

Date of Hearing: April 21, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2092 (Bonta) – As Amended March 26, 2026

PROPOSED AMENDMENTS

SUBJECT: Early Childhood Integrated Data System

SYNOPSIS

This bill gives statutory authority to the Department of Social Services (CDSS) to gather all early childhood data across state agencies and develop the Early Childhood Integrated Data System (ECIDS) to track these data. In other words, this bill establishes a taskforce to develop ECIDS and gives them the authority to request CDSS collect any and all data they deem necessary to develop detailed profiles on all children in California from birth to age five, their families, and their teachers.

As currently drafted, the bill does not contain adequate privacy protection measures, including data minimization. The sheer breadth of data that this would allow CDSS to collect and link to individual families is breathtaking. The taskforce in the bill could determine that they need reproductive healthcare information on women with children under five. They could also gather income tax and employment information on parents, immigration status, criminal records, and any child welfare information to combine in it all in a comprehensive profile. All without the consent of the parents.

The Committee amendments, described in Comment #4 will require that the taskforce and CDSS comply with all applicable privacy laws and limits the data that CDSS can access to nine existing early-childhood education and K-12 databases. If more data is needed for ECIDS, the taskforce will need to return to the Legislature.

This bill is sponsored by EdTrust-West and supported by a number of educational organizations and social just organizations, including the Alameda County Office of Education and Children Now. It is opposed by Oakland Privacy.

This bill was previously heard by the Human Services Committee, where it passed on a 7-0 vote

EXISTING LAW:

- 1) Establishes the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. (20 U.S.C. § 1232g; 34 C.F.R. Part 99.)
- 2) Establishes under federal law, the Health Information Portability and Accountability Act of 1996 (HIPAA), which sets standards for the privacy of individually identifiable health information and security standards for the protection of electronic protected health information, including, through regulations, that a HIPAA-covered entity may not condition

the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits on the provision of an authorization, except under specified circumstances. Provides that if HIPAA's provisions conflict with state law, the provision that is most protective of patient privacy prevails. (42 U.S.C. § 1320d, *et seq.*; 45 Code Fed. Regs. Part 164.)

- 3) Provides, pursuant to the California Constitution, that all people are by nature free and independent and have inalienable rights. Among these the fundamental right to privacy. (Cal. Const. art. I, § 1.)
- 4) Establishes the Information Practices Act (IPA) of 1977, which generally enumerates the requirements applicable to state agencies that collect, maintain, and disclose personal information from California residents, including limitations on permissible disclosure, the rights of residents to know and access the information, and required accounting of disclosures of the information. (Civ. Code §§ 1798, *et seq.*)
- 5) States, in the IPA, that the “right to privacy is a personal and fundamental right protected by Section 1 of Article I of the Constitution of California and by the United States Constitution and that all individuals have a right of privacy in information pertaining to them.” Further states these findings of the Legislature:
 - a. The right to privacy is being threatened by the indiscriminate collection, maintenance, and dissemination of personal information and the lack of effective laws and legal remedies.
 - b. The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.
 - c. In order to protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits. (Civ. Code § 1798.1.)
- 6) Requires that each state agency maintain in its records only personal information that is relevant and necessary to accomplish the purpose of the agency. (Civ. Code § 1798.14.)
- 7) Requires that each agency collect personal information to the greatest extent practicable directly from the individual who is the subject of the information rather than from another source. (Civ. Code § 1798.15.)
- 8) Prohibits an individual's name and address from being distributed for commercial purposes, sold, or rented by an agency unless such action is specifically authorized by law. (Civ. Code § 1798.60.)
- 9) Defines “personal information,” for purposes of the IPA, as any information that is maintained by an agency that identifies or describes an individual, including, but not limited to, the individual's name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. (Civ. Code § 1798.3(a).)

- 10) Establishes the California C2C Data Systems Act, which expresses legislative intent to build a data system that serves students and families by identifying and tracking predictive indicators to enable parents, teachers, health and human services providers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities and improve outcomes for all students. (Ed. Code §§ 10850 *et seq.*)
- 11) Establishes the Early Childhood Development Act of 2020, transferring specified early learning and care programs from CDE to CDSS and expresses legislative intent to implement a phased approach to achieving the goals of the Master Plan for Early Learning Care, including integrating childcare programs with other benefits and services. (Welf. and Inst. Code §§ 10200 *et seq.*)
- 12) Requires CDE to collect pupil-level data for children enrolled in California State Preschool Programs operated by local educational agencies, as well as data on preschool educators, to better understand program participation and outcomes and align early learning data with the state's K-12 longitudinal data systems. (Ed. Code §§ 60910 *et seq.*)

THIS BILL:

- 1) Establishes the Early Childhood Integrated Data System (ECIDS) under the California Department of Social Services (CDSS) to link data across programs serving children from birth to five years of age and connect to the California Cradle-to-Career (C2C) Data System. Requires CDSS to convene an Interagency Early Childhood Data Taskforce to guide system development, data sharing, privacy protections, and stakeholder engagement. Authorizes CDSS to collect and share limited early childhood program data to improve access, coordination, equity, and outcomes for children and families. Specifically, this bill:
- 2) Establishes the statewide ECIDS under CDSS and requires CDSS to assume statewide leadership and coordination of the data system. Requires the system to do all of the following:
 - a. Link data across programs serving children from birth to five years of age.
 - b. Provide actionable insights to improve access, quality, and equity.
 - c. Support longitudinal analysis by connecting early childhood data to the C2C data system.
 - d. Requires CDSS to establish the Interagency Early Childhood Data Taskforce (taskforce) to coordinate efforts on development and implementation of ECIDS.
- 3) Requires the taskforce to be composed of a data privacy expert and a representative from all the following entities:
 - a. The California Health and Human Services Agency.
 - b. CDSS.
 - c. The California Department of Education (CDE).
 - d. The California Department of Developmental Services (DDS).

- e. The Commission on Teacher Credentialing.
 - f. The State Board of Education.
 - g. The Office of C2C Data.
 - h. First 5 California.
- 4) Requires the taskforce to provide information and advise CDSS on early learning and care data by doing all of the following:
- a. Conduct a comprehensive landscape analysis scan that outlines all of the following:
 - i. Existing zero to five years of age data elements across data providers and state entities.
 - ii. Data collection gaps to answer how children are moving through the education pipeline and how best to understand both regional and statewide needs.
 - iii. Current data sharing agreements amongst the state entities represented in the taskforce.
 - iv. Functionality of the data system.
 - v. The need for state funding and full-time equivalent state-funded staff needed to implement the data system.
 - b. Guide decisions regarding strategic planning, data collection procedures, including pertinent data elements to be collected, security policies, and metrics to track progress toward state goals.
 - c. Facilitate the sharing of data from early childhood programs across state agencies to do both of the following:
 - i. Inform policy related to early childhood programs at the state level.
 - ii. Guide improvements to early childhood programs to provide better outcomes for children and families.
 - d. Develop and implement a stakeholder engagement plan.
 - e. Develop ECIDS in a manner that allows the state to do all of the following:
 - i. Identify gaps in services.
 - ii. Identify opportunities to align services and programs.
 - iii. Coordinate needs across services and programs.

- iv. Design and monitor equitable reimbursement structures that reflect the true cost of care and promote quality improvement.
 - v. Further implement the Master Plan on Early Learning and Care.
- 5) Requires CDSS and taskforce members to establish participatory agreements through memoranda of understanding (MOU) that capture shared intent to collaborate and develop the data system.
 - 6) Requires the taskforce to annually submit a report to the Legislature on the progress in developing, establishing, and operating the data system.
 - 7) Requires the report to be submitted in compliance with state law.
 - 8) Requires CDSS to collect data, which shall include data on children's state and federal programs, such as the type of education program, health, food, teacher credentialing, income, address, age, learning milestones, hours in care, and any other data elements determined to be pertinent by the taskforce.
 - 9) Prohibits CDSS from collecting data elements that significantly differ from the data elements specified and authorized in these provisions without prior authorization from the Legislature.
 - 10) Requires CDSS to only collect and share the minimum amount of data necessary to achieve the intent of this section. Prohibits CDSS from using the data collected pursuant to these provisions for any other purpose, except as specified.
 - 11) Requires CDSS to enforce data privacy and protection policies with all participating entities.

COMMENTS:

1) **Author's statement.** According to the author:

Currently, California's early childhood data are siloed within multiple individual agencies, meaning agencies cannot track how children are doing across programs and are unable to serve children appropriately. The Department of Social Services (DSS), the Department of Education (CDE), and the Health and Human Services Agency (CalHHS) all collect early childhood data. However, no one agency has the authority to gather the data from the other agencies. This leaves us with a disjointed system, where we cannot track how our children are doing holistically. AB 2092 addresses this issue by giving statutory authority to DSS to gather all early childhood data across agencies and develop the Early Childhood Integrated Data System (ECIDS) to track these data. In addition to integrating with the Cradle-to-Career data system, ECIDS will help CDE, CDSS, and CalHHS coordinate immediate services for families, such as identifying enrollment gaps or streamlining eligibility across different early learning and care programs. The state has invested billions of dollars into early childhood programs, from universal pre-kindergarten to transitional kindergarten. The legislature must track children across these programs to understand how those investments are working and what needs additional change. California's children deserve services that meet their needs; we can only deliver these services if we have the data to understand those needs.

2) **Early Childhood Integrated Data Systems.** The Human Services Committee provides the following background:

California administers early childhood programs serving children from birth to five years of age through multiple state agencies, including CDSS, CDE, DDS, and various health and human services programs. Each agency collects and maintains its own data systems to administer services such as subsidized childcare, preschool, developmental services, health programs, and nutrition assistance. Because these systems were developed independently, they often operate separately and rely on different data standards, definitions, and reporting structures. As a result, the state lacks a unified system to consistently link or analyze data across early childhood programs. This fragmentation limits the state's ability to understand how children and families move between programs, identify gaps in access to services, and assess how different services collectively support early childhood development and influence longer-term outcomes.

ECIDS are designed to address these challenges by linking data across programs and agencies that serve young children and their families. By integrating data from multiple sources, states can better understand service utilization and how participation in early childhood programs influences developmental, educational, and family outcomes. Research organizations, such as Child Trends, find that ECIDS can help identify disparities in access, monitor outcomes, improve coordination, and reduce duplication. Consistent with these findings, California's 2020 Master Plan for Early Learning and Care¹ identified the development of a statewide ECIDS as a key strategy to strengthen the state's early learning infrastructure.

A 2018 nationwide survey by the Early Childhood Data Collaborative² found that 22 states link data across some or all early childhood programs, with Georgia and Mississippi reporting full integration across programs. Of these, 18 states have implemented ECIDS, while 12 states, including California, reported plans to do so, and 16 states reported no linkage or plans. States identified challenges with data integration, including data-sharing agreements, agency policies that restrict data exchange, and privacy concerns. Among states with linked data systems, integration is most common for subsidized childcare, state prekindergarten, preschool special education, and early intervention, and less common for home visiting and Head Start programs.

3) **Analysis.** The value of creating a longitudinal database that creates profiles on all of California's infants and toddlers (ages 0 to 5) is primarily the responsibility of the Human Services Committee. However, because this bill authorizes the widespread sharing of data across state departments with the intention of linking them to young children and by extension their families and teachers, the concern of this Committee is to ensure that there are sufficient privacy protections, cybersecurity requirements, and data minimization. Toward that end, the bill contains the following protections:

- Requires that a privacy expert be included on the taskforce.
- Requires CDSS to only collect the data necessary to accomplish the purpose.

¹ <https://californiaforallkids.chhs.ca.gov/strategy/Integrated%20Data%20System>

² <https://cms.childtrends.org/wp-content/uploads/2018/09/ECDC-50-state-survey-9.25.pdf>

- Prohibits CDSS from collecting data *that significantly differs* from the data specified in the bill.
- Prohibits CDSS from using the data it collects for any other purpose and prohibits them from sharing or selling the data.
- Requires CDSS to enforce data privacy and protection policies with all participating entities.

However, the bill also contains significant weaknesses that may put the most sensitive information about children and families at risk.

- Despite the non-specific prohibition on collecting data that significantly differs from the data listed, the bill allows the following:

The department shall collect data, which shall include data on children's state and federal programs, such as the type of education program, health, food, teacher credentialing, income, address, age, learning milestones, hours in care, language use and access, and any other data elements determined to be pertinent by the taskforce.

Not only are these data categories non-specific, but they are also very sensitive including data on the parents' income, the child's home address, and the child's primary language. Additionally, the language allows CDSS to access any additional data the stakeholders request.

- Beyond requiring the taskforce to guide decisions regarding data collection procedures, including *security policies*. The bill does not require that the data be encrypted or that a robust cybersecurity plan be in place prior to gathering all of the required data or at any point.
- The bill is silent on who will be able to access the child and family profiles and whether the data can be downloaded and shared.
- The bill does not contemplate requiring the consent of the parents and other adults before sharing and linking their personal information and that of their young children. An important principle of privacy protection is understanding that just because a person provides their personal information for one purpose, that does not mean that they have given away their right to determine how that information is used. This bill, arguably, presumes that the information should no longer be protected because it was included in a government database.
- The bill does not contemplate a process that would allow parents or other adults to review the profiles that have been created and request their deletion.
- The bill does not require anonymization of the data before it is accessed by the people who will be using the database.

In short, the language in this bill, despite including some blanket protections, does not adequately protect the data given the sensitive information likely included in the database they will be accessing.

4) **Amendments.** To strengthen the protections in the bill, the author has agreed to amend the bill to do the following:

1. Clarify that data sharing will be done in accordance with all applicable privacy laws, including the Information Practices Act, the Family Educational Rights and Privacy Act, (FERPA) and the Confidentiality of Medical Information Act.
2. Several updates were added by the author to make sure ECIDS is compliant with FERPA.
3. Restricts CDSS to only using data available in nine education databases.
4. Allows the agency from which the data originated to approve its uses.
5. Require the data linkage to be conducted in two phases:
 - a. Phase 1 – Personally identifiable information (PII) will only be used in the initial stage of data sharing to link records across currently separate datasets needed to answer specific research questions, not to follow individuals.

The separation principle will apply: an individual's PII will always be kept separate from information about the services they received or other analytically-relevant information.
 - b. Phase 2 – Once the probabilistic match is complete, the records will be stripped of identifying information, leaving only an encrypted linkage key and source record identifiers facilitating integration with analytic information.
6. Other conforming and technical changes.

ARGUMENTS IN SUPPORT: EdTrust-West, sponsors of the bill, along with a coalition of supporters write:

AB 2092 (Bonta) represents a crucial step toward ensuring that every child has access to quality early learning experiences that build a strong foundation for lifelong learning and success. Our policy brief, *Equitable and Accessible Early Learning and Care in California Starts with an Early Childhood Integrated Data System (ECIDS)*, shows how the current early learning and care landscape is fragmented, with key data siloed across multiple agencies and programs. This lack of integration makes it difficult for decisionmakers and providers to evaluate programs, identify where gaps in early childhood services exist, and how to best support our youngest learners.

Local models prove this vision is achievable. According to the Learning Policy Institute, cities like San Francisco and Long Beach have already started to successfully leverage integrated data systems. By implementing centralized enrollment hubs and integrated data tools, these programs can identify unserved children in real-time and streamline the application process for families. While these local successes provide a roadmap, California has yet to realize the full potential of a scalable, statewide ECIDS to serve as a vital tool for advancing equity and scaling successful early learning models. AB 2092 (Bonta) builds on California's ongoing efforts to identify inequities and roadblocks to success while also recognizing where things are going well, especially for children of color, those living in

poverty, children with disabilities, and multilingual learners. Specifically, this bill would: (1) establish the CDSS as the lead agency with statutory authority to manage the ECIDS; and (2) create an interagency taskforce to oversee data governance, enforce data privacy policies, and update necessary Memorandums of Understanding (MOUs).

ARGUMENTS IN OPPOSITION: In opposition to the bill, Oakland Privacy argues:

We want to be clear that we have had conversations with the author's office and we know further amendments are in the works. The intent here is to express that the language is currently not quite where we think it should be. We do understand this proposal is in its beginning phases and the primary purpose of this bill is an authorization to begin by assembling a task force. We very much appreciate the author's inclusion of a data privacy expert on the task force. We would just like to make a few suggestions regarding the enabling language in the bill.

In general, while a broad statement in a bill that all privacy policies and laws will be followed is good, it is better to be specific about what privacy laws are being referred to. While the list does not need to be exclusive and should leave room for project-specific privacy policies that might be developed, the bill language should at least reference the Information Practices Act and the Confidentiality of Medical Information Act. We would suggest that "including but not limited to" would be appropriate language here.

The bill's current language, as well as the Information Practices Act itself, refer to the purpose of the information transfer. In order to operationalize these clauses, it would be good to articulate the specific purpose or purposes clearly, so it is possible to determine what is outside of scope. The bill identifies three purposes at the moment:

- (1) Link data across programs serving children from birth to five years of age.
- (2) Provide actionable insights to improve access, quality, and equity.
- (3) Support longitudinal analysis by connecting early childhood data to the California Cradle-to-Career Data System.

With regard to the third purpose, we note that one of the stated purposes of the Cradle to Career Data System is to provide researchers with data for studies of educational outcomes and the impacts of education policy. If the data in ECIDS is intended to connect with CTC, then it seems clear that research would need to be enunciated as a purpose, unless the intent is for ECIDS data to be segregated from the confidential research data provisions in CTC.

We found the current language in the bill a bit confusing about what entities will be enacting data sharing agreements under the bill. One part of the bill language seems to suggest that only the entities that are participating in the task force – a list of nine entities – will be executing data sharing agreements. Another part of the language in the bill seems to suggest a larger number of data sharing agreements. One of the reasons we think this should be specified is that last year there was a proposal, many years after the enabling legislation, for the CTC database to receive income information directly from the Franchise Tax Board with regard to taxpayers who collected dependent child credits of the state. We objected to the

proposal as inconsistent with taxpayer confidentiality laws and it did not go forward. It is helpful to define the entities at this early stage.

To the extent possible, we also think it is desirable to assign some characteristics to the data sharing agreements, which should include the data elements being shared, the assignment of purpose or purposes, the retention protocol, any access limitations (i.e. confidential or public data) and where the agreement will be stored. We also believe executed data sharing agreements should be available as public records.

REGISTERED SUPPORT / OPPOSITION:

Support

EdTrust-West (Sponsor)
Advanced Consulting, LLC
Alameda County Office of Education
Ap-od
Association of Regional Center Agencies
Bay Area Council
Blu Educational Foundation
Californians Together
Ccwro
Children Now
Early Edge California
Everychild California
Families in Schools
First 5 Association of California
Kidango
Legislative Action Committee - Santa Clara County School Boards Association
Multilingual Promise
Para Los Ninos
Parent Organization Network
Seal
Sobrato Early Academic Language (SEAL)
Unidosus

Opposition

Oakland Privacy

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