

Date of Hearing: July 15, 2015

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 645 (Hancock) – As Amended July 7, 2015

SENATE VOTE: Vote not relevant

SUBJECT: After school programs: grant amounts.

SUMMARY: Authorizes an After School Education and Safety (ASES) Program to suspend its operation for no more than five schooldays in a fiscal year, beginning January 1, 2016.

Specifically, **this bill:**

- 1) Finds and declares that the cost of operating a program is exceeding the grant amount provided in statute.
- 2) Specifies that if the suspension of operation results in a grant adjustment due to not meeting targeted attendance level, the California Department of Education (CDE) may approve a request from the program grantee for an exemption from the adjustment. Specifies that cost savings that result from the suspension of a program pursuant to this bill shall be used solely by the entity that is providing direct services to pupils.
- 3) Specifies that the authorization to suspend operation of program shall remain in effect only until July 1, 2017, unless a later enacted statute, that is enacted before July 1, 2017, deletes or extends that date.
- 4) Authorizes an ASES program to determine the specific grades to be served at participating schools based on local needs.
- 5) Strikes the intent of the Legislature that pupils in middle school or junior high school attend a minimum of nine hours a week and three days a week in an after school program to accomplish program goals and instead expresses the intent of the Legislature that each attending pupil participate in the full day of the program for each day in which the pupil attends the program.
- 6) Strikes the intent of the Legislature that pupils in middle school or junior high schools attend a minimum of six hours a week or three days a week in a before school program to accomplish program goals and instead expresses the intent of the Legislature that each attending pupil participate in the full day of the program for each day in which the pupil attends the program, except when arriving late in accordance with the late arrival policy.

EXISTING LAW:

- 1) Establishes the ASES program through the 2002 voter approved initiative, Proposition 49. The ASES program funds the establishment of local after school education and enrichment programs, which are created through partnerships between schools and local community resources to provide literacy, academic enrichment and safe constructive alternatives for students in kindergarten through ninth grade (Education Code (EC) Section 8482).

- 2) Requires the CDE to adjust the grant level of any school within the program that is under its targeted attendance level by more than 15% in each of two consecutive years. (EC Section 8483.7(a)(1)(A)(ii))
- 3) Specifies that in any year after the initial grant year, if the actual attendance level of a school within the program falls below 75% of the target attendance level, the CDE shall perform a review of the program and adjust the grant level as the CDE deems appropriate. (EC Section 8483.7(a)(1)(A)(iii))
- 4) Expresses the intent of the Legislature that elementary school pupils participate in the full day of an after school program every day during which pupils participate and that pupils in middle school or junior high school attend a minimum of nine hours a week and three days a week to accomplish program goals. (EC Section 8483(a)(2))
- 5) Expresses the intent of the Legislature that elementary school pupils participate in the full day of a before school program every day during which pupils participate and that pupils in middle school or junior high school attend a minimum of six hours a week or three days a week to accomplish program goals, except when arriving late in accordance with the late arrival policy or as reasonably necessary. (EC Section 8483.1(a)(2)(A))

FISCAL EFFECT: Unknown

COMMENTS: *ASES program.* The ASES program, passed by voters as Proposition 49 in 2002, provides almost \$550 million annually for before and after school programs for kindergarten through grade 9 students. In FY 2015-16, 555 school districts and county offices of education operated ASES programs. Local governments and nonprofit organizations working in partnership with local educational agencies may also apply for funding. After school programs must commence right after school and at least until 6 p.m. for 15 hours per week. Grants are provided in three one-year increments with maximum grants at \$112,500 per year for elementary schools, \$150,000 per year for middle or junior high schools based on a per pupil amount of \$7.50 per day of pupil attendance, and \$7.50 per project pupil per day for staff development, with a maximum of three staff development days per year. Priority for funding goes to schools where at least 50% of the pupils are eligible for free- or reduced-priced lunch. Each program is required to provide a match equal to not less than one-third of the total grant. Facilities may count towards 25% of the local contribution.

Participating afterschool programs are required to have an educational and literacy component in which tutoring or homework assistance is provided in one or more of the following areas: language arts, mathematics, history and social science, computer training, or sciences; and an educational enrichment component, which may include, but is not limited to, fine arts, career technical education, career exploration, recreation, physical fitness and prevention activities.

The program requires before school programs to operate one and a half hours a day and after school programs to operate after school until 6 p.m. for a minimum of 15 hours per week. ASES grantees can request summer grants (previously called supplemental grants) in order to operate for more than 180 days or to operate during summer, intersession or vacation.

This bill authorizes a program, beginning January 1, 2016 and ending July 1, 2017, to suspend its operation for a maximum of five schooldays in each fiscal year. The bill also authorizes a program to request the CDE to exempt an adjustment of its grant level if the suspension results in a school not meeting its targeted attendance level. Under current law, the CDE is required to adjust the grant level of any school that does not meet its targeted attendance level by more than 15% in each of two consecutive years; or, in any year after its initial grant year, the actual attendance level of a school falls below 75% of the target attendance level.

The author states:

"After school programs allow parents to obtain and keep their jobs, providing children with a safe environment to receive meaningful academic and enrichment services. While the costs, demands, and expectations of ASES programs have been consistently increasing since the passage of Prop 49, the funding has remained stagnant. SB 645 will ensure high-quality after school programs serving the neediest children and their families are sustainable.

After nearly a decade of flat financing, these programs have been stretched to their breaking point. The ADA rate of \$7.50 has not been increased since 2006. During that time the minimum wage has increased to \$9 in 2014 (and will soon increase to \$10), and the Consumer Price Index has increased more than 17%. Research has shown that the average cost of a quality after school program is at least \$7 per child per hour or \$21 per day—nearly 3 times the rate paid to ASES providers. A 2015 survey of over 500 ASES grantees representing over 300 school districts found that 89% of programs are negatively impacted by the current daily rate, with 84% of ASES grantees struggling to attract, recruit, and retain quality staff, and many forced to reduce staffing hours, limit professional development, abandon specialized instruction, and reduce efforts to coordinate learning with the school day as a direct consequence of the stagnant ASES daily rate."

This bill follows an attempt to secure increased funding in the 2015-16 budget. The Assembly's budget provided an additional \$50 million and the budget conference committee reduced the amount to \$25 million. However, the budget signed by the Governor included no increase. According to the California After School Coalition, allowing the suspension of existing programs will prevent closure of some programs.

The bill also revises legislative intent regarding pupil attendance. Current law expresses the intent of the Legislature that for an after school program, elementary school pupils participate in the full day of a program every day and for middle and junior high school pupils to attend a minimum of nine hours a week and three days a week. Current law also expresses the intent of the Legislature for pupils to attend a before school program similarly, except when arriving late in accordance with the late arrival policy. This bill strikes reference to middle and high school pupils and simply expresses the intent of the Legislature that each pupil participate in the full day of the program for each day in which the pupil attends the program. According to the CDE, this change is to eliminate confusion that students are required to attend at least three days a week in order for pupils' attendance to count.

Current law specifies that the ASES program is established for kindergarten through grade 9. This bill authorizes participating schools to determine the specific grades to be served by a program based on local needs. According to the CDE, this is to clarify that programs are not required to serve pupils in all grades – kindergarten through 9.

Prior related legislation. SB 1221 (Hancock), Chapter 370, Statutes of 2014, modified eligibility, types of grants, amount of grants, and outcome measures of the ASES, the 21st Century Community Learning Centers, and the 21st Century After School Safety and Enrichment for Teens programs.

SB 429 (DeSaulnier), Chapter 626, Statutes of 2011, authorizes an ASES program provider to use supplemental grant funds to operate a six-hour program and establishes other parameters for programs operating summer, intersession or vacation programs, including authorizing a program to be conducted at an offsite location or at an alternate schoolsite and authorizing a supplemental grantee to open eligibility to every pupil attending a school in the district with priority for pupils enrolled in the school that receive a grant.

SB 798 (DeSaulnier), Chapter 479, Statutes of 2010, requires any federal 21st CCLC program funds that exceed the total state appropriation for fiscal year 2008-09 to be allocated in accordance with a specified formula that includes 15% for summer programs serving elementary and middle school pupils.

REGISTERED SUPPORT / OPPOSITION:

Support

A World Fit for Kids!
California After School Coalition
California Teaching Fellows Foundation (prior version)
Environmental Charter Schools
Fight Crime: Invest in Kids California
LA's BEST
Los Angeles County Office of Education
Magnolia Science Academy – 8 Bell
Partnership for Children and Youth
THINK Together
Today's Fresh Start Charter School

Opposition

None on file

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