

Subject Free public education

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Overview

This bill codifies in state law the right to free public education regardless of a child's immigration or citizenship status. In the 1982 case *Plyler v. Doe*, the United States Supreme Court held that under the Equal Protection Clause of the 14th Amendment, Texas could not deny undocumented school-age children the free public education the state provided to children who are citizens or legally admitted aliens.

Summary

Section	Description
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1	Citizenship or immigration status.
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Refers to new section 120A.50 (section 2 below) to determine treatment of data relating to a student's actual or perceived citizenship or immigration status.

2	Denial of free public education prohibited.
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Subd. 1. Purpose. States that the purpose of this section is to secure the right of every child to equal access to free public education consistent with the United States Supreme Court decision in *Plyler v. Doe*.

Subd. 2. Definitions. Defines terms, including "citizenship or immigration status."

Subd. 3. Right to free public education. Prohibits denying a child a free kindergarten through grade 12 public education in Minnesota based on the child's actual or perceived immigration status or the actual or perceived citizenship or immigration status of the child's parent or guardian. Prohibits policies or procedures that have the effect of excluding a child from participation or the child's parent from participation because of actual or perceived immigration status. Prohibits schools from disclosing or threatening to disclose information related to a child's citizenship or immigration status.

Section **Description**

Subd. 4. Required procedures. Requires a school to develop procedures by July 1, 2027, for reviewing and authorizing requests from law enforcement agents attempting to enter a school or school facility.

Subd. 5. Required policy. Requires a school to adopt a policy for complying with subdivisions 3 and 4 by July 1, 2027.

Subd. 6. Civil lawsuit. Establishes a private cause of action for a violation of subdivision 3 or 4.



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