File	No.	140069	

Committee	ltem	No		
Board Item	No		16	

COMMITTEE/BOARD OF SUPERVISORS

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Cmte Boa	rd Motion Resolution Ordinance Legislative Digest Budget Analyst Report Legislative Analyst Report Introduction Form (for hearin Department/Agency Cover Le MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Award Letter Application Public Correspondence	gs) tter and/or Report
	(Use back side if additional sp Senate Bill 837	pace is needed)
Completed b	oy: <u>John Carroll</u> oy:	Date <u>January 30, 2014</u> Date

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[Supporting Senate Bill 837 - Kindergarten Readiness Act]

Resolution expressing support for Senate Bill 837, the Kindergarten Readiness Act.

WHEREAS, Studies have shown that investing in early education is highly effective in increasing high school graduation and college attendance, decreasing crime, and building a stronger economy; and

WHEREAS, Only half of California low-income preschool-aged children are served in State Preschool or Head Start, and only one quarter of all children are eligible for the current transitional kindergarten program; and,

WHEREAS, The Kindergarten Readiness Act makes one year of voluntary, high quality transitional kindergarten available to every 4 year old in California; and

WHEREAS, The Kindergarten Readiness Act combines the best quality standards from current transitional kindergarten and State Preschool, creating a model that results in sustainable gains in school performance; and

WHEREAS, The Kindergarten Readiness Act allows existing federal and state preschool funds to be focused on additional early care and education programs for low-income 3 and 4 year olds, giving them an added boost where they need it most; and

WHEREAS, The Kindergarten Readiness Act will not take away any funds from existing state-contracted child development providers; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby supports Senate Bill 837 (SB 837); and, be it

FURTHER RESOLVED, That the Board of Supervisors urges our state representatives to support the Kindergarten Readiness Act when it comes before California State Legislature, and urges the Governor to sign SB 837 into law; and, be it

FURTHER RESOLVED, That the Board of Supervisors respectfully requests the Clerk of the Board to transmit a copy of the resolution to California State Legislature.

Supervisor Cohen
BOARD OF SUPERVISORS

Introduced by Senators Steinberg, Beall, Block, DeSaulnier, Hancock, Hill, Lara, Leno, Liu, and Wolk

(Coauthor: Assembly Member Bonta)

January 6, 2014

An act to amend Sections 46300 and 48000 of, and to add Article 1.5 (commencing with Section 48005.10) to Chapter 1 of Part 27 of Division 4 of Title 2 of, the Education Code, relating to transitional kindergarten.

LEGISLATIVE COUNSEL'S DIGEST

SB 837, as introduced, Steinberg. Schools: transitional kindergarten. Existing law authorizes a school district or charter school to maintain a transitional kindergarten program, and, as a condition of receipt of apportionments for pupils in a transitional kindergarten program, requires the school district or charter school to comply with specified minimum age requirements for pupils participating in the transitional kindergarten program. Existing law also specifies that a transitional kindergarten program shall not be construed as a new program or higher level of service.

This bill, the Kindergarten Readiness Act of 2014, would instead require each school district or charter school that offers kindergarten to offer transitional kindergarten, and would require a child that meets specified minimum age requirements to be admitted to transitional kindergarten. The bill would authorize the average daily attendance of a school district to include the average daily attendance of pupils enrolled in transitional kindergarten and would require transitional kindergarten to receive a per pupil base grant for apportionment purposes, as specified. The bill would require transitional kindergarten to be taught by teachers and associate teachers who meet certain

requirements, and would require transitional kindergarten to include specified elements that promote integration and alignment with the early learning and child care system and the elementary education system. The bill would require a school district or charter school offering transitional kindergarten to provide public notice of the availability of transitional kindergarten and to administer transitional kindergarten, as specified. The bill would authorize a school district or charter school administering transitional kindergarten to contract with a public local agency or private local provider, or both, to participate in the delivery of transitional kindergarten. The bill would require a private local provider participating in the delivery of transitional kindergarten to be considered a public school employer, as defined, for certain purposes. By requiring school districts and charter schools that offer kindergarten to offer transitional kindergarten, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known and may be cited as the 2 Kindergarten Readiness Act of 2014.
- 3 SEC. 2. (a) The Legislature finds and declare all of the 4 following:
 5 (1) Recent reforms such as implementation of the common core
 - (1) Recent reforms such as implementation of the common core state standards and the local control funding formula establish increased quality and greater equity in California's public education system.
- 9 (2) However, these reforms do not address the reality that an achievement gap among children is present well before children first step through the kindergarten classroom door.
- 12 (3) Recent research shows that by the age of two, low-income children are six months behind in language development relative

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to their higher income peers, and that by age five, low-income children are more than two years behind their higher income peers in language development.

 (4) Research also shows that California children with the largest gaps in school readiness and achievement are the least likely to participate in any preschool and the least likely to attend high-quality preschool programs.

(5) Only half of California's low-income preschoolers benefit from existing state preschool programs or federal Head Start programs, and only one-quarter of all children are provided with transitional kindergarten.

- (6) Children who do not read proficiently by the end of third grade are four times less likely to graduate from high school on time
- (7) Only 48% of California's third graders tests proficient or better in English language arts.
- (8) Nationally, more than 100 studies have shown that high-quality preschool significantly improves a child's school readiness and school performance.
- (9) Numerous longitudinal studies have shown that high-quality transitional kindergarten programs decrease grade retention and special education placements and increase high school graduation rates, college enrollment rates, and earnings in adulthood. High-quality transitional kindergarten programs also decrease taxpayer costs on criminal justice and welfare.
- (10) If California were to invest in high-quality preschool programs, the savings in the prison system alone are estimated to reach \$1.1 billion per year due to reducing the prison population by 13,000 prisoners.
- (b) It is the intent of the Legislature in enacting the Kindergarten Readiness Act of 2014 to accomplish all of the following:
- (1) Make early childhood education in California a rational and efficient system so that all of California's four-year-old children have access to a voluntary, high-quality transitional kindergarten program one year before enrolling in kindergarten.
- (2) More strategically use existing state and federal funds to provide full-day, developmentally appropriate services for four-year-old children from low-income families, and provide high-quality early learning and care to those children who need it the most.

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- (3) Ensure that children are four years of age by September 1 in order to attend transitional kindergarten in that academic year.
- (4) Ensure that parents and guardians receive timely information from local educational agencies about the new age requirements for enrollment in transitional kindergarten that are implemented pursuant to this act.
- SEC. 3. Section 46300 of the Education Code is amended to read:
- 46300. (a) In computing average daily attendance of a school district or county office of education, there shall be included the attendance of pupils while engaged in educational activities required of those pupils and under the immediate supervision and control of an employee of the *school* district or county office of education who possessed a valid certification document, registered as required by law.
- (b) (1) For purposes of a work experience education program in a secondary school that meets the standards of the California State Plan for Career Technical Education, "immediate supervision," in the context of off-campus work training stations, means pupil participation in on-the-job training as outlined under a training agreement, coordinated by the school district under a state-approved plan, wherein the employer and certificated school personnel share the responsibility for on-the-job supervision.
- (2) The pupil-teacher ratio in a work experience program shall not exceed 125 pupils per full-time equivalent certificated teacher coordinator. This ratio may be waived by the state board pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 of Division 2 under criteria developed by the state board.
- (3) A pupil enrolled in a work experience program shall not be credited with more than one day of attendance per calendar day, and shall be a full-time pupil enrolled in regular classes that meet the requirements of Section 46141 or 46144.
- (c) (1) For purposes of the rehabilitative schools, classes, or programs described in Section 48917 that require immediate supervision, "immediate supervision" means that the person to whom the pupil is required to report for training, counseling, tutoring, or other prescribed activity shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the *school* district.

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(2) A pupil enrolled in a rehabilitative school, class, or program shall not be credited with more than one day of attendance per calendar day.

- (d) (1) For purposes of computing the average daily attendance of pupils engaged in the educational activities required of high school pupils who are also enrolled in a regional occupational center or regional occupational program, the school district shall receive proportional average daily attendance credit for those educational activities that are less than the minimum schoolday, pursuant to regulations adopted by the state board; however, none of that attendance shall be counted for purposes of computing attendance pursuant to Section 52324.
- (2) A school district shall not receive proportional average daily attendance credit pursuant to this subdivision for a pupil in attendance for less than 145 minutes each day.
- (3) The divisor for computing proportional average daily attendance pursuant to this subdivision is 240, except that, in the case of a pupil excused from physical education classes pursuant to Section 52316, the divisor is 180.
- (4) Notwithstanding any other provision of law, travel time of pupils to attend a regional occupational center or regional occupational program shall not be used in any manner in the computation of average daily attendance.
- (e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for five or more consecutive schooldays.
- (2) A pupil participating in independent study shall not be credited with more than one day of attendance per calendar day.
- (f) For purposes of cooperative career technical education programs and community classrooms described in Section 52372.1, "immediate supervision" means pupil participation in paid and unpaid on-the-job experiences, as outlined under a training agreement and individualized training plans wherein the supervisor of the training site and certificated school personnel share the responsibility for the supervision of on-the-job experiences.
- (g) (1) In computing the average daily attendance of a school district, there shall be included the attendance of pupils in kindergarten after they have completed one school year in

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- 1 kindergarten or pupils in a transitional kindergarten program after 2 they have completed one year in that program if one of the 3 following conditions is met: transitional kindergarten and 4 kindergarten.
 - (A) The school district has on file for each of those pupils an agreement made pursuant to Section 48011, approved in form and content by the department and signed by the pupil's parent or guardian, that the pupil may continue in kindergarten for not more than one additional school year.
 - (B) The pupils participated in a transitional kindergarten program pursuant to subdivision (c) of Section 48000.
 - (2) A school district may not include for apportionment purposes the attendance of any pupil for more than two years in kindergarten or for more than two years in a combination of transitional kindergarten and kindergarten.
- (3) For purposes of transitional kindergarten operated by a private local provider pursuant to paragraph (2) of subdivision (a) of Section 48005.20, "immediate supervision" means being under the immediate supervision of an employee of the private local provider who satisfies the requirements of Section 48005.35.
- SEC. 4. Section 48000 of the Education Code is amended to read:
- 48000. (a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have his or her fifth birthday on or before one of the following dates:
 - (1) December 2 of the 2011–12 school year.
 - (2) November 1 of the 2012-13 school year.
 - (3) October 1 of the 2013–14 school year.
- 30 (4) September 1 of the 2014–15 school year and each school year thereafter.
- 32 (b) A child shall be admitted to a transitional kindergarten 33 maintained by the school district at the beginning of a school year, 34 or at a later time in the same year, if the child will have his or her 35 fifth birthday between the following dates:
- 36 (1) September 2, 2015, to February 1, 2016, inclusive, for the 2015–16 school year.
- 38 (2) September 2, 2016, to April 1, 2017, inclusive, for the 2016–17 school year.

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- (3) September 2, 2017, to June 1, 2018, inclusive, for the 2 2017–18 school year.
 - (4) September 2, 2018, to August 2, 2019, inclusive, for the 2018–19 school year.
 - (c) A child shall be admitted to a transitional kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have his or her fourth birthday on or before September 1 of the 2019–20 school year and each school year thereafter.
- 10 (b)

- (d) The governing board of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:
- (1) The governing board of the school district determines that the admittance is in the best interests of the child.
- (2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.
- (c) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to subdivision (g) of Section 46300, a school district or charter school shall ensure the following:
- (1) In the 2012–13 school year, a child who will have his or her fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.
- (2) In the 2013–14 school year, a child who will have his or her fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.
- (3) In the 2014–15 school year and each school year thereafter, a child who will have his or her fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district.
- 37 (d
- (e) For purposes of this section, "transitional kindergarten"
 means the first year of a two-year kindergarten program that uses
 a modified kindergarten curriculum that is age and developmentally

appropriate. a school-year long kindergarten readiness grade level that is age and developmentally appropriate for a child who will be four years old before September 1 of the year in which he or she enrolls in transitional kindergarten.

(c) A transitional kindergarten shall not be construed as a new program or higher level of service.

SEC. 5. Article 1.5 (commencing with Section 48005.10) is added to Chapter 1 of Part 27 of Division 4 of Title 2 of the Education Code, to read:

Article 1.5. Kindergarten Readiness Act of 2014

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- 48005.10. Transitional kindergarten is hereby established to do all of the following:
- (a) Support all children in developing the skills necessary for success in school and life. These skills shall include, but are not limited to, all of the following:
 - (1) Cognitive skills such as language, early literacy, and numeracy.
 - (2) Social-emotional skills such as perseverance, self-control, self-esteem, motivation, and conscientiousness.
- (3) Physical skills such as gross and fine motor development, and healthy eating habits.
 - (b) Be age and developmentally appropriate.
- (c) Build on high-quality early learning and child care programs, including federal Head Start programs, to sustain the gains that children achieve attending those programs.
- 48005.15. (a) A school district or charter school that offers kindergarten shall make transitional kindergarten available to all eligible children and shall allow, to the greatest extent possible, a parent of an eligible child to choose the transitional kindergarten that the eligible child attends.
- (b) On or before July 1, 2015, each county superintendent of schools shall conduct a review of the level of access to transitional kindergarten, state preschool, and Head Start provided to eligible children within the county. The review shall include, but is not limited to, a description of the plans of the school districts and charter schools in the county that offer kindergarten, to make transitional kindergarten available to all eligible children by the

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2019–20 school year. The county superintendent of schools shall post the results of the review on its Internet Web site.

- (c) To encourage the efficient use of existing facilities, transitional kindergarten may be operated using available classroom space at a public schoolsite meeting kindergarten classroom requirements, or at any public or private facility that has a child care license for age-eligible children, as defined in Division 12 of Title 22 of the California Code of Regulations.
- (d) Federal funding for preschool programs, and state funding annually appropriated in the Budget Act for the support of state preschool programs, shall be used to provide services for eligible three-, four-, and five-year-old children, including augmenting transitional kindergarten to provide full-day learning and child care services for participants.
- (e) Transitional kindergarten funds shall supplement, and not supplant, federal and state funding for existing child care and development programs.
- 48005.20. (a) A school district or charter school offering transitional kindergarten shall do both of the following:
- (1) Provide public notice of the availability of transitional kindergarten using a variety of strategies to reach and inform families living in areas of poverty or high linguistic diversity, including, but not limited to, providing information through schoolsite councils, school advisory groups, community organizations, and parent meetings.
- (2) Administer the program for participating children. A school district or charter school administering transitional kindergarten may contract with a public local agency, including, but not limited to, a county office of education, or a private local provider, or both, to participate in the delivery of transitional kindergarten consistent with the statutory requirements of transitional kindergarten.
- (b) (1) It is the intent of the Legislature that a school district or charter school offering transitional kindergarten provide high-quality professional development aligned to transitional kindergarten standards adopted by the state board and designed to improve child learning and development. It is further the intent of the Legislature that professional development for transitional kindergarten teachers and associate teachers supports both of the following:

- 1 (A) Teacher-child interactions that promote child engagement 2 and learning.
 - (B) The use of child-level and class-level data to inform instructional strategies.
 - (2) Professional development for transitional kindergarten teachers and associate teachers shall be aligned with the professional development provided to teachers and administrative staff in kindergarten and grades 1 to 3, inclusive.
 - 48005.25. Transitional kindergarten shall include all of the following elements to promote integration and alignment with the early learning and child care system and the elementary education system:
 - (a) Until statewide transitional kindergarten standards are adopted, use of the research-based age and developmentally appropriate preschool learning foundations of the department for all eight early childhood domains and the kindergarten education content standards that are aligned with elementary education standards.
 - (b) Use and implementation of curriculum frameworks, instructional materials, and diagnostic assessment tools that are aligned with the California Preschool Learning Foundations and the kindergarten education content standards.
 - (c) Inclusion in the single school plan for pupil achievement and the local control and accountability plan.
 - (d) Participation in the California Longitudinal Pupil Achievement Data System and the California School Information Services.
- (e) Coordination with other providers of services to young children, including, but not limited to, providers of health insurance, health services, including mental and behavioral health, developmental screening and assessment, parent literacy and education, and social services, especially through systems of care provided by First 5 California programs, preschool, and school health services and clinics.
- (f) Coordination of services with full-day, full-year earlylearning and child care programs.
- 48005.30. (a) On or before July 1, 2015, the Superintendent shall develop, and the state board shall adopt, the regulations necessary to implement this article and transitional kindergarten and shall incorporate existing regulations and guidelines, as

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appropriate. The state board may adopt emergency regulations for purposes of this subdivision, and the adoption of emergency regulations by the state board pursuant to this subdivision shall be deemed necessary for the immediate preservation of the public peace, health and safety, or general welfare.

- (b) On or before July 1, 2016, the Superintendent shall develop, and the state board shall adopt, transitional kindergarten standards, curriculum frameworks, and instructional materials that include, but are not limited to, social-emotional development, English language arts, English language development, mathematics, and science, that are based on the California Preschool Learning Foundations and aligned to kindergarten education content standards.
- (c) On or before January 31, 2017, the state board shall revise the local control and accountability plan template, adopted pursuant to Section 52064, to include any changes necessary to reflect the provision of high-quality transitional kindergarten to all eligible children.
- 48005.35. (a) On or before July 1, 2015, all transitional kindergarten classes shall be taught by a teacher who holds, at a minimum, an associate degree, and has a professional development plan that provides for a baccalaureate degree with at least 24 units in early childhood education and a teaching credential by July 1, 2019.
- (b) On or before July 1, 2019, all transitional kindergarten classes shall be taught by a teacher who holds a baccalaureate degree with at least 24 units in early childhood education and a teaching credential.
- (c) On or before July 1, 2015, all transitional kindergarten associate teachers shall have, at a minimum, 24 units in early childhood education, and a professional development plan that provides for an associate degree by July 1, 2019.
- (d) On or before July 1, 2019, all transitional kindergarten associate teachers shall have an associate degree with at least 24 units in early childhood education.
- (e) Commencing with the 2015–16 school year, for purposes of compensation, including salary and benefits, transitional kindergarten teachers and associate teachers shall provide two part-day sessions per day in order to be considered full-time employees.

- (f) On or before July 1, 2015, the Superintendent, in collaboration with the Commission on Teacher Credentialing, the public postsecondary education system, including the California Community Colleges, and private postsecondary institutions, shall establish a workforce development plan for transitional kindergarten teachers and associate teachers that provides for adequate opportunities for existing early childhood educators to obtain the necessary transitional kindergarten qualifications by July 1, 2019.
- (g) Commencing with the 2015–16 school year, transitional kindergarten shall be taught by at least one teacher and one associate teacher, and class size shall be limited to no more than 20 children.
- 48005.40. (a) Transitional kindergarten shall be eligible for school facilities funding.
- (b) Funds made available to public schools for joint use facilities may be used for transitional kindergarten.
- (c) Public local agencies or private local providers, or both, participating in the delivery of transitional kindergarten are encouraged to seek shared use agreements with a broad array of public and private entities.
- 48005.45. Commencing with the 2015–16 school year, transitional kindergarten shall receive a per pupil base grant per unit of average daily attendance equal to two-thirds of the annual per pupil base grant provided for in subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02, as adjusted for inflation pursuant to paragraph (2) of subdivision (d) of Section 42238.02, plus an additional adjustment of 10.4 percent, and a supplemental grant add-on, as computed pursuant to subdivision (e) of Section 42238.02.
- 48005.50. For purposes of establishing collective bargaining rights for employees of a private local provider of transitional kindergarten pursuant to the terms of an agreement with the administering school district or charter school, as a condition of the receipt of funds, the private local provider shall be considered a public school employer, as defined in subdivision (k) of Section 3540.1 of the Government Code, and Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, shall apply to the private local provider.

- SEC. 6. If the Commission on State Mandates determines that
- 2 this act contains costs mandated by the state, reimbursement to
- local agencies and school districts for those costs shall be made
- 4 pursuant to Part 7 (commencing with Section 17500) of Division
- 5 4 of Title 2 of the Government Code.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

I hereby submit the following item for introduction (select only one):	Time stamp or meeting date
□ 1. For reference to Committee.	
An ordinance, resolution, motion, or charter amendment.	•
2. Request for next printed agenda without reference to Committee.	
3. Request for hearing on a subject matter at Committee.	
4. Request for letter beginning "Supervisor	inquires"
☐ 5. City Attorney request.	
☐ 6. Call File No. from Committee.	•
7. Budget Analyst request (attach written motion).	•
8. Substitute Legislation File No.	
9. Request for Closed Session (attach written motion).	
☐ 10. Board to Sit as A Committee of the Whole.	
11. Question(s) submitted for Mayoral Appearance before the BOS on	
Please check the appropriate boxes. The proposed legislation should be forwarded to the Small Business Commission Youth Commission Ethics Planning Commission Building Inspection Commission Commission Planning Commission Co	s Commission
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Impe	erative
ponsor(s):	
Cohen	
Subject:	
Resolution Supporting the Kindergarten Readiness Act	
The text is listed below or attached:	
Signature of Sponsoring Supervisor:	Len
For Clerk's Use Only:	