



## Creating Safe Spaces in Early Childhood Development Centers SB 959 (Hurtado)

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As Californians try to navigate living under pandemic conditions, California's essential workers have been on the front lines, caring for community members who are ill, packing our groceries, and key services that allow others to stay safe at home. In order to do this critical work, essential workers – 1 in 3 (4.6 million) of whom are immigrants<sup>1</sup> – have continued sending their children to child care providers who have remained open to serve them and other children who are particularly vulnerable to social, emotional, and physical impacts of COVID-19. Immigrants have always been a lifeline for our state and our country, and continue to hold our delicate society together by working during a pandemic that has impacted millions across the world – facing risks to their physical, emotional, and mental health as well as continued federal anti-immigrant policy and rhetoric.

SB 959 (Hurtado) seeks to protect immigrant families, many who are providing essential care and services across our state, by extending “safe space” policies to early childhood care and learning spaces in order to protect the safety, privacy, and wellbeing of young children and their families both during and after COVID-19.

### Problem: Hostile immigration policies are creating fear and trauma in immigrant families

The spread of anti-immigrant policies including heightened immigration enforcement activities, changes to public charge policy, and promises of massive raids, have unmistakably changed the climate in which immigrant families are living across California. Furthermore, the federal anti-immigrant policy and rhetoric has heightened since COVID-19 began. Immigrants have been excluded in numerous ways from COVID-19 emergency relief,<sup>2</sup> and the Trump administration has continued widespread immigration enforcement, detention, and expulsion.

**These policy shifts have made immigrant families increasingly wary of utilizing essential public services and programs, including early childhood care and learning.<sup>3</sup>** Families are worried about sharing their personal information, how

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<sup>1</sup> American Community Survey 1-Year Estimates 2018. Available at <https://data.census.gov/mdat/#/search?ds=ACSPUMS1Y2018&cv=NAICSP&rv=ucgid.SOCP&nv=CIT&wt=PWGTP&g=0400000US06>

<sup>2</sup> National Immigration Law Center, “Understanding the Impact of Key Provisions of COVID-19 Relief Bills on Immigrant Communities,” April 2020. Available at <https://www.nilc.org/wp-content/uploads/2020/04/COVID19-relief-bills-understanding-key-provisions.pdf>

<sup>3</sup> Wendy Cervantes, Rebecca Ulrich, and Hanna Matthews. “Our Children’s Fear: Immigration Policy’s Effects on Young Children.” CLASP, March 2018, available at

participating in publicly funded programs could affect their ability to obtain long-term status, and the possibility of encountering immigration agents at or near their child care provider.<sup>4</sup>

**California’s early childhood development (ECD) programs – like family child care homes, preschools, and child care and preschool centers – serve over half a million children each year** and play an important role in the development and wellbeing of children, including supporting the language, literacy, mathematics, and social-emotional competencies needed for a smooth transition into kindergarten and later life success.<sup>5</sup> These programs also connect families to resources like nutrition, health, and parenting services. **For families facing adversity, early childhood programs can provide stability when everything else is uncertain.**

**The impact of hostile immigration policies on young children and their families, and early education programs is especially alarming in California, where nearly half of California’s three million children under five years old are children of immigrants, and three in every five pre-school age children of immigrants attend a preschool center.**<sup>6</sup>

### **Solution: Extend “safe space” policies to early childhood programs**

SB 959 (Hurtado) would require the California Department of Education (CDE) to provide all ECD programs with information about a child’s right to be safely enrolled in an early education program regardless of their immigration status, in the parent’s primary language. **The information provided will include “Know Your Rights” information and model “safe space” policies developed by the Attorney General.** CDE will also help ECD programs to provide this information to the children and families they serve in their primary language. This bill expands upon AB 699 (O’Donnell), enacted in 2018, which was also a response to hostile federal climate, and provides protections for students and families enrolled in K-12 schools.

**This bill aims to reduce childhood trauma related to immigration so young children can learn and grow without the added stressors.** California has the opportunity to focus its efforts on ensuring children in immigrant families are able to achieve their full potential by ensuring access to early childhood development experiences free from fear and providing other supports that promote the safety, privacy, and healthy development of these children.

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<https://www.clasp.org/publications/report/brief/our-childrens-fear-immigration-policys-effects-young-children>

<sup>4</sup> Ibid.

<sup>5</sup> Melnick, Hanna, T. Tinubu Ali, Madelyn Gardner, Anna Maier, and Marjorie Wechsler. "Understanding California’s early care and education system." *Palo Alto, CA: Learning Policy Institute* (2017).

[https://learningpolicyinstitute.org/sites/default/files/product-files/Understanding\\_CA\\_Early\\_Care\\_Education\\_System\\_REPORT.pdf](https://learningpolicyinstitute.org/sites/default/files/product-files/Understanding_CA_Early_Care_Education_System_REPORT.pdf)

<sup>6</sup> The Children’s Partnership and Early Edge California. “The Effect of Hostile Immigration Policies on California Children’s Early Childhood Development,” November 2019, available at

<https://www.childrenspartnership.org/research/the-effect-of-hostile-immigration-policies-on-california-childrens-early-childhood-development/>