

Date of Hearing: April 3, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 1947 (Luz Rivas) – As Amended April 1, 2024

SUBJECT: California state preschool programs: contracting agencies: staff training days

SUMMARY: Increases the number of reimbursable staff training days for providers of California State Preschool Programs (CSPP), and requires that programs enrolling at least 25% of dual language learners (DLLs) designate at least one of their three or more days of staff training to supporting DLLs. Specifically, **this bill:**

- 1) Increases the allowable number of days for staff training using state reimbursement funding from two days to six days for contractors operating CSPPs.
- 2) Adds topics to those authorized, but not required, to be provided on the staff training days, including:
 - a) Practices related to trauma-informed care;
 - b) Practices to support DLLs; and
 - c) Improving program quality in alignment with state standards.
- 3) Requires that a contractor with an enrollment of at least 25% of DLL children and who schedules at least three days of staff training, as specified, must ensure that at least one of the scheduled staff training days be used to provide staff development on supporting DLL children.
- 4) Encourages staff training on supporting DLLs to include, but not be limited to, all of the following:
 - a) Dual language acquisition;
 - b) Biliteracy development;
 - c) Engaging culturally and linguistically diverse families;
 - d) Home language support;
 - e) Culturally and linguistically appropriate observation and assessment of DLL children; and
 - f) Identification and support of DLL children with special needs.
- 5) Requires, to the extent possible, that staff training on supporting DLLs, involve parents and members of the community to promote cultural competence and improved understanding of the needs of DLL children.

- 6) Specifies that staff training on supporting DLLs that incorporates other training relating to supporting the whole child meets these requirements.
- 7) Requires that the additional days of staff training scheduled during a contractor's regular hours of operation be considered days of operation for purposes of meeting the minimum days of operation for CSPP.

EXISTING LAW:

- 1) Establishes the Early Education Act, to be administered by the California Department of Education (CDE), and requires that the programs to include, but not be limited to, part-day age and full-day developmentally appropriate programs designed to facilitate the transition to kindergarten for three- and four-year-old children in educational development, health services, social services, nutritional services, parent education and parent participation, evaluation, and staff development. (Education Code (EC) Section 8207)
- 2) Authorizes contractors providing CSPP services to schedule up to two days of staff training per contract period using state reimbursement funding, and specifies that the topics may include procedures for emergencies, licensing regulations, recognition and reporting of suspected abuse of children, managing challenging behaviors and preventing expulsion of children, and addressing items on the program's Quality Rating and Improvement System (QRIS) Quality plan. (EC 8251)
- 3) States the intent of the Legislature that state preschool contractors, teachers, and staff better understand the language and developmental needs of DLLs enrolled in publicly funded preschool programs by identifying them as DLLs through a family language instrument and supporting their needs through a family language and interest interview. States that the identification of DLLs will help improve program quality and inform the allocation and use of state and program resources to better support them and their linguistic and developmental needs for success in school and in life. (EC 8241.5)
- 4) In order to reflect the additional expense of serving full-day preschool children who meet specified criteria, a contractor's reported child days of enrollment is required to be multiplied by a specific adjustment factor in calculating the applicable reimbursement rate. In the case of DLLs, the adjustment factor is 1.2. (EC 8244)
- 5) Requires the Superintendent of Public Instruction (SPI) to develop procedures for state preschool contractors to identify and report data on DLLs enrolled in a state preschool program. (EC 8241.5)
- 6) Requires the SPI to develop the family language and interest interview to be used by teachers and designated staff. (EC 8241.5)
- 7) Requires that those procedures, at a minimum, include all of the following:
 - a) The distribution and collection of a completed family language instrument developed by the SPI from a parent or guardian of each child enrolled in a CSPP no later than upon enrollment, as specified:

- i) Requires the family language instrument to identify which languages the child is exposed to in the child's home and community environment, which languages the child understands, and which languages the child is able to speak.
 - ii) Authorizes a CSPP contractor serving a schoolage child enrolled in a K–12 education program who has been designated by the child's school district, county office of education (COE), or charter school as an English learner (EL) through the state assessment for English language proficiency to use that designation to identify the child as a DLL.
- b) Criteria for CSPP contractors to use to accurately identify DLLs enrolled in their programs based on the information collected from the family language instrument and criteria for the family language and interest interview. (EC 8241.5)
- 8) Requires, that for any child enrolled in a CSPP who has been identified as a DLL a family language and interest interview be conducted by the child's teacher or other designated staff that must include, at a minimum, an inquiry and a discussion about the strengths and interests of the child, the language background of the child, and the needs of parents, guardians, or family members of the child to support the language and development of the child. (EC 8241.5)
- 9) Requires the data reported to the CDE about DLLs and a CSPP to include, at a minimum, all of the following:
 - a) A child's home language, the language the child uses most, and the family's preferred language in which to receive verbal and written communication;
 - b) A child's race or ethnicity;
 - c) Language characteristics of the preschool program, including, but not limited to, whether the program uses the home language for instruction, such as a dual language immersion program, or another program that supports the development of home languages; and
 - d) The language composition of the program staff. (EC 8241.5)
- 10) Requires the SPI, to ensure DLLs and their linguistic and developmental needs are accurately identified in order to be effectively supported by CSPP contractors and to develop clear implementation procedures and related guidance for CSPP contractors. (EC 8241.5)
- 11) Requires the SPI to develop standards for the implementation of quality programs. Requires indicators of quality to include, program activities and services that meet the cultural and linguistic needs of children and families. (EC 8203)
- 12) Establishes, in regulations, the Desired Results Developmental Profile (DRDP) to record the information in the "developmental profile," a record of a child's physical, cognitive, social, and emotional development that is used to inform teachers and parents about a child's developmental progress in meeting desired results. (CCR Title V, Section 18270.5)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “My bill, AB 1947, takes a critical step in implementing the Master Plan for Early Learning and Care recommendations supporting our children who are DLLs. These children are just beginning to be assessed and identified as DLLs when they enter California’s State Preschool Programs (CSPP). However, CSPP teachers are not given enough time to be properly trained to provide quality early education to DLLs. The absence of a selected professional development day impairs CSPP teachers from enriching the early linguistic assets of these children for their benefit and the greater benefit of California. Early Childhood educators must have the tools and abilities to properly teach and care for DLLs to support children in ways that intentionally develop their home language and English.”

Who are California DLLs ages 0-5? The Education Code defines “dual language learner children” as children whose first language is a language other than English or children who are developing two or more languages, one of which may be English. According to the Migration Policy Institute:

- 59% of California’s children ages 0-5 years, or 1,689,000 children are DLL;
- Out of the 1,689,000 DLL children living in California in 2015–19, 44% had at least one Limited English Proficient (LEP) parent, meaning the parent reported speaking English less than “very well”. Either one or both parents for approximately 158,000 of these DLLs reported speaking English “not at all”;
- 19% of DLLs in the state lived in linguistically isolated households, which the U.S. Census Bureau defines as households in which all members who are age 14 or older speak a non-English language and also speak English less than “very well” (that is, they are LEP);
- DLLs in California come from families who speak a wide range of languages. In 2015–19, while 66% of these families reported speaking Spanish in the home, approximately 34% spoke languages other than either English or Spanish—including, but not limited to, Chinese, Tagalog, Vietnamese, Korean, Hindi, Arabic, Russian, Farsi/Persian, and Armenian;
- In California, DLL children were much more likely than non-DLL children (48% vs. 29%) to reside in low-income households in 2015–19. These are households with an annual income of below 200% of the federal poverty level;
- Although DLLs comprised 59% of children ages 0 to 5 years in the state, they represented 71% of all young children living in low-income households;
- While DLLs comprised slightly more than half of children ages 0 to 5 years in California, they represented 85% of all children of this age with at least one parent whose highest level of education was less than a high school diploma or equivalent; and
- In 2015–19, DLLs made up 77% of all California children ages 0 to 5 years whose households had no access to the internet, despite comprising 59% of the state’s children in this age range.

Master Plan for Early Learning and Care recommends identification of DLLs. The Master Plan for Early Learning and Care, released in December 2020 by the California Health and Human Services Agency, recommended providing DLLs with high-quality language experiences in both English and their home language as a foundation for future academic success, noting that bilingualism has associated benefits such as strengthened cognitive and memory processes, improved communication abilities, social and cultural benefits, and advantages in the job market.

The Master Plan also found that California lacks a basic universal infrastructure for identifying DLLs and that caregivers often lack the support they need in order to provide these children with high-quality, culturally relevant experiences in both English and the children's home language.

The Master Plan recommended that legislation require identification and reporting of the language status of children from 0-5 years in subsidized early learning and care (disaggregated by age, race, ethnicity, language, and disability). It also recommended that California:

- Require specialized training and development to address dual language development, children with disabilities, and how to eliminate bias and inequitable practices;
- Make explicit, within licensure, Commission on Teacher Credentialing (CTC) issued permits and credentials, and other workforce requirements, the need for requirements to support anti-bias, DLLs, children with disabilities, and children who have experienced trauma;
- Update early learning guidelines to expand and integrate throughout DLLs and children with disabilities;
- Collect and use data to support DLLs and children with disabilities and address issues of equity. Identification, assessment, and progress monitoring on language development for DLLs varies by funding stream (e.g., Head Start, CSPP, private) and is limited by a lack of DLL-specific measures and tools to monitor instruction and learning for DLLs; and
- Legislation could require monitoring through data collection of developmental assessments in English and in the child's home language (e.g., DRDP or other assessments).

CSPP requirements to identify DLLs. AB 1363 (Luz Rivas) Chapter 498, Statutes of 2021, requires the SPI to develop procedures for providers to identify and report data on DLLs enrolled in the CSPP. The CDE issued a management bulletin in March 2023 to notify and provide guidance to CSPP contractors regarding new requirements for identifying and collecting data on DLLs including multilingual learners, language characteristics of preschool programs, and language composition of program staff. CSPP contractors were required to identify DLLs as of January 1, 2023.

CSPP contractors are required to employ the Family Language Instrument, developed by the CDE, to determine the DLL status of the children enrolled in their programs. The instrument asks parents to describe which languages the child hears at home, in their neighborhood, and community; which languages the child understands; and which languages the child speaks. Contractors are urged to provide the instrument to the parent in the language the family speaks wherever possible.

Supporting DLLs. Research supports the early exposure of children to language rich environments. The California's Preschool Learning Foundations support the use of home language in instruction at this age, noting its benefits for language acquisition and development of the brain:

The development of language and literacy skills in a child's first language is important for the development of skills in a second language and, therefore, should be considered the first step in the range of expectations for children learning English as a second language. Learning by these children is not confined to one language. Children who have the skills to understand and communicate in their home language will transfer that knowledge to their learning of a second language, resulting in a more effective and efficient second-language learning process. Recent research suggests that the development of two languages benefits the brain through the increase in the density of brain tissue in areas related to language, memory, and attention. This increased brain activity may have long-term positive effects.

Diversity of the ECE workforce. The Center for the Study of Child Care Employment at the University of California, Berkeley reported in 2008 that licensed family child care providers and assistant teachers in centers are more linguistically diverse than the California adult population, but that the more qualified teachers are less likely to be able to communicate fluently with children and families in a language other than English. Providers (43%) and assistant teachers (49%) were the most likely, and teachers (37%) and directors (25%) were less likely, to have these language skills.

In addition to issues of supply, there is currently no early childhood education permit or supplementary authorization that qualifies a preschool teacher as a bilingual educator. Employers use their own means of determining whether early childhood educators possess the language and pedagogical skills to teach in another language.

Access to professional development for supporting DLLs. A survey of 744 administrators from a representative sample of licensed childcare centers and family childcare homes across California examined how many early educators are required to participate in professional development relating to supporting DLLs. The findings suggested that the early learning workforce is underprepared to support DLLs and opportunities and requirements for professional development focused on supporting DLLs vary substantially across the state. In particular, survey results indicate that staff in publicly funded programs such as Head Start and CSPPs are more likely to be required to participate in DLL-focused professional development. And while most centers are able to offer some supports for staff to participate in these opportunities (such as paid time off or providing a substitute for their classroom), fewer family child care providers have access to these resources. (American Institute for Research (AIR, 2020)

The AIR study identified challenges related to providing professional development by childcare centers, including:

- 78% did not have enough funding for professional development;
- 78% did not have enough staff trained to work with DLLs;
- 76% did not have enough staff trained in engaging with parents of DLLs; and

- 75% did not have enough staff who speak the home languages of DLLs.

The 2018 California state budget included a one-time \$5 million investment to provide early childhood educators with professional development to support their work with DLLs. The DLL Professional Development Initiative supported six grantee programs from February, 2019 through June, 2020. The programs engaged approximately 1,400 early educators and focused on improving their instructional and family engagement practices to support DLL children from ages 0-5 years. Educators from across a variety of early learning settings, including center-based and family childcare homes, participated in these trainings. An evaluation of the training found that:

- 99% of participants felt better equipped to support DLLs and their families;
- 82% reported increased knowledge in supporting DLLs to a great extent; and
- 79% reported increased confidence in supporting DLLs to a great extent. (Harder, 2021)

The AIR study further found that programs serving a larger proportion of DLLs were more likely to require DLL-focused professional development. In those center-based programs with an enrollment of 75% or more of DLLs, 49% of staff were required to have DLL-focused professional development, while in those center-based programs serving less than 25% of DLLs, only 11% of staff were required to receive this type of professional development.

Current usage of professional development days. According to the CDE, a significant number of CSPP providers are not utilizing their currently allotted 2 professional development days (see figure below). The CDE suggests that the reason these are not being utilized by more contractors is that contractors essentially have to enroll fewer children to be able to use their funding to pay for these days as many contractors are having to cover the cost of professional development within their existing contract funds. Another issue with professional development is that programs can only offer this on the weekends, after hours, or by retaining substitute staff, all of which have been flagged as administrative burdens.

Fiscal year	# of CSPP contractors reporting staff training expenses	Total # of CSPP contractors	% of contractors reporting training costs
2019-20	164	691	24%
2020-21	110	673	16%
2021-22	88	653	13%

Source: CDE

Should professional development be prioritized for supporting DLLs? This bill would authorize CSPP contractors to utilize up to 6 days within their contract for staff training and would require if the contractor enrolls at least 25% DLLs and provides three or more days of staff training, that one of those days be used to provide staff development on supporting DLL children. Training for CSPP staff will continue to be necessary as the CDE is currently in the process of updating the

Preschool Learning Foundations as well as the DRDP. CSPP staff will need to be trained as these resources become available in the coming months.

Concerns have been expressed about mandating training only in supporting DLLs as training needs may vary from one program to another depending upon specific requirements facing that program. Stakeholder workgroups have identified extensive lists of topics where there is a need for training, including supporting DLLs, but also topics such as supporting children with disabilities, supporting children in foster care, effective communication, and family engagement strategies.

Arguments in support. According to the co-sponsors, Early Edge California and Californians Together, “AB 1947 will build upon the progress made by the national landmark legislation, AB 1363 that helps the state achieve the goals of California’s Master Plan for Early Learning and Care. The Master Plan stresses the importance of supporting the needs of DLL children through interactions that acknowledge their cultural and linguistic backgrounds while also promoting the development of both their home language and English. AB 1947 helps achieve this goal by providing CSPP educators with professional development opportunities to meet the needs of DLLs.

DLLs are a significant and expanding demographic throughout California’s early learning programs, however the absence of formal certifications or training requirements can leave early learning providers needing more training and development to sufficiently support DLLs. This bill helps meet the goals of the Master Plan by ensuring CSPP educators have the opportunity to receive the professional development they need to promote learning and improved outcomes for DLLs.”

Arguments in opposition. An individual writes, “AB 1947 helps achieve only partly the Master Plan by providing CSPP educators with professional development opportunities to meet the needs of DLL but is not inclusive of professional development to support children with disabilities.”

Related legislation. AB 393 (L. Rivas) Chapter 435, Statutes of 2023, requires the Director of the California Department of Social Services (CDSS) to develop procedures for general or migrant childcare and development contractors to identify and report data on DLLs in General Childcare and Development Programs (CCTRs) or Migrant Childcare and Development Programs (CMIGs) and further requires the SPI and the Director of the CDSS to coordinate their efforts in developing procedures and reporting data regarding DLLs.

AB 1363 (Luz Rivas), Chapter 498, Statutes of 2021, required the SPI to develop procedures for providers to identify and report data on DLLs enrolled in CSPPs.

AB 321 (Valladares), Chapter 903, Statutes of 2022, added prioritization for children who come from a family in which the primary home language is a language other than English into specified federal and state subsidized child development services programs.

AB 1012 (Reyes) of the 2019-20 Session would have required, subject to an appropriation, the CDE to provide grants to LEAs for, among other purposes, professional learning for child development providers to support the development of DLLs. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Asian Americans Advancing Justice-southern California
Association of Two-way Dual Language Education
California Federation of Teachers
California Teachers of English to Speakers of Other Languages
Californians Together
Children Now
Early Edge California
Kern County Superintendent of Schools Office
Los Angeles County Office of Education
Loyola Marymount University - the Center for Equity for English Learners
Parent Institute for Quality Education
Sobrato Early Academic Language
The Children's Partnership

Opposition

1 individual

Analysis Prepared by: Debbie Look / ED. / (916) 319-2087