

Universal Transitional Kindergarten

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Introduction

On July 7, Governor Newsom approved Assembly Bill 130, which, among other things, amended Education Code section 48000 governing the provision of transitional kindergarten (TK). The bill expands the TK program, making all four-year-olds eligible for TK by the 2025-2026 school year through a phased in expansion. The bill also established a new grant program to support TK.

Funding



Planning and Implementation Grant Program

- The enacted budget provides \$300 million one-time Proposition 98 General Fund to establish a state early learning initiative with the goal of expanding access to classroom-based pre-kindergarten programs at LEAs. The funds are available for encumbrance until June 30, 2024.
 - \$100 million is provided for competitive grants to local educational agencies to increase the number of highly-qualified teachers and administrators available to serve California state preschool programs and transitional kindergarten pupils, including for related professional development.
 - \$200 million for creating or expanding California state preschool programs or transitional kindergarten programs, or to establish or strengthen partnerships with other providers of preK for costs including but not limited to planning, hiring and recruitment, staff training and professional development, classroom materials.

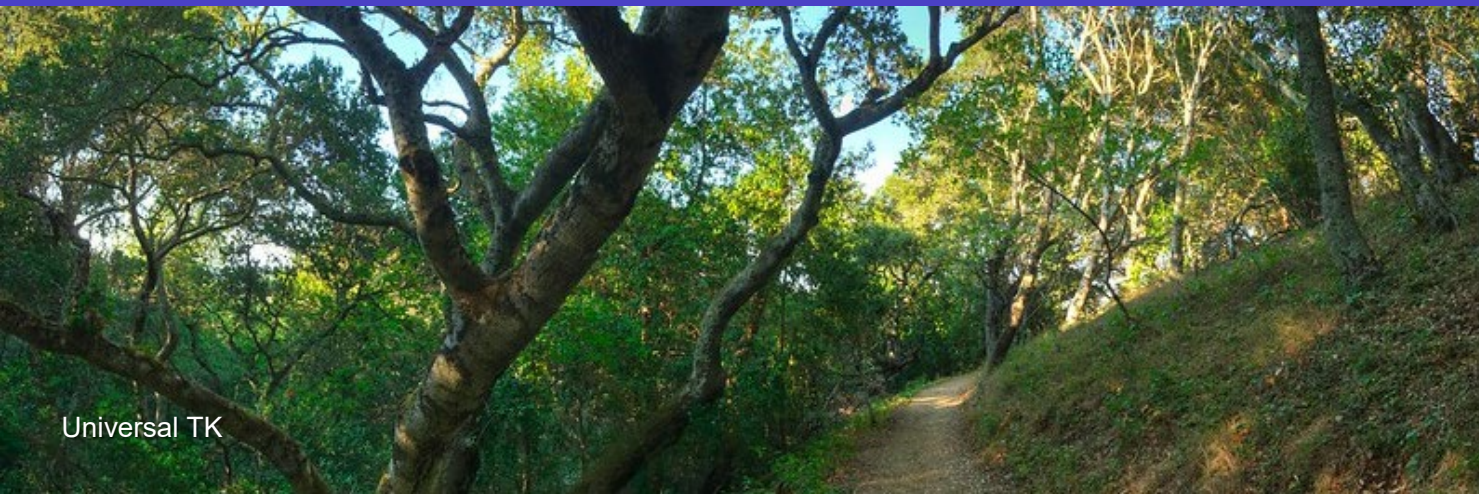
Full-Day Kindergarten Facilities Grant Program

- The enacted budget amends the existing Full-Day Kindergarten Facilities Grant Program to provide \$490 million one-time General Fund to the State Allocation Board to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing TK and full-day kindergarten classrooms and for the construction of new or updated preschool, kindergarten and Grades 1 to 12 classrooms that would be converted for state preschool programs.

Ongoing Expenses

- AB 130 did not change the funding mechanism for the TK program. Districts must still adhere to the Education Code's TK program requirements as a condition of receiving ADA apportionments for their TK students.
- Likewise, AB 130 did not alter the penalties for noncompliance. The only apparent consequence for not offering a TK program is loss of apportionment funding, which only affects LCFF districts. (Ed. Code § 48000(c)(1).)

Staffing



Universal TK



Staffing Ratios

- Average TK class enrollment per schoolsite must not exceed 24 pupils.
- By the **2022-2023** school year, a district must maintain an average of at least **one adult for every 12 pupils** for TK classrooms.
- By the **2023-2024** school year, a district must maintain an average of at least **one adult for every 10 pupils** for TK classrooms, subject to Budget appropriations.

Credentialing Requirements

- Ensure that credentialed teachers who were assigned to a TK classroom after July 1, 2015, have by August 1, 2023, one of the following:
 - At least 24 units in early childhood education (ECE)/development, or both,
 - Professional experience in a classroom setting with preschool-aged children that is comparable to the 24 units of ECE/development, determined by the LEA employer, or
 - A child development teacher permit issued by the California Commission on Teacher Credentialing
- LEAs are responsible for ensuring that TK teachers meet statutory requirements (EC 44258.3). The LEA of the credentialed teacher will follow the local process for personnel record keeping and will ensure the new TK teacher requirements are being met.

Instructional Minutes

- By statute, the maximum school day in kindergarten is 4 hours (“part day”)(EC Section 46111). However, EC 8973 allows schools that have adopted an early primary program (extended-day kindergarten or “full day”) to exceed 4 hours. Furthermore, EC 48000 states that a TK shall not be construed as a new program or higher level service. In general, the number of required instructional minutes for TK is 36,000 minutes per year. The minimum length of instructional time that must be offered to constitute a school day is 180 minutes (EC 46117 and 46201).
- At the local school district's discretion, instructional minutes may be inclusive of recess as long as the students are under the immediate supervision and control of a certificated employee of the school district or county office of education and engaged in educational activities required of them (EC Section 46300(a)), pursuant to EC 46115 and 46117. “Noon intermissions” (otherwise known as lunch time) however may not be counted as instructional minutes pursuant to EC 46115.

Facilities



Kindergarten Classrooms

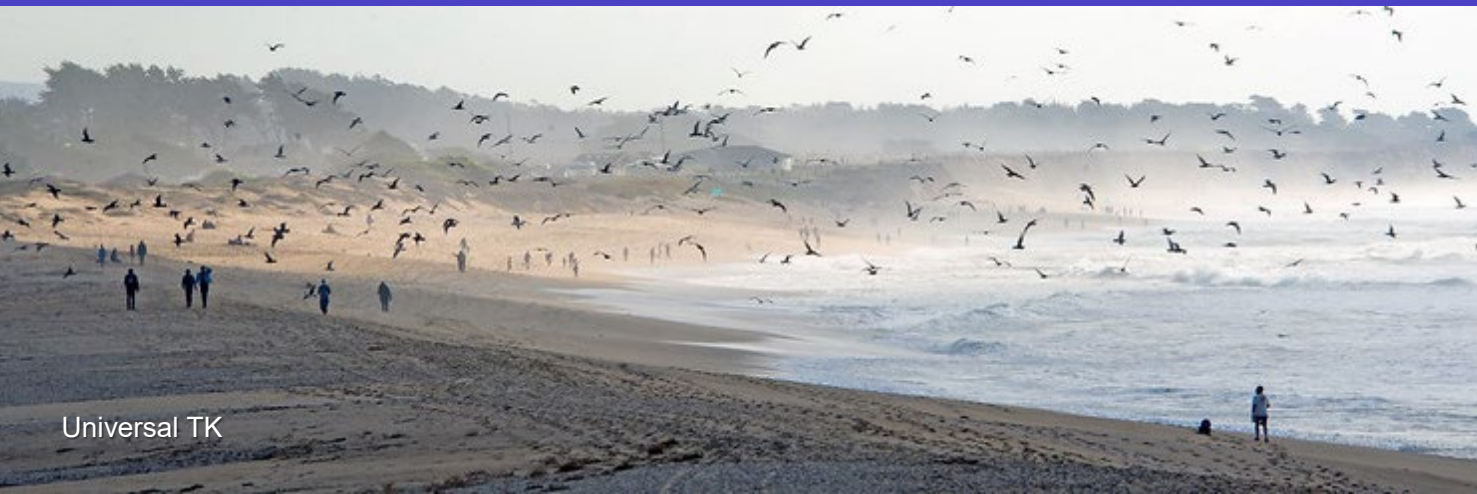
- Kindergarten classroom size for permanent structures is not less than 1350 square feet, including restrooms, storage, teacher preparation, wet and dry areas.
- Kindergarten classrooms are designed to allow supervision of play yards (unless prevented by site shape or size) and all areas of the classroom.
- Play yard design provides a variety of activities for development of large motor skills.
- Classrooms are located close to parent drop-off and bus loading areas.
- Storage, casework, and learning stations are functionally designed for use in free play and structured activities; e.g., shelves are deep and open for frequent use of manipulative materials.
- Windows, marking boards, sinks, drinking fountains, and furniture are appropriate heights for kindergarten-age students.
- Restrooms are self-contained within the classroom or within the kindergarten complex.

(5 CCR § 14030(h)(2).)

Sharing Classroom Space

- Although the intent of the law is to provide separate and unique experiences for TK and kindergarten students, LEAs have flexibility to determine how best to meet the curricular needs of each child. Thus, TK and kindergarten students may be enrolled in the same classroom, but it isn't encouraged.

Miscellaneous



Other Issues

- **English learners** - just as for English learners in kindergarten, LEAs have a dual obligation to English learners in TK: first, to provide a program designed to overcome language barriers, and second to provide meaningful access to the core curriculum (*Castañeda v. Pickard* 648 F. 2d 989, (5th Cir. 1981)).
- **Standards/Curriculum** - EC 48000 defines TK as “the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.” While no state curriculum is mandated, pursuant to EC 48000(f), TK programs are intended to be aligned to the California Preschool Learning Foundations developed by the CDE.



Thank you

