EARLY CHILDHOOD

CHANGES IN LAW
2024

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Despite deficit, Transitional Kindergarten (TK) rollout continues on schedule

It seems like only yesterday the state initiated the rollout of what would eventually be universally available transitional kindergarten. As Governor Newsom put it at the time, California would be establishing "an entirely new grade" available to all four-year-old children. He also noted that he was committed to funding the expansion by making sure every new TK student would be accounted for. To his and the Legislature's credit, they have kept their word by "rebenching" the Proposition 98 Guarantee each year to pay for this expansion - this held true even in a year where the state budget faced a considerable deficit.

Rolled out in stages by adding two additional months of age eligibility, the 2024-25 school year is the last year of the phase-in before the state will reach full implementation of the Universal TK program at the beginning of the 2025-26 school year. To be specific, this penultimate year expanded eligibility to all children turning five years old from September 2 to April 2, previously, to between September 2 and June 2, currently. The state also continued to provide additional funding to maintain an average 12:1 student-adult ratio across a schoolsite's TK classrooms.

One important policy change to note, however, was a full cut to the state's pot of funding specifically designated for PreK facilities construction. Known as the Preschool, TK, and Full-Day Kindergarten Facilities Grant Program, there was a planned investment of $550 million for the program slated for 2025-26. You may recall this funding has been kicked down the road a few times once the state knew it may be in for a tight budgetary period. In the final budget that was signed into law, all $550 million that was planned for the program was cut in an effort to help fill other holes in the state budget. That being said, Proposition 2, which places a $10 billion school facilities bond before voters on the November ballot, has allowances for the construction of these facilities in its provisions.

We anticipate that the rollout of Universal TK will continue as planned as we look ahead to 2025-26, and that beginning with that school year all four-year-olds will be eligible for TK. There may, however, be discussions in Sacramento about the appropriate timing for shifting to a required 10:1 student-adult ratio in TK classrooms, as well as some of the other programmatic requirements that will go along with full implementation, when the state budget negotiations get underway next year.

The Governor signed the following early childhood bills:

Child Care

AB 772 (Jackson) - Child day care facilities.

Current regulation generally requires child daycare facilities that are licensed by the State Department of Social Services (CDSS) to require proof of each child's immunizations, including tuberculosis testing, and to maintain files of this proof on the premises. This bill would exempt drop-in childcare centers, defined in the bill, from these requirements.

Chapter 933, Statutes of 2024

AB 1808 (Nguyen, Stephanie) - Childcare and development services: eligibility.

This bill establishes a 24-month eligibility period for all income-eligible families within the California Work Opportunities and Responsibility to Kids program (CalWORKs), which aligns it with other subsidized childcare programs.

Chapter 356, Statutes of 2024

AB 2317 (Nguyen, Stephanie) - Child day care facilities: anaphylactic policy.

This bill requires CDSS, in consultation with the California Department of Education (CDE) and the Emergency Medical Services Authority (EMSA), to establish an anaphylactic policy that sets forth guidelines and procedures recommended for child daycare facility trained staff to prevent a child from suffering from anaphylaxis and to be used during a medical emergency resulting from anaphylaxis. It further requires the director or teacher at each day care center, and each family day care home licensee who provides care, to obtain training in a pediatric first aid or pediatric cardiopulmonary resuscitation (CPR) course that includes instruction in the prevention and treatment of anaphylaxis, including the emergency use of epinephrine auto-injectors.

Chapter 563, Statutes of 2024

AB 2343 (Schiavo) - CalWORKs: childcare programs.

Current law provides for the CalWORKs program, under which, through a combination of state and county funds and federal funds received through the Temporary Assistance for Needy Families (TANF) program, each county provides cash assistance and other benefits to qualified low-income families. This bill provides that nothing shall prohibit an administrator of an alternative payment program or agency administering CalWORKs Stage One or Stage Two programs from utilizing funds for administrative and support services to provide families at risk of homelessness or escaping domestic abuse a referral pathway to secure stable childcare placement.

Chapter 958, Statutes of 2024

AB 2866 (Pellerin) - Pool safety: State Department of Social Services regulated facilities.

This bill requires a licensed child care facility, either a family daycare home or a child day care center, with a swimming pool on the premises to have at least two safety features specified in the Swimming Pool Safety Act.

Chapter 745, Statutes of 2024

SB 1112 (Menjivar) - Childcare: alternative payment programs.

Current federal law requires a portion of Child Care and Development Block Grant funds to be used to disseminate information on existing resources for developmental screenings and descriptions of how a

family may utilize those resources to obtain developmental screenings. This bill states that the costs allowable for administration shall include, but not be limited to, costs associated with disseminating the above-described information.
Chapter 1016, Statutes of 2024

Early Childhood

AB 51 (Bonta) - Early childcare and education: California state preschool program.
This bill requires CDE, subject to an appropriation, to:

1. Provide prospective California State Preschool (CSPP) contractors who have not received a CSPP contract, or have not received a contract within the last five years, an equitable opportunity to establish a trained workforce and administrative systems;
2. Develop early learning resources;
3. Develop guidance related to serving private-pay as well as subsidized children in a universal pre-K system;
4. Develop a three-year plan for outreach, capacity building, training and assistance; and,
5. Create a separate webpage by January 1, 2026 on its website on starting, funding, and operating a CSPP. Also authorizes CDE to modify the CSPP request for application (RFA) requirements to simplify and streamline the application process for prospective contractors.

Chapter 618, Statutes of 2024

Capitol Advisors Group has produced a set of comprehensive client briefs detailing new education laws that were passed by the Legislature and signed into law by Governor Newsom in 2024. Each brief is organized by subject area and includes an executive summary highlighting major changes we think you should know about. Bills signed by the Governor take effect on January 1, 2025, unless the bill specifically states otherwise.