

**ASSEMBLY BILL**

**No. 1567**

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**Introduced by Assembly Member Campos**

January 4, 2016

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An act to amend Sections 8482.6 and 8483 of, and to add Section 8483.95 to, the Education Code, relating to after school programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1567, as introduced, Campos. After school programs: enrollment: fees.

The After School Education and Safety Program Act of 2002, enacted by initiative statute, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. The act gives priority enrollment in after school programs to pupils in middle school or junior high school who attend daily.

This bill would instead give first priority enrollment to homeless youth, as defined, 2nd priority enrollment to pupils in CalWORKs assistance units, as described, and 3rd priority enrollment, for programs serving middle and junior high school pupils, to pupils who attend the program daily.

The act provides that an after school and before school program is not required to charge family fees or conduct individual eligibility determination based on need or income.

This bill would prohibit a program that charges family fees from charging a fee to a family for a child who is a homeless youth or who is a member of a CalWORKs assistance unit.

The act authorizes the Legislature to amend certain of its provisions to further its purposes by majority vote of each house.

The bill would set forth a legislative finding and declaration that it furthers the purposes of the act.

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 8482.6 of the Education Code is amended  
2 to read:

3 8482.6. Every pupil attending a school operating a program  
4 pursuant to this article is eligible to participate in the program,  
5 subject to program capacity. A program established pursuant to  
6 this article is not required to charge family fees or conduct  
7 individual eligibility determination based on need or income. *If a*  
8 *program established pursuant to this article does charge family*  
9 *fees, the program shall not charge a fee to a family for a child who*  
10 *is identified as a homeless youth, as defined by the federal*  
11 *McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301*  
12 *et seq.), or is a member of a CalWORKs assistance unit, as*  
13 *described in subdivision (a) of Section 11265.45 of the Welfare*  
14 *and Institutions Code.*

15 SEC. 2. Section 8483 of the Education Code is amended to  
16 read:

17 8483. (a) (1) Every after school component of a program  
18 established pursuant to this article shall commence immediately  
19 upon the conclusion of the regular schoolday, and operate a  
20 minimum of 15 hours per week, and at least until 6 p.m. on every  
21 regular schoolday. Every after school component of the program  
22 shall establish a policy regarding reasonable early daily release of  
23 pupils from the program. For those programs or schoolsites  
24 operating in a community where the early release policy does not  
25 meet the unique needs of that community or school, or both,  
26 documented evidence may be submitted to the department for an  
27 exception and a request for approval of an alternative plan.

28 (2) It is the intent of the Legislature that elementary school  
29 pupils participate in the full day of the program every day during  
30 which pupils participate and that pupils in middle school or junior  
31 high school attend a minimum of nine hours a week and three days  
32 a week to accomplish program goals.

1 (3) In order to develop an age-appropriate after school program  
2 for pupils in middle school or junior high school, programs  
3 established pursuant to this article may implement a flexible  
4 attendance schedule for those pupils. ~~Priority for enrollment of~~  
5 ~~pupils in middle school or junior high school shall be given to~~  
6 ~~pupils who attend daily.~~

7 (b) The administrators of a program established pursuant to this  
8 article have the option of operating during any combination of  
9 summer, intersession, or vacation periods for a minimum of three  
10 hours per day for the regular school year pursuant to Section  
11 8483.7.

12 (c) *Priority for enrollment of pupils in an after school program*  
13 *shall be as follows:*

14 (1) *First priority shall go to pupils who are identified as*  
15 *homeless youth, as defined by the federal McKinney-Vento*  
16 *Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).*

17 (2) *Second priority shall go to pupils who are members of a*  
18 *CalWORKs assistance unit, as described in subdivision (a) of*  
19 *Section 11265.45 of the Welfare and Institutions Code.*

20 (3) *For programs serving middle and junior high school pupils,*  
21 *third priority shall go to pupils who attend daily.*

22 SEC. 3. Section 8483.95 is added to the Education Code, to  
23 read:

24 8483.95. It is the intent of the Legislature that a program  
25 established pursuant to this article shall not use its program funding  
26 for food, other than food-related curriculum, unless it applies for,  
27 and is rejected from receiving, federal money for purposes of  
28 providing food to pupils in the program.

29 SEC. 4. The Legislature finds and declares that this act furthers  
30 the purpose of the After School Education and Safety Program  
31 Act of 2002.