passed as urgency bills, creating new obligations that school districts must comply with immediately. This memorandum is intended to serve as a guide to assist LEAs in reviewing and updating their policies and practices to comply with this legislation.

2. BACKGROUND

AB 49, the California Safe Haven Schools Act, focuses on responding to immigration enforcement at schoolsites. This bill expands on many of the protections previously established by AB 699, and also provides a broad definition of “schoolsites” which removes any confusion that previously existed regarding which sites and/or programs were protected under AB 699. Key provisions of AB 49 include the following:

- I. “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.
- II. No later than December 1, 2025, the Attorney General must update the model policies previously issued under AB 699 to ensure that the model policies align with the requirements of AB 49.
- III. All LEAs must update their policies to align the Attorney General’s updated model policies by March 1, 2026.

- IV. Unless required by law or to administer a state or federally supported educational program, school officials and employees of an LEA shall not allow immigration enforcement officers or employees to enter a nonpublic area of a schoolsite for any purpose without being presented with a judicial warrant or subpoena.
- V. The educational records of or information about a pupil or the pupil's family may not be provided to any officer or employee of an agency conducting immigration enforcement absent parental consent, a judicial warrant or subpoena, or a court order.

SB 98 establishes new requirements related to school safety plans, particularly in connection with immigration enforcement, as well as other important issues. Key provisions of SB 98 include the following:

- I. When a comprehensive school safety plan is next reviewed and updated, but no later than March 1, 2026, the plan must include procedures designed to notify parents and guardians of pupils, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on the schoolsite.
- II. School safety plans must now contain a number of new components, including assessing the current status of school crime, identifying strategies and programs that will provide a high level of school safety, establishing earthquake emergency procedures, fires and other procedures related to disasters and notification of potential dangers.
- III. A prohibition on conducting high-intensity active shooter drills that mimic an actual school shooter or armed assailant, and other limitations around active shooter drills.
- IV. Development of instructional continuity plans to prepare for potential disruptions to in-person instruction as a result of an emergency.

3. KEY CONSIDERATIONS

Both bills were passed as urgency bills. This means that the provisions of these laws have already taken effect, and schools should modify their practices to comply with these new laws. Though the bills require policies and school safety plans to be updated by March 1, 2026, it would be prudent for LEAs to review existing policies and update them as needed to remain legally compliant, with an expectation that additional modifications will be necessary following the Attorney General's issuance of model policies pursuant to AB 49 by December 1, 2025.

Of particular note, the new definition of "schoolsite" within AB 49 removes any doubt as to whether the protections provided under AB 699 apply to students on a school bus, field trip, or

who are attending an adult school or early learning program operated by an LEA. AB 49 is clear that a “schoolsite” as defined by this law includes a school campus, an area where an LEA’s school-sponsored activity is currently being held, or a schoolbus or other transportation provided by a local educational agency, which means that any student at any level who is participating in an LEA-sponsored activity must be protected. District staff should be trained on this new definition in case there is any potential contact with immigration enforcement officers while transporting students or on field trips.

Staff should receive training on AB 49’s prohibition on allowing immigration officers to enter a nonpublic area of a schoolsite for any purpose without being presented with a judicial warrant, judicial subpoena, or court order, as well as the prohibition against providing education records or any information about a pupil or the pupil’s household without the written consent of the student’s parent or guardian or a valid judicial warrant, judicial subpoena, or court order. It is likely that many LEAs have already adopted similar policies or practices based on the model policies previously issued under AB 699. However, AB 49 goes further by prohibiting both verbal and written disclosures, as well as information related to a pupil’s home or travel schedule and requires that parental notification under FERPA be provided in the event of disclosure pursuant to a valid judicial warrant or subpoena.

When the LEA next updates its comprehensive school safety plan, but not later than March 1, 2026, the LEA must include all of the new requirements contained in SB 98. However, we recommend that LEAs promptly implement a system for notifying parents and guardians of pupils, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on the schoolsite and begin implementing the other new requirements of SB 98 while updating the LEA’s school safety plan.

By March 1, 2026, LEAs will be required to provide CDE with copies of local policies that limit assistance with immigration enforcement and ensure that public schools remain safe and accessible to all California residents. Those policies must be submitted to CDE through a portal located at <https://www3.cde.ca.gov/IEPolicyPortal>.

For additional information and resources, LEAs are encouraged to review the Immigration Enforcement Rapid Response Toolkit, which was released by CDE on September 20, 2025. Superintendent Thurmond's guidance letter, with links to the toolkit and other resources, is located at <https://www.cde.ca.gov/nr/el/le/yr25ltr0920.asp>.