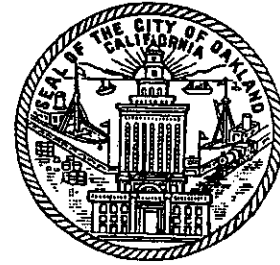


CITY OF OAKLAND

BILL ANALYSIS



Date: May 25, 2006
Bill Number: Senate Bill 638
Bill Author: Torlakson

DEPARTMENT INFORMATION

Contact: Sandra Taylor
Department: Department of Human Services

Telephone: 238-7163 **FAX #** 238-4971 **Email:**sltaylor@oaklandnet.com

RECOMMENDED POSITION: STRONGLY SUPPORT

Summary of the Bill

SB638 revises Proposition 49 which is expected to trigger additional funding for after school programs under the After School Education and Safety Program in 2006-2007. It creates a direct grant mechanism for the After School Education and Safety program (ASES) and the federal 21st Century Community Learning Center programs at public school sites that will increase flexibility and reduce administrative burdens for program start-up at additional school sites starting after school due to Proposition 49 implementation.

This bill will increase the maximum ASES grant available for elementary and middle schools and decrease the local match requirement for each school site. The bill prioritizes current school recipients of ASES and 21st CCLC funding and low-income public schools for Prop 49 funds, and addresses accountability and the evaluation system for ASES grantees. The bill increases the amount of 21st Century funds available for high schools.

Positive Factors for Oakland

- Increases grant size specified in Proposition 49 from \$50,000 to \$112,000 for elementary schools and \$75,000 to \$150,000 for middle schools, providing access to more students and enhanced programming.
- Reduces administrative burden on the Oakland Unified School District by improving the application process and reducing the paperwork for reimbursement through the direct grant mechanism.
- Reduces the local match requirement from 50% to 33% of the ASES grant, making the addition of schools as participating ASES sites more economically feasible.
- Prioritizes low-income schools and current ASES and 21st Century elementary and middle schools for ASES funding.

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OFFICE OF THE CLERK

Negative Factors for Oakland

None noted.

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

- Critical** (top priority for City lobbyist, city position required ASAP)
- Very Important** (priority for City lobbyist, city position necessary)
- Somewhat Important** (City position desirable if time and resources are available)
- Minimal or** **None** (do not review with City Council, position not required)

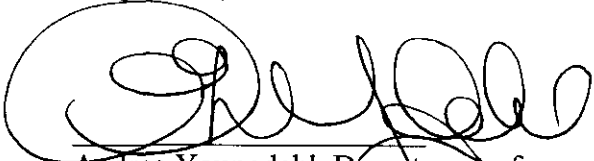
Known support:

Bay Area Partnership
Children Now
Alameda Child Care Planning Council
California Tomorrow
Fight Crime: Invest in Kids

Known Opposition:

None listed.

Respectfully Submitted,



Andrea Youngdahl, Department of
Human Services

Approved for Forwarding to
Rules Committee

Cheryl P. Thompson
Office of City Administrator

Item: _____
Rules & Legislation Comte.
May 25, 2006

BILL NUMBER: SB 638 AMENDED
 BILL TEXT

AMENDED IN ASSEMBLY MAY 3, 2006
 AMENDED IN ASSEMBLY FEBRUARY 21, 2006
 AMENDED IN ASSEMBLY JUNE 2, 2005

INTRODUCED BY Senator Torlakson
 (Coauthors: Senators Alquist, Denham, Lowenthal, Romero, Simitian,
 and Soto)

FEBRUARY 22, 2005

~~An act to amend Sections 8482.5, 8482.55, 8483.55, 8483.7, 8483.75, 8484, and 8484.8 of, and to repeal Sections 8482.5 and 8483.7 of, the Education Code, relating to before and after school programs, and making an appropriation therefor.~~
 An act to amend Sections 8421, 8422, 8423, 8425, 8426, 8427, 8428, 8482.3, 8482.55, 8483, 8483.1, 8483.2, 8483.3, 8483.55, 8483.75, 8484, and 8484.8 of, to add Sections 8421.5 and 8482.4 to, and to repeal and amend Sections 8482.5 and 8483.7 of, the Education Code, relating to before and after school programs, making an appropriation therefor .

LEGISLATIVE COUNSEL'S DIGEST

SB 638, as amended, Torlakson ~~After School Education and Safety Program~~ Before and after school programs

(1) Existing law, the 21st Century High School After School Safety and Enrichment for Teens program (ASSETs act), provides that the purpose of the program is to create incentives for establishing locally driven after school enrichment programs that partner schools and communities to provide academic support and safe, constructive alternatives for high school pupils in the hours after the regular schoolday. The ASSETs act, commencing with the 2006-07 fiscal year, requires a program to comply with the State Department of Education's requirements for hours and days of program operation. Existing law requires an applicant for a grant to run a program pursuant to the ASSETs act to meet specified requirements.

This bill would provide that an additional purpose of the program is to assist pupils in passing the high school exit examination. The bill would require a program to operate for a minimum of 15 hours per week. The bill would revise the requirements that a grant applicant is required to meet.

The bill would require the department to provide notice to schools eligible for grants, as specified, and impose additional requirements on the department with respect to review of grant applications. The bill would require a specified committee to make recommendations to the department and the Legislature with respect to reporting requirements for high school programs operating pursuant to the ASSETs act, as specified. The bill would require the department to review the recommendations and present them to the State Board of Education, and would require the state board to adopt regulations for program evaluation and review, as specified.

(2) The ASSETs act imposes requirements for priority funding, and requires the department to consider specified criteria in awarding grants pursuant to the ASSETs act.

The bill would revise those priorities and criteria.

(3) The ASSETs act provides that a grantee that establishes a program pursuant to the ASSETs act is eligible to receive a five-year grant, subject to annual reporting and recertification as required by the department, for upfront payments of up to \$250,000 per year per program.

The bill, instead, would provide that a grantee that establishes a program is eligible for a five-year grant of up to \$250,000 per year per site in a program, subject to quarterly attendance reporting, as specified. The bill would impose additional requirements on the department and recipients, with respect to the grants.

(4) The ASSETs act requires a high school after school program established pursuant to the ASSETs act to submit to the department annual outcome-based data for evaluation, as specified.

The bill would revise and increase the data that is required.

(5) The bill would make additional, related changes to the ASSETs act.

~~(1)~~

(6) Existing law, the After School Education and Safety Program Act of 2002 (existing act) , enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. The act provides a formula for determining an amount to be continuously appropriated from the General Fund to the State Department of Education for purposes of the program.

The existing act imposes requirements on applicants for grants made pursuant to the existing act, with respect to their applications and the programs receiving grants pursuant to the applications.

The bill would substantially revise those requirements.

The bill would require the department to review applications submitted pursuant to the existing act to determine whether specified requirements have been met, and would require the department to use specified formulas to determine the appropriate grant amount. The bill would impose requirements on the department with respect to timing of grants and grant notifications. The bill would require the department to provide notice to schools eligible for grants, as specified.

The bill would require a specified committee to submit to the department recommendations on reporting requirements, as specified, and would require the department to review the recommendations and present them to the state board, as specified. The bill would require the state board to adopt requirements for program evaluation and review, as specified.

(7) The existing act requires that grants made to public schools under the program for the 2003-04 fiscal year continue to be funded in each subsequent fiscal year at the 2003-04 fiscal year level before any other grants are funded under the act, if those schools continue to make application for the grants and are otherwise qualified under the act. The existing

act imposes grant maximums for after school programs, as specified.

This bill, additionally, would ~~require that~~ give priority to recipients of grants made ~~to public elementary, middle, and junior high schools~~ during the 2006-07 grant year under a specified provision of existing law that the bill would modify, relating to community learning centers ~~, for the 2002-03, 2003-04, and 2004-05 fiscal years, continue to be funded under the act in each subsequent fiscal year immediately following the expiration of the grant made under the specified provision of law, at the same award level as the grant was funded under the specified provision of law for the 2004-05 fiscal year, before any grants are funded under certain provisions of the act, if the school applies for the grant and is otherwise qualified under the act~~, as specified

. The bill would provide an exception to grant maximums, as specified, for a recipient of such a grant. The bill would increase grant maximums for after school programs, as specified.

~~(2)~~

(8) The existing act exempts the grants described in ~~(1)~~ (6) above from a requirement that priority for funding under the act be given to schools where a minimum of 50% of the pupils in elementary schools and 50% of the pupils in middle and junior high schools are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture.

This bill would delete that exemption, and would require programs that qualify for that priority funding to be funded based on the maximum grants authorized, as specified.

(9) The existing act requires a before school component of a program to begin at or before 6:00 a.m. or 2 hours before the beginning of a regular schoolday, but authorizes a program to operate less than 2 hours, but no less than 1 1/2 hours, per regular schoolday. The existing act provides that a school is not eligible to receive funds for a pupil who attends less than 1/2 of the daily program hours.

The bill would delete the requirement that a before school component of a program begin at or before 6:00 a.m. or 2 hours before the beginning of a regular schoolday. The bill, instead of providing for that ineligibility in (9) above, would prohibit a pupil who attends less than 1/2 of the daily program hours from being counted for the purposes of attendance. The bill would require a before school component of a program to offer a breakfast meal, as specified.

(10) The existing act require a program electing to operate both a before and after school component of a program for the same pupils during specified periods to operate these programs for a minimum of 5 hours per day, as specified.

The bill would reduce that amount of time to 4 1/2 hours per day.

(11) The existing act requires the department to consider specified criteria when selecting schools to participate in the program, as specified.

The bill would modify those criteria.

~~(3)~~

(12) The existing act provides a formula for determining an amount to be continuously appropriated from the

General Fund to the department for purposes of the program. The existing act allows the department to spend 11/2 % of the appropriated funds to cover evaluation costs, to provide training and support, and to pay its costs of awarding and monitoring grants.

This bill would require that the training and support provided by the department include, but not be limited to, the development and distribution of voluntary guidelines for physical activity programs, as specified. *The bill would require the department to order an independent statewide evaluation of the programs funded pursuant to the existing act to be prepared and submitted to the Legislature and the Governor, as specified.*

~~(4)~~

(13) The existing act requires that all funds remaining from the continuous appropriation after certain grants have been funded to be distributed as 3-year renewable incentive grants under certain provisions of existing law. *The existing act provides that a school that receives one of those grants is subject to annual reporting and recertification as required by the department.*

This bill would revise the funding formulas and maximums for the grants, and provide that a school is subject to quarterly attendance, rather than annual, reporting and recertification once every 3 years as required by the department

The bill would authorize and require the department to reduce grant amounts for reasons related to attendance, as specified, and authorize the department to terminate the grant for a site or program that does not comply with specified reporting requirements, fails to demonstrate measurable program outcomes as specified, or has a specified attendance level. The bill would impose priority requirements for the grants and would revise matching fund requirements.

(14) The existing act provides that a school with a certain before school program is eligible for a 3-year renewable grant, that is subject to annual reporting. The existing act provides that the school receiving the grant may choose one of 2 funding formulas for the grant.

The bill would provide that a school is subject to quarterly attendance, rather than annual, reporting, and would revise the funding formulas and maximums for the grants. The bill would revise matching fund requirements.

(15) The existing act requires programs to submit annual outcome-based data for evaluation, as specified.

The bill would modify and specify the data required to be submitted. The bill would require the department to order a statewide independent evaluation of the programs funded pursuant to the existing act to be prepared and submitted to the Legislature, as specified, and require the department to collect specified information.

~~(5)~~

(16) Existing law provides for the funding of specified community learning center programs.

This bill would revise the amounts required to be made available for those programs.

(17) The bill would make additional, related changes to the existing act.

~~(6)~~

(18) Because this bill would make money that is continuously appropriated specifically available for these new

purposes, the bill would make an appropriation.

~~(7)~~

(19) The existing act authorizes the Legislature to amend certain of its provisions to further its purposes by majority vote of each house.

Certain other provisions of the existing act relating to funding priorities, as described in ~~(1)~~ (7) and ~~(2)~~ (8) above, may be amended by the Legislature only by a 2/3 ~~majority~~ vote of each house and signed by the Governor if the amendment furthers the purposes of the act.

This bill would set forth a legislative finding and declaration that the proposed amendments further the purposes of the existing act.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8421 of the Education Code is amended to read:

8421. There is hereby established the 21st Century High School After School Safety and Enrichment for Teens program. The purpose of the program is to create incentives for establishing locally driven after school enrichment programs that partner schools and communities to provide academic support and safe, constructive alternatives for high school pupils in the hours after the regular schoolday , and that may assist pupils in passing the high school exit examination required for high school graduation pursuant to Chapter 9 (commencing with Section 60850) of Part 33 for public school programs .

(a) ~~A minimum of 10 high~~ High school after school programs shall ~~be established to~~ serve pupils in grades 9 to 12, inclusive.

(b) A high school after school program established pursuant to this article shall consist of the following two ~~components~~ elements :

(1) An academic assistance ~~component~~ element that shall include, but need not be limited to, at least one of the following: preparation for the high school exit examination, tutoring, homework assistance, or college preparation, including information about the Cal Grant Program established pursuant to Article 3 (commencing with Section 69530) of Chapter 2 of Part 42. The assistance shall be aligned with the regular academic programs of the pupils.

(2) An educational enrichment activities ~~component~~ element that may include, but need not be limited to, community service, career and technical education, job readiness, opportunities for mentoring and tutoring younger pupils, service learning, arts, computer and technology training, physical fitness, and recreation activities.

(c) A program shall ~~comply with locally determined requirements related to hours and days of program operation through the 2005-06 fiscal year. Commencing with the 2006-07 fiscal year and thereafter, a program shall comply with the requirements of the department related to the hours and days of program operation~~ operate for a minimum of 15 hours per week .

(d) An entity may operate programs on one or multiple sites. If an

entity plans to operate programs at multiple sites, only one application is required.

(e) A program may operate on a schoolsite or on another site approved by the department during the grant application process. A program located off school grounds shall not be approved unless both of the following criteria are met:

(1) Safe transportation is available to transport participating pupils if necessary.

(2) The program is at least as available and accessible as similar programs conducted on schoolsites.

(f) Applicants for grants pursuant to this article shall ensure that all of the following requirements are fulfilled, if applicable:

(1) The application includes a description of the activities that will be available for pupils and lists the program hours.

(2) The application includes an estimate of the following:

(A) The number of pupils expected to attend the program on a regular basis.

(B) The average hours of attendance per pupil.

(C) The percentage of pupils expected to attend the program less than three days a week, three days a week, and more than three days a week, for each quarter or semester during the grant period.

(3) The application documents the commitments of each partner to operate a program at a location or locations that are safe and accessible to participating pupils.

(4) The application ~~demonstrates~~ certifies that pupils were involved in the design of the program and describes the extent of that involvement.

(5) The application identifies federal, state, and local programs that will be combined or coordinated with the high school after school program for the most effective use of public resources, and describes a plan for implementing the high school after school program beyond federal grant funding.

(6) ~~The applicant complies with all federal requirements in preparing and submitting the application, as described in the request for applications of the department.~~ The application has been approved by the school district and the principal of each participating school for each schoolsite or other site.

(7) The application includes a certification that the applicant has complied with the requirement in subdivision (b) of Section 8422.

(8) The application includes a certification that each applicant or partner in the application agrees to do all of the following:

(A) Assume responsibility for the quality of the program.

(B) Follow all fiscal reporting and auditing standards required by the department.

(C) Provide information to the department for the purpose of program evaluation pursuant to Section 8427.

(D) Acknowledge that program evaluations will be based upon the criteria in Section 8427.

(9) Certify that the applicant has complied with all federal requirements in preparing and submitting the application.

(g) The department shall not establish minimum attendance requirements for individual pupils.

(h) It is the intent of the Legislature, that to the extent possible, the department require applicants to submit the information

required by this section in a short and concise manner.

SEC. 2. Section 8421.5 is amended to the Education Code , to read:

8421.5. (a) (1) The department shall provide notice to all schools eligible for grants under this article of the availability of those grants as well as the application process.

(2) The department shall make the application available through its Internet Web site. The department shall periodically review the applications for funding on dates determined by the department.

(b) The department shall review all applications for their inclusion of the requirements of subdivision (f) of Section 8421 and Section 8423.

(c) (1) The Advisory Committee on Before and After School Programs shall make recommendations to the department on reporting requirements for high school programs operating pursuant to this article for program evaluation and review consistent with Section 8427 on or before March 1, 2007.

(2) The Advisory Committee on Before and After School Programs shall provide the Legislature a copy of these recommendations on or before March 1, 2007.

(3) The department shall review those recommendations and present them to the state board on or before May 1, 2007.

(4) The state board shall adopt requirements for program evaluation and review on or before August 1, 2007.

SEC. 3. Section 8422 of the Education Code is amended to read:

8422. (a) Priority for funding pursuant to this article shall be given to programs that ~~serve pupils who attend schools whose scores~~ :

(1) Serve pupils attending a school whose most recent score on the Academic Performance Index ~~are ranked~~ ranks the school in the lowest ~~three~~ 3 deciles.

(2) Previously received funding pursuant to Section 8421, with expiring grants that have satisfactorily met their projected attendance goals and other measures as required by the department.

(b) A program established pursuant to this article shall be planned through a collaborative process that includes parents, pupils, representatives of participating schools, governmental agencies, including city and county parks and recreation departments, community organizations, law enforcement, and, if appropriate, the private sector.

(c) A ~~high school after school~~ program established pursuant to this article is not required to charge family fees or to conduct individual eligibility determination based on need or income.

(d) A program established pursuant to this article shall have the option of operating ~~after~~ under either of the following modes:

(1) After school only ~~or after~~ .

(2) After school and during any combination of ~~—~~ before school, weekends, summer, intersession, and vacation.

SEC. 4. Section 8423 of the Education Code is amended to read:

8423. (a) The ~~State Department of Education~~ department shall select ~~a minimum of 10 programs~~ grantees to participate in the 21st Century High

School After School Safety and Enrichment for Teens program from among applicants that apply on forms and in a manner prescribed by the department. To the extent possible, the selection of applicants by the department shall result in an equitable distribution of grant awards to applicants in northern, southern, and central California, and in urban, suburban, and rural areas of the state.

(b) ~~The State Department of Education~~ department shall consider the following criteria in awarding grants ~~, with primary emphasis given to the criteria described in paragraphs (1) to (9), inclusive :~~

(1) Strength of the educational ~~component~~ element and alignment with state academic standards, preparation for the high school exit ~~examination~~ exam , and other academic interventions.

(2) ~~Quality~~ Strength of the enrichment ~~component~~ element .

~~(3) Strength of staff training and development component and degree to which staff training is integrated with training of regular schoolday staff.~~

~~(4) Scope and strength of~~

(3) Evidence of community collaboration, including demonstrated support of the principal and staff from participating schools.

~~(5) Completion of a needs assessment in which pupils express which activities or programs are most desired by them. The needs assessment shall be conducted with a representative group of pupils reflective of the ethnicity and academic standing of the student body of the school.~~

~~(6) Scope and quality of actions taken to solicit input on program design from, and to assess the needs of, pupils considered at risk or in need of academic support.~~

~~(7) Strength of plans~~

(c) In awarding grants, the department shall certify that a program will contain the following criteria:

(1) A needs assessment of pupils' preferences for program activities, and a brief description on how these preferences will be periodically reexamined in order to maintain strong pupil interest in the program.

(2) Plans to attract pupils, particularly pupils considered at risk or in need of academic support, on a regular basis.

~~(8)~~

(3) Demonstrated capacity to administer a successful high school after school program.

~~(9)~~

(4) Availability of after school programs at elementary and middle schools attended by pupils from participating schools for purposes of continuity and linkages among programs.

~~(10)~~

(5) Access to and availability of computers and technology.

~~(11)~~

(6) Inclusion of a nutritional snack and a physical activity element .

~~(12)~~

(7) Capacity to respond to program evaluation requirements.

~~(13)~~

(8) Demonstrated fiscal accountability.

~~(c) The State Department of Education shall develop reporting requirements and allocation procedures, including procedures to reimburse startup costs for programs established pursuant to this article.~~

SEC. 5. Section 8425 of the Education Code is amended to read:

8425. The ~~State Department of Education~~ department shall implement this program only to the extent that federal funds are appropriated by the Legislature for purposes of the program. It is the intent of the Legislature that available federal funds be appropriated annually for the program established pursuant to this article, through the annual Budget Act.

(a) Of the funds appropriated for the program in the first year, two hundred fifty thousand dollars (\$250,000) shall be allocated to the ~~State Department of Education~~ department to conduct a three-year evaluation of the programs established pursuant to this article and to make recommendations for future program expansion. The recommendations shall be provided to the state board and the Legislature on or before July 1, 2007.

(b) The ~~State Department of Education~~ department may spend up to 3 percent of the funds appropriated for purposes of this article to provide training by qualified and experienced personnel, to convene regular meetings among grantees, and to ensure quality program implementation and sustainability, including unscheduled site visits.

SEC. 6. Section 8426 of the Education Code is amended to read:

8426. (a) (1) A grantee that establishes a program pursuant to this chapter is eligible to receive a five-year grant ~~subject to annual reporting and recertification as required by the State Department of Education, for upfront payments~~ of up to two hundred fifty thousand dollars (\$250,000) per year per site in a program, subject to quarterly attendance reporting. Funding for a grant shall be allocated in annual increments for a period of not more than five years, contingent upon the availability and appropriation of federal funds by the Legislature for those grants.

(2) The department shall notify new grantees of their award status and dollar amount of the award, if any, in writing on or before May 15 of each year in which new grants are awarded.

(3) A first year grant award shall be made no later than 60 days after enactment of the annual Budget Act and any authorizing legislation. A grant award for the second and subsequent fiscal years shall be made no later than 30 days after enactment of the annual Budget Act and any authorizing legislation.

(b) (1) Not more than 15 percent of each annual grant amount may be used by a grantee for administrative costs. For purposes of this article, administrative costs shall include indirect costs. Indirect costs shall not exceed the lesser of the following:

(A) The grantee's indirect cost rate, as approved by the department for the appropriate fiscal year.

(B) Five percent of the state program funding received pursuant to this article.

(2) In addition to the funding allowed for administrative costs pursuant to paragraph (1), up to 15 percent of the first year's annual grant award for each core grant recipient may be utilized for startup costs.

(3) Funding made available pursuant to this subdivision shall not result in an increase in the total funding of a grantee above the

approved grant amount.

(c) Grantees are subject to quarterly attendance reporting during each year of the grant.

(1) If actual pupil attendance is significantly below the proposed levels in any year of the grant, the department shall provide technical support for development of a program improvement plan for the grantee. If the actual attendance falls below 75 percent of the proposed attendance level at the end of the second year of the grant, the department may reduce funding for the grantee.

(2) The department shall adjust the grant level of any school in the program that is under its proposed attendance level by more than 15 percent in each of two consecutive years.

(3) In any year that the actual attendance level of a school within the program falls below 75 percent of the proposed attendance level, the department shall perform a review of the program and may adjust the grant level as the department deems appropriate.

(d) Notwithstanding any other provision of this section or any other provision of law, the department may at any time terminate the grant of a school in a public school program that fails in three consecutive years to meet either of the following requirements:

(1) Demonstrate program outcomes pursuant to Section 8427.

(2) Attain its proposed attendance levels.

(e) The department shall create a process to allow a grantee to voluntarily lower its annual grant amount if one or more sites are unable to meet the proposed pupil attendance levels by the end of the second year of the grant.

~~(1)~~

(f) (1) The administrator of a program may supplement, but not supplant , existing funding for after school programs with grant funds awarded pursuant to this article.

~~(2) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance may funding for startup costs result in an increase in the grant recipient's total funding above the approved grant amount.~~

~~(3) A program participant may expend on indirect costs no more than the lesser of the following:~~

~~(A) The school district's indirect cost rate, as approved by the State Department of Education for the appropriate fiscal year.~~

~~(B) Five percent of the state program funding received pursuant to this article.~~

~~(4) A program participant may expend no more than 15 percent of its grant award on administrative costs. For purposes of this section, administrative costs shall include indirect costs, as described in paragraph (3).~~

~~(5)~~

(2) In addition to administrative costs, a program participant may expend up to the greater of 6 percent of its state funding or seven thousand five hundred dollars (\$7,500) to collect outcome data for evaluation and for reports to the State Department of Education.

~~(6)~~

(3) All state funding awarded to a program pursuant to this article that remains after subtracting the administrative costs , start up costs, and outcome data costs authorized by

~~paragraphs (5) and (6)~~ subdivisions (b) and (c) shall be allocated to the program site for direct services to pupils.

~~(b)~~

(e) When determining recertification after each grant year, the ~~State Department of Education~~ department may consider whether a program is operating consistent with the terms of its application, including whether the number of pupils served on a regular basis is consistent with the number estimated, and may consider the strength of any justifications or future plans offered by the program to address inconsistencies with the terms of the application. If the ~~State Department of Education~~ department finds that a program is not operating consistent with the terms of its application, the department may take appropriate action, including denying recertification or reducing the level of grant funding.

SEC. 7. Section 8427 of the Education Code is amended to read:

8427. (a) A high school after school program established pursuant to this article shall submit to the ~~State Department of Education~~ department annual outcome-based data for evaluation, including research-based indicators of program quality and ~~outcome measures~~ measurable student outcomes including, but not limited to, academic performance, ~~performance on the high school exit examination, graduation rates to the extent possible,~~ school attendance, ~~and~~ positive behavioral changes, and, to the extent possible, performance on the high school exit examination and graduation rates.

(b) (1) All programs are subject to quarterly attendance reporting. A program shall also submit annual regular school day attendance data results for program participants to the ~~State Department of Education~~ department to facilitate evaluation and compliance with the grant program requirements, as established by the department.

(2) To demonstrate program effectiveness based upon individual program focus, programs shall submit one or more of the following academic measures annually:

(A) Program participant passage rates on the high school exit examination and graduation rates, as applicable.

(B) Homework completion rates.

(C) Program participant test scores on the Standardized Testing and Reporting (STAR) test as applicable.

(D) Pupil or teacher reported academic progress.

(3) To demonstrate program effectiveness based upon individual program focus, programs shall submit one or more of the following youth resiliency measures annually.

(A) Positive behavioral changes, including, but not limited to, participant suspension rates.

(B) California Healthy Kids Survey results.

(C) Pupil reported sense of safety and attitudes about school, consistent with the federal annual performance reporting.

(D) Fitnessgram test results, as applicable.

(4) Programs shall submit information required through the process outlined in subdivision (c) Section 8421.5.

(5) Programs shall select indicators and outcomes pursuant to this subdivision at the beginning of the grant period and shall submit information on the same selected indicators and outcomes annually for

three consecutive years to support program evaluation by the department. At the department's discretion, programs may request to submit different or additional indicators and outcomes after three consecutive years.

(c) A program also shall report all of the following ~~at a minimum, three times~~ annually:

(1) The number of pupils served on a regular basis and the extent of pupil participation.

(2) The average hours of attendance per pupil.

(3) The percentage of pupils that attend the program less than three days a week, three days a week, and more than three days a week.

(4) The extent to which the program attracts pupils considered at risk or in need of academic support.

(d) (1) If a program consistently fails to demonstrate measurable program outcomes for three consecutive years, the department may terminate the program pursuant to the process in subdivision (e) of Section 8426.

(2) For the purposes of this subdivision, "consistently fails to demonstrate measurable program outcomes" means failure to meet program effectiveness requirements pursuant to the criteria in paragraphs (2) and (3) of subdivision (b).

(3) Measurable program outcomes may be demonstrated by the following methods:

(A) Comparing pupils participating in the program to non-participating pupils at the same schoolsite.

(B) Pupils participating in the program demonstrate improvement on one or more indicators collected by the program pursuant to this section.

(e) The department shall develop and disseminate standardized tools to collect the indicators in paragraphs (2) and (3) of subdivision (b).

SEC. 8. Section 8428 of the Education Code is amended to read:

8428. (a) ~~The State Department of Education~~ department shall order an independent statewide evaluation of the ~~program~~ effectiveness of programs funded pursuant to this article to be prepared and submitted to the Legislature. The evaluation shall include a comparison of outcomes for participating pupils and similarly situated pupils who did not participate in a program. ~~An interim evaluation shall be submitted to the Legislature 180 days after the completion of the second year of the program, and a final evaluation shall be submitted 180 days after the completion of the third year of the program.~~ In selecting an independent contractor for this evaluation, the department shall consult the evaluation committee created pursuant to subdivision (e) of Section 8484. A report shall be submitted to the Governor and the Legislature on or before October 1, 2011, providing data that includes, but is not limited to, all of the following:

(1) Data collected pursuant to Section 8427.

(2) Data adopted through the process outlined in subdivision (c) of Section 8421.5 and subdivision (e) of Section 8484.

(3) Number and type of sites and grantees participating in the program.

(4) Pupil program attendance, as reported quarterly, and pupil schoolday attendance, as reported annually.

(5) Pupil program participation rates.

(6) Quality of the program, drawing on the research of the Academy

of Sciences on critical features of programs that support healthy youth development.

SEC. 9. Section 8482.3 of the Education Code is amended to read:

8482.3. (a) The After School Education and Safety Program shall be established to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools.

(b) A program may operate a before school component of a program, an after school component, or both the before and after school components of a program, on one or multiple schoolsites. If a program operates at multiple schoolsites, only one application shall be required for its establishment.

(c) Each component of a program established pursuant to this article shall consist of the following two ~~components~~ elements :

(1) An educational and literacy component ~~whereby~~ element 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 science.

(2) ~~A component whereby~~ An educational enrichment element , ~~which~~ that may include, but need not be limited to, fine arts, career technical education, recreation, physical fitness, and prevention activities ~~is provided~~ .
~~Notwithstanding any other provision of this article, the majority of the time of participation by a pupil who is in kindergarten or any of grades 1 to 8, inclusive, in a career technical education component of a program shall physically take place at a schoolsite described in subdivision (a).~~

(d) Applicants shall agree that snacks made available through a program shall conform to the nutrition standards in Article 2.5 (commencing with Section 49430) of Chapter 9 of Part 27.

~~(d)~~

(e) Applicants for programs established pursuant to this article may include any of the following:

(1) A local ~~education~~ educational agency, including , but not limited to, a charter school.

(2) A city, county, or nonprofit organization in partnership with, and with the approval of, a local ~~education~~ educational agency or agencies.

~~(e)~~

(f) Applicants for grants pursuant to this article shall ensure that each of the following requirements is fulfilled, if applicable:

(1) The application documents the commitments of each partner to operate a program on that site or sites.

(2) The application has been approved by the school district and the principal of each participating school for each schoolsite or other site.

(3) Each partner in the application agrees to share responsibility for the quality of the program.

(4) The application designates the public agency or local ~~education~~ educational agency partner to act as the fiscal agent. For purposes of this section, "public agency" means only a county board of supervisors or ~~where~~

if the city is incorporated or has a charter, a city council.

(5) Applicants agree to follow all fiscal reporting and auditing standards required by the department.

(6) Applicants agree to incorporate into the program both of the elements required pursuant to subdivision (c).

(7) Applicants agree to provide information to the department for the purpose of program evaluation pursuant to Section 8483.55.

(8) Applicants shall certify that program evaluations will be based upon Section 8483.55 and upon any requirements recommended by the Advisory Committee on Before and After School Programs and adopted by the state board, in compliance with Section 8421.5.

(9) The application states the targeted number of pupils to be served by the program.

(g) Grantees shall be subject to a grant renewal process every three-years. Grant awards shall be automatically renewed at the same level, unless adjusted or terminated pursuant to Section 8426 or 8483.7, or discontinued or reduced upon the request of the grantee.

SEC. 10. Section 8482.4 is added to the Education Code , to read:

8482.4. (a) The department shall review applications submitted under this article to determine whether the applicable requirements in subdivision (f) of Section 8482.3 have been fulfilled.

(b) The department shall use the per-pupil formulas established pursuant to subparagraph (C) of paragraph (1) of subdivision (a) of Section 8483.7 and the targeted number of pupils to be served, as established pursuant to paragraph (9) of subdivision (f) of Section 8482.3, to determine the appropriate grant amount.

(c) A grantee that establishes a program pursuant to this chapter is eligible to receive a three-year renewable grant subject to quarterly reporting. Funding for a grant shall be allocated in annual increments for a period of not more than three years, contingent upon the availability of funds for those grants pursuant to Section 8483.5.

(d) The department shall notify new grantees of their award status and dollar amount of the award, if any, in writing on or before June 15 of each year in which new grants are awarded.

(e) A first year grant award shall be made no later than 60 days after enactment of the annual Budget Act and any authorizing legislation. A grant award for the second and subsequent fiscal years shall be made no later than 30 days after enactment of the annual Budget Act and any authorizing legislation.

(f) The department shall allocate the first year grant amount no later than 30 days after the grantee submits the grant award acceptance letter to the department. For the second and subsequent years of the grant, the department shall allocate the annual grant amount for that year no later than 30 days after the annual Budget Act becomes effective.

(g) The Advisory Committee on Before and After School Programs shall make recommendations on reporting requirements for program evaluation and review consistent with subdivision (b) of Section 8483.55 to the department on or before June 30, 2007. The department shall review the committee's recommendations and present them, along with the department's recommendations, to the state board on or before September 30, 2007. The state board shall adopt requirements for program evaluation and review on or before November 30, 2007.

(h) (1) The department shall provide notice to all schools

eligible for grants pursuant to this article regarding the availability of those grants and the application process.

(2) The department shall make the application available through its Internet Web site. The department shall determine the dates by which applications will be periodically considered for funding.

SEC. 11. Section 8482.5 of the Education Code , as amended by Section 2.6 of Chapter 320 of the Statutes of 1998, is repealed.

~~8482.5. (a) Priority for funding programs established pursuant to this article shall be given to schools where a minimum of 50 percent of the pupils in elementary schools and 50 percent of the pupils in middle and junior high schools are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture.~~

~~(b) Every program established pursuant to this article shall be planned through a collaborative process that includes parents, youth, and representatives of participating schoolsites, governmental agencies, such as city and county parks and recreation departments, community organizations, and the private sector.~~

SEC. 12. Section 8482.5 of the Education Code , as amended by Section 2.5 of Chapter 320 of the Statutes of 1998, is repealed.

~~8482.5. (a) Priority for funding programs established pursuant to this article shall be given to schools where a minimum of 50 percent of the pupils in elementary schools and 50 percent of the pupils in middle and junior high schools are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture.~~

~~(b) Every program established pursuant to this article shall be planned through a collaborative process that includes parents, youth, and representatives of participating schoolsites, governmental agencies, such as city and county parks and recreation departments, community organizations, and the private sector.~~

SEC. 13. Section 8482.5 of the Education Code , as amended by Section 7 of Proposition 49, is amended to read:

8482.5. (a) ~~Priority~~ Notwithstanding subdivision (c) of Section 8482.55, priority for funding programs established pursuant to this article ~~—, except those established pursuant to subdivision (c) of Section 8482.55,~~

shall be given to schools where a minimum of 50 percent of the pupils in elementary schools and 50 percent of the pupils in middle and junior high schools are eligible for free or reduced-cost meals through the school lunch program of the United States Department of Agriculture. Programs that qualify for funding pursuant to this subdivision shall be funded based on the maximum grants authorized pursuant to Section 8483.7.

(b) Every program established pursuant to this article shall be planned through a collaborative process that includes parents, youth, and representatives of participating public schools, governmental agencies, such as city and county parks and recreation departments, local law enforcement, community organizations, and the private sector.

SEC. 14. Section 8482.55 of the Education Code is amended to read:

8482.55. (a) To accomplish the purposes of the After School Education and Safety Program, commencing with the fiscal year beginning July 1, 2004, and for each fiscal year thereafter, all grants made pursuant to this article shall be awarded as set forth in this section.

(b) (1) Grants made to public schools pursuant to this article for the 2003-04 fiscal year shall continue to be funded in each subsequent fiscal year at the 2003-04 fiscal year level before any other grants are funded under this article, provided ~~such~~ those schools continue to make application for ~~such~~ the grants and are otherwise qualified pursuant to this article. Receipt of a grant at the 2003-04 fiscal year level made pursuant to this subdivision shall not affect a school's eligibility for additional grant funding as permitted in subdivisions (c) and (d) up to the maximum grants permitted in Sections 8483.7 and 8483.75.

(2) A grantee funded pursuant to subdivision (d) of Section 8484.8 may apply for a grant pursuant to this article to fund a program that is funded pursuant to Section 8484.8 during the 2006-2007 grant year. That application shall be funded before any new grant is funded pursuant to this article, if the program is otherwise qualified pursuant to this article. The grantee shall receive the same amount of grant funding that it received pursuant to Section 8484.8 in the fiscal year prior to the year for which the applicant requests funding pursuant to this article. Receipt of a grant pursuant to this paragraph does not affect a school's eligibility for additional grant funding as permitted in subdivisions (c) and (d), up to the maximum grants permitted in Sections 8483.7 and 8483.75.

(3) (A) Sites funded concurrently pursuant to subdivision (d) of Sections 8484.8 and this article in the 2006-2007 grant year are an exception to the grant maximums in Section 8483.7. Maximums for sites that receive priority pursuant to both paragraphs (1) and (2) shall be determined by the number of pupils attending the concurrent program in the fiscal year prior to the year for which the applicant requests funding for a program pursuant to Section 8484.8 multiplied by per pupil formulas pursuant to 8483.7.

(B) In order to qualify for priority pursuant to paragraph (2), the grantee shall notify the department for funding pursuant to paragraph (2) on or before a date established by the department that is prior to the date by which the department awards new grants pursuant to this article.

(c) ~~Every~~ Each public elementary, middle, and junior high school in the state shall be eligible to receive a three year renewable ~~incentive~~ direct grant for after school programs to be operated during the regular school year, as provided in subparagraph (A) of paragraph (1) of subdivision (a) of Section 8483.7. Except as provided in this subdivision, grants for after school programs made pursuant to this subdivision shall be subject to all other sections of this article. Grants for after school programs made pursuant to this subdivision shall not exceed ~~fifty thousand dollars (\$50,000)~~

~~seventy-five thousand dollars (\$75,000)~~ for each regular school year for each elementary school or ~~seventy-five thousand dollars (\$75,000)~~ one hundred twelve thousand

dollars (\$112,000) for each regular school year for each middle or junior high school. ~~Notwithstanding subdivision (a) of Section 8482.5 and except~~ Except as provided in subdivision (f) and subdivision (a) of Section 8482.5, ~~every~~ each public elementary, middle, and junior high school in the state shall have equal priority of funding for grants for after school programs made pursuant to this subdivision. Receipt of a grant for an after school program made pursuant to this subdivision shall not affect a school's eligibility for additional grant funding as permitted in subdivision (d) up to the maximum grants permitted in Sections 8483.7

and 8483.75. Grants made pursuant to this subdivision shall be funded after grants made pursuant to subdivision (b) and before any grants made pursuant to subdivision (d). Grants made pursuant to this subdivision shall be referred to as "After School Education and Safety Universal Grants."

(d) All funds remaining from the appropriation provided in Section 8483.5 after award of grants pursuant to subdivisions (b) and (c) shall be distributed pursuant to Sections 8483.7 and 8483.75. Grants for programs made pursuant to this subdivision shall be subject to all other sections of this article. Priority for grants for programs made pursuant to this subdivision shall be established pursuant to subdivision (a) of Section 8482.5 and Section 8483.3.

(e) ~~No~~ A school shall not receive grants in excess of the amounts provided in Sections 8483.7 and 8483.75.

(f) ~~In the event that~~ If in any fiscal year the appropriation made pursuant to Section 8483.5 ~~shall be~~ is insufficient to fund all eligible schools who ~~make~~ submit an eligible application for After School Education and Safety Universal Grants pursuant to subdivision (c), priority for After School Education and Safety Universal Grants shall be established pursuant to subdivision (a) of Section 8482.5 and Section 8483.3.

SEC. 15. Section 8483 of the Education Code is amended to read:

8483. (a) (1) Every after school component of a program established pursuant to this article shall commence immediately upon the conclusion of the regular schoolday, and operate a minimum of 15 hours per week, and at least until 6 p.m. on every regular schoolday. Every after school component of the program shall establish a policy regarding reasonable early daily release of pupils from the program. For those programs or schoolsites operating in a community where the early release policy does not meet the unique needs of that community or school, or both, documented evidence may be submitted to the department for an exception and a request for approval of an alternative plan.

(2) It is the intent of the Legislature that elementary school pupils participate in the full day of the 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.

(3) In order to develop an age-appropriate after school program for pupils in middle school or junior high school, programs established pursuant to this article may implement a flexible attendance schedule for those pupils. Priority for enrollment of pupils in middle school or junior high school shall be given to pupils who attend daily.

(b) The administrators of a program established pursuant to this article have the option of operating during any combination of summer, intersession, or vacation periods for a minimum of three hours per day ~~at the approved rate~~ for the regular school year pursuant to Section 8483.7.

SEC. 16. Section 8483.1 of the Education Code is amended to read:

8483.1. (a) (1) Every before school program component established pursuant to this article shall ~~commence operation at or before 6 a.m. on every regular schoolday or two hours before the commencement of the regular schoolday. A program may operate less than two hours per regular schoolday, but~~ in no instance ~~shall a program~~ operate for less than one and

one-half hours per regular schoolday. Every program shall establish a policy regarding reasonable late daily arrival of pupils to the program.

(2) (A) It is the intent of the Legislature that elementary school pupils participate in the full day of the 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 ~~and~~ or three days a week to accomplish program goals, except when arriving late in accordance with the late arrival policy described in paragraph (1) or as reasonably necessary.

(B) ~~A school is not eligible to receive funds provided pursuant to this article for a pupil who attends less than one-half of the daily program hours.~~ A pupil who attends less than one-half of the daily program hours shall not be counted for the purposes of attendance.

(3) In order to develop an age-appropriate before school program for pupils in middle school or junior high school, programs established pursuant to this article may implement a flexible attendance schedule for those pupils. Priority for enrollment of pupils in middle school or junior high school shall be given to pupils who attend daily.

(b) The administrators of a before school program established pursuant to this article shall have the option of operating during any combination of summer, intersession, or vacation periods for a minimum of two hours per day ~~at the approved rate~~ for the regular school year pursuant to Section 8483.75.

(c) Every before school program component established pursuant to this article shall offer a breakfast meal as described by Section 49553 for all program participants.

SEC. 17. Section 8483.2 of the Education Code is amended to read:

8483.2. Notwithstanding any other provision of this article, any program electing to operate both a before and after school component for the same pupils during summer, intersession, or vacation periods must operate these programs a minimum of ~~five~~ four and one-half hours per day ~~to receive the approved rates for the regular school year pursuant to both Sections 8483.7 and 8483.75.~~

SEC. 18. Section 8483.3 of the Education Code, as amended by Section 2 of Chapter 353 of the Statutes of 2005, is amended to read:

8483.3. (a) The department shall select applicants to participate in the program established pursuant to this article from among applicants that apply on forms and in a manner prescribed by the department. *It is the intent of the Legislature that the manner prescribed by the department, to the extent possible, allow for short and concise applicant responses.* To the extent possible, the selection of applicants by the department shall result in an equitable distribution of grant awards pursuant to Section 8483.7 to applicants in northern, southern, and central California, and in urban, suburban, and rural areas of California.

(b) The department shall consider the following in selecting schools to participate in, and for recertification of, the program established pursuant to this article ~~with primary emphasis given to items (1) through (5):~~

- (1) Strength of the educational ~~component~~ element .
- (2) Quality of the educational enrichment ~~component~~ element .
- (3) Strength of staff training and development ~~component~~

element .

~~(4) Scope and strength of collaboration, including demonstrated support of the schoolsite principal and staff.~~

~~(5)~~

(4) Capacity to facilitate better integration with the regular schoolday and other extended learning opportunities. These opportunities may include arts, career technical education, recreation, computer use, and other activities to broaden the pupil's learning experience. Notwithstanding any other provision of this article, the majority of the time of participation by a pupil who is in kindergarten or any of grades 1 to 8, inclusive, in a career technical education component of a program shall physically take place at a schoolsite described in subdivision (a) of Section 8482.3.

(c) The department shall certify that a program will contain the following criteria in awarding grants:

(1) Community collaboration, including demonstrated support of the schoolsite principal and staff.

~~(6)~~

(2) Inclusion of a nutritional snack.

~~(7)~~

(3) Employment of CalWORKs recipients.

~~(8)~~

(4) Level and type of local matching funds.

~~(9)~~

(5) Capacity to respond to program evaluation requirements.

~~(10)~~

(6) Demonstrated fiscal accountability.

(7) Any other application requirements pursuant to this article.

~~(c) The department shall develop reporting requirements and allocation procedures, including procedures to reimburse startup costs for programs established pursuant to this article.~~

SEC. 19. Section 8483.55 of the Education Code is amended to read:

8483.55. (a) From the funds appropriated pursuant to subdivision (b) of Section 8483.5, the ~~State Department of Education~~ department may spend

~~1~~ ~~1/2~~ one and one-half

percent to cover evaluation costs and to provide training and support to ensure quality program implementation, development, and sustainability and may pay its costs of awarding and monitoring grants.

(1) Training and support shall include, but is not limited to, the development and distribution of voluntary guidelines for physical activity programs established pursuant to paragraph (2) of subdivision (c) of Section 8482.3, that expand the learning opportunities of the school day.

(2) The department shall distribute these voluntary guidelines for physical activity programs on or before July 1, 2009.

(b) The department shall order an independent statewide evaluation of the effectiveness of programs funded pursuant to this article to be prepared and submitted to the Legislature. The evaluation shall include a comparison of outcomes for participating pupils and similarly situated pupils who did not participate in a program. In selecting an independent contractor for this evaluation, the department shall consult the evaluation committee created pursuant to subdivision (e) of Section 8484. A report shall be submitted to the Governor and the Legislature on or before October 1, 2011, providing

data that includes, but is not limited to, all of the following:

- (1) Data collected pursuant to Section 8484.
- (2) Data adopted through the process outlined in subdivision (c) of Sections 8421.5 and 8484.
- (3) Number and type of sites and grantees participating in the program.
- (4) Pupil program attendance, as reported quarterly, and pupil schoolday attendance, as reported annually.
- (5) Pupil program participation rates.
- (6) Quality of program drawing on the research of the Academy of Sciences on critical features of programs that support healthy youth development.
- (7) The participation rates of local educational agencies.
- (8) Local partnerships.
- (9) The academic performance of participating pupils in English language arts and mathematics, as measured by the results of the Standardized Testing and Reporting (STAR) Program established pursuant to Section 60640.

(c) A final report shall be submitted to the Governor and the Legislature on or before October 1, 2011. The final report shall include, but not be limited to, all of the following:

(1) Updated data on the measures specified in subdivision (b), including, but not limited to, changes in those measures.

(2) The prevalence and frequency of activities included in funded programs.

SEC. 20. Section 8483.7 of the Education Code, as added by Section 2 of Chapter 318 of the Statutes of 1998, is repealed.

~~8483.7. (a) It is the intent of the Legislature that a minimum of fifty million dollars (\$50,000,000) be appropriated for the program established pursuant to this article, through the annual Budget Act. Of the funds appropriated for the program, 50 percent shall be reserved for programs that operate at elementary schools and 50 percent shall be reserved for programs that operate at middle and junior high schools. If there are not a sufficient number of qualified applicants to use all of the funding in one category, the remaining funds may be used for qualified applicants in the other category.~~

~~(b) (1) Every school that establishes a program pursuant to this article is eligible to receive a three year renewable incentive grant, subject to annual reporting and recertification as required by the State Department of Education, for up to five dollars (\$5) per day per pupil, with a maximum total grant amount of seventy-five thousand dollars (\$75,000) for each regular school year for each elementary school and one hundred thousand dollars (\$100,000) for each regular school year for each middle or junior high school.~~

~~(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):~~

~~(A) For elementary schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.~~

~~(B) For middle schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.~~

~~(3) A school that establishes a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods for a maximum of the lesser of the following amounts:~~

~~(A) Five dollars (\$5) per day per pupil.~~

~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

~~(4) Each program shall provide at least 50 percent cash or in-kind local matching funds from the school district, governmental agencies, community organizations, or the private sector for each dollar received in grant funds. Neither facilities nor space usage may fulfill the match requirement.~~

~~(c) The administrator of a program established pursuant to this article may supplement, but not supplant existing funding for after school programs with grant funds awarded pursuant to this article. State categorical funds for remedial education activities shall not be eligible as matching funds for these after school programs.~~

~~(d) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance shall funding for startup costs result in an increase in the grant recipient's total funding above the approved grant amount.~~

SEC. 21. Section 8483.7 of the Education Code , as added by Section 2 of Chapter 319 of the Statutes of 1998, is repealed.

~~8483.7. (a) It is the intent of the Legislature that a minimum of fifty million dollars (\$50,000,000) be appropriated for the program established pursuant to this article, through the annual Budget Act. Of the funds appropriated for the program, 50 percent shall be reserved for programs that operate at elementary schools and 50 percent shall be reserved for programs that operate at middle and junior high schools. If there are not a sufficient number of qualified applicants to use all of the funding in one category, the remaining funds may be used for qualified applicants in the other category.~~

~~(b) (1) Every school that establishes a program pursuant to this article is eligible to receive a three-year renewable incentive grant, subject to annual reporting and recertification as required by the State Department of Education, for up to five dollars (\$5) per day per pupil, with a maximum total grant amount of seventy-five thousand dollars (\$75,000) for each regular school year for each elementary school and one hundred thousand dollars (\$100,000) for each regular school year for each middle or junior high school.~~

~~(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):~~

~~(A) For elementary schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.~~

~~(B) For middle schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.~~

~~(3) A school that establishes a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods for a maximum of the lesser of the following amounts:~~

~~(A) Five dollars (\$5) per day per pupil.~~

~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

~~(4) Each program shall provide at least 50 percent cash or in-kind local matching funds from the school district, governmental agencies, community organizations, or the private sector for each dollar received in grant funds. Neither facilities nor space usage may fulfill the match requirement.~~

~~(e) The administrator of a program established pursuant to this article may supplement, but not supplant existing funding for after school programs with grant funds awarded pursuant to this article. State categorical funds for remedial education activities shall not be eligible as matching funds for those after school programs.~~

~~(d) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance shall funding for startup costs result in an increase in the grant recipient's total funding above the approved grant amount.~~

SEC. 22. Section 8483.7 of the Education Code , as amended by Section 4 of Chapter 553 of the Statutes of 2005, is amended to read:

8483.7. (a) (1) (A) ~~Every~~ Each school that establishes a program pursuant to this article is eligible to receive a three-year renewable ~~incentive~~ direct grant, that shall be awarded in three one-year increments and is subject to ~~annual~~ quarterly attendance reporting and recertification once every three years as required by the department ~~, for either of the following, as selected by the school:~~ .

~~(i) Up to five dollars (\$5) per day per pupil, if the program serves pupils in elementary, middle, or junior high school.~~

~~(ii) Five dollars (\$5) per pupil for each three hours of pupil attendance, with a maximum total reimbursement of twenty-five dollars (\$25) per pupil per week, if the program serves pupils in middle or junior high school. To receive reimbursement pursuant to this subparagraph, the program administrator shall apply to and receive approval annually from the Superintendent. Approval by the Superintendent shall be based on program results.~~

(i) Grantees are subject to quarterly attendance reporting and recertification once every three years as required by the department. If actual pupil attendance falls below 75 percent of the target attendance level in any year of the grant, the department shall provide technical support for development of a program improvement plan for the grantee. If the actual attendance is significantly below proposed attendance at the end of the second year of the grant, the department may reduce funding for the grantee.

(ii) The department shall adjust the grant level of any school within the program that is under its targeted attendance level by more than 15 percent in each of two consecutive years.

(iii) In any year after the initial grant year, if the actual attendance level of a school within the program falls below 75 percent of the target attendance level, the department shall perform a review of the program and adjust the grant level as the department deems appropriate.

(iv) The department shall create a process to allow a grantee to voluntarily lower its annual grant amount if one or more sites are unable to meet the proposed pupil attendance levels by the end of the second year of the grant.

(v) A grantee who has had its grant amount reduced may subsequently request an increase in funding pursuant to paragraph (3).

(vi) The department may terminate the grant of any site or program that does not comply with fiscal reporting, attendance reporting, or outcomes reporting requirements established by the department and pursuant to Section 8484. The department may withhold the grant allocation for a program or site if the prior grant year's fiscal or attendance reporting remain outstanding, until the reports have been filed with the department.

(vii) Notwithstanding any other provision of this subdivision or any other provision of law, the department may at any time terminate the grant of any school in a program that consistently fails to demonstrate measurable program outcomes pursuant to Section 8484. The department may at any time terminate the grant of any school within a program that has an actual attendance level below 75 percent of the target attendance level for three consecutive years.

(B) Direct grants may be awarded to applicants that have demonstrated readiness to begin operation of a program or to expand existing programs.

~~(B)~~
(C) The maximum total direct grant amount awarded annually pursuant to this paragraph for programs eligible pursuant to subdivision (a) of Section 8482.5 and subdivision (b) of Section 8482.3 shall be ~~seventy-five thousand dollars (\$75,000)~~ one hundred twelve thousand five hundred dollars (\$112,500) for each regular school year for each elementary school and ~~one hundred thousand dollars (\$100,000)~~ one hundred fifty thousand dollars (\$150,000) for each regular school year for each middle or junior high school. The superintendent shall determine the total annual direct grant amount for which a site is eligible based on a formula of seven dollars and fifty cents (\$7.50) per pupil per day of pupil attendance that the program plans to serve, with a maximum total grant of thirty- seven dollars and fifty cents (\$37.50) per projected pupil per week, and a formula of seven dollars and fifty cents (\$7.50) per projected pupil per day of staff development, with a maximum of three staff development days per year.

(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):

(A) For elementary schools, multiply ~~seventy-five dollars (\$75)~~ one hundred thirteen dollars (\$113) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.

(B) For middle schools, multiply ~~seventy-five dollars (\$75)~~ one hundred thirteen dollars (\$113) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.

(3) The maximum total grant amounts set forth in subparagraph ~~(B)~~ (C) of paragraph (1) ~~and in paragraph (2)~~ may be increased from any funds made available for this purpose in the annual Budget Act for participating schools that have pupils on waiting lists for the program. Grants may be increased by the lesser of an amount that is either 25 percent of the current maximum total grant amount or equal to the proportion of pupils unserved by the program as measured by documented waiting lists as of January 1 ~~, 2001~~ of the previous grant year, compared to the actual after school enrollment on the same date. ~~Matching fund requirements~~ The amount of the required cash or in-kind matching funds shall be

increased accordingly. *First priority for an increased maximum grant pursuant to this paragraph shall be given to schools that qualify for funding pursuant to subdivision (b) of Section 8482.55. Second priority shall be given to schools that receive funding priority pursuant to subdivision (f) of Section 8482.55.*

(4) A school that establishes a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods, ~~or during minimum days,~~ for a maximum of ~~the lesser of the following amounts:~~ 30 percent of the total grant amount awarded to the school per school year under this subdivision. A year-round school program may apply for funds pursuant to this subparagraph for intersession periods.

~~(A) Five dollars (\$5) per day per pupil.~~
~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

(5) Each program shall provide ~~at least 50 percent~~ an amount of cash or in-kind local ~~matching~~ funds equal to not less than one-third of the total grant from the school district, governmental agencies, community organizations, or the private sector ~~for each dollar received in grant funds. Neither facilities nor space usage may~~. Facilities or space usage may fulfill not more than 25 percent of the ~~match requirement~~ required local contribution

(6) (A) ~~The department may reimburse a program~~ A grantee ~~for~~ may allocate up to 125 percent of the maximum total grant amount for an individual school, so long as the maximum total grant amount for all school programs administered by the program grantee is not exceeded.

(B) In order to be eligible for ~~reimbursement~~ renewal, a program grantee that transfers funds for purposes of administering a program established pursuant to this article shall have an established waiting list for enrollment, and may transfer only from another school program that has met a minimum of 70 percent of its attendance goal.

(b) The administrator of a program established pursuant to this article may supplement, but not supplant, existing funding for after school programs with grant funds awarded pursuant to this article. State categorical funds for remedial education activities shall not be ~~eligible as matching funds~~ used to make the required contribution of local funds for those after school programs.

(c) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance shall funding for startup costs result in an increase in the grant recipient's total funding above the approved grant amount.

(d) For each year of the grant, the department shall award the total grant amount for that year not later than 30 days after the date the grantee accepts the grant.

SEC. 23. Section 8483.75 of the Education Code is amended to read:

8483.75. (a) (1) (A) ~~Every~~ Each school that establishes a before school program component pursuant to Section 8483.1 ~~of this article~~ is eligible to receive a three year renewable ~~incentive~~ direct grant, that shall be awarded in three one-year

increments and is subject to ~~annual~~ quarterly attendance reporting and recertification as required by the department ~~, for either of the following, as selected by the school:~~ . Those grants shall be awarded by the Superintendent pursuant to this section.

~~(i) Up to three dollars and thirty-three cents (\$3.33) per day per pupil for a two hour program, if the program serves pupils in elementary, middle, or junior high school. For pupil reimbursement rates shall be reduced on a prorated basis for those programs which operate for less than two hours per regular schoolday. The rate shall be determined by multiplying 3.33 by the fraction represented by dividing the minutes of operation per day by 120.~~

~~(ii) Three dollars and thirty-three cents (\$3.33) per pupil for each two hours of pupil attendance, with a maximum total reimbursement of sixteen dollars and sixty-five cents (\$16.65) per pupil per week, if the program serves pupils in middle or junior high school. To receive reimbursement pursuant to this subparagraph, the program administrator shall apply to and receive approval annually from the Superintendent. Approval by the Superintendent shall be based on program results.~~

(B) The maximum total grant amount awarded annually pursuant to this paragraph shall be ~~twenty-five thousand dollars (\$25,000)~~ thirty-seven thousand five hundred dollars (\$37,500) for each regular school year for each elementary school and ~~thirty-three thousand dollars (\$33,000)~~ forty-nine thousand dollars (\$49,000) for each regular school year for each middle or junior high school.

(C) The Superintendent shall determine the total annual direct grant amount for which a site is eligible based on a formula of five dollars (\$5) per pupil per day that the program plans to serve, with a maximum total grant of twenty-five dollars (\$25) per projected pupil per week.

(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):

(A) For elementary schools, multiply ~~fifty dollars (\$50)~~ seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.

(B) For middle schools, multiply ~~fifty dollars (\$50)~~ seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.

(3) A school that establishes a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods for a maximum of ~~the lesser of the following amounts:~~

30 percent of the total grant amount awarded to the school per school year under this subdivision.

~~(A) Three dollars and thirty-three cents (\$3.33) per day per pupil.~~

~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

(4) Each program shall provide ~~at least 50 percent~~ an amount of cash or in-kind local ~~matching~~ funds equal to not less than one-third of the total grant from the school district, governmental agencies, community organizations, or the private sector ~~for each dollar received in grant funds~~ . Neither

~~facilities nor~~ Facilities or space usage may fulfill not more than 25 percent of the ~~match requirement~~ required local contribution .

(5) (A) ~~The department may reimburse a program grantee for~~ A grantee may allocate up to 125 percent of the maximum total grant amount for an individual school, so long as the maximum total grant amount for all school programs administered by the program grantee is not exceeded.

(B) In order to be eligible for ~~reimbursement~~ renewal , a program grantee that transfers funds for purposes of administering a program established pursuant to this article shall have an established waiting list for enrollment, and may transfer only from another school program that has met a minimum of 70 percent of its attendance goal.

(b) The administrator of a program established pursuant to this article may supplement, but not supplant, existing funding for before school programs with grant funds awarded pursuant to this article. State categorical funds for remedial education activities shall not be ~~eligible as matching funds~~ used to make the required contribution of local funds for those before school programs.

(c) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance shall funding for startup costs result in an increase in the grant recipient's total funding above the approved grant amount.

(d) For each year of the grant, the department shall award the total grant amount for that year not later than 30 days after the date the grantee accepts the grant.

SEC. 24. Section 8484 of the Education Code is amended to read:

8484. (a) As required by the ~~State Department of Education~~ department , programs established pursuant to this article shall submit annual outcome based data for evaluation, including ~~measures~~ research-based indicators and measurable student outcomes for academic performance, attendance, and positive behavioral changes. The ~~State Department of Education~~ department may consider these outcomes when determining eligibility for grant renewal.

(1) To demonstrate program effectiveness based upon individual program focus, programs shall submit the school day attendance for program participants to the department on an annual basis, and one or more of the following academic measures annually:

(A) Pupil Standardized Testing and Reporting (STAR) test scores.

(B) Homework completion rates.

(C) Pupil or teacher reported academic progress.

(2) To demonstrate program effectiveness based upon individual program focus, programs shall submit one or more of the following youth resiliency measures annually:

(A) Positive behavioral changes, including, but not limited to, participant suspension rates

(B) California Healthy Kids Survey results.

(C) Student reported sense of safety and attitudes about school, consistent with the federal annual performance reporting.

(D) Fitnessgram test results.

(3) Programs shall submit information adopted through the process outlined in subdivision (c) of Section 8421.5.

(b) (1) If a program consistently fails to demonstrate measurable program outcomes for three consecutive years, the department may terminate the program as described in subdivision (e) of Section 8426. The department shall consider multiple outcomes and not rely on one outcome in isolation.

(2) For the purposes of this section, "consistently fails to demonstrate measurable program outcomes" means failure to meet program effectiveness requirements pursuant to the criteria in paragraphs (1) and (2) of subdivision (a).

(3) Measurable program outcomes may be demonstrated by, but are not limited to, the following methods:

(1) Comparing pupils participating in the program to nonparticipating pupils at the same schoolsite.

(2) Pupils participating in the program demonstrate improvement on one or more indicators collected by the program pursuant to this paragraph.

(c) The department shall develop standardized tools to collect the indicators in paragraphs (1) and (2) of subdivision (a).

(d) The department shall order a statewide independent evaluation of the programs funded pursuant to this article to be prepared and submitted to the Legislature. The evaluation shall include a comparison of outcomes for participating pupils and similarly situated pupils who did not participate in a program.

(e) The department shall assemble an evaluation committee of the Advisory Committee on Before and After School Programs established pursuant to Section 8484.9 to give input on the design of a statewide independent evaluation funded pursuant to this article. The evaluation committee shall also give input on the evaluation's research design as submitted by the awarded independent agency. The evaluation committee shall include researchers and evaluators from in and outside of California who have expertise in the evaluation of after school initiatives, and members of the Advisory Committee on Before and After School Programs.

(f) The department shall collect annual outcome-based data for a statewide independent evaluation, including research-based indicators of program quality and outcome measures, including, but not limited to, academic performance, school attendance, and positive behavioral changes. The department shall also collect all of the following:

(1) Data collected pursuant to subdivision (a).

(2) Data adopted through the process outlined in subdivision (c) of this section and of Section 8421.5.

(3) Number and type of sites and grantees participating in the program

(4) Local partnerships.

(5) Student participation rates.

(6) Quality of program drawing on the research of the Academy of Sciences on critical features of programs that support healthy youth development.

SEC. 25. Section 8484.8 of the Education Code is amended to read:

8484.8. In accordance with Part B of Title IV of the federal No Child Left Behind Act of 2001 (P.L. 107-110), funds appropriated in Item 6110-197-0890 of Section 2.00 of the Budget Act of 2002 are available for expenditure as follows, with any subsequent allocations for these purposes to be determined in the annual Budget Act:

(a) ~~The amount of one million dollars (\$1,000,000)~~

Up to 1.5 percent shall be available to the

department for purposes of providing technical assistance, evaluation and training services, for carrying out programs related to 21st Century Community Learning Center programs.

(b) (1) An amount of up to ~~three million five hundred thousand dollars (\$3,500,000)~~ 10 percent of the total amount appropriated pursuant to this article shall be available for direct grants ~~, in an amount not to exceed twenty-five thousand dollars (\$25,000) per site, per year, for community learning center programs that serve middle and elementary school pupils for providing equitable access to, and participation in, community learning center programs, according to needs determined by the local community,~~ for either of the following purposes:

(A) Grants to provide equitable access and participation in community learning center programs, in an amount not to exceed twenty-five thousand dollars (\$25,000) per site, per year, according to needs determined by the local community.

(B) Grants to provide family literacy services, in an amount not to exceed twenty thousand dollars (\$20,000) per site, per year, for schoolsites that identify such a need for families of 21st Century Community Learning Center program pupils, and that demonstrate a fiscal hardship by certifying that existing resources, including, but not limited to, funding for Title III of the federal No Child Left Behind Act of 2001, Chapter 3 (commencing with Section 300) of Part 1, adult education, community college, and the federal Even Start Program are not available or are insufficient to serve these families. An assurance that the funds received pursuant to this subdivision are expended only for those services and supports for which they were granted shall be required.

(2) ~~The~~ For the purposes of subparagraph (A) of paragraph (1), the department shall determine the requirements for eligibility for a grant ~~under this subdivision~~, consistent with the following:

(A) Consistent with the local partnership approach inherent in Article 22.5 (commencing with Section 8482), grants awarded under this subdivision shall provide supplemental assistance to programs. It is not intended that a grant fund the full anticipated costs of the services provided by a community learning center program.

(B) In determining the need for a grant pursuant to this subdivision, the department shall base its determination on a needs assessment and a determination that existing resources are not available to meet these needs, including, but not limited to, a description of how the needs, strengths, and resources of the community have been assessed, currently available resources, and the justification for additional resources for that purpose.

(C) The department shall award grants for a specific purpose, as justified by the applicant.

(3) To be eligible to receive a grant under this subdivision, the designated public agency representative for the applicant shall certify that an annual fiscal audit will be conducted and that adequate, accurate records will be kept. In addition, each applicant shall provide the department with the assurance that funds received under this subdivision are expended only for those services and supports for which they are granted. The department shall require grant recipients to submit annual budget reports, and the department may withhold funds in subsequent years if direct grant funds are expended for purposes other than as awarded.

~~(c) Up to one million dollars (\$1,000,000) shall be available for direct grants of up to twenty thousand dollars (\$20,000) per site, per year, for providing family literacy services only to those~~

~~schoolsites that identify such a need for families of 21st Century Community Learning Center program pupils, and that demonstrate a fiscal hardship by certifying that existing resources including, but not limited to, funding for Title III of the No Child Left Behind Act of 2001, Chapter 3 (commencing with Section 300) of Part 1, adult education, community college, and the federal Even Start Program are not available or are insufficient to serve those families. An assurance that the funds received under this subdivision are expended only for those services and supports for which they were granted shall be required.~~

(c) The department shall require grant recipients to submit annual budget reports, and the department may withhold funds in subsequent years if literacy grant funds are expended for purposes other than as granted.

(d) ~~Of~~ Up to 40 percent of the total amount appropriated pursuant to this article shall be allocated on a priority basis for direct grants to community learning centers serving high school pupils funded pursuant to Section 8421, and the remaining funds in Item 6110-197-0890 of Section 2.00 of the Budget Act of 2002 ~~—, two million five hundred thousand dollars (\$2,500,000) shall be allocated on a priority basis for grants to community learning center programs serving high school pupils, and the remainder of this amount~~ shall be allocated on a priority basis for programs for middle and elementary school pupils. The administrators of a program established pursuant to this article have the option of operating during any combination of summer, intersession, or vacation periods for a minimum of three hours per day for the regular school year pursuant to Section 8483.7. Grantees administering comprehensive programs established pursuant to Section 8482.3 are also eligible for funding for summer, intersession, or vacation periods pursuant to this section.

(e) Grant awards under this section shall be restricted to those applications that propose primarily to serve pupils that attend schoolwide programs, as described in Title I of the federal No Child Left Behind Act of 2001. Competitive priority shall be given to applications that propose to serve children and youth in schools designated as being in need of improvement under subsection (b) of Section 6316 of Title 20 of the United States Code, and that are jointly submitted by school districts and community-based organizations. Applications to serve pupils in programs that have received grants under Article 22.5 (commencing with Section 8482) shall be funded only when proposing to expand in additional sites or to add pupils to a currently funded site.

(f) (1) Core funding grants for programs serving middle and elementary school pupils in before and after school programs shall be allocated ~~as follows:~~ under subparagraph (C) of paragraph (1) of, and paragraphs (4), (5), and (6) of, subdivision (a) of Section 8483.7.

~~(A) For after school programs, seven dollars and fifty cents (\$7.50) per pupil, per day, up to a maximum grant of one hundred twelve thousand five hundred dollars (\$112,500) for each regular school year for each elementary school, and one hundred fifty thousand dollars (\$150,000) for each regular school year for each middle or junior high school.~~

~~(B) For before school programs, five dollars (\$5) per pupil, per day, up to a maximum grant of thirty-seven thousand five hundred dollars (\$37,500) for each regular school year for each elementary school, and forty-nine thousand dollars (\$49,000) for each regular school year for each middle or junior high school.~~

~~(2) For an after school component of a program, the maximum total grant amount described in subparagraph (A) of paragraph (1) may be increased up to a maximum amount of twice the respective limits specified in that subparagraph, in accordance with the following:~~

~~(A) For elementary schools, one hundred thirteen dollars (\$113) per pupil, only for each pupil that exceeds 600 pupils enrolled at the schoolsite for the normal schoolday program.~~

~~(B) For middle schools, one hundred thirteen dollars (\$113) per pupil, only for each pupil that exceeds 900 pupils enrolled at the schoolsite for the normal schoolday program.~~

~~(3) For a before school component of a program, the maximum total grant amount described in subparagraph (B) of paragraph (1) may be increased up to a maximum amount of twice the respective limits specified in that subparagraph, in accordance with the following:~~

~~(A) For elementary schools, seventy-five dollars (\$75) per pupil, only for each pupil that exceeds 600 pupils enrolled at the schoolsite for the normal schoolday program.~~

~~(B) For middle schools, seventy-five dollars (\$75) per pupil, only for each pupil that exceeds 900 pupils enrolled at the schoolsite for the normal schoolday program.~~

~~(4) A school that establishes an after school component of a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods for a maximum of the lesser of the following amounts:~~

~~(A) Seven dollars and fifty cents (\$7.50) per day per pupil.~~

~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

~~(5) A school that establishes a before school component of a program pursuant to this article is eligible to receive a supplemental grant to operate the program during any combination of summer, intersession, or vacation periods for a maximum of the lesser of the following amounts:~~

~~(A) Five dollars (\$5) per day per pupil.~~

~~(B) Thirty percent of the total grant amount awarded to the school per school year pursuant to this subdivision.~~

~~(6) (A) The department may reimburse a program grantee for up to 125 percent of the maximum total grant amount for an individual school, so long as the maximum total grant amount for all school programs administered by the program grantee is not exceeded.~~

~~(B) In order to be eligible for reimbursement, a program grantee that borrows funds for purposes of administering a program established pursuant to this article shall have an established waiting list for enrollment and may borrow only from another program grantee that has met a minimum of 70 percent of its attendance goal.~~

~~(7)~~

(2) (A) Funding for a grant shall be allocated in annual increments for a period not to exceed five years , subject to annual reporting and recertification as required by the department. The department shall establish a payment system to accommodate upfront payments . The department shall notify new grantees, whose grant awards are contingent upon the appropriation of funds for those grants, in writing no later than June 15 of each year in which new grants are awarded. A first year grant award shall be made no later than 60 days after enactment of the annual Budget

Act and any authorizing legislation. A grant award for the second and subsequent fiscal years shall be made no later than 30 days after enactment of the annual Budget Act and any authorizing legislation. The grantee shall notify the department in writing of its acceptance of the grant.

(B) For the first year of a grant, the department shall allocate 15 percent of the grant for that year no later than 30 days after the grantee accepts the grant. For the second and subsequent years of the grant, the department shall allocate 15-percent of the grant for that year no later than 30 days after the annual Budget Act becomes effective. ~~This 15 percent amount is to be used by a grantee for administrative costs and need not be earned through pupil attendance.~~

~~(C) In addition to the funding allocated pursuant to subparagraph (B), up to 15 percent of the initial annual grant award for each core grant recipient may be utilized for startup costs, which funding need not be earned through pupil attendance.~~

~~(D)~~

(C) Under no circumstance shall funding made available pursuant to ~~subparagraphs (B) and (C)~~ subparagraph (B) result in an increase in the total funding of a grantee above the approved grant amount.

~~(E) Payments to a grantee shall be based on quarterly pupil attendance and expenditure reports, as required by the department. If a report is submitted to the department in a timely manner, payments to a grantee based on that report shall be issued within 30 days of its receipt.~~

~~(8)~~

(3) A grantee shall identify the federal, state, and local programs that will be combined or coordinated with the proposed program for the most effective use of public resources, and shall prepare a plan for continuing the program beyond federal grant funding.

~~(9)~~

(4) A grantee shall submit ~~annual~~ quarterly attendance data and results to facilitate evaluation and compliance in accordance with provisions established by the department.

~~(10)~~

(5) A program receiving a grant under this subdivision is not assured of grant renewal from future state or federal funding at the conclusion of the grant period.

(g) A total annual grant award for core funding and direct grants for a site serving elementary or middle school pupils shall be fifty thousand dollars (\$50,000) per year or more, consistent with federal requirements.

(h) Grants for programs serving high school pupils at schoolsites or sites of other organizations, as determined to be eligible by the department and consistent with the provisions of the 21st Century Community Learning Centers program, shall be available as an annual minimum grant of fifty thousand dollars (\$50,000) per year. Grant funding above the minimum shall be determined ~~in proportion to the average daily attendance of the high school program site or sites to be served and other~~ by factors including, but not limited to, proposed attendance and effective use of resources as determined by the department up to two hundred fifty thousand dollars (\$250,000) per year for five years. A grantee that establishes a high school program pursuant to this subdivision shall be subject to annual reporting and recertification as required by the department. After the second year, the department shall reduce

funding of programs in which actual attendance is significantly below proposed attendance levels. An evaluation of the program funded pursuant to this subdivision shall be submitted no later than 180 days after the completion of the second year of the program. The department shall provide the results of that evaluation and work with the Legislature, the Department of Finance, program providers, and other interested parties to adopt or restructure a high school after school program for California that is both programmatically and fiscally sound. Grantees shall be eligible for fourth and fifth year funding consistent with the restructured requirements. Each grantee shall be required to identify the federal, state, and local programs that will be combined or coordinated with the proposed program for the most effective use of public resources and to describe a plan for continuing the program beyond federal grant funding. Grantees shall be required to submit annual attendance data results to facilitate evaluation and compliance with provisions established by the department. Programs receiving grants under this subdivision are not assured of grant renewal from future state or federal funding at the conclusion of the grant period.

(i) Notwithstanding any other provision of law, and contingent upon the availability of funding, the department may adjust the core grant cap of any grantee based upon one or both of the following:

(1) Amendments made to this section by ~~the act that added this subdivision~~ Chapter 555 of the Statutes of 2005

(2) The demonstrated ~~historical earning~~ pupil attendance pattern of the grantee. The department may adjust grant awards pursuant to subparagraph (A) of paragraph (1) of subdivision (a) of Section 8483.7 . ~~If an adjustment based upon the demonstrated historical earning pattern of the grantee results in a reduction, that adjustment shall be based upon at least two years of historical earning pattern data for the affected grantee.~~

(j) Funds received but unexpended under this article may be carried forward to subsequent years consistent with federal requirements. In year one, the full grant may be retained.

(k) If funds remain after all of the priority allocations required pursuant to subdivisions (b), (c), and (d) have been made, the department may use that money to fund additional qualified grant applications under those provisions, in order to ensure that all federal funds received for these purposes are expended for these purposes.

~~(k)~~
(l) This article shall be operative only to the extent that federal funds are made available for the purposes of this article. It is the intent of the Legislature that this article not be considered a precedent for general fund augmentation of either the state administered, federally funded program of this article, or any other state funded before or after school program.

SEC. 26. The Legislature finds and declares that this act furthers the purposes of the After School Education and Safety Program Act of 2002.

SEC. 27. The costs incurred as a result of the amendments to the After School Education and Safety Program Act of 2002 made by this act shall be funded only from appropriations made pursuant to Section 8483.5 of the Education Code. All matter omitted in this version of the bill appears in the bill as amended in Assembly, February 21, 2006 (JR11)

SB 638
Page 1

Date of Hearing: May 10, 2006

ASSEMBLY COMMITTEE ON EDUCATION
Jackie Goldberg, Chair
SB 638 (Torlakson) - As Amended: May 3, 2006

SENATE VOTE : Vote not relevant

SUBJECT : After school programs

SUMMARY : Makes changes to the 21st Century High School After School Safety and Enrichment for Teens (21st Century High School ASSETS) Program, the 21st Century Community Learning Centers (21st CCLC) Program, and the After School Education and Safety (ASES) Program. Specifically, this bill :

A. Makes the following changes to the 21st Century High School ASSETS Program :

- 1) Adds to the list of program purposes, that programs may assist pupils in passing the California High School Exit Exam (CAHSEE).
- 2) Deletes the requirement that programs comply with locally determined requirements related to hours and days of program operation and instead require that programs operate a minimum of 15 hours per week (this is consistent with the ASES program).
- 3) Adds the following requirements to the application for grants and specifies legislative intent that the SDE require applicants to submit the information in a short and concise manner:
 - a) Must be approved by the school district and the principal of each participating school for each schoolsite or other site;
 - b) Includes certification that the applicant has planned the program through a collaborative process, as specified; and,
 - c) Includes certification that each applicant or partner in the application agree to do the following:

□

- i) Assume responsibility for the program;
 - ii) Follow all fiscal reporting and auditing standards required by the State Department of Education (SDE);
 - iii) Provide information to SDE for the purposes of program evaluation; and,
 - iv) Acknowledge that program evaluations will be based on specified criteria.
- 4) Requires the SDE to provide notice to all schools eligible for ASSETS grants, 21st CCLC grants, and ASES grants of the availability of the grants and the application process and requires the SDE to make the application available on the SDE website and to periodically review the applications for funding on dates determined by the SDE.
- 5) Requires the SDE to review applications for inclusion of the application requirements (#3 of this analysis) and program criteria requirements.
- 6) Requires the Advisory Committee on Before and After School Programs to make recommendations to the SDE on reporting requirements for high school programs by March 1, 2007; requires the SDE to review the recommendations and present them to the State Board of Education (SBE) by May 1, 2007 and; requires the SBE to adopt the requirements for program evaluation and review on or before August 1, 2007.
- 7) Gives second priority for new funding to grantees with expiring grants if attendance goals and other measures have been met.
- 8) Narrows the criteria used for evaluating grant applications from 13 components to 3 (educational components, enrichment components and community collaboration) and requires certification rather than a criteria description for 8 of the remaining 13 criteria. The criteria being deleted is: strength of staff training and development and assessment of pupils considered at risk or in need of academic support.
- 9) Requires the three-year evaluation of the program that makes recommendations for future program expansion, to be provided to the SBE and the Legislature on or before July 1, 2007.

□

- 10) Makes grant funding subject to quarterly attendance reporting

rather than annual reporting and recertification and requires funding to be allocated on an annual basis for a period of not more than 5 years, contingent upon the availability and appropriation of federal funds by the Legislature for those grants.

- 11) Requires SDE to notify new grantees of their award status and dollar amount of the award, if any, in writing on or before May 15 of each year in which the new grants are awarded
- 12) Requires a first year grant award to be made no later than 60 days after enactment of the annual Budget Act and any authorizing legislation and requires a grant award for the second and subsequent fiscal years to be made no later than 30 days after enactment of the annual Budget Act and any authorizing legislation (this conforms with requirements in the 21st CCLC program. The bill also makes conforming changes to the ASES program).
- 13) Specifies that grantees are subject to quarterly attendance reporting during each year of the grant and subjects them to the following penalties if attendance is below proposed levels:
 - a) Requires, if actual pupil attendance is significantly below the proposed levels in any year of the grant, the SDE to provide technical support for development of a program improvement plan for the grantee.
 - b) Authorizes, if the actual attendance falls below 75% of the proposed attendance level at the end of the second year of the grant, the SDE to reduce funding for the grantee.
 - c) Requires the SDE to adjust the grant level of any school in the program that is under its proposed attendance level by more than 15% in each of two consecutive years.
 - d) Requires, in any year that the actual attendance level of a school within the program falls below 75% of the proposed attendance level, the SDE to perform a review of the program and authorizes the SDE to adjust the grant level as the SDE deems appropriate.
- 14) Authorizes the SDE to at any time terminate the grant of a

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school in a public school program that fails in three consecutive years to either demonstrate program outcomes or attain its proposed attendance levels.

- 15) Requires the SDE to create a process to allow a grantee to

voluntarily lower its annual grant amount if one or more sites are unable to meet the proposed pupil attendance levels by the end of the second year of the grant.

- 16) Authorizes programs to subtract start-up costs (along with administrative costs and outcome data costs as currently authorized) before using the remaining funding for direct services to pupils.
- 17) Requires, for evaluation purposes, in addition to their quarterly attendance reporting, a program to submit annual regular schoolday attendance data results from program participants.
- 18) Requires programs, in order to demonstrate program effectiveness based upon individual program focus, to submit one or more of the following academic measures annually:
 - a) Program participant passage rates on the high school exit examination and graduation rates, as applicable;
 - b) Homework completion rates;
 - c) Program participant test scores on the Standardized Testing and Reporting (STAR) test as applicable; or,
 - d) Pupil or teacher reported academic progress.
- 19) Requires programs, in order to demonstrate program effectiveness based upon individual program focus, to submit one or more of the following youth resiliency measures annually:
 - a) Positive behavioral changes, including, but not limited to, participant suspension rates;
 - b) California Healthy Kids Survey results;
 - c) Pupil reported sense of safety and attitudes about school, consistent with the federal annual performance

reporting; or,

- d) Fitnessgram test results, as applicable.

- 20) Requires programs to select indicators and outcomes at the beginning of the grant period and submit information on the same selected indicators and outcomes annually for three consecutive years to support program evaluation by the SDE.

- 21) Authorizes, at the SDE's discretion, programs to request to submit different or additional indicators and outcomes after three consecutive years.
- 22) Authorizes the SDE to terminate a program, as specified, if a program consistently fails to demonstrate measurable program outcomes for three consecutive years.
- 23) Defines "consistently fails to demonstrate measurable program outcomes" as failure to meet program effectiveness requirements, as specified.
- 24) Specifies that measurable program outcomes may be demonstrated by comparing pupils participating in the program to non-participating pupils at the same schoolsite or pupils participating in the program demonstrate improvement on one or more indicators collected by the program.
- 25) Requires the SDE to develop and disseminate standardized tools to collect the required indicators.
- 26) Requires the SDE to do a statewide independent evaluation of the program and requires the SDE to consult the evaluation committee established in the bill when selecting an independent contractor.
- 27) Requires a report to be submitted to the Governor and the Legislature on or before October 1, 2011.

B. Makes the following changes to the ASES Program :

- 1) Strikes the requirement that the majority of the time that a pupil participates in a career technical education component, the program shall take place at a schoolsite.
- 2) Requires applicants to agree that snacks made available

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through the program to conform with state nutrition standards.

- 3) Adds the following requirements for grant applicants (when applicable):
 - a) They meet the educational and literacy component and the educational enrichment component;
 - b) Agree to provide information to the SDE for program evaluation;
 - c) Certify that program evaluations are based upon specified requirements in the bill and any requirements

recommended by the Advisory Committee on Before and After School Programs and adopted by the SBE; and,

- d) State the targeted number of pupils to be served by the program.
- 1) Requires grantees to be subject to a 3 year grant renewal process which will be automatically renewed at the same level, unless adjusted or terminated by the SDE, as authorized in the bill, or discontinued or reduced upon the request of the grantee.
 - 2) Requires the SDE to review applications, as specified, and use the per-pupil formulas established in the bill and the targeted number of pupils to be served, as specified, to determine the appropriate direct grant amount.
 - 3) Establishes a three- year renewable direct grant process (rather than funding the program on a reimbursement basis), subject to quarterly reporting, and allocated in annual increments for a period of not more than three years, contingent upon the availability of funds for those grants.
 - 4) Requires the SDE to notify new grantees of their award status and dollar amount of the award, if any, in writing on or before June 15 of each year in which new grants are awarded.
 - 5) Requires a first year grant award to be made no later than 60 days after enactment of the annual Budget Act and any authorizing legislation and requires a grant award for the second and subsequent fiscal years to be made no later than 30 days after enactment of the annual Budget Act and any

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authorizing legislation (this conforms with requirements in the 21st CCLC program).

- 6) Requires the Advisory Committee on Before and After School Programs to make recommendations on reporting requirements for program evaluation and review to the SDE on or before June 30, 2007; requires the SDE to review the recommendations and present them to the State Board of Education (SBE) by September 30, 2007; and requires the SBE to adopt the requirements for program evaluation and review on or before November 30, 2007.
- 7) Allows a 21st CCLC grantee to apply for an ASES "universal grants" during the 2006-07 grant year and specifies that those grants be funded before any new grant is funded. (This allows federal 21st CCLC programs to be funded with ASES [Proposition 49] funding). Specifies that the grant funding shall be the

same as they received in the prior year under the 21st CCLC program but specifies that they are still eligible to receive additional grant funding up to the maximum grant amounts.

- 8) Requires the before school program to operate no less than 90 minutes rather than at or before 6am or two hours before the beginning of the schoolday.
- 9) Requires each before school program to provide breakfast.
- 10) Requires grantees operating concurrent before and after school programs during supplemental periods to operate 4 hours per day instead of 5 hours per day.
- 11) Streamlines the application process by requiring SDE to certify certain criteria rather than have applicants submit explanation of all criteria.
- 12) Requires the SDE to develop and distribute physical activity guidelines on or before July 1, 2009.
- 13) Requires the SDE to do a statewide independent evaluation of the program; requires the SDE to consult the evaluation committee established in the bill when selecting an independent contractor; and requires a report to be submitted to the Governor and the Legislature on or before October 1, 2011.
- 14) Specifies that grantees are subject to quarterly attendance

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reporting during each year of the grant and subjects them to penalties if attendance is below proposed levels. (same as penalties for the ASSETS grants - #13).

- 15) Changes before and after school program funding from a reimbursement to a direct grant, thereby providing funding "up-front."
- 16) Increases per pupil per day rates and total grant amounts as follows:
 - a) Universal grant from \$50,000 to \$112,500 for elementary schools, and from \$75,000 to \$150,000 for middle or junior high schools.
 - b) "Full program" grant from \$75,000 to \$112,500 for elementary schools, and from \$100,000 to \$150,000 for middle and junior high schools.
- 17) Increases large school adjustment from \$75 to \$113 (multiplied by 600 for elementary and 900 for middle schools.)

- 18) Clarifies that waiting lists from the previous year are what qualify a program to increase grant amounts 25% above caps and gives priority to schools that have 50% or more pupils that qualify for free-and-reduced lunch.
- 19) Reduces the matching requirement from 50% dollar for dollar matching, to a 33% match and allows grantees to use facilities to fulfill up to 25% of the match requirement.
- 20) Requires the SDE to award the total grant amount for each year not later than 30 days after the date that the grantee accepts the grant.
- 21) Makes conforming changes to the before school program.
- 22) Specifies researched-based indicators and measurable student outcomes that the SDE may consider when determining eligibility for grant renewal and makes conforming changes regarding a program's failure to demonstrate measurable outcomes. (#'s 18-26 under the ASSETS section).
- 23) Requires the SDE to assemble an "evaluation committee" of the Advisory Committee on Before and After School Programs to give

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input on the design of the statewide independent evaluation and is required to include researchers and evaluators from in and outside of California who have expertise in the evaluation of after school initiatives, and members of the Advisory Committee.

C. Changes made to the 21st CCLC Program .

- 1) Makes the following changes to the total 21st CCLC appropriation:
 - a) Authorizes the SDE to spend 1 % (instead of \$1 million) on evaluation, training and management costs;
 - b) Allocates 10% (instead of \$3.5 million) for access and family literacy grants;
 - c) Allocates 40% (instead of \$2.5 million) for high school programs; and,
 - d) Allocates the remaining (approximately 50%) for elementary and middle school.
- 2) Authorizes ASES grantees to apply for supplemental funding (summer, intersession, or vacation) if ASES funding is not

available and the program is comprehensive.

- 3) Requires the SDE to establish a payment system to accommodate up front payments.
- 4) Permits the SDE to fund additional qualified grant applications if funds remain after all priorities have been met, in order to ensure that all federal funds are expended.

EXISTING LAW

- 1) Establishes the 21st Century High School ASSETS Program, created through AB 1984 (Steinberg), Chapter 1025, Statutes of 2002, which provides incentives for eligible high schools to establish new after-school programs that focus on 1) improved academic achievement; 2) enrichment services that reinforce and complement the academic program; and 3) family literacy and related educational development services. Funds are designated to serve high school students in learning opportunities that are aligned with the regular day and focus

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on students' needs. Activities should include extended academic and enrichment support to help students meet state content standards, requirements for high school graduation, and readiness for college and career entry. Applications must reflect research-based and standards-aligned practices that are consistent with California policies and practices. Institutions of higher education, local educational agencies, nonprofit organizations and other organizations or agencies are eligible to apply for the program. Funds are only available for current 21st CCLC ASSETS High School grantees (Cohorts 1, 2 and 3).

- 2) Establishes the After School Education and Safety (ASES), through the 2002 voter approved initiative, Proposition 49. This proposition amended education code to expand and rename the former Before and After School Learning and Safe Neighborhood Partnerships Program. The ASES Program funds the establishment of local after school education and enrichment programs. These programs 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. Funding is designed to: 1) maintain existing before and after school program funding, and 2) provide eligibility to all elementary and middle schools that submit quality applications throughout California.
- 3) Establishes, under federal law, the 21st CCLC which provides disadvantaged K-12 students with academic enrichment

opportunities and supportive services to help the students meet state and local standards in core academic content areas. The federal funding is paid in annual installments for up to five years for each grant. Starting in 2002, the federal Department of Education began phasing out the direct federal grants, whereby funding was given directly to school districts, and began transitioning the 21st Century program to a state-administered program.

FISCAL EFFECT : Unknown.

COMMENTS : Author's amendments . The author has indicated that he will present amendments to the committee at the hearing. Staff has not received specific language however the author has submitted the following summary of the proposed amendments:

1)Evaluation (EC 8427, 8428, 8484):

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- a) Specify test score criteria from SB 1302 under test scores option.
- b) Clarify that program attendance and impacts on school-day attendance are required reporting criteria. Programs may select one or more other measures based on program focus.
- c) The list of options will need to be modified based on input from CDE and the field

Note: These changes are still a point of ongoing discussion. The author has indicated that he is still working with the Administration and SDE towards a compromise.

2)Grant Maximums : High school applicants would be given priority over any remaining 21st Century funds that would be distributed to applicants at CDE's discretion after all other priorities are met. Grant maximums for all applicants will be at the same level of \$112,500 (elementary) and \$150,000 (middle and junior high).

3)Grant Renewal :

- a) Specify a specific timeline for CDE to process requests and require CDE to approve by a certain date.
- b) If CDE does not approve or raise issues within the timeline, grants are automatically renewed.
- c) CDE may require additional information from grantees that are not in good standing.

4) Technical Assistance (TA) Funding :

- a) Clarify that CDE is required to provide TA component for sites not reaching their evaluation goals after second year.

5) Double ASES/21st Century grandfather : Allow grantees to maintain funding levels from previous year.

6) Year-round School : Change the supplemental language to allow for programs operating more than 180 days.

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- 7) Add an urgency clause (pending approval from Assembly Rules Committee) .

Proposition 49 . In 2002, the voters approved Proposition 49, which expanded then existing before and after school programs and renamed it ASES. Currently, \$30 million of the \$121 million state funds made available for after-school programs through the budget process goes unspent. Despite this lack in up-take of dollars, Proposition 49, if fully implemented, could more than quadruple state funding for after school programs from the current \$121 million to \$550 million, an increase of \$428 million. The initiative's revenue "trigger" will be met in the 2006-07 fiscal year. Once this happens, state funding for after school programs will then be continuously appropriated and no longer require approval by the Legislature as part of the annual Budget Act (beginning July 1, 2006). The amount of additional funding pursuant to Proposition 49 will be added to the Proposition 98 "base" in future years. As provided by Proposition 49, the Legislature cannot amend some of its provisions, some may be amended by a 2/3 vote, and others by a majority vote. All changes must "further the purpose" of Proposition 49.

Why are these changes necessary ? According to the author, if critical issues with the program are not addressed immediately, any increased funding will fail to roll out successfully due to program inaccessibility, limited demand for dollars, and hasty program implementation. It will prove to be a major setback not only for after school in California, but for the entire children's policy agenda. With increased funding for after-school programs fast approaching, this legislation seeks to address major barriers associated with financing high-quality

after school programs. It is critical that each of these barriers is addressed before we expand the number of after school programs operating in California under the current, flawed system. It is also critical that currently funded sites have the opportunity to create high-quality programs for students through flexible and accountable structures.

How important are test scores when measuring program success ?

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The purpose of the ASES Program is to "provide academic and literacy support and a safe, constructive alternative for youth." Currently, test score changes are being reported by programs to the SDE as part of an evaluation of the program's success, but the state can do little with this information since an after school program cannot alone be held accountable for test score increases. Since there are additional measures of an after school program's success, and more effective ways for the state to evaluate and support the improvement of programs, this bill creates a new accountability and evaluation system for ASES grantees. This system will hold programs accountable for youth resiliency and academic development outcomes, such as school attendance, behavior, and readiness to learn.

The administration sponsored bill, SB 1302 (Ashburn) of 2006, placed a strong emphasis on test scores. Their bill based program evaluation and possible grant termination on improvements in STAR test scores (including the California English Language Development Test, CELDT) and CaHSEE passage rates, as well as school attendance. This bill was held in the Senate Education Committee.

As the author has indicated, the manner in which test scores are used in program evaluation is still a point of discussion between the author and the administration. The committee may wish to consider the following when considering the value of test scores in program evaluation:

- 1) Afterschool programs utilize part-time, low-wage staff and volunteers to run programs. They are often not equipped to do remediation and instruction. They are able to engage kids in activities that are linked to standards and even reinforce learning from the classroom day. This may contribute to better school learning, teachers may say participants get more of their homework done or even that they come to school more ready to learn, have increased school attendance and other good things. However, it is not clear whether these contributions transfer to a meaningful rise in test scores.
- 2) Young people have already spent 6+ hours a day in a setting that is dedicating most of that to literacy and math desk

work. The kids who after school directors most want to attract may not be responding to increased seat time. Not only is this child ready for a new learning approach, he is likely hungry to learn about things that interest him. Even if he is a

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veracious learner when it comes to performing arts or robotics, this will not be detected on test scores.

Related legislation .

SB 1302 (Ashburn), held in the Senate Education Committee, makes changes to the After School Education and Safety (ASES) Program for the implementation of Proposition 49 (2002), changes the program funding from a reimbursement to a direct grant, increases grant levels, establishes new priorities associated with academic improvement, and makes numerous related changes.

SB 1774 (Torlakson), currently in the Senate Education Committee, delays and phases-in funding for Proposition 49.

SCA 12 (Torlakson), currently in the Senate Education Committee, delays funding for Proposition 49 until specified fiscal conditions have been met.

Arguments in support . According to the Bay Area Partnership, "This bill to streamline the After School Education and Safety Program and the federally funded 21st Century Community Learning Center Program is critical to ensure that our after school programs will offer high quality, sustainable opportunities for the children of this state. We commend this legislation for seeking to address major barriers associated with financing high-quality after school programs. It is critical that each of these barriers is addressed before any new dollars roll out in either program. It is also critical that currently funded sites have the opportunity to create high-quality programs for students through flexible and accountable structures. These changes plus others in the bill will make a real difference for thousands of children in after school programs across the state."

REGISTERED SUPPORT / OPPOSITION :

Support

Bay Area Partnership (co-sponsor)
Children NOW (co-sponsor)
Adelante After School Program
Alameda County Child Care Planning Council
American Federation of State, County, and Municipal Employees
California Association for Health, Physical Education,
Recreation and Dance

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California Community Technology Policy Group
California School-Age Consortium
California Tomorrow
Community Network for Youth Development
Contra Costa County Board of Supervisors
CyberMill Technology Center
Fight Crime: Invest in Kids
Julian Pathways
Kids' Country
Mt. Diablo CARES After School Programs
Oakland Asian Students Educational Services
Oakland Ready to Learn
Rio Del Mar Elementary
Safe Passages
Sonoma SERVES
Sunset Neighborhood Beacon Center
Youth Leadership Institute
Individual letters

Opposition

None on file.

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