
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 2514 **Hearing Date:** June 20, 2018
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Version: April 18, 2018
Urgency: No **Fiscal:** Yes
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Subject: Pupil instruction: dual language programs: grant program.

SUMMARY

This bill establishes the Pathways to Success Grant Program, for the purpose of providing grants for the establishment and expansion of dual language immersion programs, developmental bilingual programs for English learners, and early learning dual language learners programs.

BACKGROUND

Existing law:

- 1) Through initiative statute, requires that public schools ensure students obtain English language proficiency. Requires school districts to solicit parent/community input in developing language acquisition programs. Requires instruction to ensure English acquisition as rapidly and effectively as possible. Authorizes school districts to establish dual–language immersion programs for both native and non–native English speakers.
- 2) Through initiative statute requires that, as part of the parent and community engagement process required for the development of a local control and accountability plan shall provide to pupils, effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs, as specified.
- 3) Through initiative statute, defines the following types of language acquisition programs:
 - a) Dual-language immersion programs as programs that provide integrated language learning and academic instruction for native speakers of English and native speakers of another language, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.
 - b) Defines, through initiative statute, transitional or developmental programs for English learners that provide instruction to pupils that utilizes English and a pupil’s native language for literacy and academic instruction and enables an English learner to achieve English proficiency and academic mastery of subject matter content and higher-order skills, including critical thinking, in order to meet state-adopted academic content standards.

- 4) In 2013, the Local Control Funding Formula (LCFF) was enacted. The LCFF establishes per-pupil funding targets, with adjustments for different student grade levels, and includes supplemental funding for local educational agencies (LEAs) serving students who are low-income, English learners, or foster youth. The LCFF replaced almost all sources of state funding for LEAs, including most categorical programs, with general purpose funding including few spending restrictions.

ANALYSIS

This bill:

- 1) Establishes the Pathways to Success Grant program with the goal of providing children in preschool, transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, with dual language immersion programs, developmental bilingual programs for English learners, or early learning dual language learners programs that are consistent with adopted state policy of the English Learner Roadmap.
- 2) Provides that the goal of the Pathways to Success Grant Program is to grow capacity for high-quality dual language learning by doing all of the following:
 - a) Establishing dual language immersion programs or developmental bilingual programs for English learners for students in elementary and secondary schools.
 - b) Establishing early learning dual language learner programs in state preschools operated by school districts and charter schools.
 - c) Expanding existing dual language immersion programs or developmental bilingual programs for English learners to new schoolsites.
 - d) Providing professional development modules to school districts, schools, county offices of education, or a consortium of these entities on how to design and implement new, or expand existing, dual language immersion programs or developmental bilingual programs for English learners and early learning dual language learners.

Program Administration

- 3) Requires the California Department of Education (CDE) to do all of the following:
 - a) Administer the Pathways to Success Grant Program for three years and commencing September 1, 2019 award a minimum of 10 one-time grants of up to \$300,000 per grant, to the specified entities that are considering any of the following:
 - i) Establishing a or expanding an established dual language immersion program or developmental bilingual program for English learners.

- ii) Establishing early learning dual language learners programs in state preschool programs operated by school districts and charter schools.
- b) When awarding a grant to an applicant proposing to establish a dual language immersion program or developmental bilingual program for English learners in a target language other than Spanish, provide additional funding of up to \$20,000 over the amount of the grant awarded.
- c) Give priority to a proposal for programs with an enrollment that consists of at least 40 percent English learners.
- d) Requires the California Department of Education (CDE) to perform all of the following functions in the administration of the initiative:
 - i) Review applications and award grants.
 - ii) Provide technical assistance implementing the programs described.
 - iii) Identify data to be collected by grant recipients.
 - iv) Identify how it will collect data reported by grant recipients, and how it will make that data available to the public.
- e) Identify criteria for evaluating applicants and awarding the grants, as prescribed. An eligible entity who volunteers to participate in the program, may apply to CDE to receive a grant.

Eligible Entities

- 4) Makes the following entities eligible to apply for the grant:
 - a) A school district.
 - b) A consortium composed of a school district in partnership with one or more of the following:
 - i) Other school districts.
 - ii) County offices of education.
 - iii) Bilingual teacher programs in schools of education in institutions of higher education.
 - c) A consortium of charter schools, other than for-profit charter schools, established for the purpose of establishing or expanding dual language immersion programs, developmental bilingual programs for English learners, or early learning dual learners programs.

Criteria for awarding grants

- 5) Requires the applicant to include a description of all of the following:
- a) The high-quality curriculum and instruction to be provided by the dual language immersion program or developmental bilingual program for English learners.
 - b) Projected grade levels, number of school districts, number of schoolsites, and number of classrooms proposed in the expansion or establishment of dual language immersion programs or developmental bilingual programs for English Learners, for each grant.
 - c) The early learning dual language learners program to be provided to dual language learners in early childhood education programs, such as state preschool, the high-quality curriculum and instruction, and the projected number of classrooms included for each grant. *Can one entity apply for multiple grants?*
 - d) Student enrollment, disaggregated by English learners, dual language learners, and native speakers of English.
 - e) How the program for which the applicant proposes to use the grant will serve the applicant's English learner population and dual language learners.
 - f) How the applicant will secure bilingual teachers, bilingual preschool educators, bilingual paraeducators, and bilingual program staff.
 - g) How the applicant will sustain its expanded or new program beyond the three-year grant period.
 - h) Evidence of support by the school district's county board of education or the governing board of the school district, or the governing bodies of the charter schools in a consortium of charter schools.
 - i) Efforts to align program goals with school district responsibilities under currently related to English language education.
 - j) A program budget identifying the amount of funding proposed to be expended for the allowable expenses, as specified.
 - k) How the applicant will collect required data, as specified.
 - l) Assurances that the applicant will sustain and maintain the program or programs described and a description of the support, including funding, it commits to do so.

- 6) Requires the California Department of Education (CDE) to consult with certain persons and entities in the development of the criteria for awarding the grants and in developing the professional development modules.

Use of funds

- 7) Provides that grant recipients are to use the grant for any of the following purposes:
 - a) School administrators, teacher, and staff training specific to the implementation and maintenance of a one of the specified programs.
 - b) Recruitment of bilingual preschool, elementary, and secondary school teachers and paraeducators.
 - c) Professional development for teachers after the initial establishment of the program.
 - d) Ongoing outreach to families of students.
 - e) Establishment and support of language learning professional learning communities for teachers.
 - f) Instructional coaches with demonstrated expertise and experience in implementing the programs described.
 - g) Instructional materials in targeted languages for proposed program(s).
- 8) Requires that the grant be used to supplement funding used for ongoing program costs received pursuant to its local control funding formula allocation and federal funding.

Reporting requirement

- 9) Requires, by June 20, 2025, CDE to submit a report to the appropriate committees of the Legislature detailing, among other things, the success, best practices, barriers or constraints, and outcomes of school districts and consortium programs that are grant recipients.
- 10) Authorizes CDE to contract with an outside entity with demonstrated experience relating to establishing, administering, and maintaining dual language immersion and developmental bilingual programs for English learners for purposes of completing the report.
- 11) Conditions the implementation of the provisions in the bill to an appropriation in the annual Budget Act or other statute.
- 12) Defines various terms for the purposes of the bill including:
 - a) “Dual language immersion,” to mean a program that enrolls both English

learners and native speakers of English and provides integrated language proficiency, and cross-cultural understanding.

- b) “Developmental bilingual program for English learners” to mean a program in which academic instruction and literacy development occurs in both a student’s home language and in English. Academic curriculum is taught through a student’s home language plus English language development, with increasing academic instruction in English until students develop literacy in both languages, at which point academic study in both languages continues.
- c) “Early learning dual language learners program,” refers to language programs in early care and education settings that serve children from birth to five years of age before entry into kindergarten. These programs include, but are not necessarily limited to, preschool, expanded transitional kindergarten, and transitional kindergarten, where the goal is to support development of both languages and to promote bilingualism and biliteracy.
- d) “Dual language learners” to mean a term used in early education to refer to children from birth to age five who are learning two or more languages at the same time, or who are learning a second language, such as English, while continuing to develop their home language.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “There are 1.3 million English Learners in California. These students often face language barrier hurdles, requiring services tailored to their needs. The Local Control Funding Formula recognizes the need for support of English learner students, but more resources are needed. English learner students benefit from dual language immersion and developmental programs that help them learn in both English and their native language. Non-English learner students also benefit from dual language immersion programs.

California voters approved Propositions 58 in 2016, which allows local education agencies to adopt multilingual/bilingual programs for pre-school and Transitional Kindergarten through 12th grade. Many school districts, however, lack resources to establish new dual language programs or to support staff in learning how to successfully implement such a program.”

- 2) ***Repeal of Proposition 227.*** In 1998, statewide voters passed Proposition 227 which restricted the use of bilingual instruction for English learners. Specifically, it required that; 1) all children in California public schools be taught English by being taught in English and that they be placed in English language classrooms; 2) English learners be educated through sheltered English immersion during a temporary transition period not to exceed one year and; 3) once English learners had a good working knowledge of English, they be transferred to English language mainstream classrooms. The initiative permitted schools to provide

classes in a language other than English under a parent initiated waiver process under certain conditions.

Proposition 58, placed on the ballot by the state Legislature, was approved by voters in 2016, took effect in 2017. Prop. 58 removes restrictions to bilingual programs established under proposition 227. Schools can teach their English learners using a variety of programs, including bilingual programs.

This bill seeks to increase the offering of bilingual/dual language programs for both English learners and native English speakers from early childhood education to grade 12.

- 3) ***What are dual language immersion programs?*** The bill defines dual language immersion programs as “a program that provides integrated language learning and academic instruction for *native speakers of English* and *native speakers of another language*, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding.”

According to the California Department of Education (CDE), dual language immersion programs:

- Provide instruction for proficiency in both native language and English.
- Include students with an English background and students from one other language.
- Instruction is in both languages, typically starting with smaller proportions of instruction in English and gradually moving to half in each language.
- Students typically stay in the program throughout elementary school.

According to the CDE, there are “50:50” and “90:10” dual immersion models, which refer to the amount of time students study in the target language and English. In a 90:10 model, early instruction is nearly all in the target language, and decreases over time as English increases, until there is a 50:50 balance. A 50:50 model uses English and the target language for 50 percent of instructional time, throughout the duration of the program. The CDE notes that both models are effective but that the 90:10 model results in higher levels of bilingualism.

- 4) ***English learners in California.*** According to the Legislative Analyst’s Office, “in 2015-16, about 2.7 million California public school students in the elementary and secondary grades spoke a language other than English at home. Schools classified about 1.4 million of these students as English learners, meaning they were not yet fluent in English. English learners make up 22 percent of all public school students in California. More than 80 percent of English learners in California are native Spanish speakers.”

This bill proposes to provide grant funding to establish or expand the developmental bilingual programs for English learners. The bill defines these

programs to mean academic instruction and literacy development occurs in both a student's home language and in English. Academic curriculum is taught through a student's home language plus English language development, with increasing academic instruction in English until students develop literacy in both languages, at which point academic study in both languages continues.

- 5) ***Advantages of biliteracy.*** Research shows the advantages of dual language immersion instruction and biliteracy programs in pre-school through grade for both English learners and native English speakers. For example, according to research published by the National Academies of Science, Engineering and Mathematics' in 2017 concludes, among other things, that:
 - a) Children given the opportunity to develop competence in two or more languages early in life benefit from their capacity to communicate in more than one language and may show enhancement of certain cognitive skills, as well as improved academic outcomes in school.
 - b) The cognitive, communicative, cultural, and economic benefits of knowing English and another language are most likely to occur when individuals have high levels of linguistic and functional competence in both languages, including speaking, listening, reading, and writing in both. This is most likely to occur if development of the home language is maintained throughout the preschool and school years as dual language learners learn English.
- 6) ***Data on dual language immersion programs in California.*** The California Department of Education (CDE) estimates that there are about 200 dual language immersion programs in California, of which 184 are in Spanish, 8 are in Mandarin or Cantonese, 8 are in Korean, and 1 is in Japanese. This bill additionally proposes to provide grant funding to establish or expand early dual language immersion programs in state preschools. It is unclear how many early dual language immersion programs exist in California.

Under this bill, schools considering establishing or expanding the specified bilingual programs are eligible for \$300,000 in one-time grants and provides for additional funding up to \$20,000 for non-Spanish language programs. According to the author's office, the purpose of the additional award is to; 1) encourage the development of additional language programs outside of Spanish and; 2) support the resources needed for instruction in less commonly spoken languages such as Hmong or Farsi.
- 7) ***Bilingual Teacher Shortage.*** A challenge for bilingual program expansion is the lack of qualified teachers in the state. The Learning Policy Institute (LPI) 2016 report, "Addressing California's Emerging Teacher Shortage: An Analysis of Sources and Solutions" found the following:
 - a) Few teacher preparation institutions offer bilingual authorization training programs. After the passage of Proposition 227, bilingual teacher preparation programs were greatly reduced across the state. In 2009, the Commission on Teacher Credentialing approved a set of standards that would allow teachers to pursue bilingual authorization through multiple

routes, with both coursework and examination options, likely contributing to a greater share of bilingual authorizations being issued to existing teaching credentials than to new teaching credentials. Currently, only 30 teacher preparation institutions offer bilingual authorization training programs, compared with over 80 that grant secondary and elementary teaching certifications.

- b) California authorizes fewer than half the number of new bilingual teachers than it did when bilingual education was at its peak in the mid-1990s. At its peak in 1994-95, California granted over 1,800 bilingual authorizations. After the passage of Proposition 227, California issued over 1,200 bilingual authorizations a year between 2003–04 and 2009–10. Since then, there has been a steady decline in new bilingual authorizations, with fewer than 700 teachers authorized in 2015–16.
- c) Despite the fact that bilingual education was seriously hampered in California for nearly two decades, districts already report shortages of bilingual education teachers. In a fall 2016 survey of more than 200 California school districts, 14 percent reported shortages of bilingual teachers. Now that Proposition 58 allows for the expansion of bilingual programs, Learning Policy Institute predicts that these shortages are likely to grow.

Staff notes that the 2017 Budget appropriated \$ 5 million one-time funding for bilingual teacher professional development program. Under the program, the California Department of Education (CDE) will allocate competitive grants to local education agencies (LEAs) to provide professional development to credentialed teachers or paraprofessionals who are authorized to teach English-learners and are fluent in a language other than English.

8) **Author amendments:**

The author requests that the bill be amended to make clarifying and technical changes as follows:

- a) Specify that the professional development modules provided to school districts be *evidence-based*.
- b) Provide that, for purposes of establishing eligibility, a school district may partner with a charter school rather than a consortium of charters schools.
- c) Specify inclusion of *standards-based* curriculum, rather than *curriculum*, within the description of that early language dual language learners program provided by the applicant.
- d) Clarify funds be used for *standards-based* instructional materials.
- e) Remove the authorization for CDE to contract with an outside entity with demonstrated experience relating to establishing, administering, and maintaining dual language immersion and developmental bilingual programs for English learners for purposes of completing the report.

f) And make the following change to section 33445 (a)(8) Evidence of support by the *applicant* school district's or districts' county board or *boards* of education or the governing board or *boards* of the school district or *districts*, or the governing bodies of the charter schools in a consortium ~~of charter schools~~ *authorizing body or bodies of the charter schools*.

9) ***Prior and Related legislation.***

AB 2735 (O'Donnell, 2018) prohibits English learners from being excluded from the standard instructional program of middle and high schools.

AB 2763 (O'Donnell, 2018) requires the California Department of Education to develop a standardized English language use observation protocol, for use in reclassifying English learners as fluent English proficient.

AB 952 (Reyes, 2017) would have established the Bilingual Teacher Professional Development Program, to provide professional development to teachers seeking to provide instruction in multilingual settings. This bill was held in the Senate but \$5 million in one-time funding for the program was included in the 2017-18 budget.

SUPPORT

- Advancement Project
- Alameda County Board of Supervisors
- AVID
- California Association for Bilingual Education
- California Association for the Gifted
- California Immigrant Policy Center
- California Immigrant Policy Center
- California Language Teachers Association
- California State PTA
- Californian's Together
- CAPPA
- Common Sense Kids Action
- Compton Unified School District
- CSBA
- Early Edge California
- Oakland Unified School District
- Parent Institute for Quality Education
- Public Advocates
- San Francisco Unified School District
- State Superintendent of Public Instruction, Tom Torlakson
- The Education Trust-West

OPPOSITION

None received