

Date of Hearing: June 19, 2019

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
SB 346 (Jackson) – As Amended March 25, 2019

SENATE VOTE: 38-0

SUBJECT: After school programs: Distinguished After School Health Recognition Program

SUMMARY: Re-establishes the Distinguished After School Health (DASH) Recognition Program, which was repealed on January 1, 2018, to be administered by the California Department of Education (CDE). Specifically, **this bill:**

- 1) Requires the CDE to develop an application process for an after school program to be recognized as a program that meets the following nutritional and physical activity requirements:
 - a) Each staff member of the after school program has received specified training on the standards of the DASH Recognition Program and the importance of modeling healthy eating and physical activity, and that the training provided be in accordance with the YMCA of the USA, the Center for Collaborative Solutions, A World Fit For Kids!, the National After School Association's standards for healthy eating and physical activity in out-of-school time, the National Institute on Out-of-School Time, or other similar programs;
 - b) The after school program provides regular and ongoing nutrition education to each program attendee to help the program attendee develop and practice healthy habits;
 - c) The after school program ensures that each program attendee participates, on a daily basis, in an average of 30 to 60 minutes of moderate to vigorous physical activity, consistent with Guidelines 7 and 8 of the CDE's California After School Physical Activity Guidelines;
 - d) Screen time is limited during the operational hours of the after school program and is only allowed in connection with homework, educational experience, or an activity that engages program attendees in physical activity;
 - e) Healthy foods, including, but not limited to, fruits or vegetables without added sugar, are served to program attendees as snacks on a daily basis, and fried foods, candy, or foods that are primarily sugar-based, high in sodium, or include trans fat are not served to program attendees or consumed by staff during the after school program's hours of operation;
 - f) Program attendees are served water, low-fat or nonfat milk, nonfat flavored milk, or 100 percent fruit juice; safe and clean drinking water is available and accessible at all times to program attendees and staff; milk and fruit juices are not served in quantities exceeding eight ounces per day; sugar-sweetened beverages are not served to program attendees;

and staff of the after school program do not consume sugar-sweetened beverages at the after school program site;

- g) If the after school program conducts a fundraiser during after school program hours:
 - i) Items sold shall be in compliance with the requirements of (e) and (f) above;
 - ii) Sales shall be in compliance with United States Department of Agriculture Competitive Food Sales regulations; and
 - iii) Sales shall not be scheduled during snack or meal service.
- h) If the after school program is located on a schoolsite, the program communicates with the school regarding nutrition education and physical activity, as appropriate, to provide the program attendees with a complete educational experience, and all activities must adhere to the school district's wellness policy;
- i) The after school program has implemented an educational program for parents of program attendees that provides the parents with nutrition and physical activity information relevant to the after school program and the health of their children; and
- j) Information about the implementation of requirements identified above is available for review by a parent at both the physical location of the after school program and on the after school program's website, if there is one, and the after school program maintains in its records a document signed by all parents acknowledging that they are aware of the DASH program requirements and policies to institute and reinforce these specific healthy behaviors for all children served in the after school program.

2) Defines the following terms:

- a) "After school program" means the After School Education and Safety (ASES) program, the 21st Century Community Learning Centers program, 21st Century High School After School Safety and Enrichment for Teens (ASSETS), and other qualified out-of-school time programs located on public schoolsites;
- b) "Program attendee" means a person enrolled in an after school program or summer program; and
- c) "Screen time" means time spent viewing or working on television, videos, computers, and hand-held devices, with or without internet access.

3) Requires the CDE to include all resources and links that an after school program may use to meet the requirements above.

4) Requires the recognition program process to provide an after school program with the option to apply for a certificate, using a template designed by the CDE, that includes a document, signed by the principal of the school, demonstrating the manner in which the after school program meets specified criteria.

- 5) Provides that a certificate is valid for two calendar years and requires an after school program that wishes to apply for recertification to submit a new application that the program continues to follow the DASH Recognition Program criteria.
- 6) Requires the CDE to maintain and update a list of after school programs that qualify and to post that list on its website, including the date of qualification for each after school program.
- 7) States that funding for the DASH Recognition Program be subject to an appropriation being made for its purposes in the annual Budget Act or another statute, or the receipt of funding from non-state sources.

EXISTING LAW:

- 1) Establishes the ASES program, passed by voters as Proposition 49 in 2002, which provides \$550 million annually for before and after school programs for K-9 students. Priority for funding is granted to schools where at least 50 percent 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. (Education Code (EC) 8482 et seq.)
- 2) Establishes the 21st Century Community Learning Centers to support after school programs serving eligible high school pupils. (EC 8484.7 et seq.)

FISCAL EFFECT: According to the Senate Appropriations Committee, “The CDE estimates ongoing General Fund costs of approximately \$180,000 and the equivalent of 1.1 full-time positions to re-establish and implement the program. However, based on the cost of the previous program that expired on January 1, 2018, the actual amount is likely to be lower.”

COMMENTS:

Need for the bill. The DASH program was established in 2014 with a sunset date of January 1, 2018. As no legislation was enacted prior to that date, the program was repealed. This bill would reestablish the program.

According to the author, “The health and wellbeing of children in childcare is critically important as childhood obesity rates continue to rise from already dangerously high levels. The consequences of childhood obesity threaten not only the quality of life for children in California, but also the fiscal viability of the state’s health care system. It is estimated that California faces potentially catastrophic healthcare costs reaching as high as \$52.7 billion related to child obesity.

SB 346 re-creates the Distinguished After School Health (DASH) Recognition Program, a critical tool to combat this problem of childhood obesity. The DASH program is a certification program for on schoolsite after school youth programs that meet specific healthy eating and physical activity standards that have been determined to help children lead healthier, more productive lives. Through DASH certification, these youth programs are recognized for having program curriculum that match the DASH standards for nutrition and physical activity for youth. Through being recognized as DASH certified, the intent is for families to want to have their kids participate in these programs and learn the critical lessons of healthy eating and exercise offered

by these programs so that they can lead more healthy and successful lives, as well as share those lessons with their community.”

Rates of childhood obesity and diabetes. In recent years, significant attention has been given to children’s nutritional intake, including foods and beverages consumed at school, as a result of the rising incidence of children who are overweight or obese. Obesity is associated with an increased risk of type 2 diabetes, cardiovascular disease, and cancer, as well as a lower life expectancy. American childrens’ diets are often high in saturated fat, added sugar, and sodium.

According to the Trust for America’s Health, *State of Obesity* report, 15.1% of California 10-17 year olds were considered obese in 2011 and 13.9% of high school students were identified as obese in 2015. Additional data from the UCLA Center for Health Policy Research shows that 38% of California 5th, 7th, and 9th graders were overweight or obese in 2010, down slightly from 38.44% in 2005.

Afterschool programs in California. The After School Education and Safety (ASES) Program funds the establishment of local after school education and enrichment programs, 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. The current funding level for the ASES program is \$600 million.

California's 21st Century Community Learning Centers (CCLC) Program and the 21st Century High School After School Safety and Enrichment for Teens (ASSETs) Program are state-administered, federally funded programs that provide five-year grant funding to establish or expand before- and after-school programs that provide disadvantaged kindergarten through twelfth-grade students (particularly students who attend schools in need of improvement) with academic enrichment opportunities and supportive services to help the students meet state and local standards in core content areas. Total state and federal funding for these two programs is \$149 million.

According to the CDE, a total of 859,098 students from kindergarten through twelfth grade participated in one of these three afterschool programs in 2015-16. This represents approximately 14% of the total student population in California. The demographic breakdown illustrates that the programs are often serving high needs populations:

- 81% of the students qualify for free and reduced price meals;
- 31% of the students are English learners; and
- 69.5% of the students are Hispanic.

Evaluation of the DASH Recognition Program. According to a 2016 study by RTI International titled *Using State Laws & Regulations to Promote Healthy Eating and Physical Activity in Afterschool Programs*, California was the first state to pass legislation establishing a voluntary healthy eating and physical activity recognition program. In 2016, California appropriated \$177,000 for the DASH Recognition Program.

The study notes that the first round of DASH Program applications were received by the CDE in spring 2016 and included 202 applications from over 4,200 elementary and middle school

programs eligible to participate in the program. Of those that applied, 190 programs were DASH certified.

The RTI report noted challenges facing the DASH program:

- The program relies on self-certification of the achievement of the DASH standards, but does require supporting documentation and the signature of the principal of the school where the program operates. CDE convened a team of reviewers to examine the initial round of applications and accompanying documentation, which has proved to be an onerous process.
- For the initial round, the DASH certification was only available to programs operating at elementary and middle schools with a focus on ASES grantees, which excluded other after school programs.
- The only benefit to DASH certification is the receipt of a certificate and listing on a state website, which may be insufficient to encourage programs to apply.
- The original 2018 sunset date allowed for two cycles of the DASH program application process, which may not allow for sufficient time to demonstrate the value of the program or to make necessary modifications to improve it.
- The \$177,000 one-time allocation of funding provided only for the administration of the DASH program at the CDE with limited or no funding available for training or technical assistance to local programs.

This bill, re-establishing the DASH program, continues to limit the recognition to those programs located at public schoolsites due partially to the ability of the CDE to conduct the necessary oversight. SB 346 does extend the program allowing for additional time to demonstrate the effectiveness of the program or to make necessary modifications to improve it. Other recommendations from the RTI study have not been addressed.

Arguments in support. According to the California Department of Education “The DASH program is about acknowledging those after school programs that are making health a priority for their children. According to the American Heart Association, 23.9 million children in the United States between the ages of two to nineteen are overweight or obese. The DASH program incentivizes after school program providers to meet the healthy standards parents are seeking for their children. After school program providers are critical in improving children’s eating and physical activity habits and should be encouraged and recognized for providing excellent nutrition and physical activity in their programs. Since 2016, the DASH program has recognized approximately 400 after school programs until it sunset on January 1, 2018.”

Related legislation. SB 55 (Jackson) of the 2017-18 Session would have deleted the January 1, 2018 sunset date for the DASH Recognition Program, thereby extending the program indefinitely. This bill was held in the Assembly Appropriations Committee.

SB 949 (Jackson), Chapter 369, Statutes of 2014, established the DASH Recognition Program.

REGISTERED SUPPORT / OPPOSITION:

Support

American Academy of Pediatrics, California
American Cancer Society Cancer Action Network Inc.
American Federation of State, County And Municipal Employees, AFL-CIO
American Heart Association
California Department of Education
California State Alliance of YMCAs
International Health, Racquet & Sports Club Association
Santa Barbara County

Opposition

None on file

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