

Date of Hearing: April 20, 2022

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
AB 2498 (Mia Bonta) – As Amended April 18, 2022

**SUBJECT:** Pupil instruction: Freedom School Summer Demonstration Pilot Program

**SUMMARY:** Establishes the Freedom School Summer Demonstration Pilot Program (FSSDPP) under the administration of the Superintendent of Public Instruction (SPI), to develop summer literacy and learning loss mitigation programs for public school pupils that celebrate pupils and the cultural richness of the diversity of the United States, increase the reading, writing, and comprehension abilities of pupils, and prevent learning loss during summer recesses. Specifically, **this bill:**

- 1) Defines the following, unless the context requires otherwise:
  - a) “Program” means the FSSDPP established under this chapter;
  - b) “LEA” means a school district, county office of education (COE), or charter school;
  - c) “Organization” means a LEA, or a community-based organization, with extensive experience in the administration of summer school programs, literacy programs, culturally relevant programs, and learning loss mitigation programs;
  - d) “Program participant” means an LEA selected to participate in the FSSDPP; and
  - e) “Public school” means a school maintained by an LEA.
- 2) Establishes the FSSDPP under the administration of the SPI, in consultation with the SBE, to develop summer literacy and learning loss mitigation programs for public school pupils by providing LEAs with assistance in running summer school programs that celebrate pupils and the cultural richness of the diversity of the United States, increase the reading, writing, and comprehension abilities of pupils, and prevent learning loss during summer recesses.
- 3) Requires, on or before March 1, 2023, the SPI, in consultation with the SBE, to select up to four organizations to each serve as one technical assistance team. Requires a minimum of one community-based organization to be selected as a technical assistance team. Each technical assistance team is to provide hands-on, intensive support for a three-year period to a program participant to create capacity for the participant to offer a full day summer literacy and learning loss mitigation program. Requires, in selecting an organization to serve as a technical assistance team, consideration to be given to an organization with demonstrated expertise, including, but not limited to, expertise in any of the following areas:
  - a) The operation of an existing summer school program, but specifically a culturally relevant literacy and learning loss mitigation program;
  - b) Working in a low-income community and at a public school serving pupils in a low-income community; and

- c) Experience working with the CDE, LEAs, education-focused nonprofits and community-based organizations, and other education-based service providers.
- 4) Requires, on or before May 1, 2023, the CDE to select up to 10 LEAs to serve as program participants for a period of three years each. In selecting an LEA to serve as a program participant, consideration to be given to all of the following factors:
- a) The LEA's demonstrated need for a culturally relevant summer school program that will enhance literacy and mitigate learning loss for its pupils;
  - b) Commitment of the LEA's leadership to develop a culturally relevant summer school program, including, but not limited to, an existing Children's Defense Fund Freedom School site, for all pupils;
  - c) The LEA's number of unduplicated pupils;
  - d) Ensuring the program participants collectively reflect the geographic diversity of the state; and
  - e) Ensuring a mix of urban, suburban, and rural program participants.
- 5) Establishes the Freedom School Summer Demonstration Fund as the initial depository of all moneys appropriated, donated, or otherwise received for the program. Requires, upon appropriation by the Legislature, the SPI, in collaboration with the SBE, to distribute moneys in the fund to FSSDPP participants, as specified. Requires the SPI, in collaboration with the SBE, to administer the fund.
- 6) Requires a FSSDPP participant to receive up to an unspecified amount each school year for each of the three school years it participates in the program. Requires these funds to be used for contracting with a technical assistance team selected by the CDE, as specified, and allows, but is not limited to being used, for any of the following purposes:
- a) Hiring staff, including the hiring of support staff, responsible for maintaining a full day summer school program developed pursuant to this chapter;
  - b) Providing the local program's administrators and staff with professional development and participation in professional learning network opportunities related to learning loss mitigation and summer school instruction; and
  - c) Conducting local program outreach to pupils and families.
- 7) Requires a selected technical assistance team to, under the direction of the CDE, work with a program participant to do both of the following:
- a) Conduct an analysis of all of the following related to the program participant:
    - i) Its need for a summer school program and services for its pupils;

- ii) Its current capacity to meet the need for a summer school program and services for its pupils;
  - iii) Its current participation in summer school and learning loss mitigation programs;
  - iv) Barriers to participation in summer school and learning loss mitigation programs; and
  - v) Existing partnerships with county agencies or nonprofit or community-based organizations to provide summer school and learning loss mitigation programs.
- b) Complete and submit to the CDE, on or before January 1 after the end of the third year of the operation of the local program, a report with data on the results of the local program, including the number of pupils served, their reading and writing abilities before and after their participation in the program, and other appropriate educational data and information.
- 8) Requires a FSSDPP participant to implement the first year of their summer school program by July 31, 2024.
- 9) Requires, six months after the end of third year of the operation of the last local program funded pursuant to this chapter, whichever comes first, the CDE, in collaboration with the SBE, program participants, and the technical assistance teams, to submit to the relevant policy and fiscal committees of the Legislature a report on the local programs developed. Requires the report to include, but is not limited to, all of the following:
- a) Best practices developed by program participants;
  - b) The number of pupils participating in local programs, including breakdowns by subgroups of pupils as determined by the SPI; and
  - c) Recommendations for expanding the program statewide and an estimate of the cost of fully funding an ongoing technical assistance and support program on a statewide basis.
- 10) Requires the FSSDPP to only become operative upon an appropriation by the Legislature in the annual Budget Act or another statute for its purposes.

**EXISTING LAW:**

- 1) Establishes the Expanded Learning Opportunities Program. Requires, commencing with the 2021–22 school year, LEAs that receive ELOP funds to offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50% of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Requires, commencing with the 2022–23 school year, as a condition of receipt of ELOP funds, all LEAs to offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and to ensure that access is provided to any pupil whose parent or guardian requests their placement in a program. (Education Code (EC) 46120)

- 2) Establishes the California Community Schools Partnership Act. Appropriates, for the 2021–22 fiscal year, \$2.8 billion from the General Fund to the SPI to administer the California Community Schools Partnership Program (CCSPP). Requires these funds to be available for encumbrance or expenditure until June 30, 2028. (EC 8900-8902)
- 3) Defines “expanded learning” as before school, afterschool, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of pupils through hands-on, engaging learning experiences. (Education Code (EC) 8482.1)
- 4) Expresses the intent of the Legislature that expanded learning programs are pupil-centered, results driven, include community partners, and complement, but do not replicate, learning activities in the regular schoolday and school year. (EC 8482.1)
- 5) Establishes the After School Education Safety (ASES) program, passed by voters as Proposition 49 in 2002, which provides \$550 million annually for before and afterschool programs for K-9 students. Priority for funding is granted to schools where at least 50% of the students are eligible for free or reduced price meals. ASES programs receive direct grants, for which attendance is projected and grants are funded up-front, in three one-year increments. (EC 8482, 8482.4, and 8482.5)
- 6) Provides for a summer grant for ASES programs in excess of 180 days or during any combination of summer, intersession.
- 7) Expresses the intent of the Legislature that the federal 21<sup>st</sup> CCLC program complement the ASES program to provide year-round opportunities for expanded learning. (Public Law 107-110 and EC 8484.7)
- 8) Establishes the 21<sup>st</sup> Century High School After School Safety and Enrichment for Teens (ASSETS) program to create incentives for establishing locally driven school enrichment programs that partner schools and communities to provide academic supports and safe, constructive alternatives for high school pupils in the hours after the regular schoolday, and that support college and career readiness, and requires that the CDE implement the ASSETS program only to the extent that federal funds are available. (EC 8421 & 8425)
- 9) Requires pupils enrolled in a year-round school to have access, as necessary, to an equal educational opportunity as provided during summer school to pupils enrolled in regular school year programs. (EC 51205)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Need for the bill.*** According to the author, “Historically, the term ‘learning loss’ has been used to describe the educational setbacks students may experience during an extended time away from the classroom, most commonly over summer break. Since March 2020, the conversation around learning loss has expanded to describe the impacts of the disruptions of associated with the COVID-19 pandemic.

AB 2498 creates the Freedom Schools Demonstration Project. This pilot project will provide funding to ten LEAs who will offer a summer school literacy enrichment and learning loss mitigation program for up to three years. Further, this pilot program will pair the LEAs with technical support teams that have shown a track record of offering successful summer school programs.

AB 2498 also requires the CDE, in collaboration with the SBE, program participants, and technical support teams, to compile and present data regarding the efficacy of this program. Research is clear that summer programs are important to reduce the extent of learning loss that students, especially students of color, experience. This bill will mitigate learning loss so that at the start of the school year, all students are ready for the challenge and learning ahead.”

***Children's Defense Fund Freedom Schools program.*** The Children’s Defense Fund (CDF) is a nonprofit organization working on the prevention of child poverty, abuse and neglect; and increased access to health care and education. The CDF Freedom Schools program provides summer and after-school program model that supports K-12 students and their families by providing and supporting: high quality academic and character-building enrichment; parent and family involvement; civic engagement and social action; intergenerational servant leadership development; and nutrition, health and mental health. In 2021, the CDF Freedom Schools program served 7,210 students on 152 sites, in 75 cities, in 26 states and Washington, D.C.

According to the Illinois State Board of Education, the state of Illinois recently created The Phillip Jackson Freedom Schools Grant (Public Act 101-654), funded with federal Coronavirus Urgent Remediation Emergency dollars, which will provide \$17 million in grants to supplement the learning taking place in school through the CDF Freedom Schools program, a “research-based, multicultural curriculum during the summer and/or school year.”

***Research on summer learning programs.*** According to a 2018 PACE research brief emphasized that effective summer programs provide engaging programs with both academic and enrichment offerings. Noting that consistent attendance is key to improving outcomes, they point to research indicating that districts that integrate academics and enrichment in a positive climate experience strong program attendance. The brief notes that remediation, credit recovery, and skill development goals can be achieved if programs focus on engaging and motivating students.

The National Summer Learning Project, a research initiative conducted by the RAND Corporation, started in 2011 to evaluate the effect of summer learning programs, found that summer learning programs are a promising way to narrow the large achievement gap between children of the lowest and highest income families, but note that “simply offering a program does not guarantee results.”

RAND conducted the first randomized controlled trial to test whether voluntary, district-run summer learning programs can improve academic, behavioral, and social and emotional learning outcomes for low-income, urban youth. This research found that voluntary summer learning programs for low income students can positively impact student achievement in mathematics and language arts as well as social/emotional outcomes, but that duration, attendance, and the quality of instruction were key factors in the success of the programs. They note that several components are needed for successful summer programs, and based on this research recommend that schools:

- Plan early and well for both enrichment activities and academics
- Recruit and hire the district's most highly effective teachers and provide professional development
- Schedule the program to include at least 25 hours of math and 34 hours of language arts, operating the program for five to six weeks with three to four hours of academics per day
- Adopt student recruitment and attendance policies that aim for high attendance rates
- Provide teachers with high-quality curriculum materials and small class sizes
- Adopt intentional policies related to site climate, which drives student enjoyment and is correlated with attendance

***Summer school program funding.*** Prior to the enactment of the Local Control Funding Formula (LCFF) being adopted in 2013, summer school remediation programs were funded via a state categorical program. Those earmarked funds and the accompanying requirements were made flexible upon adoption of the LCFF, which prompted the creation of summer learning programs—with an emphasis on student engagement and enrichment activities aligned with LEAs' goals. LEAs must now be creative about how they pay for summer programs. For programs targeted for low-income, English learner (EL), and foster youth students, supplemental and concentration grant LCFF funds are a viable source. Many LEAs also combine funding from after school programs, federal programs, and external sources to cover summer school costs.

A survey conducted by the Partnership for Children and Youth in 2015 asked 10 organizations with high-quality summer school programs about their costs. Key findings from the survey include:

- On average, the cost per student was \$37.15 per day or \$185.77 per week. This was for a program operating eight hours per day, five days per week. It is substantially lower than the average amount parents report paying in fees for summer programs.
- After adjusting for variations such as costly fundraising strategies or year-round programming, the hourly cost per child ranged from \$2.23 to \$7.14. The most significant driver of cost was the number of students served.
- Program staff wages were reported as the largest portion of spending among all programs surveyed.

***Student learning loss during the COVID-19 pandemic disproportionately impacted economically disadvantaged students, and other student groups.*** Students and educators across the country have experienced a loss of instructional opportunities due to COVID-related school closures. According to a 2021 brief from the Policy Analysis for California Education, *COVID-19 Impacts on Student Learning: Evidence from Interim Assessments in California*, on average, across grades and assessments, students who were economically disadvantaged experienced 3.2 months of learning loss in English language arts (ELA) and 2.8 months of learning loss in math, while students who were not economically disadvantaged experienced 1.1 months of learning loss in ELA and 1.7 months of learning loss in math.

A 2021 PROSPECTS review of eight analyses of recorded COVID-19 learning loss evidence documented between March 2020 and March 2021, *Learning loss during Covid-19: An early*

*systematic review*, stated that seven of the analyses found evidence of student learning loss among at least some of the participants. Additionally, four of the studies observed increases in inequality where certain demographics of students experienced learning losses more significant than others.

According to a 2021 McKinsey & Company article, COVID-19 and education: An emerging K-shaped recovery, a sample of the Curriculum Associates i-Ready assessment data, which includes nearly three million students across 50 states, 6 suggests students are four months behind in mathematics and three months behind in reading compared with students in matched schools in previous years. The data also reveals that students in majority-Black schools are five months behind where they would otherwise have been, both in math and reading. Students in majority-white schools are two months behind historical levels.

**Expanded Learning Opportunity Program (ELOP).** The ELOP, established in 2021, provides funding for afterschool and summer school enrichment programs for Transitional Kindergarten (TK) through 6<sup>th</sup> grade pupils. The state provided \$1.8 billion Proposition 98 funding in 2021-22 to establish this program, with a goal to reach \$5 billion annually by 2025-26. School districts and charter schools are required to offer at least nine hours of combined in-person instructional time and expanded learning opportunities during the school day and for 30 days during the summer. The program must include educational and enrichment components with maximum student to staff ratios of 20:1.

Funding for ELOP is apportioned on a formula basis rather than through a competitive grant process. Funding is based on the district or charter’s number of English learners and low-income pupils in grades TK-6<sup>th</sup> grade, as shown in the table below. Changes in the program for 2022-23, as proposed in the Governor’s Budget are also included:

<b>ELOP Program</b>	<b>Tier 1 - Concentration of Unduplicated Pupil Percentage (UPP)</b>	<b>Tier 2 – Concentration of UPP</b>
English learner (EL) and low-income (LI) pupil threshold	80% or more UPP in 2021-22 <i>75% or more in 2022-23</i>	<80% UPP in 2021-22 <i>&lt;75% in 2022-23</i>
Funding per EL/LI pupil	\$1,170 in 2021-22 <i>\$2,500 in 2022-23</i>	\$672 in 2021-22 <i>\$2,000 in 2022-23 (estimate)</i>
Program offering/access	Offer program to all students and provide access to every student requesting enrollment	Offer program to all EL/LI students and provide access to 50% of EL/LI students
Audit requirement	Beginning in 2023-24	Beginning in 2023-24

*Source: Legislative Analyst’s Office, February 2022.*

The Governor’s Budget proposes \$4.4 billion in Proposition 98 funding for the ELOP for 2022-23, which would bring the funding to 88% of the \$5 billion target.

***California Community Schools Partnership Program.*** A community school is a “whole-child” school improvement strategy where the district and school work closely with teachers, students, families, and partners. AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, provided nearly \$3 billion to be utilized until June 30, 2028, for The California Community Schools Partnership Program (CCSPP), established in 2020, to support schools’ efforts to partner with community agencies and local government to align community resources to improve student outcomes. These partnerships provide an integrated focus on academics, health and social services, youth and community development, and community engagement.

There are two types of CCSPP grants which will be awarded to begin in the 2022–23 fiscal year: 1) planning grants for up to \$200,000, for up to two years, for LEAs with no existing community schools; and 2) implementation grants for LEAs who have an existing community schools program. Implementation grants will be funded for up to 5 years, for up to \$500,000 annually per school site, determined by school enrollment levels. According to the CDE, there will be two rounds of planning grants and at least three rounds of implementation grants. Additionally, a technical assistance component will be developed and implemented over the course of the seven-year program period.

Community school strategies can be an effective approach to mitigate the academic and social impacts of emergencies that affect local communities, improve school responsiveness to student and family needs, and to organize school and community resources to address barriers to learning. Community schools often include four evidence-informed programmatic features, which are aligned and integrated into high-quality, rigorous teaching and learning practices and environments: integrated support services; family and community engagement; collaborative leadership and practices for educators and administrators; and extended learning time and opportunities. AB 130 created four separate funding opportunities for the CCSPP: planning grants, implementation grants, coordination grants, and regional technical assistance center contracts.

***ASES program.*** The ASES program, passed by voters as Proposition 49 in 2002, provides \$550 million annually for before and after school programs for kindergarten through grade 8 students. The 2017-18 Budget Act increased ongoing funding to the ASES program by \$50 million for a total of \$600 million. In 2021-22 ASES programs received \$650 million in state funds. In addition, one-time federal COVID relief funding is supporting temporary rate increases and additional slots. These funds will temporarily increase the ASES per student daily rate from \$8.88 to \$10.18 in 2021-22 and 2022-23. The Governor’s budget for 2022-23 proposes an additional \$95 million to ASES to provide ongoing funding to make permanent the temporary rate increases.

School districts, COEs, state special schools, and charter schools are eligible for funding. Local governments and nonprofit organizations working in partnership with LEAs may also apply for funding. Afterschool programs must commence immediately following the end of the school day and at least until 6 p.m. for 15 hours per week. Grants are provided in three one-year increments with maximum grants at \$152,612 per year for elementary schools, \$203,482 per year for middle or junior high schools. 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. ASES grantees are able to apply for summer/supplemental funding in order to operate for more than 180 days, including during summer, intersession or vacation periods.

According to the California Afterschool Advocacy Alliance, ASES programs serve more than 400,000 students at 4,200 schools each day.

**21<sup>st</sup> CCLC Program.** The 21<sup>st</sup> CCLC program is a federally funded competitive grant program serving pupils in TK through 12<sup>th</sup> grade. The purpose of the program is to support the creation of community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. The program helps students meet state and local student standards in core academic subjects, such as reading and math; offers students a broad array of enrichment activities that can complement their regular academic programs; and offers educational services to the families of participating children. Programs must operate during every regular school day and may operate during summer, weekends, intersession, or vacation periods.

In 2021-22 21<sup>st</sup> CCLC programs received \$146 million in federal funds. One-time federal COVID relief funding is supporting temporary rate increases and additional slots. These funds will temporarily increase the 21<sup>st</sup> CCLC per student daily rate from \$7.50 to \$10.18 in 2021-22 and 2022-23. The Governor's 2022-23 budget proposes an additional \$54 million to 21<sup>st</sup> CCLC to make permanent the temporary rate increase.

**21<sup>st</sup> Century High School After School Safety and Enrichment for Teens (ASSETS).** The purpose of the ASSETS program is to provide local flexibility in the establishment or expansion of community learning centers that provide students in grades 9 to 12 with academic enrichment opportunities and activities designed to complement the student's regular academic program and that support college and career readiness, assist with literacy and related educational development services for families of these students, and provide a safe environment for students participating in their programs.

**Summer Learning Initiative.** The CDE's Summer Matters initiative, last updated on October 31, 2018, states that by 2020, students across California will have access to high quality summer learning opportunities that blend academic support with enrichment and recreation and are an integral part of their year-round educational experience. According to the initiative, "...many children—particularly those from low-income families—return to school having lost months of learning. Many also come back less physically fit and with unhealthy weight gain."

Key findings from a 2012 evaluation found that programs in Fresno, Los Angeles, and Sacramento achieved the following results:

- Participants increased their Instructional grade level by over one-third of a grade on the San Diego Quick vocabulary assessment, ending the summer with vocabulary skills much closer to their grade level.

- Similarly, ELs across communities demonstrated statistically significant increases in their grade-level vocabulary skills, a gateway to English language fluency.
- Parents report programs help youth prepare for the challenge of transitioning from elementary to middle school, a period when many youth begin to disengage from school.
- Summer program participants demonstrated high and sustained school day attendance rates, which is critical for youth to succeed in school.

***Recommended Committee amendments.*** *Staff recommends that the bill be amended as follows:*

- Remove reference to the specific CDF Freedom Schools program; the CDF Freedom Schools Program is a trademarked program.
- Remove provisions related to technical assistance providers.

***Arguments in support.*** SPI Thurmond, sponsor of the bill, writes, “California’s students are struggling to cope with family member deaths; mental health challenges from the pandemic; the effects of social and racial injustice, poverty and economic hardship; and so much more. Unfortunately, these traumas fall disproportionately on our most vulnerable students and students of color. We must take bold action now to meet students’ needs and to reduce the learning loss they have experienced. One key way we will close the achievement gap and address learning loss is through the expansion of Freedom Schools.”

***Related legislation.*** SB 129 (Skinner), Chapter 69, Statutes of 2021, and AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, as amended by AB 167 (Committee on Budget), Chapter 252, Statutes of 2021, authorized the ELOP, which provides funding for afterschool and summer school enrichment programs for transitional kindergarten through sixth grade.

AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, appropriated nearly \$3 billion to fund the CCSPP to support schools’ efforts to partner with community agencies and local government to align community resources to improve student outcomes.

SB 884 (Dodd) of the 2019-20 Session, would have added public safety power shutoffs to the list of emergencies that an LEA’s average daily attendance (ADA) is held harmless for. Further, in the introduced version, the bill would have established the Disaster Relief Instructional Recovery Program to allocate funding to LEAs to make up instructional days lost due to emergency or other extraordinary conditions. This bill was held in the Assembly Appropriations Committee.

AB 2536 (Poochigian), Chapter 805, Statutes of 1998, establishes the California State Summer School for Mathematics and Science, as a multidisciplinary mathematics and science training program that would enable pupils who have demonstrated excellence in mathematics and science to receive intensive training in these subjects.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Children's Defense Fund-California  
Children's Institute  
Easter Hill United Methodist Church  
Girls Club of Los Angeles  
Marin County Office of Education  
Pasadena Learns After School Program  
Read Lead  
State Superintendent of Public Instruction Tony Thurmond (sponsor)  
Success in Challenges, INC  
The Hannah Project Partnership for Academic Achievement  
4 individuals

**Opposition**

None on file

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