

BOARD POLICY 6170.1: TRANSITIONAL KINDERGARTEN

Comparison Chart

Section: Instruction

SUMMARY OF UPDATE

Summary of Update: Policy updated to reflect NEW LAW (AB 130, 2021) which (1) gradually revises the timespans for mandatory transitional kindergarten (TK) admittance such that, by the 2025-26 school year, children who turn four by September 1 will be eligible for TK, (2) establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs at districts, including but not limited to TK programs, and which requires districts to develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten, (3) establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities including for the purpose of providing TK classrooms, (4) prohibits TK eligibility from impacting family eligibility for a preschool or childcare program, and (5) requires districts to maintain an average TK class enrollment of not more than 24 students for each school site and which, commencing with the 2022–23 school year, requires districts to maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year. Policy also updated to reflect requirements for programs that commingle preschool-age and TK students.

CSBA NOTE: The following policy is for use by districts that maintain kindergarten and may be revised to reflect district practice. Education Code 48000 provides that children are eligible for kindergarten enrollment if they have their fifth birthday on or before September 1 in that school year; see AR 5111 - Admission. Pursuant to Education Code 48000, as amended by AB 130 (Ch. 44, Statutes of 2021) and AB 167 (Ch. 252, Statutes of 2021), for the 2021-22 school year, districts are required to admit any child whose fifth birthday is between September 2 and December 2 to a transitional kindergarten (TK) program as a condition of apportionment and revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year as described below.

In its "Transitional Kindergarten FAQs," the California Department of Education (CDE) provides that the laws governing TK programs apply equally to all districts including basic aid districts. Districts with questions about the application of the TK mandatory admittance requirements to basic aid districts should consult legal counsel.

Education Code 48000 defines TK as the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. Many of the requirements applicable to kindergarten (e.g., class size, minimum school day, facilities) are also applicable to TK. The district will receive funding based on average daily attendance (ADA) for students in a TK program that meets the requirements specified in Education Code 48000.

Education Code 8281.5, as added by AB 130, establishes the California Prekindergarten Planning and Implementation Grant Program as an early learning initiative with the goal of expanding access to classroom-based prekindergarten programs. The program allocates funding to all districts that operate kindergarten programs through minimum base grants, enrollment grants based on a district's kindergarten enrollment, and supplemental grants based on a district's percentage of unduplicated students. Grant funds may be used for costs associated with creating or expanding preschool programs through the California State Preschool Program (CSPP) or TK programs, or to establish or strengthen partnerships with other providers of prekindergarten education within the district,

including Head Start programs, to ensure that high-quality options for prekindergarten education are available for four-year-old children. Allowable costs include, but are not necessarily limited to, planning costs, hiring and recruitment costs, staff training and professional development, classroom materials, and supplies.

Education Code 17375, as amended by AB 130 and AB 167, establishes the California Preschool, Transitional Kindergarten, and Full-Day Kindergarten Facilities Grant Program to provide one-time grants to school districts to construct new school facilities or retrofit existing school facilities including for the purpose of providing TK classrooms.

For guidance on implementing TK programs, see the Transitional Kindergarten Implementation Guide: A Resource for California Public School District Administrators and Teachers, published by CDE.

CURRENT VERSION			REVISED VERSION	CSBA MODIFICATIONS and/or NOTES	
PARA	Section	Sub-Section	March 13, 2012		December 2021
1			The Governing Board desires to offer a high-quality transitional kindergarten program for eligible children who do not yet meet the minimum age criterion for kindergarten. The program shall assist children in developing the academic, social, and emotional skills they need to succeed in kindergarten and beyond.	The Governing Board desires to offer a high-quality transitional kindergarten (TK) program for eligible children who do not yet meet the minimum age criterion for kindergarten. The TK program shall assist students in developing the academic, social, and emotional skills needed to succeed in kindergarten and beyond.	
2			The district's transitional kindergarten shall be the first year of a two-year kindergarten program.	The district's TK program shall be the first year of a two-year kindergarten program.	
3			The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in program development, implementation, and evaluation.	The Board encourages ongoing collaboration among district preschool staff, other preschool providers, elementary teachers, administrators, and parents/guardians in the development, implementation, and evaluation of the district's TK program.	
			<u>Eligibility</u>	No change	
1			On a case-by-case basis, Education Code 48000 authorizes early entrance into kindergarten for children who reach age 5	Delete	

		later than the date specified below, provided the parent/guardian approves, the district determines it is in the child's best interests, and the district has provided the parent/guardian with information on the advantages and disadvantages of early admittance.		
2		The district's transitional kindergarten program shall admit children whose fifth birthday lies between September 2 and December 2 in the 2012-13 school year and each school year thereafter.	The district's TK program shall admit children as follows:	CSBA NOTE: Education Code 48000, as amended by AB 130 and AB 167, revises the timespans for mandatory admittance requirements to be phased in from the 2022-23 school year to the 2025-26 school year.
			1. For the 2021-22 school year, children whose fifth birthday is between September 2 through December 2	New sub-sections added
			2. For the 2022-23 school year, children whose fifth birthday is between September 2 and February 2	
			3. For the 2023-24 school year, children whose fifth birthday is between September 2 and April 2	
			4. For the 2024-25 school year, children whose fifth birthday is between September 2 and June 2	
			5. For the 2025-26 school year, and in each school year thereafter, children who turn four by September 1	
			A child's eligibility for TK enrollment shall not impact family eligibility for a preschool or childcare program.	New paragraph added CSBA NOTE: Pursuant to Education Code 48000, as amended by AB 130 and AB 167, a child's eligibility for TK enrollment may not impact family eligibility for a preschool or childcare program.
3		Parents/guardians of eligible children shall be notified of the availability of this program and the age, residency, and any other enrollment	Parents/guardians of eligible children shall be notified of the availability of the TK program and of the age, residency, immunization, and	New paragraph added CSBA NOTE: CDE's "Transitional Kindergarten FAQs" clarify that children are required to

		requirements. Enrollment in the transitional kindergarten program shall be voluntary.	any other enrollment requirements. Enrollment in the TK program shall be voluntary.	have documentation of required immunizations or a valid exemption prior to admission to TK. For information about required immunizations and exemptions, see BP/AR 5141.31 - Immunizations.
			On a case-by-case basis, a child whose fifth birthday is on or before September 1 may be admitted into the district's TK program upon request of a child's parents/guardians, if the Superintendent or designee determines that it is in the child's best interest.	New paragraph added CSBA NOTE: The following paragraph is optional. If the district chooses to allow kindergarten-eligible children to enroll in the TK program, CDE recommends that the district establish criteria to determine selection requirements. The parent/guardian of a kindergarten-eligible child who is enrolled in TK must, at the end of the year, sign a Kindergarten Continuance Form verifying agreement with the child enrolling in kindergarten the following year; see section "Continuation in Kindergarten" below.
			At any time during the school year, the district may admit into the TK program a child whose fifth birthday is after the date specified for admittance for the applicable year as described above, provided that the Superintendent or designee recommends that enrollment in a TK program is in the child's best interest and the child's parents/guardians approve. Prior to such enrollment, the child's parents/guardians shall be provided information regarding the advantages and disadvantages and any other explanatory information about the effect of early admittance.	CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 48000, as amended by AB 130 and AB 167, the district may, at its discretion, determine whether to allow admittance of children whose fifth birthday is after the date specified for admittance for the applicable year as described above. Such students may be admitted at any time during the school year, including at the beginning of the year. Education Code 48000 provides that districts will not receive ADA apportionment for a child whose birthday is after the date specified for the applicable year until the child's fifth birthday.
		<u>Curriculum and Instruction</u>	No change	
1		The district's transitional kindergarten program shall be based on a modified	The district's TK program shall be based on a modified kindergarten curriculum that is age and developmentally appropriate.	

			kindergarten curriculum that is age and developmentally appropriate.		
2			In designing a modified kindergarten curriculum for purposes of transitional kindergarten, the district may refer to state model content standards for core subjects at the kindergarten level, Common Core State Standards adopted pursuant to Education Code 60605.8, and state "preschool learning foundations".	The program shall be aligned with the preschool learning foundations and preschool curriculum frameworks developed by the California Department of Education (CDE). It shall be designed to facilitate students' development in essential knowledge and skills related to language and literacy, mathematics, physical development, health, visual and performing arts, science, history-social science, English language development, and social-emotional development.	CSBA NOTE: Education Code 48000 states the Legislature's intent that the TK curriculum be aligned to the California Preschool Learning Foundations developed by CDE. These standards address essential knowledge and skills in the subject areas listed below. The standards and companion preschool curriculum frameworks are available on CDE's web site.
3			Upon recommendation by the Superintendent or designee, the Board shall approve academic standards for transitional kindergarten that bridge preschool learning foundations and kindergarten standards. Such standards shall be designed to facilitate students' development in essential skills which may include, as appropriate, language and literacy, mathematics, physical development, the arts, science, social sciences, English language development, and social-emotional development.	The Board shall establish the length of the school day in the district's TK program, which shall be at least three hours but no more than four hours long except for TK students enrolled in expanded learning opportunity programs provided by the district pursuant to Education Code 46120. If the district has adopted an extended-day kindergarten, the length of the school day for the TK program may be different than the length of the school day for the kindergarten program either at the same or different school sites. The Superintendent or designee shall annually report to CDE as to whether the district's TK programs are offered full day, part day, or both.	CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Education Code 37202 permits districts to maintain TK and kindergarten classes for different lengths of time during the school day, either at the same or a different school site. Districts offering TK classes for different lengths of time are still required to meet the minimum and maximum length of school day provided in law. Pursuant to Education Code 46111, as amended by AB 130, 46115, and 46117, at the kindergarten and TK level the minimum school day is three hours (180 minutes), including recess but excluding noon intermission, and the maximum school day is four hours (240 minutes), excluding recess, except for students in expanded learning opportunity programs intended to supplement instructional time provided by a district pursuant to Education Code 46120 or if the district has adopted an extended-day kindergarten pursuant to Education Code 8973. However, pursuant to Education Code

				<p>46119, if the district has fewer than 40 kindergarten students, the Governing Board may apply to the Superintendent of Public Instruction to maintain two kindergarten classes of 150 minutes each, including recesses, taught on the same day by the same teacher. Also see AR 6112 - School Day.</p> <p>Pursuant to Education Code 48003, districts are required to provide an annual report to CDE regarding the type of kindergarten program offered by the district, including part day, full day, or both. The California Basic Educational Data System (CBEDS) School Information Form, located on CDE's web site, requires a report on the type of TK program offered.</p>
			<p>The Superintendent or designee shall develop a plan for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the California State Preschool Program (CSPP), Head Start programs, and other community-based early learning and care programs. The Superintendent or designee shall present such plan for consideration by the Board at a public meeting on or before June 30, 2022.</p>	<p>New paragraph added CSBA NOTE: Education Code 8281.5, as added by AB 130 and amended by AB 167, requires districts receiving grants through the California Prekindergarten Planning and Implementation Grant Program to develop a plan for consideration by the Board at a public meeting on or before June 30, 2022 for how all children in the attendance area of the district will have access to full-day learning programs the year before kindergarten that meet the needs of parents/guardians, including through partnerships with the district's expanded learning offerings, the After School Education and Safety Program, the CSPP, Head Start programs, and other community-based early learning and care programs.</p>
4			<p>Transitional kindergarten students may be placed in the same classrooms as kindergarten students when necessary, provided that the</p>	<p>TK students may be placed in the same classrooms as kindergarten students when necessary, provided that the instructional</p> <p>CSBA NOTE: The following optional paragraph may be revised to reflect district practice. According to CDE's "Transitional</p>

			instructional program is differentiated to meet student needs.	program is differentiated to meet student needs.	Kindergarten FAQs," it is the intent of the law to provide separate and unique experiences for TK and kindergarten students. However, districts have flexibility to determine how best to meet the curricular needs of each child and whether TK and kindergarten students may be enrolled in the same classrooms.
				TK students may be commingled in the same classroom with four-year-old students from a CSPP program as long as the commingled program meets all of the requirements of each program as well as the following requirements:	New paragraph added
				1. The classroom does not include students enrolled in TK for a second year or students enrolled in a regular kindergarten	New sub-sections added
				2. An early childhood environment rating scale, as specified in 5 CCR 18281, is completed for the classroom	
				3. All children enrolled for 10 or more hours per week are evaluated using the Desired Results Developmental Profile, as specified in 5 CCR 18272	
				4. The classroom is taught by a teacher that holds a credential issued by the Commission on Teacher Credentialing in accordance with Education Code 44065 and 44256	
				5. The classroom is in compliance with the adult-child ratio specified in Education Code 8241	
				6. Contractors of the district report the services, revenues, and expenditures for children in the preschool program in accordance with 5 CCR 18068 except for contractors of the TK program	

			The district shall maintain an average TK class enrollment of not more than 24 students for each school site.	New paragraph added CSBA NOTE: Education Code 48000, as amended by AB 130, requires districts to maintain an average TK class enrollment of not more than 24 students for each school site.
		Staffing	No change	
1		Teachers assigned to teach in transitional kindergarten classes shall possess a teaching credential or permit that authorizes instruction at the kindergarten grade level.	The Superintendent or designee shall ensure that teachers assigned to teach in TK classes possess a teaching credential or permit from the Commission on Teacher Credentialing (CTC) that authorizes such instruction.	CSBA NOTE: To be qualified to teach a TK class, the teacher must possess an appropriate multiple subjects or early childhood education credential issued by the Commission on Teacher Credentialing authorizing instruction in TK. Education Code 48000 establishes additional requirements for credentialed teachers who are first assigned to a TK class after July 1, 2015, as provided below. TK assignments are subject to assignment monitoring and reporting by the County Superintendent of Schools in accordance with Education Code 44258.9.
			A credentialed teacher who is first assigned to a TK class after July 1, 2015, shall, by August 1, 2023, have at least 24 units in early childhood education and/or child development, comparable professional experience in a preschool setting, and/or a child development teacher permit issued by CTC.	New paragraph added CSBA NOTE: Education Code 48000, as amended by AB 130, extends until August 1, 2023, the requirement for credentialed teachers who are first assigned to a TK class to meet additional qualifications, as described below.
2		The Superintendent or designee may provide professional development as needed to ensure that transitional kindergarten teachers are knowledgeable about district standards and effective instructional methods for teaching young children.	The Superintendent or designee may provide professional development as needed to ensure that TK teachers are knowledgeable about the standards and effective instructional methods for teaching young children, including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.	CSBA NOTE: Education Code 8281.5, as added by AB 130, permits the use of funding from the California Prekindergarten Planning and Implementation Grant Program for the purpose of professional development, including, but not limited to, developing competencies in serving inclusive classrooms and dual language learners.

			The district shall, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year.	New paragraph added CSBA NOTE: Education Code 48000, as amended by AB 130, requires districts to, commencing with the 2022-23 school year, maintain an average of at least one adult for every 12 students for TK classrooms and, contingent upon an appropriation of funding, maintain an average of at least one adult for every 10 students commencing with the 2023-24 school year.
		<u>Continuation to Kindergarten</u>	No change	
1		Students who complete the transitional kindergarten program shall be eligible to continue in kindergarten the following school year.	Students who complete the TK program shall be eligible to continue in kindergarten the following school year. Parents/guardians of such students shall not be required to submit a signed Kindergarten Continuance Form for kindergarten attendance.	CSBA NOTE: The following section is consistent with guidance in CDE's "Transitional Kindergarten FAQs."
2		Furthermore, whenever kindergarten-eligible children are enrolled in transitional kindergarten, the district must obtain a continuance form signed by the parent/guardian consenting to the child's enrollment in kindergarten the following year. The continuance form is necessary in order to receive kindergarten apportionments for those children since they would otherwise be age-eligible for first grade.	However, whenever children who would otherwise be age-eligible for kindergarten are enrolled in TK, the Superintendent or designee shall obtain a Kindergarten Continuance Form signed by the parent/guardian near the end of the TK year consenting to the child's enrollment in kindergarten the following year.	CSBA NOTE: The following optional paragraph is for use by districts that allow kindergarten-eligible children to enroll in TK; see "Eligibility" section above. When such students are subsequently enrolled in kindergarten, the district is required to obtain a signed Kindergarten Continuance Form in order to receive kindergarten ADA for those children since they would otherwise be age-eligible for first grade. CDE recommends that approval for a student to continue in kindergarten not be sought until near the end of the year of TK, since permission obtained unreasonably far in advance could be found invalid.
3		A student shall not attend more than two years in a combination of transitional kindergarten and kindergarten.	A student shall not attend more than two years in a combination of TK and kindergarten.	CSBA NOTE: Pursuant to Education Code 46300, the district may not include for ADA purposes the attendance of any student for more than two years in kindergarten or for more than two years in a combination of TK and kindergarten.

		<u>Program Evaluation</u>	<u>Assessment</u>	
1		The Superintendent or designee shall develop or identify appropriate assessments of transitional kindergarten students' development and progress. He/she shall monitor and regularly report to the Board regarding program implementation and the progress of students in meeting related academic standards.	The Superintendent or designee may develop or identify appropriate formal and/or informal assessments of TK students' development and progress. The Superintendent or designee shall monitor and regularly report to the Board regarding program implementation, the progress of students in meeting related academic standards, and student preparedness for future education.	CSBA NOTE: The following section may be revised to reflect district practice. One assessment resource for TK students is CDE's Desired Results Developmental Profile, which is designed to assess the developmental progression of all children from early infancy to kindergarten entry.

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