

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 966 (Burke) – As Introduced February 17, 2021

**SUBJECT:** Full-Day Kindergarten Facilities Grant Program: appropriation

**SUMMARY:** Appropriates, for the 2021-22 fiscal year (FY), \$300 million from the General Fund (GF) to the State Allocation Board (SAB) for the Full-Day Kindergarten Facilities Grant Program (FDKFGP).

**EXISTING LAW:**

- 1) Establishes the FDKFGP under the administration of the SAB to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities for the purpose of providing full-day kindergarten classrooms. (Education Code (EC) 17375)
- 2) Appropriates \$100 million to the SAB for the FDKFGP in FY 2018-19 and provides that commencing with FY 2019-20, the FDKFGP is contingent upon appropriation by the Legislature. (EC 17375(a)(3))
- 3) Authorizes savings and interest achieved by the school district upon full completion of an approved project to be used for professional development or instructional materials to build capacity for the implementation of a full-day kindergarten program, or high priority capital outlay purposes by the school district and in accordance with associated regulations and any accompanying grant agreement. (EC 17375(a)(4)(B)(i))
- 4) Requires, for the first two years after any funds have been appropriated, funds to be limited to schoolsites that did not offer a full-day kindergarten program as of July 1, 2019, and that would use the funding to convert a part-day kindergarten program to a full-day kindergarten program. (EC 17375(a)(4)(C))
- 5) Exempts new school facilities built pursuant to the FDKFGP from the eligibility determination used for allocating state bond funds under the School Facility Program (SFP). (EC 17375(a)(5))
- 6) Requires the priority for grants to be given to school districts that meet either of the following criteria:
  - a) The school district is financially unable to contribute a portion of, or all of, the local matching share required for the SFP and meets the requirements for financial hardship; or
  - b) The school district is located in an underserved community with a high population of pupils who are eligible for free or reduced-price meals (FRPM). (EC 17375(b)(2))
- 7) Requires a school district to provide 50% of the cost of a new construction project and 40% for a retrofit project, unless the school district meets the requirements for financial hardship assistance. (EC 17375(b)(3))

- 8) Requires a school district that converts a part-day kindergarten program to a full-day kindergarten program to provide 25% of the cost of the project whether the project is for new construction or retrofit, unless the school district meets the requirements for financial hardship assistance. (EC 17375(b)(4))
- 9) Provides that for the purposes of the FDKFGP, kindergarten includes transitional kindergarten (TK). (EC 17375(l))
- 10) Requires, under the Leroy F. Greene School Facilities Act of 1998, the SAB to allocate to applicant school districts prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding and supplemental funding for site development and acquisition. (EC 17070.10)
- 11) Requires a local educational agency (LEA), beginning in the 2015-16 school year, to provide an annual report to the California Department of Education (CDE) that contains information on the type of kindergarten program offered by the LEA, including part-day, full-day, or both, in a manner determined by the CDE. (EC 48003)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Need for the bill.*** The author states, “The state has made considerable efforts in recent years to expand the availability of Full-Day Kindergarten and Transitional Kindergarten (TK). One such effort was the establishment of the Full-Day Kindergarten Facilities Grant Program which provides one-time grants to school districts that are building or retrofitting facilities to be used for the expansion of full-day kindergarten and TK. Last year, we were unable to allocate funds for the program due to emergency brought on by the COVID-19 pandemic. Consequently, there is \$300 million worth in pending funding requests from school districts. It would benefit the state to meet the needs of these school districts looking to receive funding for improved facilities. Beyond the immediate benefit of increasing access to full-day kindergarten and transitional kindergarten, allocating funds will stimulate job creation as new facilities are built, and will also help accommodate working parents who do not have access to childcare. Above all, construction of new facilities ensures that our children will have modernized and safe classrooms where they can learn, grow, and thrive as they begin their educational journeys.”

***Kindergarten attendance is not mandatory.*** Under current law, compulsory education begins at age 6. Any person subject to compulsory education found away from home without a valid excuse for not attending school can be arrested by school officials or peace or probation officers. Current law does not require a child to attend kindergarten but requires school districts to admit a pupil for kindergarten if a parent wishes to enroll a child as long as the child will be five-years-old by September 1st. According to the CDE, there were 462,172 students enrolled in kindergarten in 2020-21, a drop of 60,837 students from 2019-20, likely due to the COVID-19 pandemic and school closures.

***Full-day/part-day kindergarten.*** Existing law requires 180 minutes of class time for kindergarten (part-day) with a maximum of four hours per day. LEAs may adopt an extended-day kindergarten program that exceeds four hours (full-day). According to the CDE, based on 2019-20 data, 76% of school districts reported operating full-day kindergarten programs, 26% of

school districts reported offering only part-day kindergarten programs, and 6% reported offering both full and part-day programs.

**Benefits of full-day kindergarten.** A large body of research demonstrates that children benefit from a developmentally appropriate, full-day kindergarten program, especially in terms of early academic achievement. Full-day kindergarten provides the learning time needed to prepare for mastery of primary-grade reading and math skills, and helps to reduce subsequent needs for remediation or grade retention. Studies show that full-day kindergarten students show faster gains on literacy and language measures and that such gains may last over time, including higher reading achievement through third grade, and possibly through seventh grade. Other studies show similar gains in numeracy and early math skills in full-day kindergarten classes.

Full-day kindergarten lays the foundation for the transition into formal schooling, and also provides children with more time in a structured environment which may lead to improved social, emotional, and behavioral skills. Parents generally support full-day kindergarten, both for educational reasons, and because it lessens the need for child care arrangements during the workday.

**Barriers to operating a full-day kindergarten program.** In 2017, the CDE contracted with the University of California, Los Angeles to conduct an evaluation of part-day and full-day transitional kindergarten and kindergarten programs. Using 2015-16 data, the study found that the majority of LEAs (59%) offered only full-day kindergarten programs and that most LEAs operating part-day kindergarten programs were interested in offering full-day kindergarten. According to the report, the biggest barriers for those LEAs interested in offering full-day kindergarten were lack of classroom space and/or resources. Based on the findings, one of the recommendations offered by the CDE to the Governor and the Legislature was that the state should incentivize part-day LEAs to shift to a full-day kindergarten program by providing funding for classroom space.

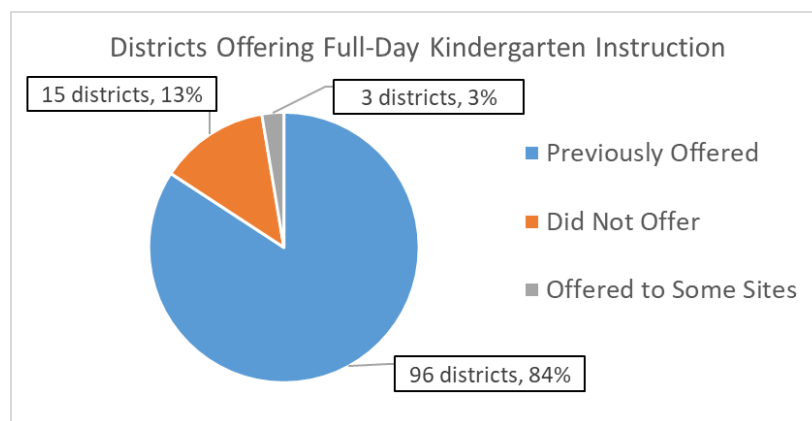
**Budget actions.** The state budget contained the following actions from FY 2018-19 to FY 2020-21:

FY 2018-19	\$100 million non-Proposition 98 GF	Established the FDKFGP for the construction of new kindergarten classrooms or to retrofit a classroom with the design requirements for kindergarten (e.g., minimum square footage, restrooms, and play yards).
FY 2019-20	\$300 million non-Proposition 98 GF	Provided additional funding to the FDKFGP and made changes to the program.
FY 2020-21	-\$300 million	Rescinded the \$300 million for the FDKFGP appropriated in FY 2019-20.

**FDKFGP.** The FDKFGP is administered by the SAB, the ten-member body that allocates state school facilities bond funds to LEAs through the SFP. The FDKFGP is modeled after the existing SFP by providing per-pupil grants with a required local match of 50% for new construction projects and 40% for retrofit projects, unless the school district is determined to be

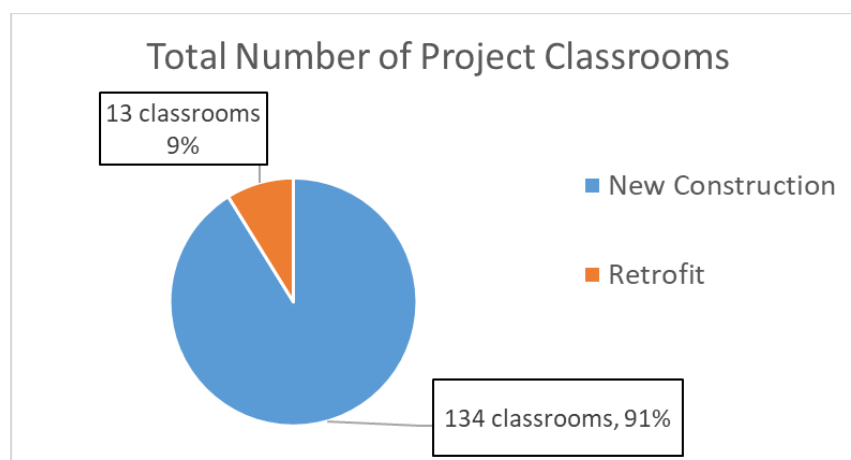
unable to provide a local match, which makes it eligible for financial hardship and to receive up to 100% of funding. If the project will convert a part-day kindergarten program to a full-day kindergarten program, the local match is reduced to 25% for both new construction and retrofit projects. Existing law requires the SAB to give priority for grant funds to school districts that are eligible for financial hardship and that are located in underserved communities with a high population of pupils eligible for FRPM.

According to the Office of Public School Construction (OPSC), the agency that administers the SFP at the direction of the SAB, 114 school districts submitted funding applications totaling \$721 million in requests (includes requests for financial hardship assistance) for the \$100 million appropriated in FY 2018-19. Of the 114 districts, the majority (96) already operated full-day kindergarten programs, three districts offered full-day kindergarten at some sites, and 15 districts offered only part-day kindergarten programs.

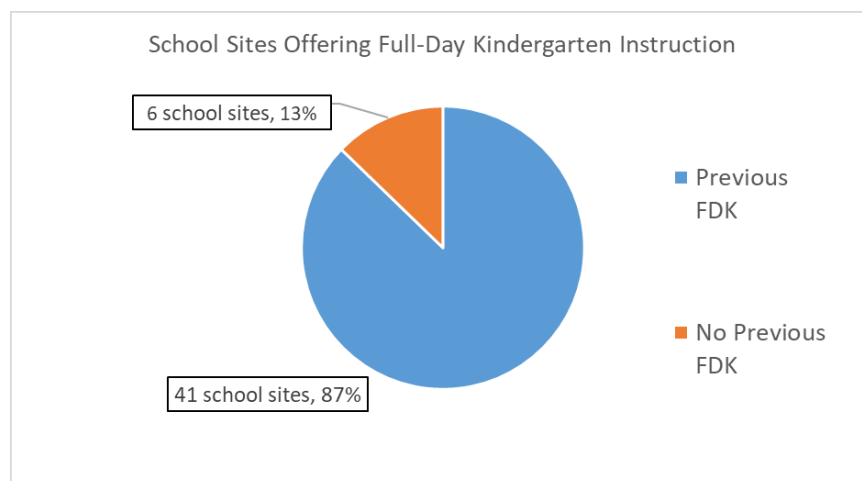


Source: 2019-20 Fiscal Year-End Report for the Full-Day Kindergarten Facilities Grant Program, OPSC

With \$2.5 million set aside for the administration of the program by OPSC, \$97.5 million was allocated to 44 districts for 47 projects, of which, 45 projects were new construction projects to add additional classrooms on a school site and two were retrofit projects. Of the 44 districts, 16 districts received financial hardship assistance. Of the 47 school sites, 44 were Title I schools. When completed, the funds will yield 134 new classrooms and 13 classrooms retrofitted to meet kindergarten facilities standards.



**Program had limited impact on full-day kindergarten expansion.** AB 1808 (Committee on Budget), Chapter 32, Statutes of 2018, the trailer bill that established the FDKFGP, provided eligibility for funding to districts that already operated full-day kindergarten programs as well those that did not. As shown in the chart below, only six of the schoolsites that received funds did not have a full-day kindergarten program in place prior to receiving funds. Most of the funds were used by school districts that already had full-day kindergarten programs to add kindergarten appropriate classrooms.



When an additional \$300 million was appropriated for the program in FY 2019-20, the program was modified to require that for the first two years, funds would be limited to schoolsites that did not offer a full-day kindergarten program as of July 1, 2019, and that would use the funding to convert a part-day kindergarten program to a full-day kindergarten program. In 2020, due to concerns of a recession caused by the COVID-19 pandemic, the FY 2020-21 budget reduced or eliminated funding for a number of programs funded in the previous year but for which funds had not been spent. While the FDKFGP was one of the programs for which funds were rescinded, the changes made to the program were not removed.

**Proposed FY 2021-22 Budget.** The Governor's proposed FY 2021-22 budget includes \$200 million for the FDKFGP. However, the Governor proposes to expand the program to include expansion of TK classrooms and give priority for funding in the first fiscal year after funds are appropriated to schoolsites that will offer TK or will expand TK. In the second fiscal year, funds would be limited to schoolsites that did not operate a TK program or a full-day kindergarten program as of July 1, 2022 and will use the funds to expand enrollment in either programs. AB 966 appropriates \$300 million solely for facilities to expand full-day kindergarten. If enacted, for the first two years, the funds must be prioritized for school districts that do not operate full-day kindergarten programs.

**Related legislation.** SB 98 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2020, rescinded the \$300 million appropriation to the FDKFGP in the FY 2019-20 budget.

SB 75 (Committee on Budget and Fiscal Review), Chapter 51, Statutes of 2019, appropriates \$300 million from the GF to the FDKFGP, limits funds for the first two years after appropriation of funds to be allocated to school districts that did not have a full-day kindergarten program as of July 1, 2019, and that will use the funds to expand full-day kindergarten; reduces the local match to 25% for any district that will use the funds to convert a part-day program to a full-day

program; and authorizes any savings after completion of the project to be used for professional development or instructional materials related to implementation of full-day kindergarten.

AB 1808 (Committee on Budget), Chapter 32, Statutes of 2018, establishes the FDKFGP and appropriates \$100 million from the GF for that purpose.

AB 197 (Weber) of the 2019-20 Session would have required every school within a school district and charter school to implement at least one full-day kindergarten program by 2022-23. The bill was vetoed by the Governor 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 in the 2017-18 school year, a child to complete one year of kindergarten before he or she may be admitted to first grade. The bill was held in the Senate Appropriations Committee.

AB 1444 (Buchanan and Weber) 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. This bill was vetoed by Governor Jerry Brown with the following message:

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.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

None on file

##### **Opposition**

None on file

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