



April 3, 2018

The Honorable Anthony Portantino  
Senate Budget and Fiscal Review Committee  
Subcommittee 1 on Education  
State Capitol, Room 5019  
Sacramento, CA 95814

The Honorable Richard Pan  
Senate Budget and Fiscal Review Committee  
Subcommittee 3 on Health and Human Services  
State Capitol, Room 5019  
Sacramento, CA 95814

Dear Senator Portantino and Senator Pan,

Thank you for the opportunity to provide comments about the Legislative Analyst Office (LAO) Preschool Facilities Workgroup (Workgroup) recommendations. Our organizations play a significant role in promoting state and local efforts to improve quality early learning and we appreciate the Legislature's intent to address the early childhood education (ECE) facilities shortage. However, we have serious concerns about the effect of the proposed workgroup recommendations on our three-year-old population as well as specific health and safety concerns critical to our youngest children that were not addressed by the recommendations.

California has a long-standing ECE facilities shortage, which inhibits access to the 0-5 system. This access and facility crisis expanded when state budget cuts caused many child care providers to significantly reduce their programs, go out of business, or shift to a different age group for their services. Recently, many Local Educational Agencies (LEAs) expanding State Preschool programs through new state funding and expanding local Transitional Kindergarten options are also facing facility challenges.

We continue to believe that the workgroup recommendations should only be considered for **four-year-old children**. There are significant developmental differences between three and four-year-old children, and we do not believe it is developmentally appropriate or safe to remove three-year-olds from the protections in Title 22 health and safety standards.

We fundamentally believe that the workgroup recommendations need to balance health and safety requirements with the developmental appropriateness of LEA facilities. Because of compliance to Field Act requirements, K-12 facilities are some of the safest structures in California, but a safe structure is not always developmentally appropriate for young children. The workgroup recommendations should take a balanced approach when considering these two important priorities.

**Recommendations:**

In addition to the workgroup recommendations, we encourage the consideration of the following issues to preserve health and safety protections and child development policies for our youngest children. These include, but are not limited to:

- Before any regulatory oversight shifts to the CDE for health and safety items previously overseen by the Department of Social Services (DSS), concrete implementation plans must be in place to ensure parents have access to all LEA programs complaints in the DSS Consumer

Complaints Database. No regulatory shift should impact transparency and information access for parents regarding the safety of their children or bifurcate the current complaint system. CDE could be authorized to report CDE inspection findings to the Consumer Complaints database. We believe it is important to retain state-level protections and oversight over four-year-old children utilizing our existing system.

- Classrooms must have safety covers for all exposed electrical outlets. Incidents of children in LEA preschools getting shocked or electrocuted from uncovered electrical outlets happen too frequently. Providing safety covers is a simple and inexpensive fix to prevent electrical injuries.

We believe that the workgroup recommendations must address the issues outlined above. We request this Committee to hold hearings before the appropriate subcommittees to fully review this important topic and make clear policy decisions prior to statutory deadlines forcing a complete repeal of all Title 22 protections in school-based preschool classrooms.

Again, we believe these changes are feasible for four-year-old children only. Attached you will find research from various studies that address the developmental capabilities of three and four-year-old children. While a one-year difference may not be as significant in older children, children under five are developing and growing rapidly, with significant milestones typically occurring between the third and fourth birthdays. California has long championed the importance of developmental appropriateness across a variety of educational services and curricula. We believe facilities and safety regulations should not be treated any differently.

Sincerely,

First 5 California, First 5 Association, First 5 Los Angeles and Early Edge California