SENATE BILL   **No. 1381**

Introduced by Senator Simitian

February 19, 2010

An act to amend ~~Section 48005.55~~ *Sections 48000 and 48010* of the Education Code, relating to the Kindergarten Readiness Pilot Program.

LEGISLATIVE COUNSEL'S DIGEST

SB 1381, as amended, Simitian. Kindergarten Readiness Pilot Program.

(1) Existing law requires that a child be admitted to kindergarten at the beginning of a school year, or at any time later in the same year if the child will have his or her 5th birthday on or before December 2 of that school year. An elementary school is required to admit a child to the first grade during the first month of a school year if the child will have his or her 6th birthday on or before December 2 of that school year.

This bill would change the required birthday for admission to kindergarten and first grade to November 1 for the 2012–13 school year, October 1 for the 2013–14 school year, and September 1 for the 2014–15 school year and each school year thereafter. To the extent those changes establish new administrative duties on the governing boards of school districts in implementing the changes, they would impose a state-mandated local program.

The bill would state the intent of the Legislature to appropriate in the annual Budget Act $^1/_2$ of the savings resulting from changes enacted by this bill for purposes of expanding the state preschool program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law establishes the Kindergarten Readiness Pilot Program, to be implemented in the 2006–07 school year and requires a participating school district to offer admission to 1st grade at the beginning of the school year, or at a later time in the same school year, only to children who will have their 6th birthday on or before September 1 of that school year. Under existing law, these provisions become inoperative on July 1, 2013, and are repealed as of January 1, 2014.~~

~~This bill would delete the July 1, 2013, inoperative date and the January 1, 2014, repeal date of those provisions and would instead provide that the provisions become inoperative on July 1, 2015, and be repealed as of January 1, 2016.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: ~~no~~ *yes*.

The people of the State of California do enact as follows:

1   *SECTION 1.   Section 48000 of the Education Code is amended*
2   *to read:*
3   48000.   (a) A child shall be admitted to a kindergarten at the
4   beginning of a school year, or at ~~any~~ *a* later time in the same year
5   if the child will have his or her fifth birthday on or before
6   ~~December 2 of that school year.~~ *one of the following dates:*
7   *(1) December 2 of the 2011–12 school year.*
8   *(2) November 1 of the 2012–13 school year.*
9   *(3) October 1 of the 2013–14 school year.*
10   *(4) September 1 of the 2014–15 school year and each school*
11   *year thereafter.*
12   ~~A~~
13   *(b) A* child who will have his or her fifth birthday on or before
14   ~~December 2~~ *one of the dates described in paragraphs (1) to (4),*
15   *inclusive, of subdivision (a)* may be admitted to the prekindergarten
16   summer program maintained by the school district for pupils who
17   will be enrolling in kindergarten in September.
18   ~~(b)~~

1　*(c)* The governing board of ~~any~~ *a* school district maintaining
2　one or more kindergartens may, on a case-by-case basis, admit to
3　a kindergarten a child having attained the age of five years at any
4　time during the school year with the approval of the parent or
5　guardian, subject to the following conditions:
6　　(1) The governing board determines that the admittance is in
7　the best interests of the child.
8　　(2) The parent or guardian is given information regarding the
9　advantages and disadvantages and any other explanatory
10　information about the effect of this early admittance.
11　　*SEC. 2.　Section 48010 of the Education Code is amended to*
12　*read:*
13　　48010.　*(a)* A child shall be admitted to the first grade of an
14　elementary school during the first month of a school year if the
15　child will have his or her sixth birthday on or before ~~December~~
16　~~2nd of that school year. For~~ *one of the following dates:*
17　　*(1) December 2 of the 2011–12 school year.*
18　　*(2) November 1 of the 2012–13 school year.*
19　　*(3) October 1 of the 2013–14 school year.*
20　　*(4) September 1 of the 2014–15 school year and each school*
21　*year thereafter.*
22　　*(b) For* good cause, the governing board of a school district
23　may permit a child of proper age to be admitted to a class after the
24　first school month of the school term.
25　　*SEC. 3.　It is the intent of the Legislature to appropriate in the*
26　*annual Budget Act one-half of the savings resulting from changes*
27　*enacted by this bill for purposes of expanding the state preschool*
28　*program.*
29　　*SEC. 4.　If the Commission on State Mandates determines that*
30　*this act contains costs mandated by the state, reimbursement to*
31　*local agencies and school districts for those costs shall be made*
32　*pursuant to Part 7 (commencing with Section 17500) of Division*
33　*4 of Title 2 of the Government Code.*
34　　~~SECTION 1.　Section 48005.55 of the Education Code is~~
35　~~amended to read:~~
36　　~~48005.55.　This article shall become inoperative on July 1,~~
37　~~2015, and, as of January 1, 2016, is repealed, unless a later enacted~~
38　~~statute, that becomes operative on or before January 1, 2016,~~

1 ~~deletes or extends the dates on which it becomes inoperative and~~
2 ~~is repealed.~~

O