



Summary of Education Omnibus Trailer Bill Language - AB 185

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Universal Preschool in Mixed-Delivery System

- Establishes a workgroup to provide recommendations on best practices for increasing access to high-quality universal preschool programs for three- and four-year-old children through a mixed-delivery system and to preschool standards.
 - Overseen by the California Department of Education (CDE) and California Department of Social Services (CDSS).
 - Charges the workgroup with developing recommendations that are in alignment with the work of the Master Plan for Early Learning and Care (MPELC), without recommending new system changes that create increased state or local costs to offer preschool across the mixed-delivery system.
 - Workgroup should include representatives from county offices of education, contracted state preschool programs, including those operated by school districts and by community-based organizations, Transitional Kindergarten (TK) programs, tribal preschool programs, educators, the Commission on Teacher Credentialing (CTC), First 5, resource and referral programs, alternative payment programs, contracted general child care programs serving preschool-age children, Head Start, private center-based preschool providers, licensed family child care providers, researchers, and child development experts.
 - Requires the workgroup to be established by December 1, 2022 and then turn around recommendations by January 15, 2023. However, representatives clarified that the recommendations deadline will be extended to 2024.

California State Preschool Program (CSPP)

- Changes eligibility to CSPP:
 - Clarifies that the new requirements for CSPP programs that increase the percentage of enrollment to be reserved for children with exceptional needs pertain to both part-day and full-day CSPP programs. The implementation will be as follows:
 - 5% of CSPP reserved enrollment starting July 1, 2022 through June 30, 2023
 - 7.5% of CSPP reserved enrollment starting July 1, 2023 through June 30, 2024
 - 10% of CSPP reserved enrollment and children served starting July 1, 2024
 - Clarifies that children with exceptional needs that fall within the reserved enrollment percentages should be prioritized based on income.
 - A full-day CSPP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold [100%

of the State Median Income (SMI)], after all eligible three- and four-year-old children have been enrolled. No more than 10 percent of children enrolled, as calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

- Allows a provider operating a state preschool program within the attendance boundary of a public school, except a charter or magnet school, where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals, may now enroll three-year-old children, in addition to four-year-old children, in accordance with the enrollment priorities. Any remaining slots may be open to enrollment of any families not otherwise eligible based on the following priority:
 - Three- and four-year-olds with residency in the school district boundaries.
 - Providers shall give first enrollment priority for slots available under the community eligibility provision to families with the lowest income, and last enrollment priority to families with the highest income.
- Changes how to prioritize children for part-day CSPP programs:
 - Priority Order:
 - First: Three- and four-year-old children who are recipients of child protective services or at-risk.
 - Second: Three- and four-year-old children with exceptional needs beyond the children already enrolled in the enrollment set-aside that are below the income eligibility threshold.
 - Within this priority tier, children should be prioritized by lowest income.
 - Third: Eligible four-year-olds not enrolled in TK. This does not include children with exceptional needs if they come from families above the income eligibility threshold.
 - Within this priority tier, lowest income children should be enrolled first.
 - If two or more families have the same income ranking, the family that has been on the waitlist longer shall be enrolled first.
 - Fourth: Eligible three-year-olds. This does not include children with exceptional needs if they come from families above the income eligibility threshold.
 - Within this priority tier, lowest income children should be enrolled first.
 - If two or more families have the same income ranking, the family that has been on the waitlist longer shall be enrolled first.
 - Fifth: Children from families whose income is no more than 15 percent above the eligibility income threshold (100% of the SMI), after all other eligible children have been enrolled.
 - Within this priority category, priority shall be given to three- and four-year-old children with exceptional needs interested in

enrolling beyond those already enrolled in the 10 percent of funded enrollment set aside pursuant to, then to four-year-old children before three-year-old children without exceptional needs.

- After otherwise eligible children have been enrolled, the contractor may enroll in the following order:
 - CSPP site operating within the attendance boundary of a public school, except a charter or magnet school, where at least 80 percent of enrolled pupils are eligible for free or reduced-price meals may enroll any three- or four-year-old children whose families reside within the attendance boundary of the qualifying elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.
 - Children enrolling in CSPP to provide expanded learning and care to TK or Kindergarten pupils
- The Superintendent shall set criteria for, and may grant specific waivers of, the priorities established in this section for agencies that wish to serve specific populations, including children with exceptional needs or children of prisoners. These new waivers shall not include proposals to avoid appropriate fee schedules or admit ineligible families, but may include proposals to accept members of special populations in other than strict income order, as long as appropriate fees are paid.
- Requires the State Superintendent of Public Instruction (SSPI) to authorize CSPP contracting agencies to offer wraparound services for income-eligible TK/K children for less than 4 hours each instructional day (instead of up to 3 hours per day), and would require the SSPI to authorize CSPP operating on a local education agency (LEA) campus to operate a part-day CSPP that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.
- Requires the SSPI to develop criteria for DLL identification family language and interest interviews in CSPP.

Transitional Kindergarten (TK)

- Maintains that the average TK class enrollment of not more than 24 pupils for each school site, and clarifies how that average is calculated.
- Maintains and clarifies that LEAs must maintain an average of at least one adult for every 12 pupils for TK classrooms at each school site and defines how to calculate this.
- For the TK teacher equivalency requirements:
 - Establishes that the local governing board of the LEA determines the criteria for TK teacher experience that would be equivalent to 24 ECE units.
- Allows CSPP to provide “less than 4 hours” (instead of “up to 3 hours”) of an instructional day for wraparound care for TK/K students for CSPP eligible families.



- Authorizes CSPP programs operating on a LEA campus to operate a part-day CSPP that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.
- Starting with the 2022-23 school year, districts and charters that provide TK that fail to comply with TK class size average maximum, classroom ratios, or certificated credentialing requirements shall have the entitlement computed withheld by the SSPI. Specifies how the amount withheld will be calculated.

Planning and Implementation Grants

- Changes to the California Prekindergarten Planning and Implementation Grant:
 - Clarifies that any Kindergarten enrollment reported by a county office of education shall be attributed to the school district of geographic residence.
 - Requires LEAs, if they did not do so already, to develop a plan for consideration by the governing board or body at a public meeting by March 30, 2023. Plan should describe how all children in the attendance area of the LEA will have access to full-day learning programs the year before Kindergarten that meet the needs of parents, including through partnerships with the LEA's Expanded Learning Opportunities Programs (ELOPs), the After School Education and Safety Program, CSPP, Head Start programs, and other community-based Early Learning and Care programs.
 - Adds that LEAs should describe how the plan to coordinate with local tribes in addition to their county's local planning council, and CSPP and Head Start providers.
 - Clarifies that funds must be used to offer TK to all eligible pupils interested in TK within their attendance area by the 2025–26 school year.
 - Funds must be expended by June 30, 2026. At that time, the department will begin processes to collect unused funds.
 - Funds may be collected by the department should grantees fail to submit required data.
- Changes to the California Universal Preschool Planning Grant Program:
 - Clarifies that counties should submit a single planning grant application.
 - Adds that the county grant submission must contain a signed agreement from the resource and referral agencies in the county and the local planning council.
 - Requires the grantee to form a single working group that shall include, but not be limited to, representatives of county offices of education, school districts, charter schools offering TK, resource and referral programs, alternative payment programs operating preschool programs, First 5 county commissions, contracted state preschool programs, including both LEA and community-based organization programs, general child care programs serving preschool-age children, tribal preschool programs, private center-based child care preschool providers, licensed family child care providers, educators, exclusive bargaining



representatives, Head Start, faculty at local institutions of higher education focusing on child development or early childhood education, and early childhood education teacher preparation programs, including institutions of higher education.

- Permits CDE to enter into exclusive or nonexclusive contracts with nongovernmental entities on a bid or negotiated basis for the purposes of this program. With the approval of the Superintendent, a contracted nongovernmental entity may subcontract as necessary in the performance of its duties.

TK-12

- Changes to the Local Control Funding Formula (LCFF)
 - Clarifies that a school district cannot negotiate an alternative average TK class enrollment of not more than 24 pupils for each school site.
 - Provides an additional investment of 6.7% to the LCFF (up from 6.28%).
- Changes to the ELOP:
 - Clarifies that LEAs must offer this program to all pupils in Kindergarten through 6th grade as a condition of funding beginning with the 2023-24 school year.

TK-12 Workforce Pipeline

- Teacher Residency Grant Program:
 - Specifies that to be a mentor teacher for someone obtaining a PK-3 Credential, they must have at least 3 years of teaching experience in Prekindergarten, TK, Kindergarten, or any of grades 1 to 3, inclusive, and hold a clear multiple subject credential.
- Clarifies usage of \$184M allocated for the Teacher Residency Grant Program:
 - The commission may allocate up to \$10 million of the amount appropriated to capacity grants that shall be awarded on a competitive basis to LEAs or consortia, to partner with regionally accredited institutions of higher education to create school counselor residency programs that lead to more credentialed school counselors that reflect a LEA community's diversity.
 - The commission shall determine the number of capacity grants to be awarded and the amount of the applicable grants.
 - Individual capacity grants shall not exceed \$250,000 per grant recipient.

Child Care Reimbursement Rate

- Makes changes to the allocation of funds transferred to the CDSS for the purpose of expanding child care access by funding additional slots under the Alternative Payment Program and the general child care and development program.

COVID-19 Sick Days

- Provides \$2 million for child care providers to take up to 16 paid nonoperational days for use by June 30, 2023, inclusive, if the provider is closed due to COVID-19



self-quarantine or self-isolation, when recommended by local public health department guidelines.