

GOVERNOR'S 2012-2013 BUDGET PROPOSAL WOULD ELIMINATE FUNDING FOR TRANSITIONAL KINDERGARTEN

Governor Brown recently issued his 2012-2013 budget proposal in which he proposes the elimination of funding for the transitional kindergarten program provided for under Senate Bill (SB) 1381 and due to be implemented at the commencement of the 2012-2013 school year. It is estimated that the elimination of funding for the transitional kindergarten program would save the state \$223.7 million during the 2012-2013 school year.

SB 1381 advanced the date by which a child must turn age five before enrolling in kindergarten and age six before enrolling in first grade. To enroll in kindergarten, a child must be five years old on or before December 2 for the 2011-2012 school year, November 1 for 2012-2013, October 1 for 2013-2014, and September 1 for 2014-2015 and thereafter. Corresponding changes are made to the cutoff dates for enrollment in first grade: a child must be six years old on or before December 2 for the 2011-2012 school year, November 1 for 2012-2013, October 1 for 2013-2014, and September 1 for 2014-2015 and thereafter.

SB 1381 also provided that children whose enrollment in kindergarten is delayed due to this new law shall be admitted to transitional kindergarten, the first year of a two-year kindergarten program. Specifically, school districts were required to enroll the following children in transitional kindergarten: in 2012-2013, children who have their fifth birthdays between November 2 and December 2; in 2013-2014, children who have their fifth birthdays between October 2 and December 2; and in 2014-2015 and subsequent school years, children who have their fifth birthdays between September 2 and December 2.

CLIENT NEWS BRIEF

January 2012

Number 02

Based upon the Governor's budget proposal, there is a possibility that the transitional kindergarten program will not be funded for the 2012-2013 school year. There are several practical impacts resulting from this contingency. First, based on SB 1381 and the assumption that a transitional kindergarten program would be required for the 2012-2013 school year, school districts may currently be in the process of developing the required curriculum for such a program. The Governor's proposed budget puts the utility and exigency of such efforts in limbo. Second, school districts should consider advising affected families of the potential elimination of transitional kindergarten for 2012-2013, as well as determining how the Governor's proposed elimination of funding for transitional kindergarten would impact their staffing needs for the 2012-2013 school year.

If you have any further questions regarding transitional kindergarten, please contact one of our [eight offices](#) located statewide, visit our [website](#), or follow Lozano Smith on [Facebook](#).

Written by:

[Sloan Simmons](#)

Shareholder and Co-Chair of the Student Practice Group

Sacramento Office

ssimmons@lozanosmith.com

[Andrea Epps](#)

Associate

Los Angeles Office

aepps@lozanosmith.com



As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.