

## Assembly Bill No. 1984

### CHAPTER 1025

An act to add Article 19 (commencing with Section 8420) to Chapter 2 of Part 6 of the Education Code, relating to after school programs.

[Approved by Governor September 28, 2002. Filed with Secretary of State September 28, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1984, Steinberg. After school programs: high school pupils.

Existing law establishes the Before and After School Learning and Safe Neighborhoods Partnerships Program to create incentives to establish locally driven before and after school enrichment programs for pupils in kindergarten and grades 1 to 9, inclusive.

This bill would establish the 21st Century High School After School Safety and Enrichment for Teens program to create incentives for establishing locally driven after school enrichment programs for high school pupils in the hours after the regular schoolday. The bill would require the State Department of Education to select a minimum of 10 programs to receive funding, would set forth guidelines for operating the programs, and would prescribe application requirements and selection criteria.

This bill would require the department to implement the program only to the extent that federal funds are appropriated for the program. The bill would state the intent of the Legislature that available federal funds be appropriated annually for the program through the annual Budget Act. The bill would authorize a successful applicant to receive a 5-year grant, subject to annual reporting and recertification requirements.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) After school programs are a proven and cost-effective way to improve standardized test scores, prevent juvenile violence and crime, and reduce youth drug, tobacco, and alcohol use.

(b) After school programs provide constructive alternatives to risk-taking behaviors for youth on schooldays. Studies show that the after school hours between 3 p.m. and 6 p.m. are the peak hours for youths to become involved in juvenile crime, become victims of violent crime, to engage in teen sex, and to use drugs, tobacco, and alcohol.



(c) After school programs contribute to young people’s successful transition to adulthood by providing challenging opportunities to build relevant life and work skills, develop relationships with caring adults and mentors, increase civic engagement, and give back to the community.

(d) The state’s comprehensive after school program, the Before and After School Learning and Safe Neighborhoods Partnerships Program, does not include high school pupils.

(e) The state should increase after school programs for high school pupils, targeting those pupils most in need of resources that promote school success and the avoidance of high-risk behaviors.

(f) The state should require a rigorous evaluation to measure academic and behavioral outcomes attributable to after school programs for high school pupils.

(g) These evaluations should inform future policymakers regarding implementation of high school after school programs.

SEC. 2. Article 19 (commencing with Section 8420) is added to Chapter 2 of Part 6 of the Education Code, to read:

Article 19. 21st Century High School After School Safety and Enrichment for Teens Program

8420. This article shall be known and may be cited as the 21st Century High School After School Safety and Enrichment for Teens (High School ASSETs) program.

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.

(a) A minimum of 10 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:

(1) An academic assistance component 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 pupils’ regular academic programs.



(2) An enrichment activities component 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 2004–05 fiscal year. Commencing with the 2005–06 fiscal year and thereafter, a program shall comply with the State Department of Education’s requirements related to the hours and days of program operation.

(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 State Department of Education 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 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 State Department of Education's request for applications.

(g) The State Department of Education shall not establish minimum attendance requirements for individual pupils.

8422. (a) Priority for funding pursuant to this article shall be given to programs that serve pupils who attend schools whose scores on the Academic Performance Index are ranked in the lowest three deciles.

(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 school only or after school and during any combination of, before school, weekends, summer, intersession, and vacation.

8423. (a) The State Department of Education shall select a minimum of 10 programs 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 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 and alignment with state academic standards, preparation for the high school exit examination, and other academic interventions.

(2) Quality of the enrichment component.

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

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

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

(11) Inclusion of a nutritional snack.

(12) Capacity to respond to program evaluation requirements.

(13) 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.

8425. The State Department of Education shall implement this program only to the extent that federal funds are appropriated 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 to conduct a three-year evaluation of the programs established pursuant to this article and to make recommendations for future program expansion.

(b) The State Department of Education 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.

8426. (a) 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 program.

(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) 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) All state funding awarded to a program pursuant to this article that remains after subtracting the administrative costs and outcome data costs authorized by paragraphs (5) and (6) shall be allocated to the program site for direct services to pupils.

(b) When determining recertification after each grant year, the State Department of Education 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 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.

8427. (a) A high school after school program established pursuant to this article shall submit to the State Department of Education annual outcome-based data for evaluation, including research-based indicators of program quality and outcome measures 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.

(b) A program shall also submit annual attendance data results to the State Department of Education to facilitate evaluation and compliance with the grant program requirements, as established by the department.



(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.

8428. The State Department of Education shall order an independent evaluation of the program 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.

