WHAT PROVIDERS NEED TO KNOW

Guidance for Child Care Providers on Complying with AB 495

The Family Preparedness Plan Act

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WHAT IS AB 495?

California passed a new law called the Family Preparedness Plan Act of 2025 (AB 495) to protect family privacy and children's well-being. This factsheet provides an overview of what's required by this law.

DOES AB 495 APPLY TO MY CHILD CARE PROGRAM?

Yes, AB 495 applies to

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

No. AB 495 does not apply to some. Such as,

- **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**

Even if this law does not apply to you, it outlines best practices that all child care providers should adopt.

AB 495 APPLIES TO MY CHILD CARE PROGRAM. HOW CAN I COMPLY WITH THE LAW?

- **Do not ask for or collect information about a child or family member's immigration or citizenship status,**
  including Social Security number, unless the law or a federal- or state-supported educational program requires it. Any information collected must be kept private and secure, and should be discarded once it is no longer needed.

- **Do not share personal information about children & their families unless required or authorized by law**
  (e.g., you received a valid judicial warrant, judicial subpoena, or court order), the disclosure is directly connected with administering the program, or you have written permission from a parent or guardian. If possible, contact legal counsel before responding to requests for personal information.

- **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 staff offices, confidential meeting rooms, and children's areas and belongings (e.g., areas that are restricted to children, staff, and authorized guests). Agents may enter **public areas** (e.g., areas the public can enter without permission), including lobbies and parking lots open to the public, without documentation during normal business hours.

- **Routinely ask parents or authorized representatives to review and update emergency contact information**
  as needed to ensure a trusted adult can care for a child if a parent or guardian is detained or deported. Encourage parents to plan ahead for immigration enforcement-related emergencies. Please see Public Counsel's family preparedness guide for more information.

- **Licensed child care facilities must report requests for information or access to the facility by an officer/employee of a law enforcement agency**
  to the Attorney General and to 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).

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COMPLIANCE CHECKLIST

- ☐ **Read the California Attorney General's guidance.**
- ☐ **Ensure your policies with respect to immigration enforcement comply with AB 495's requirements,** and share these policies with families you provide care for.
- ☐ **Adopt model policies by July 1, 2026** (only required for California state preschool programs).

STAFF TRAINING & SUPPORT CHECKLIST

- ☐ **Outline immigration enforcement policies that comply with AB 495.**
- ☐ **Support families with immigration emergency family preparedness planning.**
- ☐ **Ensure staff understand their rights when interacting with immigration enforcement,** including how to verify judicial warrants and when to contact legal counsel. See **Public Counsel's** interactions with immigration enforcement guide for further information.

Helpful Resources

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

Complete an online intake form at www.publiccounsel.org 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.allinforsafeschools.org