

Assembly Bill No. 326

Passed the Assembly September 10, 1997

Chief Clerk of the Assembly

Passed the Senate September 5, 1997

Secretary of the Senate

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER ____

An act to amend Section 8481 of the Education Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 326, Ortiz. School-based before and after school child care programs.

Existing law requires the Superintendent of Public Instruction, subject to an appropriation in the annual Budget Act, to allocate funding for the establishment of school-based before and after school programs with a strong literacy component. Existing law authorizes a before and after school program, whether public, private, or school district operated, in collaboration with other local governmental agencies, to apply to the State Department of Education for funding for this purpose. In addition to meeting other program criteria, funded programs are required to demonstrate experience in implementing quality before or after school child development programs, inclusion of a strong literacy component, and a working collaboration with specified entities. Preference is required to be given to programs that currently employ recipients of CalWORKs who are parents of children enrolled in the applicant programs or that have a demonstrated commitment to providing employment opportunities for those recipients of CalWORKs. Funding is renewable and contingent on, among other things, a favorable evaluation.

This bill would specify the evaluation outcomes and measures of those outcomes. The bill would require the Superintendent of Public Instruction to allocate specified funds appropriated in the Budget Act of 1997 to before and after school programs for the purpose of initiating school-based before and after school programs with a strong literacy component.

This bill would declare that it is to take effect immediately as an urgency statute.



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

SECTION 1. Section 8481 of the Education Code, as added by Chapter 270 of the Statutes of 1997, is amended to read:

8481. (a) Subject to appropriation in the annual Budget Act, for the purpose of the program in this article, the Superintendent of Public Instruction may allocate funds for the establishment of school-based schoolage before and after school programs that include homework and tutoring assistance, improve literacy skills, and provide recreational activities, as well as facilitate the transition from welfare to work by providing child care for schoolage children and potential employment for welfare recipients who are parents of children enrolled in schoolage child care programs.

(b) A before and after school program, whether public, private, or school district operated, in collaboration with other local governmental agencies, may apply to the State Department of Education for funding under this article. A before and after school program that receives funding pursuant to this article may participate in any other grant programs that fund literacy and technology activities.

(c) In order to achieve the goals of assisting children in learning, providing parents with employment and parenting skills, providing a safe environment for children, and helping prevent crime in neighborhoods, a program funded under this article shall be a collaborative effort with a school district, and may also include collaboration with any combination of the following: other school districts, community college districts, counties, cities, community-based organizations, not-for-profit organizations, the local agency that provides the Even Start Family and Head Start literacy programs or their equivalent programs, and the private sector.

(d) In selecting programs for funding under this article, the department shall use the standards set forth in Section 8463 and all of the following criteria:



(1) Programs shall have demonstrated experience in implementing quality before or after school child development programs.

(2) Programs shall demonstrate the inclusion of a strong literacy component.

(3) Programs shall demonstrate a working collaboration with entities listed in subdivision (c), including Even Start Family and Head Start literacy program providers, to the extent that these programs exist in the service area.

(e) Notwithstanding Section 8468, in allocating funds pursuant to this article, preference shall be given to programs that currently employ recipients of aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, who are parents of children enrolled in the applicant programs or that have a demonstrated commitment to providing employment opportunities for those recipients of aid, or both.

(f) Funding received by a before and after school program pursuant to this article may be renewed and is contingent upon the following:

(1) Compliance with the requirement of subdivision (c), the criteria set forth in subdivision (d), and the priorities set forth in subdivision (e).

(2) A favorable evaluation completed by the State Department of Education pursuant to Section 8498.8 or an evaluation that meets the standards of the department. Outcomes shall include academic achievement determined by measurements such as test scores, grades, school attendance, and number of disciplinary actions.

(3) Programs shall demonstrate that they are receiving locally generated resources from other than federal and state sources, which may include in-kind contributions.

(g) (1) A program established under this section may employ parents of schoolage children who are participating in the program established pursuant to Article 3.2 (commencing with Section 11320) of Chapter



2 of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, and may employ those parents in the schools attended by their own children. Parents employed pursuant to this subdivision may also participate in training programs at least six hours per week, in order to help them understand child development, learn parenting skills, and obtain skills for employment in either an educational or child care setting. Employment in the program may fulfill a participant's employment requirements under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code.

(2) A program shall also be encouraged to hire older siblings of children in the program whose families receive aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, to work in either the program's literacy or recreation components. It is the intent of this subdivision that hiring teenagers from families that receive aid under this Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, will provide an additional source of income for these families.

(3) All program participants shall be assessed before they work with children to determine their skills and literacy development and a criminal background check on each participant shall be completed before that participant begins to work with children. Participants shall be supervised by qualified staff.

(4) (A) Notwithstanding any other provision of law, but subject to subparagraph (B), programs operating under this article that use recipients of aid under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, may count those recipients as staff members for purposes of determining compliance with staffing ratio requirements.

(B) Teenage siblings used by programs operating under this article may not be included in computing compliance with staffing ratio requirements.



(5) Notwithstanding any other provisions of law, programs operating under this section may extend their hours of operation beyond 20 hours per week.

(h) A program established pursuant to this section shall assist the children of recipients of aid under Article 3.2 (commencing with Section 11320) of Chapter 2 of Part 3 of Division 9 of the Welfare and Institutions Code, or any successor program, and other children to complete homework, improve literacy skills, that shall include, but not be limited to, reading, writing, mathematical, and computer skills, and participate in recreational activities.

(i) Programs funded under this section shall provide training on how to work with children on reading, writing, listening, and speaking. This training shall be provided in collaboration with an Even Start Family or Head Start literacy program, or their equivalent programs.

(j) (1) Notwithstanding Sections 8468 and 8473, priority for funding shall be given to schoolsites where a minimum of 70 percent of the children are eligible for, or are recipients of, either aid under Chapter 2 (commencing with Section 11200) of Part 3 of Division 9 of the Welfare and Institutions Code or free or reduced-cost meals through the school lunch program.

(2) Priority for enrollment in programs funded under this section shall be given in accordance with Section 8468.5.

(k) Programs funded under this section shall be encouraged to take advantage of free snack programs administered by the United States Department of Agriculture.

(l) It is the intent of this article, by providing a safe, supervised after school environment for children, including those teens employed by a program, to reduce criminal activity among juveniles, and to strengthen parent-child relationships and communities by involving parents in their children's schoolwork and schools.

(m) Notwithstanding Section 8360.1 or any other provision of law, college courses in recreation, art, mathematics, and physical and social development that



would enhance the education of schoolage children may be considered to meet course requirements in child development.

SEC. 2. From the funds appropriated in Schedule (b)(8) of Item 6110-196-0001 of the Budget Act of 1997, the State Department of Education shall allocate three million five hundred thousand dollars (\$3,500,000) to before and after school programs for the purpose of initiating alternative literacy based programs pursuant to Section 8481 of the Education Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to begin before and after school programs pursuant to Section 8481 of the Education Code at the earliest possible date so that pupils will have the benefit of those programs, it is necessary that this act take effect immediately.



Approved _____, 1997

Governor

