CALIFORNIA TONY THURMOND

DEPARTMENT OF STATE SUPERINTENDENT OF PUBLIC

EDUCATION INSTRUCTION

September 2, 2025

# 15-Day Notice of Modifications to Text of ProposedRegulations 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 February 04, 2025.

## 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 comment period:

General changes were made to the proposed regulations to include grammatical edits, updated citations to the Education Code, including acronyms, and renumbering and/or re-lettering to reflect deletions or additions.

#### Section 17700. Definitions

**Section 17700(p)(1) and (2)** are amended to renumber Classroom Assessment Scoring System (CLASS®) related training to clarify that these are separate trainings. This change was made because of public comment that stated this change was necessary for clarity to demonstrate that the CLASS Environment training does not have to be taken before the Observer Support Series training.

**Section 17700(s)** is amended, based on public comment, to add language that the observation needs to be conducted by a certified observer. This is necessary to ensure clarity for contractors that the observation must be conducted by a certified observer.

**Section 17700(t)** is amended, based on public comment, to add more grammatical language to clarify that the Classroom Assessment Scoring System® Observation Field Guide, Second Edition (2023) Pre-K-3rd is the observation tool being referenced. This is necessary for clarity and consistency of these regulations.

**Section 17700(ar)** is amended to add “(o)” after the statutory citation in the definition of “license exempt classroom”, to clarify that this definition is specifically referencing CSPPs that are license exempt pursuant to the specific provisions in subsection (o) of Health and Safety Code (H&SC) Section 1596.792. This change was spurred by a public comment and is necessary to reduce confusion, as section 1596.792 of the H&SC references all programs that are license exempt.

**Proposed Section 17710.6 Assessments for Interactions and Classroom Environment for Head Start Collaborative Programs** was added to include a section for CLASS implementation that would allow CSPP contractors, that are also Head Start grantees, to use the version of the CLASS tool that is currently required for Head Start. This is necessary because many dually funded programs use CSPP funds as a fiscal match for their Head Start grant; therefore, these programs would have a negative fiscal impact for their federal funding if they are required to use the 2nd Edition of the CLASS tool, rather than the one currently required for Head Start.

**Proposed Section 17710.6(a)** is added to allow Head Start programs that also hold a CSPP contract to use a different version of the CLASS tool that is already required by Head Start. This is necessary to ensure alignment with these established standards and to reduce the burden on contractors that are also Head Start Grantees.

**Proposed Section 17710.6(a)(1)** is added to provide a definition of “CLASS Observation” that will allow Head Start programs to utilize the CLASS Manual Pre-K 2008 version, or the CLASS Observation Field Guide, Second Edition (2023) Pre-K-3rd. This is necessary because Head Start already requires its grantees to complete CLASS observations using the CLASS Manual Pre-K 2008 version, and if contractors that operate both programs had to use two different versions of the tool for each classroom that commingles funding sources, it would create a burden and increase costs for the contractor.

**Proposed Section 17710.6(a)(2)** is added to include the definition of a certified observer for section 17710.6. This is necessary to ensure that certified observers for Head Start collaborative programs include options to certify in the CLASS Manual Pre-K 2008 version, or the CLASS Observation Field Guide, Second Edition (2023) Pre-K-3rd.

**Proposed Section 17710.6(a)(2)(A)** is added to include in the definition of a “certified observer” an observer certified on the CLASS 2008 tool. This definition is necessary to ensure that Head Start collaborative program contractors have clear guidance on the training requirements an observer must complete to conduct CLASS® 2008 observations.

**Proposed Section 17710.6(a)(2)(B)** is added to include in the definition of a “certified observer” an observer certified on the Second Edition Pre-K-3rd tool. This definition is necessary to ensure that contractors have clear guidance on the training requirements an observer must complete to conduct a CLASS® Second Edition Pre-K-3rd observation.

**Proposed Section 17710.6(b)** clarifies that CLASS observations conducted in Head Start collaborative programs must be performed only by certified observers using the version of the CLASS tool for which they hold an active certification. This ensures that observations are conducted by individuals who are properly trained and certified to use the specific CLASS tool applicable to the observation.

**Proposed Section 17710.6(c)** allows the annual CLASS Environment Observation to be optional for Head Start programs that also hold a CSPP contract. This provision is intended to prevent conflicts between CSPP and Head Start requirements and to reduce administrative burden on contractors that are also Head Start grantees.

#### Section 17711.1 Additional Environment Requirements.

**Section 17711.1(a)(1)** is amended to use the term “educator facilitated” instead of “educator guided”.This change, based on public comment, is necessary for clarity of these regulations.

**Section 17711.1(a)(2)** is amended, based on public comment, to use the term fine motor instead of less active.This change is necessary for clarity and consistency in these regulations and to ensure contractors are not confused by the plain language of these regulations.

**Section 17711.1(a)(3)** is amended, based on public comment, to clarify that the required outdoor play time can be divided into shorter periods as long as the total time per day requirement is met. This change is necessary for clarity and consistency in implementation across the state.

**Section 17711.1(c)** is amended, based on public comment, to include that the toileting procedures are “developmentally and age-appropriate". This change is necessary to ensure that toileting procedures are supportive, encouraging, and positive for healthy child development.

**Section 17711.1(d)** is amended, based on public comment, to include that the diapering procedures are “developmentally and age-appropriate". This change is necessary to ensure that diapering procedures are supportive, encouraging, and positive for healthy child development.

**Proposed Section 17711.1(e)(2)** is added to divide the two requirements into two subsections. This is necessary to ensure clarity in the language that the first requirement is that a cot or mat is provided for all children, and the second related requirement is that cots or mats must be placed at least 18 inches apart during nap periods.

**Section 17711.1(f)** is amended to include “which are inaccessible to children”. This is necessary to clarify that staff personal belongings must be stored securely and out of reach for children in care.

#### Section 17777. Indoor Space.

**Proposed Section 1777(a)(5)** is added to include required individual storage spaces for children’s items. This is necessary to ensure that licensed exempt programs have equivalent requirements to licensed programs for permanent or portable storage space for children's belongings.

**Section 1777(b)** is amended to require licensed exempt CSPPs to also follow the California Code of Regulations, Title 22, section 101230(b) referencing napping procedures. This is necessary to ensure that licensed exempt programs have equivalent protections for health and safety for napping that licensed programs do and ensures that children are not forced to nap or stay awake any longer than the normal napping period.

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 September 2, 2025, and September 17, 2025, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-322-2549; email at regcomments@cde.ca.gov or mailed and received at the following address prior or on September 17, 2025 and addressed to:

Lorie Adame, Regulations Coordinator
Legal, Audits and Compliance Branch
Administrative Supports and Regulations Adoption Unit
California Department of Education
1430 N Street, Suite 5319
Sacramento, CA 95814

All written comments received prior to or on September 17, 2025, 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.

08-13-2025 [California Department of Education]