



**Newport-Mesa**  
Unified School District

BOARD OF EDUCATION  
Ashley Anderson • Michelle Barto  
Carol Crane • Leah Ersoylu • Michelle Murphy  
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May 9, 2024

**RECEIVED**  
May 09, 2024  
**Commission on  
State Mandates**

Via: Electronic Submittal: <https://csm.ca.gov/dropbox.shtml>

Gayle Miller, Chairperson  
Commission on State Mandates  
980 9th Street, Suite 300  
Sacramento, CA 95814

**Re: Transitional Kindergarten Program, 23-TC-02**

**Position: Support**

Dear Ms. Miller:

On behalf of the Newport-Mesa Unified School District, I am writing in support of the test claim: Transitional Kindergarten Program, 23-TC-02, which is tentatively scheduled to be considered by the Commission on State Mandates (Commission) at its November 22, 2024, hearing.

California is currently in the second year of phasing in universal transitional kindergarten (UTK). By 2025-26, the state expects all local educational agencies (LEAs) to make transitional kindergarten (TK available to all children who will have their fourth birthday by September 1 of the school year. To assist with the implementation of UTK, the state funds TK average daily attendance by annually rebenching Proposition 98 with General Fund dollars to account for the newly eligible TK students. Over the past two fiscal years, the state has provided nearly \$1 billion in ongoing funding for the implementation of UTK. That annual cost is expected to grow to approximately \$2.7 billion when UTK is fully implemented in 2025-26.

While the state has highlighted its commitment to fund UTK, the funding distribution methodology that is being utilized leaves out community-funded (basic aid) school districts, which means that districts like ours do not receive funding for implementing TK. Although interpretations of current law vary, the state has clearly expressed that TK should be offered by all districts, making it an unfunded mandate for community-funded districts not receiving dollars to implement this new, full grade level.

The requirement for community-funded districts to implement UTK clearly meets the determination requirement of the state imposing a new program or higher level of service on LEAs. The state continues to maintain that implementation of UTK is an expectation of all school districts; however, the state is only providing funding for UTK to state-funded districts. The refusal of the state to provide funding for community-funded districts for UTK implementation, while at the same time maintaining that it is still an obligation to implement, constitutes an unfunded mandate by the state.

For these reasons, we strongly support the test claim filed by the Hope Elementary School District and the Sunnyvale School District. Without support from the Commission on this test claim, community-funded districts will be forced to take funding from other programs that currently serve students in order to implement this new grade.

We implore that the Commission staff recommends the test claim to be approved and that Commission members approve the claim when it is heard this fall.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or based on information and belief and that I am authorized and competent to do so.

Date of Signing: May 9, 2024



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## DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On May 17, 2024, I served the:

- **Current Mailing List dated May 16, 2024**
- **Michael Chaix, Superintendent, Cucamonga School District Comments on the Test Claim filed May 10, 2024**
- **Jeffrey Trader, Assistant Superintendent, Chief Business Official, Newport-Mesa Unified School District Comments on the Test Claim filed May 10, 2024**
- **Anthony Ranii, President, Schools for Sound Finance Comments on the Test Claim filed May 10, 2024**
- **Dr. Gregory Sackos, Superintendent, Desert Center Unified School District Comments on the Test Claim filed May 9, 2024**
- **Richard Gross, Trustee, Fort Ross Elementary School District Comments on the Test Claim filed May 9, 2024**
- **Michael Smallen, Trustee, Fort Ross Elementary School District Comments on the Test Claim filed May 9, 2024**
- **Wesley Smith, Superintendent, Newport-Mesa Unified School District Comments on the Test Claim filed May 9, 2024**
- **Brian Clausen, Trustee, San Luis Coastal Unified School District Comments on the Test Claim filed May 9, 2024**
- **Eve Hinton, Trustee, San Luis Coastal Unified School District Comments on the Test Claim filed May 9, 2024**
- **Katie Moses, Architect, Hope School District Comments on the Test Claim filed May 8, 2024**
- **Yvonne Kreck, Board President, Alexander Valley Union School District Comments on the Test Claim filed May 7, 2024**
- **Chris Hodges, Hope School District Comments on the Test Claim filed May 7, 2024**
- **Diane Satterthwaite, Hope School District Comments on the Test Claim filed May 7, 2024**
- **Amy Steets, Hope School District Comments on the Test Claim filed May 7, 2024**

- **Tristin Tracy, Hope School District Comments on the Test Claim filed May 7, 2024**
- **Kevin Grier, Superintendent, Loma Prieta Joint Union School District Comments on the Test Claim filed May 7, 2024**
- **Carolyn Chow, Chief Business Officer, Palo Alto Unified School District Comments on the Test Claim filed May 7, 2024**
- **Andree Grey, Superintendent, Encinitas Union School District Comments on the Test Claim filed May 6, 2024**
- **Louann Carlomagno, Superintendent, Hillsborough City School District Comments on the Test Claim filed May 6, 2024**
- **Don Geddis, Board Vice President, Hillsborough City School District Comments on the Test Claim filed May 6, 2024**
- **An Huang Chen, Trustee, Hillsborough City School District Comments on the Test Claim filed May 6, 2024**
- **Gilbert Wai, Trustee, Hillsborough City School District Comments on the Test Claim filed May 6, 2024**
- **Kim Aragon, Employee, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Community Member (1), Hope School District Comments on the Test Claim filed May 6, 2024**
- **Community Member (2) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Kelly Cousineau, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (6) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (7) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (8) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (9) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (10) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (11) Hope School District Comments on the Test Claim filed May 6, 2024**
- **Employee (12) Hope School District Comments on the Test Claim filed May 6, 2024**

- **Ben Faulman, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Meagan Faulman, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Laura Godinez, Employee, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Larissa Graham, Parent, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Brian Hiefield, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Dmitri Jarocki, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Christy Kelso, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Sarah Kempe-Mehl, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Claire Krock, Director of Curriculum and Instruction, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Irina Ludkovski, Parent and Community Member, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Becca McNees, Hope School District Comments on the Test Claim filed May 6, 2024**
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- **Thomas Skaff, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Noah Stites-Hallet, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Jestin St. Peter, Principal, Hope School District Comments on the Test Claim filed May 6, 2024**
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- **Wyatt Talley, Hope School District Comments on the Test Claim filed May 6, 2024**

- **Julie Walsmith, Employee, Hope School District Comments on the Test Claim filed May 6, 2024**
- **Jacqueline Duran, Board Member, Montecito Union School District Comments on the Test Claim filed May 6, 2024**
- **Jennifer Burks, Superintendent, Solana Beach School District Comments on the Test Claim filed May 6, 2024**
- **Debra Schade, Board President, Solana Beach School District Comments on the Test Claim filed May 6, 2024**
- **Kerstin Kramer, Superintendent, Chief Learning Officer, Tahoe Truckee Unified School District Comments on the Test Claim filed May 6, 2024**

*Transitional Kindergarten Program, 23-TC-02*

Statutes 2021, Chapter 44, Section 60 (AB 130);

Education Code Section 48000, Effective July 9, 2021

Hope Elementary School District and Sunnyvale School District, Claimants

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on May 17, 2024 at Sacramento, California.



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Jill Magee

Commission on State Mandates

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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 5/16/24

**Claim Number:** 23-TC-02

**Matter:** Transitional Kindergarten Program

**Claimants:** Hope Elementary School District  
Sunnyvale School District

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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