

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council; and

WHEREAS, several federal immigration policies in recent years have contributed to increases in the separation of families and number of unaccompanied children; and

WHEREAS, stable caregiving arrangements are essential for the health, safety, and emotional well-being of children, particularly in times of crisis; and

WHEREAS, under existing law, caregivers who are at least 18 years old and sign a Caregiver's Authorization Affidavit (CAA) for a minor who lives in their home is authorized to consent to school-related and medical care on behalf of the minor; and

WHEREAS, a CAA becomes invalid after a school, health care provider, or health service plan receives notice that the minor is no longer living with the caregiver; and

WHEREAS, despite CAAs and guardianship nominations, families and caregivers face significant uncertainty due to the lack of clarity, consistency, and enforceability of these mechanisms by schools and service providers; and

WHEREAS, currently pending before the State Assembly is Assembly Bill (AB) 495 (Rodriguez), the 'Family Safety Plan Act,' which would expand the definition of a caregiver to include nonrelative, extended family members who do not reside with the minor and provide that a CAA is valid until the parent, legal guardian, person with legal custody, or caregiver of a minor rescinds the affidavit; and

WHEREAS, AB 495 would also prohibit licensed child care facilities from collecting information regarding the citizenship or immigration status of children or their family members and require they report to the California Department of Social Services and Attorney General of any requests for information or access to the facility by an immigration enforcement agent; and

WHEREAS, AB 495 would encourage schools and child care facilities to work with parents to update emergency contact information and require them to abide by parental instructions relating to a child's care if they are aware that a child's parent is not available to care for the child; and

WHEREAS, AB 495 would support immigrant and mixed-status families by ensuring safety plans are in place in case of immigration enforcement actions;

NOW, THEREFORE, BE IT RESOLVED, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2025-26 State Legislative Program, SUPPORT for Assembly Bill 495 (Rodriguez) to expand the definition of a caregiver for minors under 18 years of age, prohibit child care facilities from collecting citizenship / immigration status information, and clarify emergency plan requirements and protocols in schools and child care facilities in the event that a child's parent is not available.

PRESENTED BY: Imelda Padilla
IMELDA PADILLA
Councilmember, 6th District

SECONDED BY: Ysabel

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