CALIFORNIA TONY THURMOND

DEPARTMENT OF STATE SUPERINTENDENT OF PUBLIC

EDUCATION INSTRUCTION

July 22, 2024

# 15-Day Notice of Modifications to Text of Proposed

**Regulations Regarding California State Preschool Program**

Pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44, the State Superintendent of Public Instruction (SSPI) is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a regulatory hearing on January 30, 2024.

## Changes to the text:

### After the 45-day comment period, the following changes were made to the proposed text of the regulations and sent out for a 15-day public comment period:

#### Section 17700. Definitions

**Section 17700(bd)** is amended to remove “full-day” from the definition of recertification because it no longer applies to just full-day programs now that these regulations include a recertification process for part-day in proposed section 17752.5. This is necessary to ensure clarity in these regulations.

#### Section 17734. Family Fee Assessment: Explanation to Families

**Section 17734(c)** is amended to remove the language “regardless of whether that child has been placed in the CSPP pursuant to an IEP or not” as the language was not as clear as it was intended to be. This is necessary to ensure clarity in these regulations.

**Previous Section 17734(c) and Proposed Section 17734(d)** is moved to (d) and amended, based on public comment, to provide more clarity that the Local Educational Agency (LEA) that is responsible for providing a free and appropriate public education (FAPE) is the LEA that is responsible for paying the family fee. This is necessary to ensure that these regulations are clear for contractors.

#### Section 17747. Enrollment Priorities for Full-Day California State Preschool Program

**Section 17747(b)(2)** is amended to update the citations of Education Code section 8208(c)(1) to section 8208(d)(2) to reflect the statute applicable to full-day CSPP. This is necessary to ensure the correct citation is reflected in these regulations.

#### Section 17758. Contents of Family Data File

**Section 17758(c)(7)** is amended to include the Family Language Instrument and the Family Language and Interest Interview, as applicable in the family data file. This is necessary to implement Education Code Section 8241.5 which provides that families do not have to complete the Family Language Instrument or participate in the Family Language and Interest Interview but, if they do, the Department is required to collect such data and report the data to the Department.

**NOTE section** is amended to include section 8241.5 of the Education Code in the Authority cited and references. This is necessary to ensure that the proper citations of authority are included in these regulations.

#### Section 17782. Notice of Action, Application for Services

**Section 17782(b)** is amended to add “Except as provided in Subsection (h) below” because the directive in subsection (h) with respect to when families are entitled to receive the Notice of Action is different than the directive in Subsection (b). This is necessary to ensure these regulations are not confusing for contractors to follow.

**Section 17782(h)** is amended to include “provide or”, based on public comment, to clarify that contractors can hand deliver the Notice of Action, and they are not required to be sent by mail or digitally. This is necessary to ensure clarity in these regulations for contractors.

If you have any comments regarding the proposed changes that are the topic of this

15-Day Notice, the SSPI will accept written comments between July 22, 2024, and August 6, 2024, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-322-2549, emailed to regcomments@cde.ca.gov, or mailed and received at the following address on or before August 6, 2024, and addressed to:

Lorie Adame, Regulations Coordinator

Legal, Audits and Charters Branch

Administrative Support and Regulations Adoption Unit

California Department of Education

1430 N Street, Suite 5319

Sacramento, CA 95814

All written comments received prior to or on August 6, 2024, which pertain to the indicated changes will be reviewed and responded to by CDE staff as part of the compilation of the rulemaking file. Written comments received by the CDE staff during the public comment period are subject to viewing under the Public Records Act.

**Please note:** Any written comments are to be restricted to the recent modifications as shown in the enclosed language. The SSPI is not required to respond to comments received in response to this notice on other aspects of the proposed regulations.

 06-25-2024 [California Department of Education]