

**2020**  
**Yolo Preschool Act**

**Summary** – The Yolo Preschool Act seeks to address the serious shortage of quality, affordable, and accessible early education programs in the County by funding scholarships, program quality, and facilities through a ten (10) year one-quarter (1/4) cent increase in the transactions and use tax. The Act would ensure public accountability by requiring program evaluation, citizen oversight, and regular financial audits.

**Section 1. Title.**

This Act shall be known as the “Yolo Preschool Act.”

**Section 2. Findings.**

The People of the County of Yolo hereby find and declare the following:

(a) Half of Yolo County children do not have the benefit of preschool, and therefore may enter kindergarten less prepared socially and educationally than their peers. This is because of the high costs and shortage of available and affordable high quality preschool spaces.

(b) A child’s brain develops most dramatically during the first five years of life. This critical period is a window of opportunity to lay the foundation for all of the years that follow.

(c) By third grade, close to sixty percent of Yolo County third graders are not reading at grade level. Third grade reading is a key indicator of later success in school, high school graduation, and career readiness. Children who read by third grade are more likely to graduate from high school, attend college, and become independent, self-supporting, and law-abiding adults.

(d) Quality early learning helps children succeed, helps working families advance financially, reduces crime and incarcerations, and makes local economies stronger.

(e) Quality preschool and other early education programs increase kindergarten readiness, as well as literacy rates, math scores, and graduation rates for the children who attend.

(f) Children do best in high quality programs with well-trained teachers, safe and well-equipped classrooms, and a curriculum that stimulates excitement about learning.

(g) Researchers have determined that the cost-benefits of preschool are great. Studies show that for every dollar spent on preschool, the public saves \$16 by increasing success in school and fostering self-supporting healthy adults.

(h) Yolo County should have additional, dedicated funding available for preschool and other early education programs that serve the children of Yolo County.

### **Section 3. Purpose and Intent.**

In enacting this Act, it is the purpose and intent of the people of the County of Yolo (“County”) to:

- (a) Provide quality, accessible, affordable preschool and other early education programs for Yolo County children.
- (b) Ensure that all revenue generated under this Act is dedicated solely to expanding and improving preschool and other early education program opportunities for Yolo County children, and not for any other purpose.
- (c) Establish the Yolo Preschool Oversight Committee to oversee the implementation of the Act and ensure accountability on behalf of the public.
- (d) Provide for the creation of a Yolo County Preschool Program and Expenditure Plan with broad input from the community in order to guide the implementation of this Act.
- (e) Adopt a special tax for a ten (10) year period in the form of an increase in the transactions and use tax of one-quarter (1/4) cent in order to make more funding available for preschool and other early education programs that serve the children of Yolo County.

### **Section 4. Preschool and Early Education.**

A new Title 13 is added to the Yolo County Code to read as follows:

#### *Chapter 1. The Yolo Preschool Fund.*

##### Sec. 13-1.01. Definitions.

- (a) For purposes of this Title, “early education programs” means educational programs designed to serve children from birth to age 5 years which includes infant/toddler and preschool educational programs-
- (b) For purposes of this Title, “Lead Agency” means the agency designated by the Board of Supervisors pursuant to section 13-3.101 to create and implement the Yolo County Preschool Program and Expenditure Plan.

##### Sec. 13-1.02. Establishment of the Yolo Preschool Fund.

- (a) There is hereby established the Yolo Preschool Fund. The Fund shall be maintained separate and apart from all other County funds.
- (b) All revenues raised pursuant to the transaction and use tax imposed by this Act shall be deposited into the Yolo Preschool Fund.

(c) All revenues deposited into the Yolo Preschool Fund, together with any interest earned by the Fund, shall be expended only in accordance with the provisions of this Act.

(d) It is the purpose of this Act to increase funding for preschool and other early education programs in Yolo County. Monies in the Yolo Preschool Fund shall not be used to supplant baseline levels (Fiscal Year 2017-2018) of federal, state, or local funding provided to support any other preschool or other early childhood education program benefiting children from birth through kindergarten, unless the federal, state or non-County local funding sources of such existing funding levels have been reduced by the same amount and are not replaced by other federal, state, or local funding dedicated to the same or similar purpose.

#### Sec. 13-1.03. Eligible Uses.

(a) Monies in the Yolo Preschool Fund, which shall include all revenues raised pursuant to the ten (10) year one-quarter (1/4) cent retail transactions and use tax imposed by this Act, shall be used exclusively for the following purposes:

(1) Scholarships. Scholarships shall be awarded on behalf of Yolo County children to attend preschool or other early education programs. Funds shall be paid directly to the preschool or early education program.

(2) Quality Early Childhood Education Improvement. To create and maintain high quality preschool or other early education programs in Yolo County, assistance will be provided to preschool and early childhood education programs in Yolo County to support the professional development of program staff, teacher mentors and coaches, and to support curriculum improvement.

(3) Facility and Implementation Grants. Facility Grants shall be awarded to improve or develop facilities for preschool or other early childhood education programs in Yolo County, and Implementation Grants shall be awarded to defray the start-up and/or initial operating capital costs for such programs.

(4) Program oversight, management, and evaluation. Up to fifteen (15) percent of monies in the Yolo Preschool Fund may be spent on independent program evaluation, program design and implementation, program administration, program monitoring, grant review, public engagement, and fiscal accountability.

#### Sec. 13-1.04. Appropriation of Funds from Yolo Preschool Fund.

(a) The County shall appropriate necessary funds for program oversight, management, and evaluation, subject to the cap established in paragraph (4) of subdivision (a) of section 13-1.03.

(b) Remaining monies from the Yolo Preschool Fund shall be appropriated for all of the purposes set forth in paragraphs (1) through (3) of subdivision (a) of section 13-1.03, to be

awarded through the competitive solicitation process as scholarships and grants to eligible applicants.

(c) The County shall appropriate funding for the first competitive solicitation process to begin by July 1 of the second year following the effective date of this Act.

(d) The funds in the Yolo Preschool Fund may be used without regard to fiscal year.

#### Sec. 13-1.05. Audits.

The County shall complete an audit of the Yolo Preschool Fund on an annual basis. The audit report shall include, but not be limited to, the balance in the Yolo Preschool Fund at the end of the previous fiscal year, the tax revenue received, the amount and percentage of tax revenue received from each city and from the unincorporated area of Yolo County, the amount and type of expenditures made, and the ending balance in the Fund. The report shall be a public document and the County shall provide a copy of the report to the Yolo Preschool Oversight Committee.

#### *Chapter 2. The Yolo Preschool Oversight Committee.*

#### Sec. 13-2.01. Creation.

There shall be a Yolo Preschool Oversight Committee to ensure accountability on behalf of the public and to oversee and implement a program that seeks to address the serious shortage of quality, affordable, and accessible preschool and other early education programs. The Committee will ensure the public has broad and regular input regarding how the program is structured and implemented, and provide oversight of all aspects of program development and implementation to ensure the effective use of revenues generated by this Act for the benefit of Yolo County children.

#### Sec. 13-2.02. Membership.

The Yolo Preschool Oversight Committee shall consist of no fewer than nine (9) and no more than fifteen (15) members who shall be residents of Yolo County, to be appointed by the Board of Supervisors as follows:

(a) One (1) member from each of the five (5) public school districts in Yolo County, who shall be residents of the district from which they are appointed.

(b) At least one (1) member each from among those recommended by the Yolo County Office of Education, the Yolo County Library, the Yolo County Local Child Care Planning Council, and Yolo First 5.

(c) Up to two (2) additional members recommended under subdivision (b) of this section may be appointed.

(d) Up to four (4) community members recommended by the Yolo Preschool Oversight Committee may be appointed. At least one (1) of these members must have professional experience in the field of early child care or education or experience as a parent or guardian of a child under the age of five (5) within thirty-six (36) months from the time of appointment.

(e) No member of the Committee may serve on the Committee while serving as an elected official in any office within the County.

(f) Within three (3) months of the effective date of this Act, the Board of Supervisors shall appoint at least nine (9) members to the Committee. The terms of a majority of the initial appointments to the Committee shall be for two (2) years and the terms of the remaining members shall be for four (4) years. The initial appointees shall determine these terms among themselves by drawing lots. Thereafter, as vacancies occur, subsequent appointments shall be made for four (4) year terms. A person appointed to fill a vacancy that has been created by the resignation, removal, disqualification, or death of a member shall serve for the remainder of the existing term. No member shall serve more than eight (8) consecutive years.

Sec. 13-2.03. Organization, meetings, minutes, and quorum.

(a) The Committee shall, by majority vote, do each of the following:

(1) Annually appoint one (1) of its members as chair and one (1) of its members as vice-chair;

(2) Approve bylaws to facilitate the proper functioning of the Committee;

(3) Establish a regular time and place of meeting, providing for the notice required by law and requiring such meetings to be open to the public; and

(4) Record minutes for each meeting and file an approved copy with the Clerk of the Board.

(b) A majority of the members, not including vacancies, shall be required to constitute a quorum. Except for adjournment of the meeting, no action may be taken by the Committee unless a quorum is present.

Sec. 13-2.04. Duties and responsibilities.

The Committee shall do each of the following:

(a) Oversee all phases of the planning process and implementation of the Act to ensure that it is conducted and managed according to the requirements and purposes of this Act, including, but not limited to, the management of the Yolo Preschool Fund, the appointment process for the Yolo Preschool Oversight Committee, the drafting and revision of the Yolo County Preschool Program and Expenditure Plan, and the annual competitive solicitation process.

(b) Create a plan to ensure that the Yolo County Preschool Program and Expenditure Plan is developed with broad input from community stakeholders from each city and the unincorporated

area of the County. Such stakeholders shall include, but not be limited to, families, experts in early education, preschool and early education providers, participating local agencies, schools, school districts, city councils, nonprofit organizations focusing on the needs of children and families, public libraries, and the public. The Committee shall review and, if necessary, revise this plan prior to each triennial update of the Yolo County Preschool Program and Expenditure Plan.

(c) Ensure that an independent program evaluation is conducted of the programs and services funded by this Act at least once every three (3) years to evaluate the impact of the Yolo Preschool Act on the quality, affordability, and availability of preschool in Yolo County. The resulting report shall be a public document and shall be considered during the planning process for the triennial update of the Yolo County Preschool Program and Expenditure Plan.

(d) Review all reasonably available financial information relevant to the Yolo Preschool Act, including the annual audit report of the Yolo Preschool Fund.

(e) Make recommendations to the Board of Supervisors and Lead Agency regarding actions that would better ensure that the planning and implementation of the Act is conducted and managed according to the requirements and purposes of this Act, and in accordance with input from community stakeholders.

### *Chapter 3. Administration.*

#### *Article 1. Planning.*

##### Sec. 13-3.101. Designation of Lead Agency.

Within three (3) months of the effective date of this Act, the Board of Supervisors shall designate a lead agency to create and implement a planning process to develop an initial Yolo County Preschool Program and Expenditure Plan, and triennial updates of that Plan.

##### Sec. 13-3.102. Planning Process.

(a) The Lead Agency shall create, and revise as necessary, a planning process to develop the initial Yolo County Preschool Program and Expenditure Plan and a triennial update of the Plan.

(b) The planning process shall ensure that each Yolo County Preschool Program and Expenditure Plan is developed with broad input from community stakeholders from each city and the unincorporated area of the County, in accordance with the plan created by the Yolo Preschool Oversight Committee.

(c) The planning process shall provide for participation and oversight by the Yolo Preschool Oversight Committee, and shall include consideration of available audits and independent program evaluations conducted pursuant to this Act.

##### Sec. 13-3.103. The Yolo County Preschool Program and Expenditure Plan.

The Lead Agency shall draft the Yolo County Preschool Program and Expenditure Plan and each triennial update of the Plan pursuant to the planning process set forth in section 13-3.102. The Plan and each triennial update of the Plan shall include the following elements:

- (a) Criteria for awarding scholarships to children from birth to kindergarten eligibility to attend preschool or other early education programs in Yolo County based on need and in accordance with a sliding scale.
- (b) Minimum criteria to ensure that providers applying for grants pursuant to this Act are able to provide quality preschool or early education programs. Such criteria shall be based on generally accepted principles concerning which features of preschool or early education programs have been demonstrated to contribute most effectively to positive outcomes for children.
- (c) Requirements for grant recipients to participate in professional development activities as needed to support and enhance program quality.
- (d) The identification of resources available to provide technical assistance to grant recipients.
- (e) Any other elements identified by the Lead Agency or the Board of Supervisors that are consistent with the requirements and purposes of this Act.

Sec. 13-3.104. Plan Approval.

- (a) Upon completion, the Yolo County Preschool Program and Expenditure Plan shall be submitted to the Yolo Preschool Oversight Committee for its review. The Committee shall have thirty (30) days to either approve the Plan or disapprove the Plan with an explanation of the reasons for disapproving the Plan, and to submit the plan to the Board of Supervisors for its review. The Board shall adopt a final Plan within sixty (60) days.
- (b) The initial Yolo County Preschool Program and Expenditure Plan shall be submitted to the Board of Supervisors by January 1 of the second year following the effective date of this Act.

*Article 2. Implementation.*

Sec. 13-3.201. Award of Funds.

- (a) Funding for Scholarships, Quality Early Education Improvement Assistance, Facility and Implementation Grants shall be awarded through an annual competitive solicitation process administered by the Lead Agency.
- (b) Applications for the first competitive solicitation process shall be accepted by July 1 of the second year following the effective date of this Act.

Sec. 13-3.202. Eligible Applicants.

(a) Scholarships shall be provided based on need and in accordance with a sliding scale for Yolo County children from birth to kindergarten eligibility to attend preschool or other early education programs.

(b) Grants and other assistance shall be provided to schools and other providers of preschool or other early education programs that are committed to participating in the California Early Childhood Quality Ratings Matrix, developed by the California Department of Education, to inform their work.

(c) The Board of Supervisors and Lead Agency may establish additional eligibility requirements that are consistent with the requirements and purposes of this Act.

Sec. 13-3.203. Disbursement of Funds.

To the extent possible given the pool of qualified applicants, grants and other assistance shall be provided to programs and services in cities and the unincorporated area of Yolo County based upon the approximate share of revenue raised pursuant to this Act by that city or unincorporated area.