

Date of Hearing: April 27, 2022

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 1973 (McCarty) – As Introduced February 10, 2022

**SUBJECT:** Education finance: base grants: adjustments: kindergarten: minimum schoolday

**SUMMARY:** Requires, as a condition of receiving the K-3 grade span adjustment, a school providing a kindergarten program, to provide a minimum day for the kindergarten program equivalent to the length to the minimum school day for grades 1-3, beginning with the 2025-26 school year. Specifically, **this bill:**

- 1) Requires, as a condition of receiving the K-3 grade span adjustment, a school district or charter school providing a kindergarten program to provide a minimum day for the kindergarten program at each school site, equivalent to the length to the minimum school day for grades 1-3.
- 2) Requires this to take effect beginning with the 2025-26 school year.

**EXISTING LAW:**

- 1) Requires every person between the ages of six and 18 years to attend school full-time for at least the minimum school day as required by statute and school districts. (Education Code (EC) 48200)
- 2) Requires that a pupil in kindergarten not be kept in school on any day for more than four hours excluding recess, other than under certain conditions, as specified. (EC 46111)
- 3) Requires the minimum school day for pupils in kindergarten to be 180 minutes, inclusive of recess. (EC 46117)
- 4) Requires the minimum school day for grades 1, 2, and 3 in elementary schools to be 230 minutes, other than under specified conditions. (EC 46112)
- 5) Requires the Superintendent of Public Instruction (SPI) to compute an additional adjustment to the kindergarten and grades 1 to 3 Local Control Funding Formula (LCFF) base grant, adjusted for inflation, equal to 10.4%. (EC 42238.02)
- 6) Requires for a single-session kindergarten, the class be at least 180 minutes per day, that the teacher be a full-time certificated employee who is assigned to only one session of kindergarten daily as a principal teacher, and who is available for assistance or assignment in the instructional program of the primary grades when not involved in the kindergarten program. (EC 46118)
- 7) Authorizes the governing board of a school district with less than 40 pupils enrolled in kindergarten classes to apply to the SPI to maintain two kindergarten classes of 150 minutes each, inclusive of recess, on the same day and taught by the same teacher, and requires that the Average Daily Attendance (ADA) be adjusted by a factor of 0.5. (EC 46119)

- 8) Requires charter schools, as a condition of apportionment, to offer 36,000 instructional minutes per fiscal year to pupils in kindergarten and 50,400 minutes to pupils in grades 1 to 3. (EC 47612.5)
- 9) Requires a student to be admitted to kindergarten if the student will have their fifth birthday on or before September 1. (EC 48000)
- 10) Authorizes school districts to admit to kindergarten, on a case-by-case basis, a student who will have their fifth birthday during the school year, subject to the following conditions:
  - a) The governing board of the school district determines that the admittance is in the best interest of the student; and
  - b) The parent is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance. (EC 48000)
- 11) Requires a student to be admitted to the first grade if the student will have their sixth birthday on or before September 1. (EC 48010)
- 12) 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. (EC 48000)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***This bill*** starting in 2025-26, requires school districts and charter schools offering kindergarten programs to provide a full-day of instruction, equivalent to the length of the school-day for grades 1 to 3, in order to qualify for the K-3 grade span adjustment, which adds 10.4% to the base grant ADA. Schools not offering full-day kindergarten would lose the K-3 grade span adjustment. ***The Committee may wish to consider whether all schools have*** the ability to offer full-day kindergarten given that many may be facing a lack of facilities and/or a shortage of teachers.

***Need for the bill.*** According to the author “Full-day kindergarten gives students the time they need to engage in meaningful learning and play, resulting in greater school readiness, self-confidence, and academic achievement compared to part-day programs. However, some school districts only offer part-day programs, leaving students without access to the benefits of full-day kindergarten. AB 1973 requires school districts and charter schools to offer full-day kindergarten programs starting in 2025-26, giving all students the opportunity to participate in a full-day program, which will prepare them with the skills they need to thrive in school and beyond.”

***Funding for kindergarten.*** School districts receive the full kindergarten funding allocation from the state (\$8,935 per student in 2021-22) regardless of whether they offer part-day programs or full-day programs. In a 2017 survey by University of California Los Angeles (UCLA), the estimated average per-student cost of providing a part-day program was \$4,277 per ADA - 54% of the cost for a full-day program at \$7,882 per ADA. While most school districts and charter

schools use their kindergarten funding to provide full-day programs, 2021-22 data from the CDE indicate that approximately 22% of school sites only offer part-day programs.

School districts and charter schools also receive a K-3 grade span adjustment of 10.4% to their K-3 ADA. As a condition of receiving these funds, school districts are required to maintain an average class enrollment of no more than 24 pupils in K-3 classes, unless the district has collectively bargained alternative average class enrollment in those grades for each school site. Charter schools receive the adjustment but do not have to comply with this condition. For the 2021-22 school year, the K-3 base grant was \$8,093 per ADA and with the 10.4% grade span adjustment was \$8,935.

***Benefits of full-day kindergarten.*** There is a significant body of research demonstrating that attending full-day kindergarten improves children’s academic achievement, and that the positive impact of full-day programs is greatest for low-income children. Students in full-day kindergarten do better with the transition to 1st grade, show significant gains in school socialization, and are equipped with stronger learning skills compared to students in half-day kindergarten. In the short-term, full-day kindergarten is associated with improved cognitive, literacy, math, and social skills compared to part-day programs. While there is less data on the long-term benefits of full-day kindergarten, a meta-analysis of forty research reports found that the positive association between academic achievement and full-day kindergarten lasts up to third grade. One study from the 1980s followed the academic trajectory of students at 23 different time points from kindergarten through eighth grade and consistently found higher academic performance in the full-day kindergarten group throughout the full length of the study.

Research indicates that the positive association of full-day kindergarten with academic achievement is a result of the amount of time children spend in school, rather than the arrangement of time within the school day. In short, children in full-day programs have more time to engage in meaningful learning and play. The 2017 UCLA report found that full-day kindergarten teachers spent more time each week on core instructional content, and roughly twice as much time on social-emotional skills (1.4 hours/week compared to 0.7 hours for part-day programs in a sample of over 440 classrooms). Having more time in the classroom benefits teachers as well as students – and these benefits are widely acknowledged by school leaders. In fact, the 2017 UCLA survey found that lack of enough time in the classroom was by far the greatest challenge reported by part-day kindergarten teachers (39% of part-day teachers rated this as their greatest challenge, compared to 15% of full-day teachers).

The National Education Association (NEA) goals state that “full-day kindergarten for all five-year-old children should be mandated in every public school in this country. These kindergartens should support the gains children made in prekindergarten, provide time for children to explore topics in depth, give teachers opportunities to individualize instruction, and offer parents opportunities to become involved in their children’s classrooms.” The NEA policy brief notes that teachers prefer full-day kindergarten for a number of reasons, including:

- Participating in full-day kindergarten eased the transition to first grade, helping children adapt to the demands of a six-hour school day;
- Having more time available in the school day offered more flexibility and more time to do activities during free choice times;

- Having more time made kindergarten less stressful and frustrating for children, because they had time to develop interests and activities more fully;
- Participating in the full-day schedule allowed more appropriate academic challenges for children at all developmental levels;
- For children with developmental delays or those “at-risk” for school problems, there was more time for completion of projects and more time for needed socialization with peers and teachers;
- Having more time allowed for advanced students to complete increasingly long-term projects; and
- Switching to full-day kindergarten gave teachers more time for curriculum planning, incorporating a greater number of thematic units in the school year, and offering more in-depth coverage of each unit

The NEA brief also states that parents prefer full-day kindergarten: “Full-day kindergarten provides parents with better support for their children. For parents who work outside the home, full-day kindergarten means that children do not have to be shuffled between home, school, and child care. For all parents, there is more continuity in the child’s day, less disruption, and more time for focused and independent learning. One study of parent attitudes found that after the second year of a full-day kindergarten program, 100% of full-day parents and 72% of half-day parents noted that, if given the opportunity again, they would choose full-day kindergarten for their child.”

***Benefits of full-day kindergarten vary.*** Research suggests that “Larger gains in cognitive and early-literacy domains are typically found for children from disadvantaged families after attending full-day kindergarten, compared with weaker effects for middle-class or affluent youngsters. Full-day kindergarten also appears to buoy young children with disabilities, especially when skilled aides are present in the classroom with the lead teacher. Scholars have yet to establish whether benefits observed from full-day kindergarten (or TK) are conditioned by disadvantaged children’s prior exposure to pre-k... Whether full-day K lifts children raised in poor communities may depend on such gains in quality and staffing levels.” (Lee and Fuller, 2019)

One study examined a national dataset of kindergarteners with disabilities and found that students with disabilities in full-day kindergarten had higher reading and math scores at the end of kindergarten, but that this effect disappeared completely at the end of first grade. However, the authors note, that though these gains may diminish in later grades, the benefits of full-day kindergarten may support the trajectory of students who tend to have additional needs at school-entry. (Gottfried, 2019)

***Kindergarten is not mandatory in California.*** Kindergarten is considered a grade level, is factored in the calculation of ADA and is included in the academic content standards, curricular frameworks and instructional materials in California. However, attendance in kindergarten is not mandatory and compulsory education laws begin at age 6, so parents must enroll their children in school once they reach the age of 6. It is a local decision, with parental input, whether the 6-year old student will be enrolled in kindergarten or first grade. For first grade enrollment, California

law requires a child to be 6-years old by September 1<sup>st</sup> to be eligible for first grade. Kindergarten is mandatory in 19 other states and the District of Columbia.

The CDE estimates that, pre-COVID, approximately 95% of eligible students attended kindergarten (public and private kindergarten) and approximately 80% of eligible students attended kindergarten at a public school.

According to the CDE, enrollment in public schools dropped by 110,283 students in the 2021-22 school year, continuing the trend of declining enrollment in recent years. The largest decreases in enrollment were in kindergarten and 6<sup>th</sup> grade in 2020-21 and in grades 1, 4, 7 and 9 in 2021-22.

***California schools offer transitional kindergarten (TK).*** The 2021-22 Budget Act included the expansion of TK, which will make TK available to all 4-year-olds by 2025-26. TK is the first year of a 2-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. 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.

***Many schools offer full-day kindergarten.*** According to the LAO, “Districts determine the length of their kindergarten programs. Part-day programs operate between three hours (the state required minimum) to four hours per day, whereas full-day programs operate for more than four hours per day. A recent survey released by the CDE found that part-day programs averaged 3.5 hours per day, whereas full-day programs averaged 5.6 hours per day. Schools operating part-day programs typically run a morning session and afternoon session in the same classroom using two teachers throughout the day. One teacher leads the class in the morning session while the other leads in the afternoon session. In contrast to part-day sessions, each full-day session requires a separate classroom and is typically assigned one full-time teacher who leads the class throughout the day. The teacher may receive assistance from an instructional aide. The state funds kindergarten through the LCFF, which provides districts the same per-student funding rate for part-day and full-day programs.” (LAO Early Education Analysis, March 2019)

The LAO report notes that as of 2017-18, 71% of school districts ran only full-day programs, 19% ran only part-day programs, and 10% ran a mix of full-day and part-day programs. The LAO estimated that 70% of kindergarten students attended a full-day program and 30% attended a part-day program.

CDE 2021 data on kindergarten programs shows:

- 76.5% of schoolsites offer full-day kindergarten (4,741 sites);
- 22% offer part-day kindergarten (1,357 sites); and
- 1.5% offer both full-day and part-day kindergarten (97 sites).

According to the LAO, districts operate part-day programs for a variety of reasons: “We asked several districts about their reasons for operating part-day instead of full-day programs. Although some districts described limited classroom space as an important consideration, districts cited other reasons for running part-day programs, including teacher and parent preferences. Some districts believed their teachers preferred part-day programs because they received assistance from another teacher throughout the day. Some districts indicated their parents preferred a

shorter school day for their children and were not interested in full-day programs. A few districts also mentioned concern over the somewhat higher staffing costs for full-day programs. Full-day programs sometimes hire more support staff (such as instructional aides and custodians) compared to part-day programs.” (LAO, 2019)

One study, by University of California Berkeley’s Early Childhood Think Tank, found that full-day kindergarten is not equally available throughout California. The authors found that elementary schools in poorer communities are more likely to operate full-day programs than schools located in economically better-off neighborhoods. 82% of schools in the poorest quartile (based upon percentage of pupils eligible for free and reduced-price meals), operated full-day kindergarten programs in 2017-18, compared with 63% in the most advantaged quartile. This trend appears to hold true for charter schools as well, as 96% of charter elementary schools in the poorest communities offered full-day kindergarten in 2017-18, while 81% of charters serving the most advantaged quartile offered full-day programs. Overall, the authors contend that a community’s wealth is inversely proportional to the availability of full-day kindergarten. (Lee and Fuller, 2019)

***Barriers to implementation of full-day kindergarten include facility and teacher shortages.***

According to the 2017 UCLA study, lack of classroom space has been a primary barrier to offering full-day kindergarten. In order to address this problem and facilitate the expansion of full-day kindergarten, the state has invested \$890 million over the last 4 years in grant funding to support full-day kindergarten programs (\$100 million in 2018-19, \$300 million in 2019-20, and \$490 million in 2021-22).

California is experiencing a significant shortage of teachers overall. A 2020 research brief by the Learning Policy Institute (LPI) notes that “When California students returned to school in fall 2019, hundreds of thousands returned to classrooms staffed by substitutes and teachers who were not fully prepared to teach. In recent years, California has experienced widespread shortages of elementary and secondary teachers as districts and schools seek to restore class sizes and course offerings cut during the Great Recession.” The LPI report goes on to say that “Analysis of statewide teacher supply and demand factors indicates that there are three main factors driving shortages in California: the decline in teacher preparation enrollments, increased demand for teachers, and teacher attrition and turnover. However, the relative weight of supply and demand factors can vary from district to district.”

The expansion of TK is expected to exacerbate this need as it is projected that full implementation of TK with reduced staffing ratios will require up to 12,000 or more additional credentialed teachers, as well as up to 25,000 teacher assistants.

***Recommended Committee amendments. Committee staff recommend that the bill be amended as follows:***

- 1) Extend the timeline so that schools with large populations of unduplicated pupils would be required to offer full-day programs starting with the 2027-28 school year, and all other schools beginning in the 2030-31 school year.
- 2) Stipulate that school districts and charters not offering full-day kindergarten by the stated deadline lose the portion of the K-3 grade span adjustment only for the ADA associated with the LEA’s kindergarten enrollment.

- 3) Clarify that the full-day requirement applies only to kindergarten, not to transitional kindergarten.
- 4) Clarify that each school site would be required to offer at least one full-day kindergarten program to comply with these requirements.

**Arguments in support.** First 5 California states, “Research shows that full-day kindergarten programs are associated with greater growth in cognitive, reading, and math skills compared to part-day programs – crucial academic building blocks that prepare children for first grade. Full-day kindergarten programs also improve school-readiness by giving children more opportunities for social-emotional and behavioral development, resulting in greater self-confidence and ability to work and play with others.

While the number of districts providing full-day programs has increased in recent decades, many students are still left out of this opportunity because they attend school districts that only offer part-day programs. Recognizing the need to expand access, the state has invested \$890 million in grant funding to support the construction of facilities to support full-day kindergarten over the last three years.

AB 1973 sets California’s youngest learners up for success in school and beyond by requiring school districts and charter schools to offer full-day kindergarten programs to all children starting in the 2025-26 school year. This bill will give students the time they need to engage in meaningful learning and play, resulting in greater school readiness, self-confidence, and academic achievement compared to part-day programs.”

**Arguments in opposition.** The California School Boards Association states, “Many kindergarten programs operate on a half-day schedule, primarily due to logistical challenges and lack of facility capacity. As a result, many offer separate morning and afternoon kindergarten programs not for policy reasons, but rather because they lack adequate facility capacity and/or teachers to meet demand. As such, this enables school districts to assign one teacher to a kindergarten classroom but serve twice as many students by providing separate morning and afternoon kindergarten classes in the same classroom. AB 1973 would also present increased challenges to our smaller and more rural school districts, which already struggle to a greater degree with staffing shortages and lack of adequate school facilities.

Furthermore, there is no additional funding identified in this measure to fund the expansion of full-day kindergarten. Without additional funding to help school districts of all sizes offer full-day kindergarten, many districts will be faced with the unenviable task of choosing between offering full-day kindergarten or foregoing their class size reduction (CSR) funding and increasing class sizes for some of our youngest students. Although we appreciate the intent of the bill to provide full-day kindergarten, we believe additional funding separate and apart from the CSR program is a better approach to achieving this goal.”

**Related legislation.** SB 70 (S. Rubio) of the 2021-22 Session requires, beginning with the 2022-23 school year, a student to have completed one year of kindergarten before being admitted to the first grade of a public school. In doing so this bill expands compulsory education to include kindergarten.

AB 966 (Burke) of the 2021-22 Session would have appropriated \$300,000 for the Full-Day Kindergarten Facilities Grant Program for the 2021-22 fiscal year. This bill was held in the Assembly Appropriations Committee.

AB 197 (Weber) of the 2019-20 Session would have required every school within a school district, and every charter school serving pupils in the early primary grades, to implement at least one full-day kindergarten program commencing with the 2022-23 school year. The bill was vetoed by Governor Newsom with the following message:

Enrollment in full-day kindergarten has grown for more than a decade. Some school districts opt for part-day programs due to facilities constraints. In order to address this limitation, the 2019 Budget Act includes \$300 million one-time non-Proposition 98 General Fund specifically for facilities construction designed to expand full-day kindergarten offerings. While I support increased access to full-day kindergarten, I cannot sign this bill as it would impose new costs outside the budget.

AB 713 (Weber) of the 2015-16 Session would have required, beginning with the 2017-18 school year, a student to have completed one year of kindergarten before being admitted to the first grade.

AB 1444 (Buchanan) of the 2013-14 Session would have required, beginning with the 2016-17 school year, a student to have completed one year of kindergarten before being admitted to the first grade. AB 1444 was vetoed by Governor Brown, who stated:

Most children already attend kindergarten, and those that don't may be enrolled in other educational or developmental programs that are deemed more appropriate for them by their families. I would prefer to let parents determine what is best for their children, rather than mandate an entirely new grade level.

AB 1772 (Buchanan) of the 2011-12 Session would have required, beginning with the 2014-15 school year, a student to have completed one year of kindergarten before being admitted to the first grade.

AB 2203 (V. Manuel Perez) of the 2011-12 Session would have expanded compulsory education laws to include five-year olds.

AB 1236 (Mullin) of the 2007-08 Session would have expanded compulsory education laws to include five-year olds.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California School Employees Association  
Early Edge California  
First 5 California

**Opposition**

Association of California School Administrators  
California School Boards Association

**Analysis Prepared by:** Debbie Look / ED. / (916) 319-2087