

Date of Hearing: April 6, 2022

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 2507 (McCarty) – As Amended March 28, 2022

SUBJECT: The Universal Afterschool Program: the After School Education and Safety Program: the 21st Century Community Learning Centers Program

SUMMARY: Requires that 30% of the funds appropriated for the After School Education and Safety Program (ASES) be prioritized for middle schools; prioritizes 100% of funding for the 21st Century Community Learning Centers (21st CCLC) for high schools; and requires a cost-of-living adjustment (COLA) for expanded learning programs. Specifically, **this bill:**

- 1) Requires, for new grants beginning in the 2023-24 fiscal year, at least 30% of the total amount appropriated for ASES program grants be allocated on a priority basis for programs serving middle school pupils.
- 2) Requires the California Department of Education (CDE) to provide a COLA, as specified, to grants received under the ASES program beginning with the 2023-24 fiscal year and requires an appropriation to the CDE for this purpose each year.
- 3) Renames the current “Expanded Learning Opportunities Program” as the “Universal Afterschool Program.”
- 4) Requires that, for new grants awarded after the enactment of this bill, 100% of federal funds appropriated to the 21st CCLC program be allocated on a priority basis for programs serving high school pupils.
- 5) Requires that, if 21st CCLC funds remain after allocating funding to high school programs, remaining funds be allocated to programs serving middle school pupils.
- 6) Requires the CDE to provide a COLA, as specified, to grants received under the 21st CCLC program beginning with the 2023-24 fiscal year and requires an appropriation to the CDE for this purpose each year.
- 7) Removes elementary schools as eligible entities for funding from the 21st CCLC program.

EXISTING LAW:

- 1) 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)
- 2) 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)

- 3) Establishes the 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, & 8482.5)
- 4) Sets the maximum total direct grant awarded annually for an ASES program as \$112,500 for each regular school year for elementary schools and \$150,000 for middle or junior high schools. (EC 8482.55 and 8483.7)
- 5) Provides for a summer grant for ASES programs in excess of 180 days or during any combination of summer, intersession.
- 6) Continuously appropriates \$550 million from the General Fund to the CDE for the ASES program. (EC 8483.5)
- 7) Expresses the intent of the Legislature that the federal 21st CCLC program (Public Law 107-110) complement the ASES program to provide year-round opportunities for expanded learning. (EC 8484.7)
- 8) Requires that at least 50% of the total amount appropriated for the 21st CCLC be allocated on a priority basis for programs serving high school pupils, and at least 40% for programs serving elementary and middle school pupils. (EC 8484.8)
- 9) Establishes the 21st CCLC 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)
- 10) Specifies that an ASSETS grantee receive a five-year grant of up to \$250,000 per year per site, pursuant to meeting of specified conditions, and subject to the availability of federal funds for this purpose. (EC 8426)
- 11) Establishes the ELOP and allocates funding to school districts and charter schools based upon their unduplicated pupil count. Requires, commencing with the 2021-22 school year, as a condition of receipt of these funds, school districts and charter schools to offer to at least all unduplicated pupils in kindergarten to grade 6 and to provide to at least 50% of unduplicated pupils enrolled in kindergarten to grade 6, classroom-based instructional programs with expanded learning opportunity programs that provide access to no less than 9 hours of combined in-person instructional time and expanded learning opportunities per instructional day on schooldays, and no less than 9 hours of expanded learning opportunities per day for at least 30 non-schooldays during intersessional periods. (EC 46120)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “Quality afterschool programs provide a safe and engaging place that promote the physical, social, emotional, and academic growth of students of all ages. However, the vast majority of funding for afterschool programs is directed towards younger students, leaving out older youth who would strongly benefit from participating in these programs. AB 2507 will ensure an appropriate portion of existing state and federal afterschool funding is prioritized for older youth as California progresses towards its goal of providing universal afterschool.”

Value of afterschool programs. According to a 2016 report by the Afterschool Alliance, “Research has found that when children from low-income families take part in quality afterschool programs, they see positive gains. Consistent participation in high-quality afterschool programs has been shown to help students improve their work habits and demonstrate higher levels of persistence, and helps to close the achievement gap that exists between children from low-income families and their more affluent peers.”

The California Afterschool Advocacy Alliance reports that public afterschool programs:

- Improve school attendance and reduce dropout rates;
- Help English language learners transition to proficiency;
- Expand STEAM learning and develop workforce skills;
- Build social-emotional skills, health, and nutrition;
- Prevent and reduce youth substance use and abuse; and
- Reduce juvenile crime by keeping students engaged during the prime time for crime involving children.

A 2019 report by Fight Crime, Invest in Kids, *From Risk to Opportunity: Afterschool Programs Keep Kids Safe when Juvenile Crime Peaks*, notes that the hours immediately after school lets out, when parents are not likely available to supervise, are the prime time for juvenile crime. Juvenile arrest rates have decreased by 70% nationally since 2000 due in part to increased access to high-quality afterschool programming. Not only do high-quality programs provide youth with a safe and stable environment that can help keep them from engaging in dangerous behavior or becoming the victim of a crime, these programs also contribute to positive outcomes such as improved attendance, improved classroom behavior, better academic outcomes, and increased graduation rates. The positive impact that high-quality afterschool programs have on high school graduation rates is particularly important to law enforcement leaders because they know that six in 10 inmates nationwide do not have a high school diploma.

A 2021 report by the Learning Policy Institute (LPI), *Transforming Challenges Into Opportunities: The Role of Expanded Learning Time in Advancing Educational Equity*, notes that high-quality expanded learning time initiatives support students’ development of critical skills, as well as their social-emotional health and well-being. For maximum benefit, these programs should be taught by well-prepared educators who utilize student-centered pedagogy and curriculum. For programming to effectively meet students’ needs, it must complement the

learning that takes place during the typical school day in ways that support essential curricular standards and the learning activities developed to achieve those standards. In an ideal world, expanded learning is seamlessly woven into the regular school day.

Decades of research have demonstrated that disparities in out-of-school learning opportunities translate into disparities in academic achievement. By 6th grade, students from middle- and upper-income families typically spend upwards of 6,000 more hours on educational activities than students from low-income families. Research estimates that the cumulative summer learning gap accounts for more than half the difference in 9th-grade achievement between students from low-income families and their more affluent peers, which in turn contributes to the likelihood of students entering college-track high school programs and meeting college-going requirements. Out-of-school time has become an essential tool for mitigating inequitable educational outcomes for students. (LPI, 2021)

ASES program. The ASES program, passed by voters as Proposition 49 in 2002, provides a minimum of \$550 million annually from Proposition 98 for before and afterschool programs for kindergarten through grade 9 students. The 2017-18 Budget Act increased ongoing funding to the ASES program by \$50 million for a total of \$600 million. The 2021-22 funding level for ASES was \$744 million, comprised of \$650 million from Proposition 98 state funds and \$94 million from federal ESSER III funds. The daily per-student rate for ASES is \$10.18.

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. The CDE reports that, as of 2018-19, a total of 4,548 California schools received ASES and/or 21st CCLC funding and served a total of 885,993 students. Characteristics of those participating in the programs include the following:

- 49.8% female, 50.2% male;
- 83.3% socioeconomically disadvantaged;
- 24.8% English language learners;
- 5.7% homeless;

- 11.9% students with a disability; and
- 71.5% Latino; 9.8% White; 8.0 % Black; 5.4% Asian.

21st CCLC Program. The 21st CCLC program is a federally funded competitive grant program. 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, intercession, or vacation periods.

This program is federally funded, and makes up the smallest portion of California's afterschool funding. Federal law allows this funding to be used to serve children in any grade (TK-12), but California reserves 50% of the funding for high school students in the Afterschool Safety and Enrichment for Teens (ASSETS) program.

In 2021-22 21st 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 21st CCLC per student daily rate from \$7.50 to \$10.18 in 2021-22 and 2022-23. The Governor's Budget proposes an additional \$54 million to 21st CCLC to make permanent the temporary rate increase.

21st CCLC 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. This is the only dedicated expanded learning funding currently available in California for high school students.

Expanded Learning Opportunity Program (ELOP). The ELOP program, established in 2021, provides funding for afterschool and summer school enrichment programs for Transitional Kindergarten (TK) through 6th 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-6th grade, as shown in the table below. Changes in the program for 2022-23, as proposed in the Governor's Budget are also included:

ELOP Program	Tier 1 –Unduplicated Pupil Percentage (UPP)	Tier 2 - UPP
English learner (EL) and low-income (LI) pupil threshold	80% or more in 2021-22 <i>75% or more in 2022-23</i>	<80% in 2021-22 <75% in 2022-23
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 Office, February 2022.

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

Afterschool programs benefit high school pupils. A large body of research demonstrates that older youth benefit from attending afterschool programs. A study on the impacts of the ASSETS program for high school students in California found small but positive effects on English-language arts and math scores, school attendance, and suspension rates (National Center for Research on Evaluation, Standards, and Student Testing, 2012).

A 2021 WestEd study, *Promoting Protective Factors in California’s Afterschool Programs*, looked at how afterschool programs promote “protective factors” (e.g. adult supports and positive environments), which protect against or mitigate against risk factors (e.g. poverty and adverse childhood experiences), and increase the likelihood of resilience and successful outcomes. In many respects, afterschool programs are a more effective venue for fostering protective factors than the school system due to their emphasis on the importance of promoting positive adult relationships, youth engagement, and social-emotional learning. The study found that students who participated in afterschool programs had higher levels of meaningful participation in school and reported greater levels of school connectedness, academic motivation, and caring adult relationships than non-participants. Across all of the indicators measured, the positive effects were greater among high school students than students in younger grades.

A 2012 independent statewide evaluation of high school afterschool programs in California, by the National Center for Research on Evaluation, Standards, and Student Testing, found that:

- High School students who attended ASSETS programs performed slightly better than non-participants did on their English-language arts and math assessment scores;
- Program sites that were observed as high in quality features of youth development impacted students’ positive perceptions of academic competence, socio-emotional competence, future aspirations, and life skills;
- Participation in an ASSETS program had a small positive effect on school attendance;

- Frequent participants at the afterschool programs were found to be less likely to be suspended than students who did not participate at all; and
- All stakeholders (parents, teachers, students) felt that the programs helped students' academic attitudes, cognitive competence, socio-emotional competence, and future aspirations.

Current funding for afterschool programs prioritizes elementary school pupils. According to the author, the vast majority of current afterschool funding is prioritized for grades TK-6, leaving out older youth who could benefit from access to these programs. Only 2.8% of total afterschool funding in the state is dedicated for high school students. The percentage of afterschool funding directed towards youth and middle and high school will decrease in the next 3 years as the funding for grades TK-6 through the ELOP program grows from the current \$1.7 billion to the full \$5 billion. This bill would maintain the current level of 30% of ASES funding for middle school pupils and increases the percentage of 21st CCLC funding for high school pupils from 50% to 100%.

Arguments in support. According to the Partnership for Children and Youth, sponsors of the bill, "The vast majority of funding for afterschool programs is directed toward younger students, leaving out older youth who would strongly benefit from participating in these programs. Less than 25% of high schools in California receive any state or federal funding for afterschool programs, and only 2.8% of total afterschool funding in the state is dedicated to high school students.

However, middle school and high school students stand to benefit tremendously from expanded learning programs. Research shows that older youth who participate in afterschool programs demonstrate improved academic success, career preparation, and social and emotional development compared to youth who did not participate.

California is facing an attendance and engagement crisis in high schools. The COVID-19 pandemic has had devastating effects on the mental health, engagement, and learning of middle and high school students across the state. Given all the research and experience pointing to the impacts of afterschool participation on increased school attendance, we cannot afford to miss the opportunity of providing more teens with the engaging learning opportunities and meaningful relationships that quality afterschool programs provide."

Related legislation. AB 2501 (Carrillo) of the 2021-22 Session would establish the California Universal Afterschool Program Workgroup to develop recommendations and proposals to reduce impediments and to develop a roadmap for providing universal access to afterschool programs for all school-age children.

AB 1112 (Carrillo) of the 2021-22 Session would have required the CDE to conduct a statewide cost study, utilizing an expanded learning stakeholder group, to determine adequate funding levels for expanded learning programs and make associated recommendations. This bill was held in the Senate Appropriations Committee.

AB 130 (Committee on Budget) Chapter 44, Statutes of 2021, establishes the Expanded Learning Opportunity Program (ELOP) and appropriates \$753 million for allocation to specified school districts and charter schools serving a high proportion of unduplicated pupils. Requires, upon

receipt of funding for this purpose, specified schools serving pupils in kindergarten through grade 6 to provide at least 50% of unduplicated pupils with expanded learning opportunity programs for a minimum of 9 hours of combined in-person instruction and expanded learning opportunities on school days and no less than 9 hours of expanded learning opportunities per day for at least 30 non-school days during summer and intersessional periods.

AB 1725 (Carrillo) of the 2019-20 Session would have increased funding for the ASES program by \$112.8 million, beginning in the 2019-20 fiscal year, and specified conditions for ongoing increases. This bill was held in the Senate Education Committee.

AB 1085 (McCarty) of the 2019-20 Session would have encouraged ASES programs, the 21st CCLC programs, and the ASSETS programs to establish programs designed to educate about and prevent substance use disorders or to prevent harm from substance abuse; would have required the State Department of Health Care Services (DHCS) to enter into interagency agreements with the CDE to administer those programs; and authorizes DHCS to consider selecting those programs for funding from the Youth Education, Prevention, Early Intervention, and Treatment Account (YEPEITA) portion of the Control, Regulate and Tax Adult Use of Marijuana Act. This bill was vetoed by the Governor with the following message:

This bill would authorize the DHCS to redirect cannabis tax funds generated under Proposition 64 to after-school programs administered by the state. I support increased access to after-school programs, which is why I worked with the Legislature to provide an additional \$50 million to support these programs. This bill, however, attempts to change the funding allocation process specified by Proposition 64, which does not authorize the Legislature to modify the fund allocation process prior to July 1, 2028.

SB 78 (Leyva) of the 2017-18 Session would have appropriated to the ASES program an additional \$99 million in the 2017-18 fiscal year and each fiscal year thereafter, and commencing with the increases to the minimum wage implemented during the 2018–19 fiscal year, and every fiscal year thereafter, required the DOF to adjust the total ASES program funding amount of \$654 million by adding an amount necessary to fund an increase in the daily pupil rate of 50% of each increase to the minimum wage. This bill was held in the Assembly Education Committee.

SB 645 (Hancock) of the 2015-16 Session would have authorized an ASES program to suspend operation for up to five days in a fiscal year beginning January 1, 2016. This bill was held in the Assembly Appropriations Committee.

AB 1426 (Cooper) of the 2015-16 Session would have increased the per-student daily and weekly rates for the ASES program, and eliminated the requirement for the afterschool component of the program to operate at least until 6 p.m. on regular schooldays. This bill was held in the Senate Appropriations Committee.

AB 2663 (Cooper) of the 2015-16 Session would have continuously appropriated \$73.3 million for the ASES beginning with the 2016-17 fiscal year and adjusted the appropriation annually thereafter based on the California Consumer Price Index. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Partnership for Children & Youth (Sponsor)
After-school All-stars, Los Angeles
Arc
Bay Area Community Resources
Boys & Girls Clubs of Carson
Bright Futures for Youth
Council for A Strong America
Educare Foundation
Edventure More
Envisioneers INC
Fight Crime: Invest in Kids
Generation Up
Great Public Schools Now
Parent Institute for Quality Education
Think Together
YMCA of San Diego County

Opposition

None on file

Analysis Prepared by: Debbie Look / ED. / (916) 319-2087