

AMENDED IN ASSEMBLY JUNE 13, 2011

AMENDED IN SENATE APRIL 26, 2011

AMENDED IN SENATE APRIL 4, 2011

AMENDED IN SENATE MARCH 21, 2011

**SENATE BILL**

**No. 429**

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**Introduced by Senator DeSaulnier  
(Coauthor: Senator Price)**

February 16, 2011

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An act to amend Section 8483.75 of, and to add Section 8483.76 to, the Education Code, relating to before and after school programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 429, as amended, DeSaulnier. Before and after school programs: After School Education and Safety Program: supplemental grants.

Existing law provides that every school that establishes a before school program component pursuant to the After School Education and Safety Program is eligible to receive a 3-year renewable direct grant, as specified, and is eligible to receive a supplemental grant to operate the program in excess of 180 schooldays during any combination of summer, intersession, or vacation periods, as specified.

This bill would instead provide that any school that establishes a program pursuant to the After School Education and Safety Program, or establishes a program with a before school program component pursuant to the program, is eligible to receive a supplemental grant to operate the program in excess of 180 regular schooldays or during any combination of summer, intersession, or vacation periods for a maximum of 30% of the total grant amount awarded, per *school* year, to the school, as specified. The bill would allow supplemental grantees to change the

location of the program and to open eligibility for the program, as specified. The bill would also require a supplemental grantee operating a 6-hour extended day program to submit, for prior approval by the State Department of Education, a revised program plan, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 8483.75 of the Education Code is  
2 amended to read:

3 8483.75. (a) (1) (A) Each school that establishes a before  
4 school program component pursuant to Section 8483.1 is eligible  
5 to receive a three year renewable direct grant, that shall be awarded  
6 in three one-year increments and is subject to semiannual  
7 attendance reporting and renewal as required by the department.  
8 Before school programs established pursuant to this section shall  
9 be subject to the same reporting and accountability provisions  
10 described in subparagraph (A) of paragraph (1) of subdivision (a)  
11 of Section 8483.7.

12 (B) The maximum total grant amount awarded annually pursuant  
13 to this paragraph shall be thirty-seven thousand five hundred dollars  
14 (\$37,500) for each regular school year for each elementary school  
15 and forty-nine thousand dollars (\$49,000) for each regular school  
16 year for each middle or junior high school.

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

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

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

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

1 (3) Each program shall provide an amount of cash or in-kind  
2 local funds equal to not less than one-third of the total grant from  
3 the school district, governmental agencies, community  
4 organizations, or the private sector. Facilities or space usage may  
5 fulfill not more than 25 percent of the required local contribution.

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

10 (B) A program grantee that is awarded funds pursuant to  
11 subparagraph (A) shall have an established waiting list for  
12 enrollment, and may receive funds only from another school  
13 program that has met a minimum of 70 percent of its attendance  
14 goal.

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

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

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

29 SEC. 2. Section 8483.76 is added to the Education Code, to  
30 read:

31 8483.76. (a) A school that establishes a program pursuant to  
32 Section 8483.7 or 8483.75 is eligible to receive a supplemental  
33 grant to operate the program in excess of 180 regular schooldays  
34 or during any combination of summer, intersession, or vacation  
35 periods for a maximum of 30 percent of the total grant amount  
36 awarded, per school year, to the school.

37 (b) An existing after school supplemental grantee may operate  
38 a three-hour or a six-hour per day program, but is not eligible to  
39 receive additional grant funds *for the purpose of operating a*  
40 *six-hour program* pursuant to this section. If the grantee operates

1 a six-hour per day program, the target attendance level for the  
 2 purpose of grant reductions pursuant to subparagraph (A) of  
 3 paragraph (1) of subdivision (a) of Section 8483.7 shall be  
 4 computed as if the grant award were based upon the lesser of fifteen  
 5 dollars-(\$15.00) (\$15) per day of pupil attendance or 30 percent  
 6 of the total grant awarded to the school per school year.

7 (c) A supplemental grantee that operates a program pursuant to  
 8 this section may change the location of the program to address the  
 9 needs of pupils and school closures. The program may be  
 10 conducted at an offsite location or at an alternate schoolsite. The  
 11 supplemental grantee shall give notice to the department of the  
 12 change of location and shall include a plan to provide safe  
 13 transportation pursuant to Section 8484.6.

14 (d) A supplemental grantee that operates a program pursuant to  
 15 this section may open eligibility to every pupil attending a school  
 16 in the district. If the program is conducted at a schoolsite, priority  
 17 for enrollment shall be given to the pupils ~~in the attendance area~~  
 18 ~~of~~ *enrolled in* the school.

19 (e) A supplemental grantee operating a six-hour per day program  
 20 shall provide for each needy pupil *at least* one nutritionally  
 21 adequate free or reduced-price meal during each program day  
 22 ~~pursuant to Section 49550.~~

23 (f) A supplemental grantee that operates a six-hour extended  
 24 day program is required to submit, for prior approval by the  
 25 department, a revised program plan that includes all of the  
 26 following:

27 (1) A plan for provision of the free or reduced-price meal  
 28 required by subdivision (e).

29 (2) An attendance and early release policy for the program that  
 30 is consistent with the local educational agency’s early release  
 31 policy for the regular schoolday.