



[Home](#) / [Specialized Programs](#) / [Early Education](#) / [Contractor Information](#)

Interim Guidance on Serving Two-Year-Old Children

Information on serving two-year-old children in the California State Preschool Program.

Early Education Division Email

Date Sent: July 8, 2024

Expires: Until Superseded by a Management Bulletin

Attention: All Executive Directors and Program Directors of California State Preschool Programs

This email serves to provide interim guidance on changes made in the 2024–25 Early Learning and Childcare Trailer Bill, Senate Bill (SB) 163 (Chapter 73, Statutes of 2024), that allows two-year-old children to be served in the California State Preschool Program (CSPP) through June 30, 2027. This bill was signed into law on July 2, 2024, and became effective immediately upon signature.

The California Department of Education’s (CDE) Early Education Division (EED) is developing a Management Bulletin (MB) to follow this interim email guidance but wanted to ensure contractors have enough guidance in the meantime to begin implementing this provision as soon as possible.

Please note that this guidance is up to date as of the date of its release. If additional statutory changes are made that affect the accuracy of this guidance, EED will notify contractors accordingly.

Beginning July 2, 2024, and until June 30, 2027, CSPP contractors may serve two-year-old children in the CSPP (see definition in guidance below). Contractors are not required to serve two-year-old children; however, if contractors choose to, all current requirements must be followed for children in the CSPP, including but not limited to:

- Collecting the appropriate documentation for enrollment, eligibility, and need for CSPP services, as applicable.
- Ensuring children are enrolled in priority order as required by the California *Education Code (EC)* sections 8210 (for part-day CSPP) and 8211 (for full-day CSPP).
- Assessment and collection of family fees, as applicable.
- Ensuring all program quality requirements applicable to the CSPP are met.
- Ensuring that all data is reported as required by the CDE.
- Ensuring that families are only required to provide diapers and/or toilet training pants (such as pull-ups) as needed for the child, if the contractor has a written policy adopted by the governing board that includes a parent advisory committee in the decision-making process.

As a reminder, a child being toilet trained is not a requirement for eligibility in the CSPP; therefore, children must not be denied services or skipped over in priority order because of their toilet training status.

Directives for Serving Two-Year-Old Children in the CSPP

Timeline

As provided by the statute passed by the Legislature and signed by the Governor, CSPP contractors may only serve two-year-old children in CSPP from July 2, 2024, through June 30, 2027. After June 30, 2027, CSPP contractors may only serve those two-year old children that were receiving services prior to July 1, 2027. Two-year-old children that were receiving services prior to July 1, 2027 shall not be disenrolled.

Definition

“Two-year-old children” means children who have had their second birthday and do not otherwise meet the definition of “three-year-old children.”

As a reminder, the definition of **“three-year-old children”** means children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a CSPP. Children who have their third birthday on or after December 2 of the fiscal year may be enrolled in a CSPP on or after their third birthday. Any child under four years of age shall be served in a CSPP facility, licensed in accordance with Title 22 of the *California Code of Regulations*.

Note: Throughout this email guidance, anytime the words “two-year-old children” or “three-year-old children” are used, these definitions are operative. If the guidance is speaking to children’s chronological age, the guidance will specify that explicitly.

Examples of Age Categories

Because statutory age as defined in the definition section above is not identical to chronological age, we have provided the following examples to help contractors understand the implications of these statutory age definitions.

Example Number	Child Birthdate	When They Can Enroll in CSPP for 2024–25 Program Year	Age Category Based on Statutory Age Definitions
1	November 3, 2022	This child can enroll in CSPP on or after their 2nd birthday (November 3, 2024).	This child would be considered a two-year-old for the remainder of 2024–25 program year and would not become a statutory three-year-old until the 2025–26 program year.
2	February 5, 2022	This child can enroll in CSPP from the beginning of the program year, as they will have had their 2nd birthday (February 5, 2024) before the beginning of the program year.	This child would be considered a two-year old child from the beginning of the program year until their third birthday, at which point they would become a statutory three-year-old.
3	November 3, 2021	This child can enroll in CSPP from the beginning of the program year.	This child would be considered a statutory three-year-old child the entire year, even if they are chronologically two years old when enrolling because their birthday is before December 1 of the year they are being served.

Example 1: This child would be considered a “two-year-old” child for the remainder of the 2024–25 program year and would not be considered a “three-year-old” child until the following 2025–26 program year.

Example 2: This child would be considered a “two-year-old” from the beginning of the 2024–25 program year until their third birthday on February 5, 2025. This means that during the 2024–25 program year, this child would be considered both a two- and a three-year-old at different points in the program year. Specifically, during the 2024–25 program year, the child would be considered a two-year-old from July 1, 2024, through February 4, 2025, and a three-year-old beginning February 5, 2025, through the remainder of the program year. The child would be considered a “three-year-old” child in the 2025–26 program year as well, and this status would last for the entirety of that program year.

Example 3: This child would be considered a “three-year-old” starting at the beginning of the 2024–25 program year, even though the child may not be chronologically three years of age at the time of enrollment. The child would remain a “three-year-old” child through the end of the program year.

Eligibility

Two-year-old children, as defined above, must be eligible for CSPP under one of the current eligibility categories to enroll in CSPP, including if they are being enrolled under the 15 percent above the income eligibility threshold category and the Neighborhood School Eligibility category (see MB 24-01 for more information).

Priority

Contractors must follow the priority listed below for two-year-old children. Note that for ease of seeing where two-year-old children fall in the priorities, the CDE has bolded and italicized references to two-year-old children.

1. **First Priority (Part-day and Full-day):** The first priority for services shall be given to ***two-year-old***, three-year-old, and four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused, or exploited and for whom there is a written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child’s parent or guardian to local resources and referral services so that services for the child can be located.
2. **Second Priority (Part-day and Full-day):** To the extent that there are additional ***two-year-old***, three-year-old, and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the percent of funded enrollment set aside pursuant to EC Section 8208, the second priority for services shall be given to children with exceptional needs from families with incomes below the income eligibility threshold, as described in EC Section 8213. Within this priority category, children with exceptional needs from families with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the CDE at the time of enrollment, shall be enrolled first.
3. **Third Priority (Part-day and Full-day):** The third priority for services shall be given to eligible ***two-year-old***, three-year-old, and four-year-old children who are not enrolled in a state-funded transitional kindergarten program. This priority shall not include children eligible pursuant to clause (v) of subparagraph (B) of paragraph (1) of subdivision (a) of EC Section 8208 if they are from families with incomes above the income eligibility threshold, as described in EC Section 8213.
 - a. Within this priority category, eligible children with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the CDE at the time of enrollment, shall be enrolled first.

- b. If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child who is identified as a dual language learner shall be enrolled first.
 - c. If there are no children who are identified as dual language learners, the child that has been on the waiting list for the longest time shall be admitted first.
4. **Fourth Priority (Part-day and Full-day):** The fourth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the eligibility income threshold, as described in *EC* Section 8213.
- a. Within this priority category, priority shall be given to **two-**, three-, and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the set aside pursuant to *EC* Section 8208.
 - i. After the children enrolling pursuant to (a) above are enrolled, three- and four-year-old children without exceptional needs shall be enrolled in income ranking order, with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the CDE at the time of enrollment, being enrolled first.
 - ii. For purposes of clause (i), if two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.
 - iii. After enrolling three- and four-year-olds pursuant to clause (i) above, **two-year-old** children without exceptional needs shall be enrolled in income ranking order, with the lowest income according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the CDE at the time of enrollment, being enrolled first. If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, the child that has been on the waiting list for the longest time shall be admitted first.

5. **Fifth Priority**

- **Fifth Priority (Part-day only):** After all otherwise eligible children have been enrolled in the priority categories listed above, the contractor may enroll the children in the following order:
 - ◆ A CSPP site operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with *EC* Section 8217, may enroll any **two-**, three-, or four-year-old children whose families reside within the attendance boundary of the qualified elementary school. These children shall, to the extent possible, be enrolled by lowest to highest income according to the most recent schedule of income ceiling eligibility table.
 - ◆ Children enrolling in the CSPP to provide expanded learning and care to transitional kindergarten or kindergarten pupils, pursuant to subdivision (l) of *EC* Section 48000.

- **Fifth Priority (Full-day only):** After all otherwise eligible children have been enrolled in the priority categories listed above, the contractor may enroll the children in the following order:
 - ❖ The contractor may enroll **two-**, three-, and four-year-old children from families that meet eligibility criteria pursuant to paragraph (4) of subdivision (d) of *EC* Section 8208. Within this priority, contractors shall enroll families in income ranking order, lowest to highest, and within income ranking order, enroll four-year-old children before three-year-old children.
 - ❖ For CSPP sites operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with *EC* Section 8217, the contractor may enroll any **two-**, three-, and four-year-old children whose families reside within the attendance boundary of the qualified school without establishing eligibility or a need for services pursuant to *EC* Section 8208(d)(1) or (3). These families shall, to the extent possible, be enrolled in income ranking order, by lowest to highest income according to the most recent schedule of income ceiling eligibility table.

Non-Prioritized Families in Part-day and Full-day CSPP

After all applicable families have been prioritized in the priorities listed above, contractors must enroll the following families in the order listed below:

1. Children with disabilities from families with income above 15 percent of the income threshold who were not enrolled pursuant to the children with disabilities set aside, pursuant to *EC* Section 8208.
2. Early enrollment children enrolling in a CSPP operated by the school district or charter school, regardless of income, pursuant to *EC* Section 48000.15(c) for the 2023–24 and 2024–25 program years.

Ratios

Contractors that choose to serve two-year-old children must follow one of the two options for ratios listed below:

1. The contractor may operate using a 1:8 adult to child ratio, with a 1:24 teacher to child ratio, if and only if the number of two-year-old children enrolled in the classroom does not exceed 8 children or more than 30 percent of all children enrolled in the classroom, whichever is less.
2. If a contractor chooses to enroll more two-year-old children in a classroom than described above in (1), a 1:4 adult to child ratio and 1:16 teacher to child ratio must be followed for two-year-old children.
 - Within this requirement and in alignment with Title 5 Section 17714 on Commingling, if the number of two-year-old children exceeds 50 percent of the total number of children in attendance, the ratios for the entire group must meet the

ratios required for the two-year-old children. If the number of two-year-old children does not exceed 50 percent of the total number of children in attendance, the teacher-child and adult-child ratios shall be computed separately for each group.

Reminder: Please reference the definitions of two- and three-year-old children above, as a child may be chronologically two years of age but meet the definition of a three-year-old child. Ratio requirements set above are based on statutory definitions of two-year-old children, not based on chronological age.

Desired Results Developmental Profile (DRDP)

Contractors serving two-year-old children must complete the age-appropriate DRDP for each child enrolled in the program for at least 10 hours per week. The DRDP must be completed for each child between 60 and 90 calendar days from the first day of attendance and at least once every six months thereafter. The contractor must use the data from the DRDP to plan and conduct age and developmentally appropriate activities.

For children chronologically two years through two years and eight months, contractors must use one of the following DRDP options:

1. DRDP (2015) Infant/Toddler Comprehensive View (rev. 6/27/2019)
2. DRDP (2015) Infant/Toddler Essential View (rev. 6/28/2019)

For two-year-old children that are chronologically at least two-years and nine months of age and served in a preschool classroom, contractors must use one of the following DRDP options:

1. DRDP (2015) Preschool Comprehensive View (rev. 6/24/2019)
2. DRDP (2015) Preschool Fundamental View (rev. 6/24/2019)
3. DRDP (2015) Preschool Essential View (rev. 6/24/2019)

Classroom Assessment Scoring System (CLASS) Observations and CLASS Environment Observations

In alignment with MB 23-10, when conducting a CLASS or CLASS Environment Observation in a mixed-age setting or classroom, including in family childcare homes operating as part of a family childcare home education network (FCCHEN), contractors must observe using the CLASS Second Edition Pre-K-3rd.

Data Submission and Reporting

Contractors must report all two-year-old children in the applicable data systems beginning with the first data reporting period for the 2024–25 fiscal year.

California Preschool Data Collection (CASPDAC) users and Child Development Management Information System (CDMIS) users will submit data for two-year-old children beginning with the first 2024–25 data submission period opening August 1, 2024, for children enrolled in CSPP for the month of July 2024.

Preschool Language Information System (PLIS) users will begin to report two-year-old children with the first reporting period opening October 1, 2024, for children enrolled in CSPP for the months of July, August, and September 2024.

The FY 2024–25 Enrollment, Attendance, and Fiscal Reports, found in the California Preschool Accounting Reporting Information System (CPARIS), will include a section to report two-year-old children. The adjustment factors for this section will be identical to the adjustment factors for three-year-old children.

Resources

In the interim, if you have any **programmatic** questions regarding this change, please contact your assigned EED Program Quality Improvement (PQI) Office Regional Consultant at <https://www.cde.ca.gov/sp/cd/ci/assignments.asp>.

If you have any **fiscal** questions about this guidance, please contact your assigned Early Education and Nutrition Fiscal Services analyst. The fiscal analyst directory can be accessed at <https://www.cde.ca.gov/fg/aa/cd/faad.asp>.

Pursuant to the authority provided in SB 163, this interim guidance constitutes official guidance, notwithstanding the Administrative Procedures Act, and thus the directives herein are considered to be mandatory.

Questions: Early Education Division | 916-322-6233

Last Reviewed: Wednesday, July 10, 2024