
CONSENT

Bill No: AB 1255
Author: Committee on Education
Amended: 6/16/25 in Senate
Vote: 27 - Urgency

SENATE EDUCATION COMMITTEE: 7-0, 6/25/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 76-0, 6/2/25 - See last page for vote

SUBJECT: Pupil instruction: newcomer pupils: migrant education: migrant regions

SOURCE: Author

DIGEST: This bill, an urgency measure, modifies the definition of migrant region related to services for migrant children to be comprised of county offices of education rather than geographical counties.

ANALYSIS:

Existing law:

- 1) Requires the State Board of Education (SBE) to adopt a state master plan for services to migrant children, as provided. It further requires the Superintendent of Public Instruction (SPI), in implementing the state master plan for services to migrant children, to establish the service regional system as the primary method for the delivery of services to migrant children. Current law also requires the SPI to review and approve plans for the establishment of service regions and to incorporate specified criteria in the approval of regional plans, as provided. (Education Code (EC) § 54444.1)

- 2) Defines “migrant region,” for purposes of this law pertaining to services for migrant children, as an operating agency comprised of a county or a combination of counties, or a public or private nonprofit agency not controlled in whole or part by a school district, or a combination of counties and agencies, meeting specified criteria. (EC § 54441(f))
- 3) Requires the Instructional Quality Commission (IQC) to recommend curriculum frameworks and instructional materials for adoption to the SBE.
- 4) Requires, at the next regularly scheduled revision of the curriculum framework in English Language Arts (ELA) and English Language Development (ELD), the IQC to consider including content designed to provide teachers with resources to meet the unique academic and ELD needs of newcomer pupils at all grade levels. It further requires the IQC to ensure that the instructional materials for pupils in kindergarten or any of grades 1 to 8, inclusive, that it recommends to the SBE for adoption include resources to help teachers meet the needs of newcomer pupils. (EC § 33547)
- 5) Defines “newcomer pupil” to have the same meaning as “immigrant children and youth,” as defined in federal law, which is defined as individuals who:
 - a) Are age three through 21.
 - b) Were not born in any State.
 - c) Have not been attending one or more schools in any one or more states for more than three full academic years. (EC § 54450(a))

This bill:

- 1) Modifies the definition of migrant region to include an operating agency comprised of a county office of education (instead of a county), or a combination of county offices of education or a combination of school districts within a county (instead of a combination of counties), or a combination of county offices of education and public or private nonprofit agencies meeting migrant education services criteria, as specified.
- 2) Requires at the next adoption or follow-up adoption of instructional materials for use in kindergarten and grades 1 to 8, inclusive, in ELA and ELD, the IQC

to consider including in its evaluation criteria resources to help teachers meet the unique academic and ELD needs of newcomer pupils.

- 3) Includes an urgency clause based on the need to ensure the efficient administration of the migrant education program to all grantees, and to ensure that an upcoming adoption of instructional materials by the SBE includes resources for teachers to meet the unique needs of newcomer pupils, it is necessary that this act take effect immediately.

Comments

Need for this bill. This bill is an Assembly Education Committee measure. Information provided by the Assembly Committee staff notes that this bill accomplishes two objectives. First, it clarifies the definition of migrant regions for purposes of the migrant education program. According to the California Department of Education (CDE), these changes to the definition align it with the existing approved migrant regions, which include several school districts. Secondly, current law AB 714 (McCarty, Chapter 342, Statutes of 2023) requires that when the ELA/ELD framework is next revised, the IQC consider including content to help teachers meet the unique academic and English language development needs of newcomers. It also requires that, when this framework revision occurs, the IQC ensure that the adopted instructional materials include resources to help teachers meet these needs. At the time AB 714 was enacted, the expectation, based on many decades of practice, was that the ELA/ELD framework would be revised prior to the adoption of instructional materials in ELA/ELD. Since then, the SBE has decided to adopt new materials in this subject without revising the framework. To make the provision of AB 714 take effect, the reference to the revision of the ELA/ELD framework needs to be removed. This would have the effect of requiring the IQC to consider this content in the instructional materials adoption expected to begin in the coming year.

SBE Instructional Materials Adoption Process. State law requires the SBE to adopt instructional materials for grades K-8 in the curriculum areas of ELA/ELD, mathematics, science, history–social science, visual and performing arts, health, and world languages. Each new instructional materials adoption process is typically initiated after adopting a new or revised curriculum framework—each of which contains a chapter describing the criteria for evaluation of instructional materials. In this instance, SBE has decided to adopt new materials for ELA/ELD without revising the framework.

According to CDE, the instructional materials adoption process takes place over a period of approximately two years. The sample timeline below includes the following key milestones:

- The IQC recommends the timeline and online reviewer application to the SBE, and the SBE approves the timeline and application.
- The IQC approves the evaluation criteria and standards maps.
- SBE approves the evaluation criteria and standards maps.
- The IQC recommends reviewers to the SBE, and the SBE appoints reviewers.
- The publisher invitation to submit meeting takes place, and submission forms are due approximately two months later.
- Reviewer training takes place for approximately one week, publishers submit materials for review, and reviewers reconvene for deliberations approximately three months after training. Reviewers make program adoption recommendations to the IQC.
- The IQC holds a public meeting to receive public comment and makes recommendations to the SBE.
- The SBE holds a public meeting to receive public comment and takes action on program recommendations.

Once adopted by the SBE, school district governing boards and charter schools may adopt the instructional materials or separately adopt materials that have not been adopted by the SBE but have been verified to be in alignment with the state SBE-adopted content standards and curricular frameworks. This bill requests the IQC to add content to help teachers meet the unique needs of newcomers to the next revision of the ELA/ELD recommended instruction materials.

Newcomer students. Newcomers are generally students in their first years of U.S. schooling with varying educational backgrounds and English proficiency. AB 714 recently aligned the definition of this unique student group with the federal definition of immigrant youth and children, as it is believed to encompass the main characteristics of newcomers—students who are abroad and have been in U.S.

schools for three years or less. In 2022, the Policy Analysis for California Education (PACE) reported that there are between 150,000 and 200,000 immigrant students in the state who have been in U.S. schools for less than three years. This group of newcomers generally requires specialized academic instruction and social services to succeed in school, and despite great efforts, many districts struggle to create these conditions for success. A key finding of the PACE report is the lack of comprehensive guidance for schools and teachers to effectively deliver instructions and support to newcomers. This bill seeks to ensure the development of materials for teachers to support the English language development of newcomers.

Migrant Education Program. Migrant education is a federally funded program. To participate in migrant education programs, a child is considered “migratory” if the parent or guardian is a migratory worker in the agricultural, dairy, lumber, or fishing industries and whose family has moved during the past three years. A “qualifying” move can range from moving from one residence to another or across school district boundaries due to economic necessity. Both federal and state laws support California’s migrant education program. State law sets out the administrative framework for delivering local migrant education program services through regional offices. SBE has approved some school districts as migrant education program regions. However, current law only lists counties or nonprofit organizations to serve as regions. According to CDE, there are currently 24 regions; six are school districts. This bill seeks to align state statute with actions already taken by SBE. It would grant the authority to school districts to operate as migrant education regions.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 7/8/25)

California Newcomer Network
Californians Together
Teach Plus California

OPPOSITION: (Verified 7/8/25)

None received

ASSEMBLY FLOOR: 76-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González,

Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell,
Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco,
Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom,
Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo,
Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis,
Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: DeMaio, McKinnor, Sanchez

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105
7/9/25 16:03:34

**** **END** ****