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AB-2514 Pupil instruction: dual language programs: grant program. (2017-2018)

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Assembly Bill No. 2514

CHAPTER 763

An act to add Article 11 (commencing with Section 33440) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil instruction.

[Approved by Governor September 26, 2018. Filed with Secretary of State September 26, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2514, Thurmond. Pupil instruction: dual language programs: grant program.

Existing law establishes a system of public elementary and secondary schools in this state and authorizes local educational agencies throughout the state to operate schools and provide instruction to pupils in kindergarten and grades 1 to 12, inclusive. Existing law, enacted by the approval of Proposition 58 at the November 8, 2016, statewide general election, requires school districts and county offices of education to solicit input on and provide to pupils effective and appropriate instructional methods, including establishing language acquisition programs, in order to ensure that all pupils, including English learners and native speakers of English, have access to the core academic content standards and become proficient in English.

This bill would establish the Pathways to Success Grant Program with the goal of providing pupils 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, as those terms are defined. The bill would require the State Department of Education to administer the program and, commencing September 1, 2019, would require the department to award a minimum of 10 one-time grants of up to \$300,000 per grant, to school districts and consortia of school districts in partnership with other specified entities. The bill would require the department to develop criteria for awarding the grants, and would require the department to consult with specified persons and entities in developing those criteria. The bill would authorize a school district or consortium to apply to the department to be eligible to receive a grant, as provided.

The bill would require a school district or consortium that receives a grant to use it for specified purposes relating to dual language immersion programs, developmental bilingual programs for English learners, and early learning dual language learners programs. The bill would require the department, on or before June 30, 2025, to submit a report to the appropriate committees of the Legislature detailing the successes, best practices, barriers or constraints, and outcomes of school district and consortium programs funded with these grants. The bill would require its provisions to be implemented only upon an appropriation for its purposes in the annual Budget Act or other statute.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The California Education for a Global Economy Initiative, approved by the voters as Proposition 58 at the November 8, 2016, statewide general election, which was passed by an overwhelming 73.5 percent of California voters, calls for: (A) multilingual opportunities for all pupils, including English learners; (B) eliminating restrictions on instructing English learners imposed by Proposition 227 of 1998; and (C) places the decision of how to educate English learners back in the hands of school districts, schools, and communities.

(2) The approval of the English Learner Roadmap by the State Board of Education on July 12, 2017, helps to inform the implementation of Proposition 58. The English Learner Roadmap is the first new language policy adopted in nearly 20 years to serve the 1.4 million English learners in California. The English Learner Roadmap will provide guidance to school districts on the implementation of high-quality services and programs for English learners by addressing the systemic considerations necessary to support effectiveness as well as the alignment and articulation within and across grades and schools. The English Learner Roadmap will assist school districts in their efforts to provide English learners with intellectually rich and developmentally appropriate learning experiences, as well as meaningful access.

(3) Extensive research has demonstrated the cognitive, economic, and long-term academic benefits of multilingualism and biliteracy.

(4) Researchers assert the benefits of bilingualism and biliteracy to promote the multilingual and multicultural competencies necessary for a global business job market, while ameliorating the significant achievement gap between language majority and language minority pupils.

(5) Parents now have the opportunity to participate in building innovative new programs offering pupils greater opportunities to acquire 21st century skills, such as multilingualism and biliteracy.

(6) Parents now have a choice and a voice to seek the best education for their children, including access to language programs that improve their children's preparation for college and careers and allow them to be more competitive in a global economy.

(b) It is the intent of the Legislature that all children in California have access to high-quality dual language immersion, developmental bilingual for English learners, and early learning dual language learners programs.

SEC. 2. Article 11 (commencing with Section 33440) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 11. Pathways to Success Grant Program

33440. For purposes of this article, the following terms have the following meanings:

(a) "English learner" has the same meaning as defined in Section 306.

(b) "Native speaker of English" has the same meaning as defined in Section 306.

(c) "Dual language immersion program" is a program that enrolls both English learners 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. These programs are also known as two-way bilingual immersion programs.

(d) "Developmental bilingual program for English learners" is a program in which academic instruction and literacy development occurs in both a pupil's home language and in English. It is a program that exists across all grade levels in schools. Academic curriculum is taught through a pupil's home language plus English language development, with increasing academic instruction in English until pupils develop literacy in both languages, at which point academic study in both languages continues.

(e) "Early learning dual language learners programs" refer 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.

(f) "Dual language learners" (DLLs) is the 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.

33441. (a) The Pathways to Success Grant Program is hereby established with the goal of providing pupils 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 the adopted state policy of the English Learner Roadmap.

(b) 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:

- (1) Establishing dual language immersion programs or developmental bilingual programs for English learners for pupils in elementary and secondary schools.
- (2) Establishing early learning dual language learners programs in state preschools operated by school districts and charter schools.
- (3) Expanding existing dual language immersion programs or developmental bilingual programs for English learners to new schoolsites.
- (4) 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, dual language immersion programs or developmental bilingual programs for English learners and early learning dual language learners programs.

33442. (a) (1) The department shall administer the Pathways to Success Grant Program, which shall be a three-year grant program. Commencing September 1, 2019, the department shall award a minimum of 10 one-time grants of up to three hundred thousand dollars (\$300,000) per grant, to entities described in subdivision (b) considering any of the following:

- (A) Establishing a dual language immersion program or developmental bilingual program for English learners.
- (B) Expanding an established dual language immersion program or developmental bilingual program for English learners.
- (C) Establishing early learning dual language learners programs in state preschool programs operated by school districts and charter schools.

(2) 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, the department shall provide additional funding of up to twenty thousand dollars (\$20,000) over the amount of the grant awarded pursuant to paragraph (1).

(3) Priority shall be given to proposals for programs with an enrollment that consists of at least 40 percent English learners at the elementary level and at least 40 percent English learners and reclassified fluent English proficient pupils at the middle and high school levels.

(b) Both of the following entities are eligible to apply for a grant pursuant to this section:

- (1) A school district.
- (2) A consortium composed of a school district in partnership with one or more of the following:
 - (A) Other school districts.
 - (B) County offices of education.
 - (C) Bilingual teacher programs in schools of education in institutions of higher education.
 - (D) Charter schools, other than for-profit charter schools, located within the school district.

(c) In accordance with Section 33444, the department shall identify criteria for evaluating applicants and awarding the grants.

(d) An entity described in subdivision (b) may apply to the department to receive a grant pursuant to subdivision (a). Participation in this grant program shall be on a voluntary basis.

(e) An application shall include a description of all of the following:

- (1) The high-quality curriculum and instruction to be provided by the dual language immersion program or developmental bilingual program for English learners.
- (2) 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.
- (3) 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, standards-based curriculum and instruction, and the projected number of

classrooms included for each grant.

(4) Pupil enrollment, disaggregated by English learners, dual language learners, and native speakers of English.

(5) How the program for which the applicant proposes to use the grant will serve the applicant's English learner population and dual language learners, including outreach to families who speak the target language of the new or expanded program.

(6) How the applicant will secure bilingual teachers, bilingual preschool educators, bilingual paraeducators, and bilingual program staff.

(7) How the applicant will sustain its expanded or new dual language immersion program, developmental bilingual program for English learners, or early learning dual language learners program beyond the three-year grant period.

(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 authorizing body or bodies of the charter schools.

(9) Efforts to align program goals with school district responsibilities pursuant to Section 305.

(10) A program budget identifying the amount of funding proposed to be expended for the allowable expenses identified in subdivision (a) of Section 33445, including information on how much grant funding will be spent at each schoolsite.

(11) Available funding within the current or projected budget for the three-year grant period that will be committed in addition to grant funding, including any funding received pursuant to its local control funding formula allocation, federal law, or other sources.

(12) How the applicant will collect data required by the department for purposes of the department's report described in Section 33446. The application shall include the number of pupils to be served, including English learners, native English speakers, and dual language learners, by the applicant and the number of pupils successfully completing programs described in this article at the elementary and secondary levels and in early childhood education programs.

(13) Assurance that the applicant will sustain and maintain the program or programs described in this article and a description of the support, including funding, it commits to do so.

33443. The department shall perform all of the following functions in the administration of the Pathways to Success Grant Program:

(a) Review applications and award grants.

(b) Provide technical assistance to school districts, county offices of education, or consortia implementing a dual language immersion program, developmental bilingual program for English learners, or early learning dual language learners program.

(c) Identify data to be collected by grant recipients.

(d) Identify how it will collect data reported by grant recipients, and how it will make that data available to the public.

33444. The department shall consult with the following persons and entities in the development of the criteria for awarding the grants and in developing the professional development modules:

(a) Professional organizations with demonstrated expertise and experience in developing, implementing, and maintaining a dual language immersion program, developmental bilingual program for English learners, and early learning dual language learners program.

(b) Classroom teachers providing instruction in a dual language immersion program, development bilingual program for English learners, or early learning dual language learners program.

(c) Principals of schools with an existing dual language immersion program, development bilingual program for English learners, or early learning dual language learners program.

(d) Researchers and representatives of nonprofit professional organizations with demonstrated expertise and experience specific to dual language immersion programs, developmental bilingual programs for English learners, or early learning dual language learners programs.

33445. (a) A grant recipient shall use the grant for any of the following purposes:

(1) School administrator, teacher, and staff training specific to the implementation and maintenance of a dual language immersion program, developmental bilingual program for English learners, or early learning dual language learners program.

(2) Recruitment of bilingual preschool, elementary, and secondary school teachers and paraeducators.

(3) Professional development for teachers after the initial establishment of the program.

(4) Ongoing outreach to families of pupils, including strategies for family engagement.

(5) Establishment and support of language learning professional learning communities for teachers.

(6) Instructional coaches with demonstrated expertise and experience in implementing a dual language immersion program, developmental bilingual program for English learners, or early learning dual language learners program.

(7) Standards-based instructional materials in target languages for proposed dual language immersion programs, developmental bilingual programs for English learners, or early learning dual language learners programs.

(b) A grant recipient shall use the grant to supplement funding used for ongoing program costs received pursuant to its local control funding formula allocation and federal funding, such as Title I, II, or III funding.

33446. On or before June 30, 2025, the department shall submit a report to the appropriate committees of the Legislature detailing the successes, best practices, barriers or constraints, and outcomes of school district and consortium programs funded with grants pursuant to this article. The report shall include the number of pupils in dual language immersion programs, developmental bilingual programs for English learners, and early learning dual language learners programs, and how these programs supported the goals of each of the school district programs and consortia funded with these grants.

33447. This article shall be implemented only upon an appropriation for its purposes in the annual Budget Act or other statute.