

Promoting Safe Early Care and Education for All

California AB 495 / Family Preparedness Plan Act



June 23, 2026

Public
Counsel

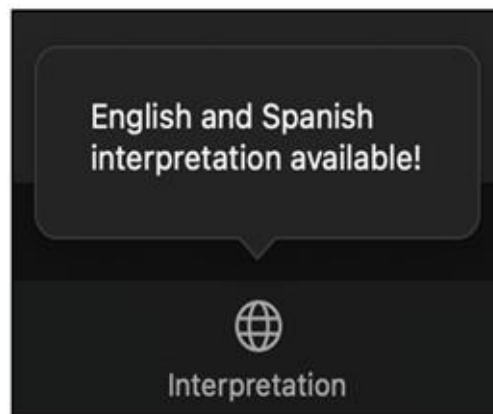
Welcome **Bienvenidos**

Select Your Language / **Eliga su idioma**

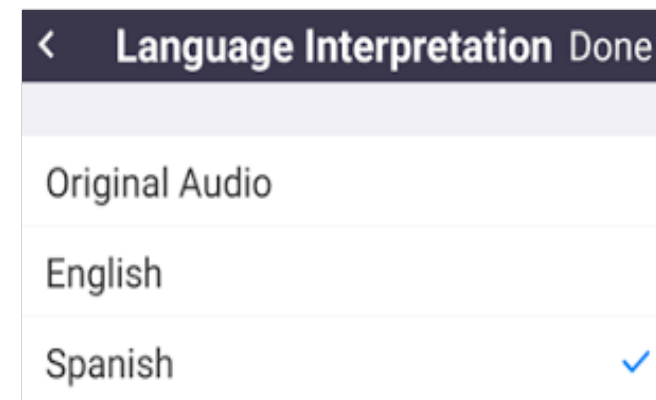
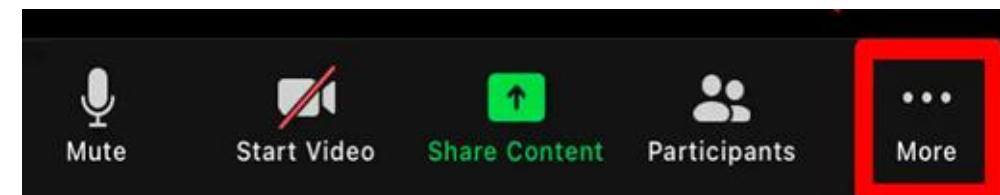


Oprima el botón marcado “Interpretation” (el globo) en la parte baja de la pantalla. Seleccione “Spanish”.

Computer / **Computadora**



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Presentation by:

ALL IN for Safe Schools is a California-based campaign that brings together early childhood education and K-12 non-profit leaders to support educators in creating welcoming, inclusive, and affirming spaces—especially for children in immigrant families and LGBTQ+ students.

Learn more at
allinfor safeschools.org



**ALL IN FOR
SAFE SCHOOLS**
SAFE SPACES,
STRONG FUTURES



Disclaimer

This presentation is intended as a general overview and is for information purposes only. This presentation should not be construed as all-inclusive, nor as the provision of legal services to any individual or entity. Attending this presentation does not create any attorney-client relationship.

Introductions

Public Counsel is a nonprofit public interest law firm that provides free legal assistance to small business owners and nonprofits, including child care providers.

Andrea Fernandez Mendoza is the Vice President of Education at the CA Children's Academy, a nonprofit that provides free and affordable early education to low income working families.

Overview

Today we will cover:

- ❖ Background
- ❖ AB 495 Overview
- ❖ Who is covered by AB 495?
- ❖ What does AB 495 require from child care providers?
- ❖ Model Policies
- ❖ What to do if immigration agents are at the door
- ❖ Compliance Checklist
- ❖ Takeaways
- ❖ Resources
- ❖ Q&A

Grounding

- ❖ As we move through today's training, we want to remind you that your well-being matters.
- ❖ Some of what we will cover – such as threats of raids, deportation, risks to your safety can bring up strong emotions, stress, or painful memories.
- ❖ It is completely normal to feel overwhelmed, stressed, or afraid.
- ❖ Please take care of yourself – step out, stretch, get water, or take a deep breath.
- ❖ Our goal is to support you – not add stress. You're not alone.



Gentle Movements to Release Tension

Gentle Breathing

1. Inhale deeply through your nose...and slowly release the air through your mouth.
2. Let's do it again, filling the lungs like a balloon...and slowly releasing the air.

Releasing the Shoulders

1. Now let's move our shoulders a bit. Gently raise your shoulders toward your ears as you inhale...and as you exhale, let them drop, like releasing a sigh.
2. Let's repeat it a couple more times, lifting as we inhale... and releasing as we exhale.

Relaxing the Jaw

1. Sometimes we clench our jaw without realizing it. If you feel comfortable, gently move your jaw from side to side.
2. You can also open your mouth slightly as if you were yawning and allow any tension to melt away.

Background: Andrea Fernandez Mendoza from CA Children's Academy

What Is AB 495?

About AB 495

AB 495 is the Family Preparedness Plan Act of 2025, a California law designed to protect family privacy and children's wellbeing when immigration enforcement threatens family stability.

- Requires CA Attorney General to issue guidance and model policies for childcare providers
- Requires certain childcare providers to adopt these policies by **July 1, 2026**
- Focuses on keeping facilities and children safe and accessible regardless of immigration status
- Encourages emergency preparedness for families

Before vs. After AB 495

Before AB 495, many child care providers relied on general privacy laws or school-based guidance that did not directly address child care settings.

After AB 495, providers have specific statewide rules and model policies to follow that limit the impacts of immigration enforcement on children and families.

Who Is Covered By AB 495?

Does AB 495 apply to my child care program?

Yes, AB 495 applies to:

- California state preschool programs (licensed and license-exempt)
- Licensed child care centers and homes

No, AB 495 does not apply to:

- Providers caring for children who are related to them
- Providers caring for one family in addition to their own
- Certain parent-run-co-op daycares
- Certain temporary on-site daycares

What Does AB 495 Require?

How can I comply with the law?

- ☐ Only ask for necessary information
- ☐ Do not share personal information about children and their families unless required or authorized by law
- ☐ Require immigration agents to present a judicial warrant before entry
- ☐ Ask parents/guardians to update emergency contact information regularly
- ☐ Report law enforcement visits and information requests
- ☐ Share CA Attorney General Model Policies with parents/guardians

Only ask for necessary information.

Do not ask for...

Unless it is required by law or state-supported educational program rules, generally, providers should not ask for the following immigration-related information:

- Immigration status
- Citizenship status
- Alien registration numbers
- Social Security numbers
- Unnecessary identity documents

Instead, ask for...

When multiple forms of documentation are allowed, accept options that reveal less personal information.

- Alternative proof of relationship to child
- Flexible work verification methods
- Guardianship/caregiver forms when lawful
- Documents that do not reveal birthplace/status

Keep all information collected confidential and secure. Discard sensitive information when it's no longer needed.

Only share what is required or authorized by law

Do not share personal information about children and their families unless required or authorized by law.

Your childcare business is required or authorized to share information if. . .

- ✓ You receive a valid judicial warrant, judicial subpoena, or court order
- ✓ The disclosure is directly connected with administering the program
- ✓ You have handwritten permission from a parent or guardian

Require immigration agents to present judicial warrants before entry

Do not allow immigration enforcement agents to enter any **private areas** of your facility without a valid judicial warrant or court order.

Private areas may include:

- Classrooms
- Staff offices
- Records rooms
- Staff-only workspaces
- Areas with children under supervision

Public areas may include: waiting areas, lobbies, parking lots open to the public

Judicial Warrants



- ❖ Issued by judicial court and signed by a judge
- ❖ Authorizes an arrest, seizure, or search. (verify the scope)
- ❖ Law enforcement must execute it within 14 days
- ❖ If valid, you must comply

AO 93 (Rev. 12/99) Search and Seizure Warrant

This is a judicial search warrant. It DOES authorize agents to enter your home.

UNITED STATES DISTRICT COURT Issued by a COURT.

for the
Eastern District of California

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

540 Oak Avenue
Davis, California 95616

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer 2:11-SW-0161 EFB

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA.
(Identify the person or describe the property to be searched and give its location.)
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

Read attachments to make sure they are regarding YOU and YOUR address, not someone else's.

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be searched.)
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property. Date for warrant, not to exceed 14 days

YOU ARE COMMANDED to execute this warrant on or before 5-9-2011
(not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

(Name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ For _____ day(s) (not to exceed 30).
☐ Until, the facts justifying, the later specific date of _____

Date and time issued: 4-25-2011
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA

Signed by a JUDGE: Edmund F. Brennan
EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE
Printed name and title

ree I National Immigration Law Center <https://twitter.com/NILC/status/1149755946081538049?s=20>

Ask parents/guardians to update emergency contact information regularly

- ❑ Routinely ask parents or authorized representatives to review and update emergency contact information as needed to ensure that a trusted adult can care for a child if a parent or guardian is detained or deported.
- ❑ Encourage parents to plan for immigration enforcement-related emergencies.

Please see Public Counsel's [family preparedness guide](#) for more information

Report law enforcement visits and information requests

Licensed childcare facilities must report requests for information or access to the facility by an officer or employee of a law enforcement agency to the [Attorney General](#) and to the California Department of Social Services (CDSS).

To report to CDSS, file [LIC 624](#) (for child care centers) or [LIC 624B](#) (for family child care homes).

Share Model Policies with parents/guardians

Finally, California state preschool providers are required to notify parents/guardians about the California Attorney General's Model Policies and show parents/guardians how to access the policies their child care program has adopted.

While non-state preschool providers are not required to adopt the California Attorney General's Model Policies, we recommend all providers prepare and use similar policies to protect staff and clients, and address interactions with immigration enforcement agents.

Model Policies

Model Policies

Collecting/Retaining Information

Model Policies for Collecting and Retaining Children's and Family Information

1. The facility shall maintain in writing the facility's policies and procedures for gathering and handling sensitive student information, and appropriate staff shall receive training regarding those policies and procedures.
2. If the facility has information about immigration status, citizenship status, or national origin information, the facility shall not use the information to discriminate against any students or families or keep children from enrolling in or attending the program.
3. If parents or guardians choose not to provide information about their or their children's immigration status, citizenship status, or national origin, the facility shall not use that as a basis to discriminate against any students or families or keep children from enrolling or attending the program.
4. The facility shall treat all children the same regarding how they receive all program services, including, but not limited to, the gathering of children's and family information.

Model Policies

Model Policies Regarding Asking Families About Immigration Status, Citizenship Status, and National Origin

1. The facility staff shall not request information about a child's citizenship or immigration status or the citizenship or immigration status of a child's parents or guardians unless required by state or federal law or to administer a state or federally funded educational program; nor shall staff seek or require, to the exclusion of other permissible documentation or information, documentation or information about a student or family's citizenship or immigration status, such as a green card, voter registration, a passport, or citizenship papers unless it is required by state or federal law or to administer a state or federally funded educational program.
2. Where permitted by law, the facility shall accept alternative means to establish eligibility criteria for enrollment. Those alternative means shall include documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.
3. Where eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, the facility procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.

Model Policy Regarding Asking Families for Social Security Numbers or Cards

1. The facility shall not solicit or collect entire or partial social security numbers or cards.

Model Policies

Sharing Information

Model Policies Regarding Sharing Information

1. **Children's records:** The facility will not share personal information about children and their families with any unauthorized parties without the consent of parents or guardians unless required or authorized by law or if the disclosure is directly connected with administering the program. [See Appendix H to understand the laws that apply to your facility type.]
2. **Employee records:** The facility will not provide voluntary consent to an immigration enforcement agent to access, review, or obtain employee records without a subpoena or judicial warrant, unless required by federal law. This provision does not apply to I-9 Employment Eligibility Verification forms and other documents for which a Notice of Inspection has been provided to the employer.
3. If the facility is presented with a request for information regarding a child, the facility staff shall:
 - a. Make a photocopy or take a picture of any written request and obtain the contact information of the person or agency seeking information;
 - b. Notify the designated facility administrator about the information request;
 - c. Prior to complying with the request, notify the child's parent/guardian of the request and share with them any documents provided by the person or agency seeking the request, unless prohibited by a judicial warrant, subpoena, or court order from sharing the request for information, or in the case of investigations of suspected child abuse, child neglect, or child dependency;
 - d. When possible, immediately consult legal counsel to determine when and if you need to comply with the request;
4. If the facility does respond to a request for information regarding the child, the facility shall make a copy of the documents requested (i.e., not give the originals) and shall document the name of the person/agency to whom the documents were provided. The facility shall keep a record of the documents produced and place the copy in the child's file.

Model Policies

Responding to Requests for Access to ECE and Child Care Facilities for Immigration Enforcement Purposes

1. As soon as possible, facility staff shall notify the designated administrator of any request by any immigration enforcement agent or other law enforcement officer seeking access to the facility or any child to conduct immigration enforcement, or any requests for review of facility documents.
2. In addition to notifying the designated administrator, facility staff shall take the following action steps in response to an agent present on the facility's grounds specifically for immigration enforcement purposes, or similar steps that limit cooperation with immigration enforcement to the full extent of the law:
 - a. Advise the agent that before proceeding with their request, and absent exigent circumstances, facility staff must first notify and receive direction from _____ [the facility administrator or superintendent, as appropriate].
 - b. Ask to see, and make a copy of or note, the agent's credentials (name and badge number). Also ask for and copy or note the phone number of the agent's supervisor.
 - c. Ask the agent for their reason for being on the facility's grounds and document it.
 - d. Ask the agent to produce any documentation that authorizes access to the facility.

Model Policies

- e. Make a copy of all documents provided by the agent. Retain the copy of the documents for the facility's records.
- f. If the agent declares that exigent circumstances exist and demands immediate access to the facility, facility staff should comply with the agent's orders and immediately contact the facility administrator or Superintendent, as appropriate.
- g. If the immigration enforcement agent does not declare that exigent circumstances exist and requests access to the nonpublic areas of the facility, respond according to the requirements of the agent's documentation. If the agent has:
 - i. **an ICE (Immigrations and Customs Enforcement) administrative warrant** (see Appendix B), facility staff shall inform the agent that they cannot consent to any request without first consulting with _____ [legal counsel or other designated administrator].
 - ii. **a federal judicial warrant (search-and-seizure warrant or arrest warrant;** see Appendices C and D), prompt compliance with such a warrant is usually legally required. If feasible the facility will consult with _____ [legal counsel or other designated administrator] before providing the agent access to the person or materials specified in the warrant.
 - iii. **a subpoena for production of documents or other evidence** (see Appendix F), immediate compliance is not required. Therefore, the facility staff shall discuss the subpoena with _____ [legal counsel or other designated administrator] and await further instructions on how to proceed.

Model Policies

- h. While facility staff should not consent to an agent seeking access for immigration enforcement purposes, except as described above, they should not attempt to physically impede the agent, even if the agent appears to be exceeding the authorization given under a warrant or other document. If an agent enters the premises without consent, facility staff shall document their actions while on the premises, and if feasible, accompany them at all times.
- i. After the encounter with the agent, facility staff shall promptly take written notes of all interactions with the officer. The notes shall include the following items to the extent practicable under the circumstances:
 - i. List or copy of the agent's credentials and contact information;
 - ii. Identity of all facility staff who communicated with the agent;
 - i. Details of the agent's request;
 - ii. Whether the agent presented a warrant or subpoena to accompany their request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
 - iii. Facility staff's response to the agent's request;
 - iv. Any further action taken by the agent; and
 - v. Photo or copy of any documents presented by the agent.
- j. Facility staff shall provide a copy of those notes, and associated documents collected from the agent, to _____ [legal counsel or other designated administrator].
- k. In turn, _____ [legal counsel or other designated administrator] shall submit a timely report regarding the agent's requests and actions.

Model Policies

[If the facility is a licensed child care facility, include the following Policy.]

- i. _____ [legal counsel or other designated administrator] shall [submit a report to the California Attorney General](#) and the California Department of Social Services.

[If the facility is a license-exempt California State Preschool Program (CSPP), include the following Policy.]

- ii. _____ [legal counsel or other designated administrator] is encouraged to [submit a report to the California Attorney General](#) and [the California Department of Education](#).

Updating Your Policies Over Time

1. The facility will review the Attorney General's website by June 1st of each calendar year. If there are updated model policies related to protecting the rights of immigrants and their families to safely access early child care and education centers, the facility will adopt the updated policies or equivalent policies by July 1st of that calendar year.
2. The facility will provide families with the [Attorney General's Immigration webpage](#) during enrollment so families can access the Attorney General's model policies.

Recommended Practices & What To Do If Immigration Agents Are At The Door

Recommended Practices for Your Child Care Program

- ❑ Help parents/guardians with their family preparedness plans in case of immigration-related emergencies

Update emergency contacts regularly, identify backup caregivers, keep forms current, follow written family instructions

- ❑ Ensure staff understand their rights when interacting with immigration enforcement

How to verify judicial warrants and when to contact legal counsel. See [Public Counsel's interactions with immigration enforcement guide](#) for further information.

- ❑ Prioritize and safeguard the child's emotional wellbeing if a parent is detained or cannot arrive

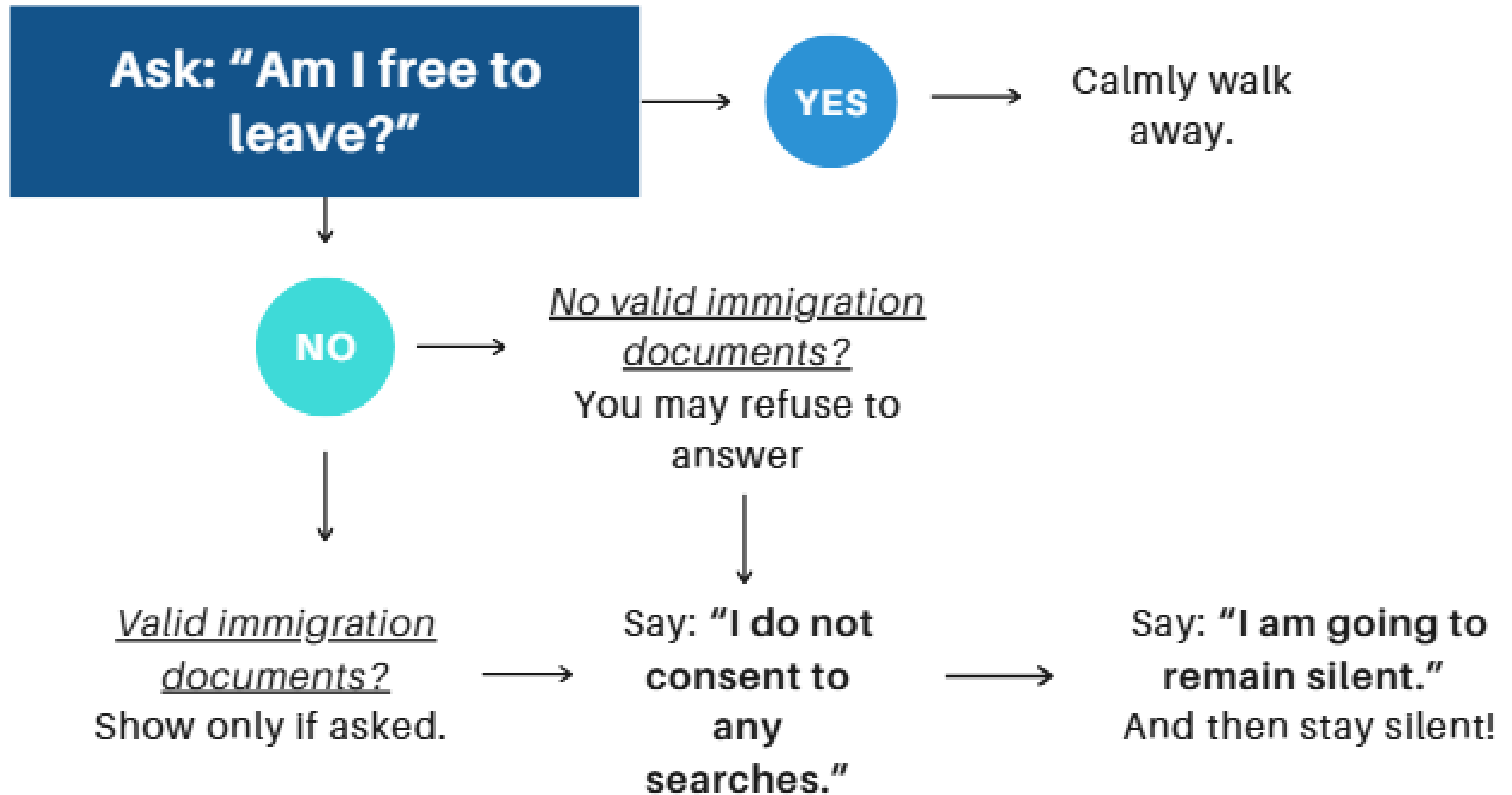
Stay calm with the child, use approved emergency contacts, verify identity before release, notify leadership, and document actions taken

So, immigration agents are at the door...

1. Stay calm. **Don't run**. Contact the Authorized Person.
2. “You do not have permission to enter private areas without a judicial warrant. Please remain outside in this designated area.”
3. Authorized person inspects the provided documentation.
4. No judicial warrant: “We have a policy of denying access without a valid judicial warrant.”
5. Yes, valid judicial warrant: double check it, limit the search to the scope of the warrant, accompany them and document the whole time.



What if immigration agents stop and question me?



Compliance Checklist

Compliance Checklist

- ☐ I have read the California Attorney General's guidance.
- ☐ I have adopted AB 495 Model Policies
 - ☐ California State Preschool Programs must adopt by July 1, 2026
- ☐ My child care's policies with respect to immigration enforcement comply with AB 495 requirements
- ☐ I have shared my policies with the families who have enrolled children at my child care

Takeaways

Main Takeaways

- ✓ Review and edit existing policies to comply with model policies and tell families where to find them
 - ✓ For California State Preschool Programs, adopt policies by **July 1, 2026**
- ✓ Limit collection of sensitive data
- ✓ Protect confidentiality
- ✓ Train staff in advance
- ✓ Prepare family emergency systems
- ✓ Keep children safe and supported

Resources

Helpful Resources

Public Counsel offers free legal support to childcare providers and can assist with drafting and reviewing program policies to ensure they comply with AB 495 requirements.

- Complete an online intake form at <https://publiccounsel.org/issues/community-development/early-care-education/#get-help> or call (213) 385-2977 x 300 for assistance.

AB 495 “Promoting Safe Early Childhood Education for All”
[Guidance and Model Policies](#), (Appendix A, pages 45-52).

Find resources for providers and families or request a training at www.allinfor safeschools.org

Additional Resources

- ❖ Work Authorization for Employers Guide <https://publiccounsel.org/publications/work-authorization-faq-for-employers/>
- ❖ USCIS I-9 Guide <https://www.uscis.gov/book/export/html/59502>
- ❖ Public Counsel's ICE guidance for nonprofits and small businesses: <https://publiccounsel.org/publications/faqs-on-nonprofit-and-small-business-rights-with-respect-to-immigration-enforcement-ice/>
- ❖ Family Preparedness Plans - <https://www.ilrc.org/resources/step-step-family-preparedness-plan> and <https://publiccounsel.org/publications/a-guide-to-planning-for-your-childs-care-family-preparedness/>
- ❖ SB 81 California Attorney General Notice <https://oag.ca.gov/system/files/attachments/press-docs/SB%2081%20Bulletin%20-%20October%202025.pdf>



Rapid Response Hotlines

- ❖ Immigrant Defenders Law Center Rapid Response Legal Resource Hotline (Los Angeles, San Bernardino, Orange, Riverside, San Diego, and Imperial counties)
 - Purpose: Connecting to Detention Legal Services
 - Hotline: (213) 833-8283
 - Hours of Operation: Monday through Friday from 9AM-4PM PST
- ❖ List of California Rapid Response Networks:
 - <https://www.ccijustice.org/carrn>

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Questions?