

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY MAY 4, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1014

**Introduced by Assembly Member Thurmond
(Coauthor: Assembly Member Bonta)**

February 26, 2015

An act to add and repeal Section 48270 of the Education Code, relating to pupils, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Thurmond. Pupils: truancy: Our Children's Success—The Early Intervention Attendance Pilot Grant Program.

Existing law requires a pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse 3 full days in one school year or tardy or absent for more than a 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof, to be classified as a truant. Existing law requires, upon a pupil's initial classification as a truant, a school district to notify the pupil's parent or guardian of specified information using the most cost-effective method possible.

This bill would make various findings and declarations regarding truancy. The bill would establish the Our Children's Success—The Early Intervention Attendance Pilot Grant Program under the administration of the State Department of Education. The program would provide grants to applicant public-schools *schools, school districts, and county*

offices of education seeking to resolve the attendance problems of pupils in kindergarten and grades 1 to 3, inclusive. The bill would provide that ~~public schools~~ *the above entities* maintaining kindergarten or any of grades 1 to 3, inclusive, could apply for grants under the program. The bill would authorize the applications for grants submitted by ~~public schools~~ *the above entities* to the department to reflect a plan including specified components.

The bill would require the department to give priority in awarding grants ~~under this bill to applicant public schools~~ *to those applicants who demonstrate financial need for the grant and* that have the highest truancy rates in urban areas, rural areas, and suburban areas, respectively. The bill would require the grants to be awarded for 3 years and to be used to address attendance problems of pupils in kindergarten and grades 1 to 3, inclusive, pursuant to the plans submitted by the ~~applicant public school~~ *applicant*. *The bill would provide that each grant awarded be for no more than \$500,000 and would require the applicant to provide a 20% match.* The bill would require ~~public schools~~ *an applicant* receiving a grant to submit a report, containing specified data, to the department at the conclusion of the grant. The bill would require the department to submit a report, on or before January 1, 2021, to the respective appropriations committees and education committees of the Assembly and the Senate, and would require this report to include a recommendation on whether the grant program ~~established under the bill~~ should continue. These provisions would be repealed on January 1, 2022.

The bill would appropriate an unspecified sum from an unspecified source to the department for purposes of implementing the bill.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Only 17 percent of chronically absent kindergartners and
- 4 first graders in California read proficiently by grade 3 and pupils
- 5 who do not read proficiently by grade 3 are four times more likely
- 6 to drop out of school. Children who drop out of school cost the
- 7 state more than \$46 billion each year, including more than \$1
- 8 billion in juvenile crime costs alone.

1 (b) Ninety percent of elementary school pupils with severe
2 attendance problems, missing 36 or more days in the school year,
3 are estimated to be from low-income families.

4 (c) In the 2013–14 school year, 250,000 elementary school
5 pupils and ~~1~~ one in 10 pupils from low-income families were
6 chronically absent, missing 10 percent or more of the school year.

7 (d) In the 2013–14 school year, African American elementary
8 school pupils were the highest subgroup, including homeless pupils,
9 to be truant and these pupils are chronically truant at four times
10 the rate of all other pupils.

11 (e) In the 2012–13 school year, one in five, or 744,085,
12 elementary school pupils were truant, an increase of 1.2 percent
13 from the 2011–12 school year.

14 (f) In the 2010–11 school year, California schools lost \$1.4
15 billion in average daily attendance funding due to pupil absences
16 and California school districts have lost over \$3.5 billion between
17 the 2010–11 and 2013–14 school years.

18 SEC. 2. Section 48270 is added to the Education Code, to read:

19 48270. (a) Our Children’s Success—The Early Intervention
20 Attendance Pilot Grant Program is hereby established under the
21 administration of the department. This grant program is established
22 for the purpose of helping public schools resolve the attendance
23 problems of pupils in kindergarten and grades 1 to 3, inclusive.
24 This grant program shall be implemented upon the appropriation
25 of sufficient funding under Section 3 of the act that added this
26 section.

27 (b) A ~~public school~~ *school, school district, or county office of*
28 *education* maintaining kindergarten or any of grades 1 to 3,
29 inclusive, seeking to participate in the grant program established
30 by this section may apply to the department for a grant pursuant
31 to this section. An application submitted by a public ~~school~~ *school,*
32 *school district, or county office of education* to the department
33 under this subdivision may reflect a plan that includes, but is not
34 necessarily limited to, all of the following components:

35 (1) Establishment of a training program for key school officials
36 and attendance staff to identify pupils with chronic attendance
37 problems upon their second occurrence of tardiness or absence in
38 a school year, and the mailing of attendance letters to the pupil’s
39 home in a timely manner.

1 (2) Establishment of a phone call outreach program, including
2 a minimum of two calls from a school official, not limited to a
3 recording, to follow up on those pupils whose attendance problems
4 continue during that school year after the attendance letters are
5 mailed.

6 (3) Establishment of a parent advocate position or positions,
7 designated for ongoing followup with the pupil and the parent
8 throughout the school year to ensure the pupil's continued
9 consistent school attendance. The number of these parent advocate
10 positions may vary according to the school's needs, resources, and
11 the parent advocate's ability to manage the workload.

12 (4) Establishment of an outreach worker position or positions
13 whose primary job is assisting families with a child or children
14 who have ongoing chronic attendance problems. The duties of an
15 outreach worker include sending letters, making phone calls and
16 home visits, and helping to connect the family to the appropriate
17 local, state, or federal programs in order to resolve issues that are
18 creating impediments to the child's consistent attendance in school.
19 The number of these outreach worker positions can vary according
20 to the ~~school's~~ *applicant's* needs, resources, and the outreach
21 worker's ability to manage the workload.

22 (5) Determining that the ~~applicant school's~~ *applicant's* plan is
23 instituted, to the best of the ~~school's~~ *applicant's* ability, before a
24 pupil enters the school attendance review board process.

25 (6) Establishment of a plan for teacher followup with pupils
26 with chronic attendance problems to make up for lost instructional
27 time.

28 (7) Establishment of a plan to track *both longitudinal, pupil*
29 *level* pupil attendance and aggregate data on tardiness and
30 attendance throughout the school year to determine whether
31 improvement has been made.

32 (8) *Establishment of a plan to assess trends in attendance and*
33 *chronic absence rates among pupils who are English learners,*
34 *eligible for a free or reduced-price meal, or are foster youth, as*
35 *those terms are defined in Section 42238.01, and target resources*
36 *towards those groups of pupils who are most at risk for ongoing*
37 *attendance problems.*

38 (9) (A) *Submission of deidentified, aggregate data on chronic*
39 *absence and attendance rates to the Bureau of Children's Justice*
40 *within the Department of Justice for inclusion in the report "In*

1 School + On Track” prepared by the Office of the Attorney
2 General.

3 (B) For purposes of this paragraph, “deidentified” means
4 information that cannot be used to identify an individual pupil.

5 (c) The applicant shall include an estimate for the amount of
6 the grant needed in the application and shall be required to provide
7 20 percent matching funds for any amount requested to encourage
8 applicants to apply for less than the maximum grant amount
9 specified in paragraph (2) of subdivision (f).

10 ~~(e)~~

11 (d) The grant program established by this section shall not be
12 construed as a replacement of, or a substitution for, the school
13 attendance review board process as described in this article.

14 ~~(d)~~

15 (e) (1) The department shall award grants under this section
16 based on the selection criteria in paragraph (2).

17 (2) The department shall give priority to applicant public schools
18 to those applicants who demonstrate financial need for the grant
19 and with the highest truancy rates in each of the following areas:

20 (A) Urban areas.

21 (B) Rural areas.

22 (C) Suburban areas.

23 ~~(e)~~

24 (f) (1) Grants under this section shall be awarded for three
25 years, and shall be used to address the attendance problems of
26 pupils in kindergarten and in grades 1 to 3, inclusive, pursuant to
27 the plans submitted by the applicant—public school under
28 subdivision (b).

29 (2) Each grant awarded pursuant to this section shall be for no
30 more than five hundred thousand dollars (\$500,000).

31 (3) The department shall provide no less than 10 grants.

32 (4) The department shall award no more than five million dollars
33 (\$5,000,000) in total grant moneys.

34 ~~(f)~~

35 (g) ~~A public school~~ An applicant that receives a grant under this
36 section shall submit a report to the department at the conclusion
37 of the grant. This report shall specify how the grant funds were
38 used and the strategies employed to address pupil attendance
39 problems. The report shall also include pupil attendance data
40 measured both before and after the implementation of the grant.

1 ~~(g)~~
 2 (h) On or before January 1, 2021, the department shall submit
 3 a report to the respective committees on appropriations and
 4 committees on education of the Assembly and the Senate. This
 5 report shall evaluate the strategies and the attendance data of the
 6 ~~public schools~~ applicants that received funds from the grant
 7 program established under this section. The report shall include,
 8 but not necessarily be limited to, a recommendation on whether
 9 the grant program should continue.

10 ~~(h)~~
 11 (i) This section shall remain in effect only until January 1, 2022,
 12 and as of that date is repealed, unless a later enacted statute, that
 13 is enacted before January 1, 2022, deletes or extends that date.

14 SEC. 3. The sum of ____ dollars (\$____) is hereby
 15 appropriated to the State Department of Education for purposes
 16 of implementing Our Children’s Success–The Early Intervention
 17 Attendance Grant Program, as established in Section 48270 of the
 18 Education Code. It is the intent of the Legislature that the funds
 19 appropriated under this section be drawn from sources that may
 20 include, but are not necessarily limited to, the General Fund, the
 21 Safe Neighborhoods and Schools Fund established by Proposition
 22 47 on the November 2014 statewide general election ballot, federal
 23 and local government funds, and contributions from nonprofit
 24 organizations and other private entities.