



OVERVIEW OF AB 699

California's new bill on education equity around immigration and citizenship status.

Summary of AB 699

On October 5, 2017, Governor Jerry Brown signed into law AB 699, which establishes certain protections for immigrant students in California.¹ AB 699 will go into effect on January 1, 2018. The U.S. Supreme Court has long guaranteed that all children have a right to a free public education and that states cannot deny students this right.² Building on this decision, AB 699 requires that all local educational agencies in California implement additional protections to ensure that all students, regardless of immigration status or country of birth, have the opportunity to pursue their education without undue fear or risk.³

AB 699 does the following:

- Clarifies existing law to prohibit discrimination, harassment, intimidation, or bullying based on immigration status, and amends the definition of a hate crime to include immigration status.
- Instructs schools on how to protect their students and their students' private records from immigration enforcement by:
 - Requiring schools and their employees not to collect information or documents about students and their families' immigration status or citizenship, unless required by law.
 - Obligating schools to report any requests for information or access to a school for the purposes of immigration enforcement to the local educational agency's governing body.
 - Requiring the governing body of a local educational agency to educate their students about the negative impact of bullying based on immigration status or religious beliefs and customs.
 - Obligating schools to adopt a policy limiting assistance with immigration enforcement at public schools. The Attorney General will provide a model policy for schools to adopt by July 1, 2018, that considers access to school grounds and student records, and procedures for reporting requests from immigration enforcement.
- Requires schools to adopt supportive practices in response to potential concerns around immigration enforcement, such as:
 - Sharing information with families about their children's rights to a free public education and "Know Your Rights" material related to immigration enforcement.
 - Using emergency contact information to arrange for a student's care if the parent or guardian is unavailable. In addition, schools are encouraged to maintain updated emergency contact information and to avoid contacting Child Protective Services unless instructed to by the parents or there is no one else available.
- Local agencies and school districts are eligible for reimbursement by the state for any costs mandated by the state.

¹ The text of AB 699 is available here: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB699.

² The U.S. Supreme Court decided *Plyler v. Doe*, 457 U.S. 202, in 1982.

³ For questions or more information regarding this document, please contact Nikki Marquez at nmarquez@ilrc.org.