

AMENDED IN SENATE SEPTEMBER 1, 2015

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.~~ *pupils*.

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, 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 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 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 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. 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 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 should continue. *The bill would provide that the above provisions shall not be implemented unless there is an appropriation in the annual Budget Act or another statute, as provided.* 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~~no. 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

1 state more than \$46 billion each year, including more than \$1  
2 billion in juvenile crime costs alone.

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

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

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

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

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

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

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

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

37 (1) Establishment of a training program for key school officials  
38 and attendance staff to identify pupils with chronic attendance  
39 problems upon their second occurrence of tardiness or absence in

1 a school year, and the mailing of attendance letters to the pupil's  
2 home in a timely manner.

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

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

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

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

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

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

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

1 (9) (A) Submission of deidentified, aggregate data on chronic  
2 absence and attendance rates to the Bureau of Children’s Justice  
3 within the Department of Justice for inclusion in the report “In  
4 School + On Track” prepared by the Office of the Attorney  
5 General.

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

8 (c) The applicant shall include an estimate for the amount of  
9 the grant needed in the application and shall be required to provide  
10 20 percent matching funds for any amount requested to encourage  
11 applicants to apply for less than the maximum grant amount  
12 specified in paragraph (2) of subdivision (f).

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

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

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

21 (A) Urban areas.

22 (B) Rural areas.

23 (C) Suburban areas.

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 under subdivision (b).

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

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

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

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

39 (h) On or before January 1, 2021, the department shall submit  
40 a report to the respective committees on appropriations and

1 committees on education of the Assembly and the Senate. This  
2 report shall evaluate the strategies and the attendance data of the  
3 applicants that received funds from the grant program established  
4 under this section. The report shall include, but not necessarily be  
5 limited to, a recommendation on whether the grant program should  
6 continue.

7 (i) *This section shall not be implemented unless there is an*  
8 *appropriation in the annual Budget Act or another statute for these*  
9 *purposes. Notwithstanding any other law, funding for this program*  
10 *shall not be from savings identified pursuant to the Safe*  
11 *Neighborhoods and Schools Act, approved as Proposition 47 by*  
12 *the voters at the November 4, 2014, statewide general election.*

13 (i)  
14 (j) This section shall remain in effect only until January 1, 2022,  
15 and as of that date is repealed, unless a later enacted statute, that  
16 is enacted before January 1, 2022, deletes or extends that date.

17 ~~SEC. 3.—The sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) is hereby~~  
18 ~~appropriated to the State Department of Education for purposes~~  
19 ~~of implementing Our Children’s Success—The Early Intervention~~  
20 ~~Attendance Grant Program, as established in Section 48270 of the~~  
21 ~~Education Code. It is the intent of the Legislature that the funds~~  
22 ~~appropriated under this section be drawn from sources that may~~  
23 ~~include, but are not necessarily limited to, the General Fund, the~~  
24 ~~Safe Neighborhoods and Schools Fund established by Proposition~~  
25 ~~47 on the November 2014 statewide general election ballot, federal~~  
26 ~~and local government funds, and contributions from nonprofit~~  
27 ~~organizations and other private entities.~~