

Date of Hearing: March 26, 2025

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 865 (Mark González) – As Amended March 10, 2025

SUBJECT: Dual language immersion programs: instructional materials: grants

SUMMARY: Establishes the Dual Language Immersion Education Instructional Materials Grant Program for the purpose of providing additional supports to local educational agencies (LEAs) to increase available instructional materials in partner languages for dual language immersion programs (DLI), and appropriates \$5 million for its purposes. Specifically, **this bill:**

- 1) Establishes the Dual Language Immersion Education Instructional Materials Grant Program for the purpose of providing additional supports to LEAs to increase available instructional materials in partner languages for DLI programs.
- 2) Appropriates, for the 2026–27 fiscal year, \$5 million to the California Department of Education (CDE) to establish the Dual Language Immersion Education Instructional Materials Grant.
- 3) Establishes two types of grants, named Instructional Materials Grant A and Instructional Materials Grant B.
- 4) Requires the CDE, for the 2026–27 fiscal year, to allocate \$3.5 million to a maximum of 35 LEAs for a one-time grant of \$100,000 for Instructional Materials Grant A and \$1.5 million to a maximum of 15 LEAs for a one-time grant of \$100,000 for Instructional Materials Grant B, and makes the funds available for expenditure or encumbrance through June 30, 2029.
- 5) For an Instructional Materials Grant A:
 - a) Makes a schoolsite that currently offers a DLI program in a partner language determined by the CDE to be one of the top five most commonly spoken languages in the state by English learners (ELs) based on the most recent United States Census eligible to apply for a grant.
 - b) Requires that an Instructional Materials Grant A be used for increasing the amount of instructional materials in the partner language including, either of the following:
 - i) Developing standards-aligned instructional materials in partner languages, including, but not limited to, textbooks and workbooks; or
 - ii) Purchasing supplemental instructional materials in partner languages.
- 6) For an Instructional Materials Grant B:

- a) Makes a schoolsite that currently offers a DLI program in a partner language determined by the CDE to not be one of the top five most commonly spoken languages in the state by ELs based on the most recent United States Census eligible to apply for a grant.
- b) Requires that an Instructional Materials Grant B be used for increasing the amount of instructional materials in DLI programs, including but not limited to either of the following:
 - i) Developing standards-aligned instructional materials in partner languages, including, but not limited to, textbooks and workbooks.
 - ii) Purchasing supplemental instructional materials in partner languages.
- 7) Requires the CDE to make its best effort to ensure each partner language is represented by at least one grant award.
- 8) Requires a grant recipient to develop and submit to the CDE for review a plan describing how the funds will be used.
- 9) Requires, after the grant funds have been expended, a grant recipient to report to the CDE on or before June 29, 2029, on how grant funds were expended, and provide a physical or digital copy of instructional materials obtained with the grant funds.
- 10) Requires the CDE, by December 31, 2029, to submit a report to the appropriate policy and fiscal committees of the Legislature that includes the data it received.
- 11) Establishes, for purposes of the measure, the following definitions:
 - a) “Dual language immersion” means an instructional setting where a pupil receives a portion of instruction in English and a portion of instruction in a partner language.
 - b) “Local educational agency” means a school district, county office of education (COE), or charter school.
 - c) “Partner language” means a language other than English that is used to provide instruction to pupils in DLI.
- 12) Sunsets the measure as of January 1, 2030.

EXISTING LAW:

- 1) Through initiative statute, requires that public schools ensure that 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 DLI programs for both native and non-native English speakers. (Education Code (EC) 305).

- 2) Defines language acquisition programs to include DLI programs to mean 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. (EC 306)
- 3) 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 DLI programs, developmental bilingual programs for ELs, or early learning dual language learners programs that are consistent with adopted state policy of the English Learner Roadmap. (EC 33440)
- 4) States that the purpose 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 DLI programs or developmental bilingual programs for ELs for pupils in elementary and secondary schools;
 - b) Establishing early learning dual language learners programs in California state preschools programs (CSPPs) operated by school districts and charter schools;
 - c) Expanding existing DLI programs or developmental bilingual programs for ELs to new schoolsites; and
 - d) Providing professional development modules to school districts, schools, county offices of education, or a consortium of these entities, with evidence-based, demonstrated professional development techniques on how to design and implement new, or to expand existing, DLI programs or developmental bilingual programs for ELs and early learning dual language learners programs. (EC 33441)
- 5) Requires that the application include a description of the high-quality curriculum and instruction to be provided by the specified programs, among other program elements. (EC 33445)
- 6) Requires grant funds to be used for training, professional development, recruitment of bilingual teachers and paraeducators, outreach, learning communities, instructional coaches and standards-based instructional materials in targeted languages, as specified. (EC 33442)
- 7) Requires, by June 20, 2025, the CDE to submit a report to the appropriate committees of the Legislature detailing, among other things, the successes, best practices, barriers or constraints, and outcomes of school districts and consortium programs that are grant recipients. (EC 33446)
- 8) Defines “dual language learner” for purposes of CSPPs, to mean children aged 0-5 whose first language is a language other than English or children who are developing two or more languages, one of which may be English. (EC 8205)
- 9) Requires the Superintendent of Public Instruction (SPI) to develop procedures for providers to identify and report data on DLLs enrolled in the CSPP. (EC 8241.5)

- 10) Establishes the State Seal of Biliteracy, to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. (EC 51460)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. The author states, “Teachers in DLI programs often struggle with a shortage of instructional materials that align with California state standards. Publishing companies may submit materials to CDE for review and approval. Currently, only two textbooks are approved for DLI programs—both for Spanish and limited to K-6 students. Textbook publishers do not support the vast diversity of languages for which DLI programs exist, leaving teachers responsible for developing their own instructional materials, that is a time-consuming and difficult process. Without approved materials, schools may hesitate to implement DLI programs, and students in existing programs face educational inequities due to the lack of adequate resources.

AB 865 will ensure that teachers have access to the instructional materials they need to better serve our diverse student population, with over 70% of my district speaking a language other than English at home—including Spanish, Korean, Mandarin, Cantonese, and Japanese—this bill is a necessary step toward educational equity and multilingual proficiency.”

Instructional materials for DLI programs. This bill proposes a grant program to provide funding to LEAs so that they may purchase instructional materials in primary or “partner” languages. It divides the grant into two grants, one for more commonly used primary languages and one for less commonly used languages. There is little published research on instructional materials in DLI programs, but the following federal and state guidance emphasizes the importance of high quality materials:

- The US Department of Education’s Office of English Language Acquisition’s *Dual Language Immersion Playbook* (2024) recommends that school leaders ensure that adequate resources are in place to support DLI programs, and notes that schools need, among other resources, “high-quality academic materials and assessments in both DLI program languages to ensure parity between the instructional languages,” and that schools need to “develop or acquire a two-language curriculum that aligns with state standards and assessments, is culturally responsive, fosters an appreciation for multiculturalism, and promotes equal status for both languages.”
- Similarly, the CDE’s report, *Improving Education for Multilingual and English Learner Students* (2020), lists high-quality and equitable instructional materials in both languages as a key characteristic of effective DLI programs across models.

Multiple policies promote biliteracy as a state goal. The goal of DLI programs is to help students achieve biliteracy. Several policies enacted or adopted in recent years support this goal. They include:

- The California English Learner Roadmap, adopted by the State Board of Education (SBE) in 2017, promotes an assets orientation toward primary language while students are also learning English, and that these assets are “valued and built upon in culturally responsive curriculum and instruction and in programs that support, wherever possible, the development of proficiency in multiple languages.”
- The Global California 2030 report, published by the CDE in 2019, set as a goal that by 2030, half of all K–12 students would be participating in programs leading to proficiency in two or more languages, either through a class, a program, or an experience, and by 2040, three out of four students would be proficient in two or more languages, earning them a State Seal of Biliteracy.
- The State Seal of Biliteracy, established by AB 815 (Brownley), Chapter 618, Statutes of 2011, recognizes proficiency in two languages in the form of a seal affixed to students’ high school diplomas.
- Proposition 58, passed by the voters in 2016, authorizes school districts to establish DLI programs for both native and non-native English speakers.
- The state has created and funded several programs aimed at increasing the number of DLI programs, and increasing the number of teachers who hold bilingual authorizations.

What are dual language immersion programs? This bill proposes to provide funding to support the development of DLI and other programs. The bill defines DLI programs as programs that enroll both ELs and native speakers of English and 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. The bill states that these programs are also known as Two-Way Bilingual Immersion programs.

According to the CDE, DLI programs are language learning and academic instruction for native speakers of English and native speakers of another language. The goals of DLI programs are language proficiency and academic achievement in students’ first and second languages, and cross-cultural understanding. This program is typically found in kindergarten through grade eight, but may be offered through grade twelve.

According to the CDE, some DLI programs follow “50:50” or “90:10” 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% 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.

Two-way immersion programs are based on years of research from the language immersion models in Canada designed for English speakers learning French. This model, in which English-speaking students are instructed in French for up to 100% of their day, shows that students perform as well as or better on tests of English than their English-speaking peers who have been instructed only in English.

Data shows steady and significant growth in DLI programs and bilingual teacher supply since Proposition 58. According to data provided by the CDE:

- There were 1,036 DLI programs in California in the 2023-24 school year. Additionally there were 148 developmental bilingual, 60 transitional bilingual, 110 one-way immersion, and 41 heritage or indigenous language programs. These programs were offered at 1,326 schools, in 294 school districts. 30% of school districts offered one or more multilingual program;
- The number of DLI programs grew from 229 in 2010-11 to 1,036 in 2023-24. The number of multilingual programs has grown from 229 in 2010-11 to 1,395 in 2023-24;
- Total enrollment of English learner students in all of these programs totaled 110,847 students, representing just over 10% of all ELs. Non-English learner students enrolled in these programs are not included in these totals;
- The number of bilingual teacher preparation programs has grown from 30 in 2015-16 to 90 in 2024-25. The number of bilingual authorizations issued by the Commission on Teacher Credentialing (CTC) has grown from 581 in 2015-16 to 1,500 in 2024-25; and
- The number of students receiving the State Seal of Biliteracy has grown from 10,865 in 2012-13 to 175,000 in 2024-25. Over half a million Seals have been issued since the program was established.

Demand is high for grants to develop dual language immersion programs. AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, appropriated \$10 million for a DLI grant program, to award 25 one-time grants over a period of 3 fiscal years to eligible entities to expand or establish DLI programs.

According to the CDE, over 300 letters of intent to apply were submitted by LEAs, and the CDE received 160 applications. Funding was only sufficient to support 25 grants. The CDE cites as a barrier that some entities did not have enough native English speakers to develop DLI programs that call for a 50:50 composition of native English speakers and native speakers of the target language. This is particularly true of entities with high populations of ELs.

Research on dual language immersion programs. Research has demonstrated that DLI programs have positive outcomes for both ELs and native English speakers.

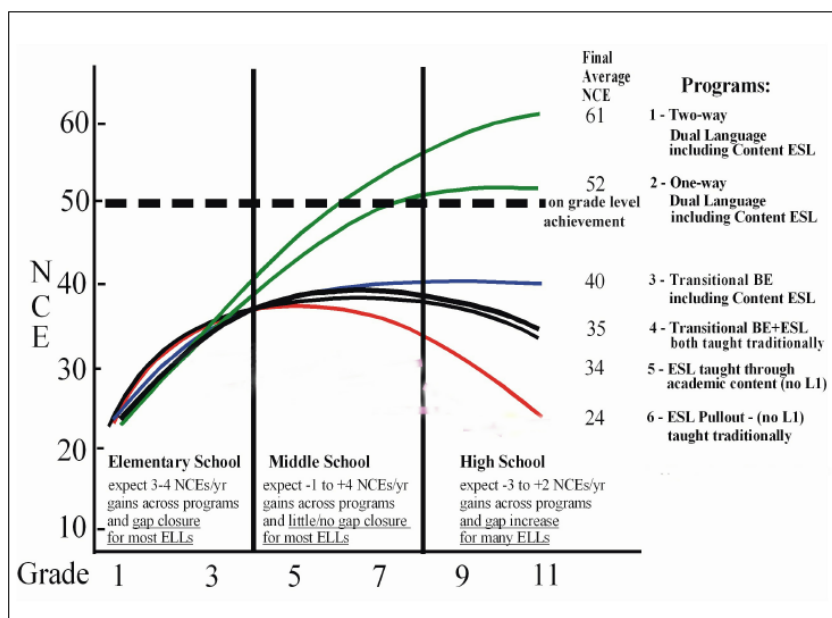
The most commonly cited longitudinal studies, by Thomas and Collier, found that DLI programs, when implemented well, are the most effective language instruction method for ELs, and in fact are the only method that allows ELs to close the achievement gap between ELs and native English speaking peers.

As illustrated by the Thomas and Collier's chart on this page (displayed with permission of the authors), two-way dual language programs including English language development taught through academic content, had the most significant effects on the reading achievement of ELs, even exceeding the gap between them and their native English speaking peers in some cases.

These findings were aggregated from a series of longitudinal studies of well-implemented, “mature” programs.

Thomas and Collier’s findings also suggest that DLI programs can counteract the effect of low socioeconomic status among ELs and native English speakers, as ELs and African-American students of low socioeconomic status participating in dual language programs score higher in reading in all grades than their comparison groups not enrolled in dual language classes.

In addition, research indicates that DLI programs benefit native English speakers, who develop skills in a new language, with no negative impact on their English skills. These students acquire intellectual, cognitive, and social-emotional advantages and enhanced cross-cultural awareness.



This research also identifies key elements of a successful DLI program: district commitment, separation of the two languages for instruction, and minimum a of 50% of instruction in the non-English language.

Efforts to address the bilingual teacher shortage. One serious constraint on the expansion of dual language and bilingual programs is the supply of qualified teachers. According to the Learning Policy Institute, before the passage of Proposition 227, about 30% of ELs were served by bilingual programs. A decade later, the number of EL students served by bilingual programs decreased to just 5%.

In recognition of these constraints, the state has devoted significant resources to increasing the supply of teachers with bilingual authorizations in recent years, including through the establishment of the Bilingual Teacher Professional Development Program, established by AB 99 (Committee on Budget), Chapter 15, Statutes of 2017 and an appropriation to the California State University (CSU) Asian Language Bilingual Teacher Education Program Consortium in the 2022-23 state budget.

Recommended Committee amendments. Staff recommends that the bill be amended to:

- 1) Remove the appropriation, make the bill subject to an appropriation, and add a statement of intent to appropriate \$5 million as specified in the bill.
- 2) Delete the requirement that grantees send digital or physical copies of materials obtained with grant funds because CDE does not maintain a repository of instructional materials,

and some materials are likely to be copyrighted. Instead, require grantees to send a list of obtained and developed materials to the CDE.

Arguments in support. Asian Americans Advancing Justice writes, “Dual language immersion programs are critical to achieving biliteracy for English learner students and native English speakers.

In the Global 2030 Initiative, California committed to quadrupling the amount of dual language immersion (DLI) programs from 407 in 2017 to 1,600 by 2030. Yet teachers in DLI programs often struggle with a shortage of instructional materials that align with California state standards. Textbook publishers do not support the vast diversity of languages for which DLI programs offer, leaving teachers responsible for developing their own instructional materials, a time-consuming and difficult process. The languages offered are Arabic, Armenian, Cantonese, French, Hmong, Korean, Mandarin, Samoan, Spanish and many more. Without materials, schools hesitate to implement DLI programs, and students in existing programs face educational inequities due to the lack of adequate resources.

This one-time grant will provide essential support to school districts and teachers to enhance their DLI programs equitably and effectively. By directing funds toward the development and acquisition of instructional materials, AB 865 ensures that teachers can focus on teaching rather than creating materials from scratch.”

Prior legislation. AB 2074 (Muratsuchi), Chapter 926, Statutes of 2024, requires the California CDE to develop a statewide implementation plan for the English Learner Roadmap Policy.

AB 154 (Committee on Budget), Chapter 43, Statutes of 2022, appropriated \$5 million for the Asian Language Bilingual Teacher Education Program Consortium with the CSU, to increase the number of credentialed teachers with Asian language bilingual authorization.

SB 952 (Limon) of the 2021-22 Session would have revised and recasted a three-year competitive DLI grant program administered by the California CDE. This bill was held in the Assembly Appropriations Committee.

AB 2514 (Thurmond), Chapter 763, Statutes of 2018 establishes the Pathways to Success Grant Program, for the purpose of providing grants for the establishment and expansion of DLI programs, developmental bilingual programs for ELs, and early learning dual language learners programs.

AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, appropriated \$10 million for a DLI grant program, to award 25 one-time grants over a period of 3 fiscal years to eligible entities to expand or establish DLI programs.

AB 952 (Reyes) of the 2017-18 Session, as it passed this Committee, would have established the Bilingual Teacher Professional Development Program and requires the CDE to allocate grant funding for purposes of providing professional development services to specified teachers and paraprofessionals to provide instruction to ELs. This bill was vetoed by the Governor, who stated:

California recently provided funds to support teachers and paraprofessionals interested in becoming bilingual teachers. This past spring the Commission awarded one-time grants to higher education institutions that sought to create or improve four-year integrated teacher education programs, including for bilingual teachers. Before making additional investments on this matter I believe it's wise to first assess the success of our current programs.

AB 99 (Committee on Budget), Chapter 15, Statutes of 2017, establishes the Bilingual Teacher Professional Development Program and requires the CDE to allocate grant funding for purposes of providing professional development services to specified teachers and paraprofessionals to provide instruction to ELs.

REGISTERED SUPPORT / OPPOSITION:

Support

Alameda County Office of Education
Asian Americans Advancing Justice-Southern California
Asian Americans and Pacific Islanders for Civic Empowerment
Asian Youth Center
BPSOS Center for Community Advancement
California Charter Schools Association
California Healthy Nail Salons Collaborative
California Language Teachers' Association
Californians Together
Center for Empowering Refugees and Immigrants
California Federation of Teachers
Chinatown Service Center
Coalition for Humane Immigrant Rights
Empowering Pacific Islander Communities
Hmong Innovating Politics
Jakara Movement
Koreatown Youth and Community Center
Latino Coalition for A Healthy California
National Asian Pacific American Families Allied for Substance Awareness and Harm Reduction
Pacific Asian Counseling Services
Southeast Asia Resource Action Center
Teach Plus - California
Thai Community Development Center
Viet Rainbow of Orange County

Opposition

None on file

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