

Date of Hearing: April 26, 2023

ASSEMBLY COMMITTEE ON EDUCATION  
Al Muratsuchi, Chair  
AB 1192 (McCarty) – As Amended April 17, 2023

**SUBJECT:** Kindergarten: transitional kindergarten: admission: birth dates: classroom ratios: teacher requirements

**SUMMARY:** Deletes the provision that school districts and charter schools admit a four-year old child to a transitional kindergarten (TK) program only if they have their fifth birthday during the school year; delays the requirement for TK programs to provide one adult for every 10 students and removes the contingency that this be subject to appropriation; delays the requirement for credentialed teachers assigned to TK classrooms to gain early childhood education (ECE) to August 1, 2025 provided that they are enrolled in a program to meet the specified requirements; and requires that teacher aides assigned to TK classrooms meet specified requirements. Specifically, **this bill:**

- 1) Includes charter schools in the requirement for a child to be admitted to a kindergarten program if the child will have their fifth birthday on or before September 1st.
- 2) Deletes the provision that a child admitted to a TK program during a school year have their 5<sup>th</sup> birthday during that same school year.
- 3) Delays the requirement, from 2023-24 to 2025-26, for local educational agencies (LEAs) to maintain an average of at least one adult for every 10 students in TK classrooms at a schoolsite, clarifies the calculations used for this requirement, and removes the condition that this be subject to an appropriation.
- 4) Requires, beginning with the 2025-26 school year, a teacher aide assigned to a TK classroom pursuant to specified adult to child ratios, meet at least one of the following requirements:
  - a) Holds a multiple subject credential or a PK-3 Early Childhood Education Specialist credential issued by the Commission on Teacher Credentialing (CTC), or be enrolled in a program leading to one of these credentials, including an apprenticeship program, a residency program, an intern program, the California Classified School Employee Teacher Credentialing Program, or any teacher preparation program seeking clinical or supervised practicum experience;
  - b) Holds a child development permit issued by the CTC, or is enrolled in a program with supervised practicum experience to obtain a child development permit;
  - c) Has at least one year of professional experience in a classroom setting with preschool age children, subject to the LEA providing the teacher aide at least 24 hours of professional development throughout the year related to early childhood development, to improve knowledge of the California Preschool Learning Foundation Standards with a coaching, induction element or supervised practicum; and
  - d) Has been provided, or begins to be provided, at least 48 hours over the course of two years, professional development related to early childhood development to improve

knowledge of the California Preschool Learning Foundation Standards with a coaching, induction element, or supervised practicum.

- 5) Requires that the professional development in (4)(c) and (d) above be provided by the school district or charter school at no cost to the teacher aide during their regular working hours.
- 6) For the 2023-24 and 2024-25 school years, requires a school district or charter school to certify that any credentialed TK teacher first assigned to a TK classroom after July 1, 2015 be enrolled in a program to meet one of the following requirements by August 1, 2025:
  - a) At least 24 units in ECE, or childhood development, or both;
  - b) Professional experience in a classroom setting with preschool age children, including TK children, as determined by the LEA employing the teacher, comparable to the 24 units of education; or
  - c) A child development teacher permit, or an ECE specialist credential, issued by the Commission on Teacher Credentialing (CTC).
- 7) Requires the certifications in (6) to be made by November 1<sup>st</sup> of each year on a form to be created and provided by the CDE by March 31, 2024.
- 8) Expresses the intent of the Legislature that all LEAs provide professional support to employees assigned to a TK classroom to obtain the necessary competencies and qualifications for supporting the development of, and learning for, children four and five years of age. Further expresses the intent of the Legislature that school districts and charter schools provide professional development to site administrators who are responsible for a TK program to improve their knowledge of the developmental needs of TK students. States that support may include, but is not limited to, professional development, induction programs, and financial aid for coursework or other costs associated with enrollment in a class or a program that leads to a Commission on Teacher Credentialing (CTC) early childhood education (ECE) permit or certification.

**EXISTING LAW:**

- 1) Defines “transitional kindergarten” as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. (Education Code (EC) 48000)
- 2) Requires LEAs offering TK to ensure that credentialed teachers who are first assigned to a TK classroom after July 1, 2015, have, by August 1, 2023, one of the following:
  - a) At least 24 units in ECE, or childhood development, or both;
  - b) Professional experience in a preschool classroom setting, as determined and documented by the LEA employing the teacher, comparable to the 24 units of education; or
  - c) A child development teacher permit, or an ECE specialist credential, issued by the CTC. (EC 48000)

- 3) For school districts and charter schools that fail to ensure the teacher requirements in (2) above by August 1, 2023, requires the Superintendent of Public Instruction (SPI) to withhold from the school district or charter school's entitlement, the amount determined by multiplying:
  - a) The number of teachers not meeting the requirement above;
  - b) The number 24 reduced by the statewide average rate of absence for elementary students in grades 1-8 inclusive, as calculated by CDE or the prior year;
  - c) The applicable K-3 local control funding formula (LCFF) base grant per average daily attendance (ADA); and
  - d) The sum of all schooldays on which all teachers not meeting the requirement provided any amount of service in a classroom with TK pupils, divided by the total days of instruction for those teachers.
- 4) Authorizes the CTC to issue a one-year emergency specialist teaching permit in ECE that authorizes teaching all subjects in a self-contained TK classroom, provided the applicant meets all of the following conditions:
  - a) Possesses a Bachelor's or higher degree and holds a child development permit at the teacher or higher level, issued by the CTC;
  - b) Satisfies the subject matter requirement by meeting one of the following:
    - i) Commencing July 1, 2022, completes 24 semester units of coursework in child development or ECE at a regionally accredited institution of higher education (IHE);
    - ii) Commencing July 1, 2022, holds a baccalaureate or higher degree conferred by a IHE where the major is in child development, or ECE, or a similar major; and
    - iii) Commencing July 1, 2023, has three or more years of full-time teaching experience in a TK setting, or preschool age early childhood or child development program, or a combination. Experience may include, but shall not be limited to, teaching experience as a lead teacher in a public or private preschool or TK setting, Head Start program, or state-funded preschool program.
  - c) The CTC approves the justification for the emergency permit submitted by the LEA in which the applicant is to be employed, as defined. (EC 44300)
- 5) Authorizes the CTC to renew an emergency specialist permit in ECE for one additional year, provided all of the following conditions are met:
  - a) The applicant verifies current enrollment in a CTC-approved teacher preparation program that will result in a credential authorizing teaching TK;
  - b) The LEA submits a subsequent declaration of need for fully qualified educators based upon a motion adopted by the governing board or body;

- c) The LEA verifies that the applicant continues to successfully serve in the assignment on the basis of the emergency permit and verifies that continued orientation, mentoring, and support is being provided to the applicant. (EC 44300)
- 6) Requires a school district or charter school that maintains a TK program, as a condition of receiving apportionments for TK, to admit to TK:
  - a) In the 2014-15 to the 2021-22 school year, a child who will have their fifth birthday between September 2 and December 2;
  - b) In the 2022-23 school year, a child who will have their fifth birthday between September 2 and February 2;
  - c) In the 2023-24 school year, a child who will have their fifth birthday between September 2 and April 2;
  - d) In the 2024-25 school year, a child who will have their fifth birthday between September 2 and June 2; and
  - e) In the 2025-26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1. (EC 48000)
- 7) Authorizes school districts or charter schools to admit a child to TK at any time during the school year regardless of whether they meet the cut-off dates specified above, but provided that they will have their fifth birthday during the school year, subject to specified conditions, and requires that the child not generate ADA until the child reaches their fifth birthday.
- 8) Requires LEAs offering TK to maintain an average TK class enrollment of not more than 24 pupils per schoolsite, and commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 pupils for TK classrooms at each schoolsite. (EC 48000)
- 9) Defines “Instructional aide” to mean a person employed to assist classroom teachers and other certificated personnel in the performance of their duties and in the supervision of students and in instructional tasks which, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. (EC 45343)
- 10) Requires that a person be initially assigned as an instructional aide unless they have demonstrated proficiency in basic reading, writing, and mathematics skills, as specified; and requires that educational qualifications for instructional aides be prescribed by the school district employer and be appropriate to the responsibilities to be assigned. (EC 45344, 45344.5)

**FISCAL EFFECT:** The Office of Legislative Counsel has keyed this bill as a possible state-mandated local program.

**COMMENTS:**

***Need for the bill.*** According to the author, “The expansion of universal TK has been a tremendous success. TK significantly improves kindergarten readiness, putting children ahead of their non-TK peers by up to six months in numerous academic skills. High-quality early learning improves social-emotional development, school readiness, and long-term academic achievement. As TK continues to expand, AB 1192 will improve implementation and expand access by eliminating the summer birth date restriction, reducing student ratios so that educators can form better bonds with each child, and ensures that children are taught by qualified and experienced teachers and teacher aides.”

***Research confirms the value of high-quality pre-kindergarten experiences.*** According to the study, *Current State of Scientific Knowledge on Pre-Kindergarten Effects* (Phillips, 2017):

Educators in K-12 school systems are faced with wide disparities in skill levels of entering kindergarteners, which means that all too many children are already far behind many of their peers. Findings in developmental science point toward the importance of early-life experiences in shaping brain development and suggest that if we knew how to provide these experiences in our early education programs, we could have a lifelong impact on children’s success. Findings include:

- Convincing evidence shows that children attending a diverse array of state and school district pre-k programs are more ready for school at the end of their pre-k year than children who do not attend pre-k. Improvements in academic areas such as literacy and numeracy are most common; the smaller number of studies of social-emotional and self-regulatory development generally show more modest improvements in those areas;
- Studies of different groups of preschoolers often find greater improvement in learning at the end of the pre-k year for economically disadvantaged children and dual language learners than for more advantaged and English-proficient children;
- Pre-k programs are not all equally effective. Several effectiveness factors may be at work in the most successful programs. One such factor supporting early learning is a well implemented, evidence-based curriculum. Coaching for teachers, as well as efforts to promote orderly but active classrooms, may also be helpful; and
- Children’s early learning trajectories depend on the quality of their learning experiences not only before and during their pre-k year, but also following the pre-k year. Classroom experiences early in elementary school can serve as charging stations for sustaining and amplifying pre-k learning gains.

A research brief, *Untangling the Evidence on Preschool Effectiveness: Insights for Policymakers* (Learning Policy Institute (LPI), 2019), finds “The weight of a sizable body of evidence indicates that preschool programs make a substantial difference in preparing children for school. The evidence about continued effects beyond school entry is also positive, but less consistent. In order to generate meaningful impacts, early learning experiences need to be rich and engaging. Implementing a high-quality preschool program well—offering compensation and support that attracts and retains a highly qualified workforce; a program day that provides adequate,

productive learning time and activities; and child assessments used to individualize learning—is complex and often expensive. Finally, although preschool quality is important, even the highest quality preschool cannot inoculate children from the detrimental effects of poverty or poor elementary and secondary schools. Sustained benefits likely require investments in children and their families that are also sustained from preschool through grade school and beyond.”

***California schools are required to offer TK.*** TK is the first year of a two-year kindergarten program. California’s Kindergarten Readiness Act of 2010 revised the cutoff date by which children must turn 5 for kindergarten entry in that year. The act established September 1 as the new kindergarten eligibility date, three months earlier than the previous date of December 2. The Kindergarten Readiness Act also established TK for all students affected by the birthdate eligibility change. Instead of enrolling in regular kindergarten, students who reach age 5 between September 2 and December 2 instead would receive an “age and developmentally appropriate” experience in TK prior to entering kindergarten the following year.

The 2021-22 Budget Act included the expansion of TK, which will make TK available to all 4-year-olds by 2025-26. All LEAs offering kindergarten are required to provide access to TK for eligible 4-year olds, but attendance is not mandatory. The minimum instructional minutes for TK is the same as for kindergarten.

For the 2021-22 school year, TK served older 4-year-olds and young 5-year-olds who have their fifth birthday after the cut-off date for kindergarten (between September 2 and December 2). Schools are also authorized, under certain conditions, to admit children who have their fifth birthday after December 2<sup>nd</sup> but within the school year, to TK programs, but may not claim ADA funding until the child turns 5. This is referred to as ETK.

TK was impacted by the pandemic, as enrollment dropped 23% from 88,883 in 2019 to 68,701 in 2020. While TK enrollment recovered slightly in 2021 to 75,465, it continues to serve less four-year old children than pre-pandemic levels. The 2021 enrollment represents 16% of all four-year olds.

Research suggests that there may be disparities in the racial/ethnic enrollment rates for TK. According to research by the University of California Berkeley Children’s Forum, “Growth in enrollments vary by the racial and ethnic backgrounds of children served by TK programs. Since 2013-14, Latino children have made up the largest share of TK students throughout the state, followed by white children, Asian-heritage children, and Black children. In 2019-20, before the pandemic, enrollment counts of children from each racial and ethnic group appeared to decline slightly. Most notably, enrollment numbers for Black children – historically quite low – have slipped lower since 2015-16.”

***Credential requirements for TK.*** In order to teach TK in California, teachers must hold a Multiple Subject Credential, which authorizes the holder to teach preschool through 8<sup>th</sup> grade, and must complete 24 units of ECE or child development coursework by August 1, 2023. Teachers may be exempted from the requirement to complete 24 units of ECE of coursework if they began teaching TK prior to July 1, 2015, and they can have the requirement waived if the hiring district deems them to have comparable experience teaching in an early learning classroom.

Beginning with the 2022-23 school year, the CTC is authorized to issue one-year emergency specialist permits to teach TK to teachers who lack a credential if they meet certain criteria. These permits are only issued at the request of an employing LEA.

The CTC also recently authorized the establishment of a PK-3 Early Childhood Education Specialist Credential, which would authorize the teaching of preschool through third grade, and be an alternate credential that would allow candidates to teach TK. The CTC is planning for IHEs to be prepared to offer teacher preparation programs leading to this credential as early as the fall of 2023. California State University (CSU) campuses plan to offer aspiring and current teachers the opportunity to earn the new credential starting in the 2023-24 academic year. According to the CSU, “the credential will authorize graduates to teach all subjects in a general education classroom setting and to team teach or to regroup students across classrooms, in pre-kindergarten (PK) through 3rd grade. The English learner (EL) authorization provided through this credential aligns with the EL authorization that is earned upon completion of a single-, multiple-subject, or education specialist, credential program.”

***Need for ECE competencies for TK teachers.*** Multiple organizations representing childcare agencies express concerns with a reliance on teachers with Multiple Subject Credentials or the PK-3 Early Childhood Education Specialist Credential, as they believe these efforts continue the “push-down” of K-12 standards and teacher preparation requirements rather than a “push-up” of ECE teaching principles and preparation requirements supported by research and PK-3<sup>rd</sup> grade experts. They note the following:

- A high quality ECE teacher forms relationships, encourages children’s’ active hands-on exploration and play to support their healthy social, emotional, and cognitive development in learning environments designed for young children; and
- National research indicates that preschool-aged children need ECE-prepared teachers and ECE learning environments. (Durkin, 2022; Lipsey 2018).

***TK expansion will require up to 15,000 teachers.*** According to a 2022 report by the LPI:

The expansion of TK, which, in California, essentially adds another public school grade, creates a significant new demand for credentialed teachers with early childhood expertise. An LPI analysis estimates that by 2025–26, more than 447,700 children will be eligible for TK, with between 291,000 and 358,000 children enrolled, depending on the rate of uptake. In turn, TK will require an additional 11,900 to 15,600 credentialed teachers with early childhood expertise. The state can draw on existing pools of current Multiple Subject credential holders, current early childhood educators, and new candidates, but most potential TK teachers will require at least some additional preparation.

The CDE reports that as of November 2022, a total of 1,423 LEAs had submitted reports to the CDE providing information on their progress toward implementation of universal preK, including TK, CSPP, Head Start, and other opportunities. Of these respondents, 594 were charter schools and 829 were school districts. These plans included information on addressing workforce needs, including the following:

- 60% of districts and 56% of charters plan to partner with IHEs or the COE to support teachers in completing the requirements to earn a Multiple Subject Teaching Credential;

- 46% of districts and 49% of charters intend to provide advising on credential requirements and options for how to meet the requirements;
- 21% of districts and 24% of charters intend to apply for a California Classified School Employee Teacher Credentialing Program grant to recruit teachers;
- 26% of districts and 30% of charters intend to join an existing intern preparation program to recruit and prepare teachers for their LEA; and
- 15% of districts and 20% of charters intend to apply for a California Teacher Residency Grant Program to recruit and prepare individuals with a Bachelor's degree who want to become teachers.

Based upon the plans submitted, 23% of districts and 26% of charters reported that they have enough Multiple Subject Teaching Credential holders to meet the demand for TK teachers.

***California has made significant investments to address the teacher shortage.*** California has faced a severe teacher shortage for many years, exacerbated by the COVID-19 pandemic. The Legislative Analyst's Office reports that the state has provided \$1.6 billion since 2016-17 to address the teacher shortage, including \$100 million specifically to increase the number of highly qualified CSPP and TK teachers.

According to a 2023 report by the LPI, following a long decline in teacher preparation program (TPP) enrollment, shortages of teachers began to re-emerge in California by 2015. In 2016–17, the number of substandard credentials issued in the state outpaced the number of new preliminary credentials issued to teachers prepared in California teacher preparation programs. The state has since invested in new program models, like teacher residencies, and service scholarships to stem shortages and strengthen preparation. These investments total more than \$1.4 billion since 2016 and reflect a substantial increase in education funding statewide. A large increase in the number of fully prepared recruits into teaching, and in the number of candidates of color, suggests that these investments may be paying off. The pool of recently prepared graduates from California TPPs has increased in size and racial/ethnic diversity.

***Who is teaching TK now?*** The Center for the Study of Child Care Employment (CSCCE) at the University of California Berkeley surveyed 300 TK teachers in classrooms throughout California in the fall of 2020, as part of the California Early Care and Education Workforce Study. Of the TK teachers in the sample:

- 99% were female;
- 29% were teachers of color, while 72% of children in TK are children of color;
- 22% of teachers speak a language besides English, while 38% of TK students do so;
- 35% had an associate degree or higher in child development or ECE;
- 96% had a Multiple Subject Credential and 2% had an emergency or intern credential at the time of the survey; and



- 90% had prior experience teaching in K-3<sup>rd</sup> grade and approximately one-third had prior experience teaching in other early learning and care settings.

This survey found that two-thirds of teachers surveyed met the requirement to hold 24 units of ECE coursework as follows:

- 67% have met the requirement in the following ways:
  - 35% have degrees in ECE or child development;
  - 28% completed coursework and/or trainings to gain the units; and
  - 4% hold a Child Development Permit.
- 33% do not have the necessary units, but of these:
  - 26% began teaching before the requirement took effect;
  - 3% have had the units waived by their district; and
  - 4% are still working on their units/experience.

Based upon these findings only 4% of teachers surveyed do not fully meet the ECE requirement being addressed by this bill. Although this may not necessarily be representative of the full population of TK teachers, it raises the question of the need for a further extension of the requirement.

***The ECE requirement to teach TK has been extended in the past.*** The requirement for TK teachers to have specified qualifications and/or experience in ECE went into effect through the 2014-15 Budget Trailer bill. At that time, the deadline was August 1, 2020. \$15 million was allocated for the TK Stipend Program to local planning councils (LPCs) to provide professional development and educational stipends for teachers in the TK program and the CSPP. The deadline was extended to August 1, 2021 in 2020 due to the pandemic. In 2021, the deadline was extended once again to August 1, 2023 to accommodate the universal TK implementation timeline. This bill proposes to further extend the requirement to August 1, 2025, provided that the employer certify annually that the teacher is enrolled in a program to earn the necessary ECE credits.

***Penalties for failing to meet the TK teacher requirements.*** There is a statutorily defined penalty for failing to meet the ECE requirement. This is an amount determined based on multiplying the number of credentialed teachers not meeting the requirement by the number 24, reduced by the statewide absence rate, the K-3 LCFF base grant, and the number of days the teacher served in a TK classroom divided by the total number of days of instruction. This bill extends the requirement for teachers to earn the necessary ECE expertise, but does not change the date that the penalty is imposed.

***Increasing the requirements for TK teacher aides.*** As noted above, TK classrooms are required to have an additional adult in the classroom, in addition to the credentialed teacher, in order to meet the 1:12 or 1:10 adult to child ratio. LPI estimates that California will need at least 16,000 to 19,700 assistant teachers or teacher aides in TK classrooms by 2025-26 based upon a 1:12

ratio in 2022-23 and 1:10 ratio in 2023-24 and beyond. They note that districts may look to recent high school graduates, parents of school-age children who are reentering the workforce, career changers, and more as potential candidates for TK aides. The report goes on to recommend that appropriate requirements are set for assistant TK teachers or aides to ensure these educators are prepared to support learning and development. For example, they might be held to the same education requirements as Associate Teachers in CSPP classes, namely 12 units of ECE coursework or the equivalent. It is also noted that, given the implementation pressures LEAs are facing to staff classrooms, that the assistant teachers or aides be given several years to meet this requirement. (Melnick, 2022)

There are no requirements in state law specifying requirements for an instructional aide, other than the need to meet basic skills proficiency. School districts are authorized, but not required, to impose additional educational requirements for instructional aides. This bill requires that, beginning in 2025-26, instructional aides assigned to TK classrooms meet at least one of the following: hold, or be enrolled in a program to earn a multiple subject credential or a PK-3 early childhood education specialist credential; hold, or be enrolled in a program to earn a child development permit; or have experience in an ECE setting with preschool aged children contingent upon the employing LEA providing a specified number of hours of ECE professional development.

The Governor's Budget for 2023-24 also proposed additional requirements for TK aides. This proposal requires that, beginning in 2028-29, an adult assigned to a TK classroom, in addition to the credentialed teacher, must meet at least one of the following requirements:

- Hold a teaching credential issued by the CTC;
- Participate in an educator apprenticeship or residency program;
- Participate in the Classified Employee Teacher Credentialing program;
- Participate in any teacher preparation program from any pathway seeking clinical practicum experience, including an educator apprenticeship or residency program;
- Be a Regional Occupational Program/Home Economics Related Occupations program/Future Teachers and Dual Enrollment participant who is participating in supervised practicum experience; or
- Hold any level of child development permit or is a candidate participating in supervised practicum experience for a child development permit.

Imposing additional state-level education requirements, beyond basic skills, on instructional aides has no precedent in current law. The state does not require any particular education or expertise for instructional aides, including those assigned to work with students with exceptional needs. *The Committee may wish to consider* whether it is appropriate to require specified educational requirements for TK instructional aides given that this is not required for any other instructional aides, and given the current workforce challenges.

**Recommended Committee Amendments.** *Staff recommend that the bill be amended* as follows:

- 1) Strike the requirement for teacher aides assigned to a TK classroom to have specified education or experience, and retain the requirement that teacher aides assigned to a TK classroom, beginning with the 2025-26 school year, be provided at least 48 hours of professional development related to early childhood development and knowledge of the California Preschool Learning Foundations.
- 2) Strike the changes to the requirements relating to the ECE requirements for credentialed teachers assigned to a TK classroom as this issue was addressed in a prior bill passed by this Committee.

**Arguments in support.** Early Edge California writes, “California passed a landmark Universal TK law in the 2021-22 State Budget, and created a free, high-quality preschool option for all 4-year-olds. In the midst of TK expansion, California is also grappling with the lasting effects that the COVID-19 pandemic has had on our educator workforce. It is critical that the state keeps quality top of mind as TK is implemented by 2025-26, while being responsive to the staffing challenges that LEAs across the state are facing.

To address this and ensure developmentally appropriate learning environments, AB 1192 would establish qualifications for the second adult in the TK classroom that provide multiple pathways, embed professional development, and validate existing experience of aides to ensure all adults working within a TK classroom are grounded in the California Preschool Learning Foundations Standards and prepared to work with 4-year-olds. It would also establish a timeline for transitioning from the current 12:1 student-adult ratios to 10:1, which would provide LEAs the ability to adequately prepare and hire staff needed to support lower ratios. This bill would also expand early access to TK, by allowing LEAs who decide to expand TK ahead of the implementation deadline the ability to serve children who turn 5-years-old after June 30.

To be responsive to staffing challenges, AB 1192 would delay the deadline for lead teachers in TK classrooms to meet the Early Childhood Education/Child Development 24 units, or local equivalency, requirement from August 1, 2023 to August 1, 2025 to align with TK expansion implementation timeline, and require LEAs to certify that teachers lacking these requirements are enrolled in a program to obtain these qualifications.”

**Arguments in opposition.** The California School Boards Association writes, “Although we appreciate the author’s intent to accelerate the implementation of the 1:10 ratio, LEAs continue to struggle with teacher and staff shortages across the state. While smaller class sizes are an important component of a learning environment responsive to student needs, LEAs need time to implement the transition to 1:10 and sufficient Proposition 98 moneys to fund it. It should not be pursued until sufficient funding and teachers are available to meet the requirement.

Additionally, the bill institutes increased requirements for the second adult in a TK classroom. Many LEAs employ a paraprofessional or teacher’s aide in a TK classroom and although we appreciate the flexibility in the ability of LEAs to meet the increased requirements, the bill mandates LEAs provide professional development to teacher’s aides at no cost to the teacher aide. It also mandates that the professional development be provided during the teacher aide’s regular working hours.

When taken together, the lowering of the adult to student ratio and the mandated training requirements amount to a significant unfunded mandate and would further exacerbate the challenges LEAs currently face in implementing universal TK.”

**Related legislation.** AB 1555 (Quirk-Silva) of the 2023-24 Session would extend the requirement, from August 1, 2023, to August 1, 2028, for credentialed teachers assigned to TK classrooms to meet specified ECE requirements.

AB 123 (McCarty) of the 2019-20 Session would have established the Pre-K for All Act; expanded the eligibility for CSPP; increased the reimbursement rate for the CSPP and required a portion of the increase to be used to increase teacher pay; required CSPP lead teachers to hold a Bachelor’s degree by a specified date; and established a program to provide financial support to childcare workers pursuing a Bachelor’s degree. This bill was held in the Senate Appropriations Committee.

SB 443 (Rubio) of the 2019-20 Session would have deleted the provision that prohibits a child admitted to TK who has their 5th birthday after December 2nd from generating ADA or being included in the enrollment or unduplicated pupil count until they turn 5-years-old, thereby expanding eligibility for TK to all 4-year-olds. This bill was held in the Senate Appropriations Committee.

AB 2500 (McCarty) of the 2019-20 Session would have deleted the provision that prohibits a child admitted to TK who has their 5th birthday after December 2nd from generating ADA or being included in the enrollment or unduplicated pupil count until they turn 5-years-old, thereby expanding eligibility for TK to all 4-year-olds. This bill was held in the Assembly Education Committee.

SB 217 (Portantino) of the 2019-20 Session would have created the Early Intervention Grant Program to increase inclusive access to early education programs for children with exceptional needs and expand eligibility for TK to include children with exceptional needs turning five at any time during the school year. This bill was amended to include content outside of the jurisdiction of education.

AB 1754 (McCarty) of the 2017-18 Session would have required the state to provide all eligible low-income 4-year-old children with access to early care and education programs. This bill was held in the Senate Appropriations Committee.

SB 837 (Dodd) of the 2017-18 Session would have expanded eligibility for TK to all 4-year olds, phased in over a two-year period beginning in the 2020-21 school year. This bill was held in the Senate Appropriations Committee.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Children Now  
Early Edge California

**Opposition**

California School Boards Association  
Child Care Law Center  
Early Care and Education Consortium

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