

Protecting Undocumented Student Access to K-12 Public School

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Bill Analysis: Threats to Education for All

In the 114th General Assembly, Tennessee lawmakers have filed two bills designed to challenge a constitutional and long-standing legal precedent that guarantees all children living in the United States access to free public school, regardless of documentation status. The U.S. Supreme Court upheld this fundamental right in [Plyler v. Doe](#), institutionalizing a practice that has been in place for more than 150 years. If either of these bills pass and provoke a successful legal challenge to *Plyler*, students across the country will be denied access to K-12 public education. Decisions this legislative session in Tennessee will determine the future of public education access in the United States for hundreds of thousands of children.

Latest Developments

- [HB1711/SB2108](#), sponsored by Rep. Davis and Sen. White, was introduced in 2026.
- [HB793/SB836](#), sponsored by Rep. Lamberth and Sen. Watson, was introduced in 2025. While it has not yet moved this year — the General Assembly still has not received assurance that federal funding would not be jeopardized by violating civil rights — the threat is still alive.

Current Legislative Threats to Plyler in Tennessee

While the specific provisions of the bills, detailed in Figure 1, are important, advocates should stay focused on the overall goal of these bills, which is to overturn *Plyler*. If the *Plyler* precedent is overturned, states, districts, and schools nationwide may be unable to provide a free public education to all children regardless of their status.

Figure 1: Bills Filed in the 114th General Assembly in 2026 That Threaten Plyler

Bill Number <i>Sponsors</i>	HB793/SB836 <i>Rep. Lamberth/Sen. Watson</i>	HB1711/SB2108 <i>Rep. Davis/Sen. White</i>
Status as of February 12, 2026	<p>House: Placed on Finance, Ways, and Means Subcommittee calendar for 4/14/2025</p> <p>Senate: Passed Senate as amended (4/10/25). Held on House desk (4/14/25)</p>	<p>House: On Departments and Agencies Subcommittee calendar for 2/17/2026</p> <p>Senate: Passed on second consideration and referred to Senate State and Local Government Committee (2/5/26)</p>
How Education Access is Affected	<p>Allows school districts and charter schools to refuse to allow students or charge tuition to students who are unlawfully present in the U.S. to enroll in school or do not produce required documentation establishing citizenship or lawful presence.</p>	<p>In addition to provisions dealing with law enforcement, the Department of Finance and Administration is required to report the annual cost incurred by the state for public schools and public higher education institutions to provide benefits.</p>
Analysis from EdTrust- Tennessee	<p>This bill allows districts to collect immigration status information and deny children, including citizens who cannot produce documentation, access to school. It would also jeopardize federal funds contingent on compliance with federal civil rights laws.</p>	<p>Schools and higher education institutions would have to collect immigration documentation from students in order to calculate costs incurred, and schools would have to report undocumented students to law enforcement.</p>

Amendment to HB1711/SB2108

The proposed amendment (013297) rewrites the bill.

- It requires local government entities to report the names of individuals who are not lawfully present and attempt to receive a public benefit to immigration enforcement.
- It also requires collaboration between immigration enforcement, the Department of Finance and Administration, and local agencies to collect information for annual reporting of the annual cost incurred by the state for the benefits including public education and public higher education.
- The collection of data regarding public education (K-12) is contingent on overturning *Plyler* and the passage of a version of HB793/SB836 that requires schools to collect immigration documentation from students. If both these events occur, the law would then take effect 30 days after judgement.

Additional Resources

- [Education for All Tennessee](#)
 - [Advocacy Toolkits](#)
- [National Immigration Law Center \(NILC\) Resources](#)