

AMENDED IN SENATE APRIL 20, 2010

AMENDED IN SENATE MARCH 23, 2010

SENATE BILL

No. 1381

Introduced by Senator Simitian

February 19, 2010

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1381, as amended, Simitian. ~~Kindergarten Readiness Pilot Program~~. *Kindergarten: age of admission*.

(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 $\frac{1}{2}$ of the savings resulting from changes enacted by this bill for purposes of expanding the state preschool program *and that*

children who are 4 and 5 years of age and not eligible for kindergarten be allowed to participate in that 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.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: 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 a later time in the same year if
5 the child will have his or her fifth birthday on or before one of the
6 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 (b) A child who will have his or her fifth birthday on or before
13 one of the dates described in paragraphs (1) to (4), inclusive, of
14 subdivision (a) may be admitted to the prekindergarten summer
15 program maintained by the school district for pupils who will be
16 enrolling in kindergarten in September.

17 (c) The governing board of a school district maintaining one or
18 more kindergartens may, on a case-by-case basis, admit to a
19 kindergarten a child having attained the age of five years at any
20 time during the school year with the approval of the parent or
21 guardian, subject to the following conditions:

- 22 (1) The governing board determines that the admittance is in
23 the best interests of the child.
- 24 (2) The parent or guardian is given information regarding the
25 advantages and disadvantages and any other explanatory
26 information about the effect of this early admittance.

1 SEC. 2. Section 48010 of the Education Code is amended to
2 read:

3 48010. (a) A child shall be admitted to the first grade of an
4 elementary school during the first month of a school year if the
5 child will have his or her sixth birthday on or before one of the
6 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 (b) For good cause, the governing board of a school district may
13 permit a child of proper age to be admitted to a class after the first
14 school month of the school term.

15 SEC. 3. It is the intent of the Legislature to appropriate in the
16 annual Budget Act one-half of the savings resulting from changes
17 enacted by this bill for purposes of expanding the state preschool
18 program, *as set forth in Article 7 (commencing with Section 8235)*
19 *of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education*
20 *Code. It is further the intent of the Legislature that children who*
21 *are four and five years of age and ineligible for admission to*
22 *kindergarten be allowed to participate in the state preschool*
23 *program.*

24 SEC. 4. If the Commission on State Mandates determines that
25 this act contains costs mandated by the state, reimbursement to
26 local agencies and school districts for those costs shall be made
27 pursuant to Part 7 (commencing with Section 17500) of Division
28 4 of Title 2 of the Government Code.