1. **Funding Pool Protection by Geographic Location- Urban and Rural. This would apply only to the 21st Century programs and ASSETS.**

Amend Ed Code 8483.3(a)

8483.3(a) The State Department of Education shall select applicants to participate in the program established pursuant to this article from among applicants that apply on forms and in a manner prescribed by the department. **~~To the extent possible, the selection of applicants by the State Department of Education shall result in an equitable distribution of grant awards pursuant to Section 8483.7 to applicants in northern, southern, and central California, and in urban, suburban, and rural areas of California.~~**

Amend Ed Code 8423(a) for ASSETS

8423.(a) The department shall select grantees to participate in the 21st Century High School After School Safety and Enrichment for Teens program from among applicants that apply on forms and in a manner prescribed by the department. **~~To the extent possible, the selection of applicants by the department shall result in an equitable distribution of grant awards to applicants in northern, southern, and central California, and in urban, suburban, and rural areas of the state.~~ To the extent possible, the selection of applicants by the department shall result in an equitable distribution of grant awards to applicants in northern, southern, and central California, and in urban and rural areas of California. Urban and rural areas shall be defined by the United States Census Bureau. Northern California shall be defined as California County Superintendents Educational Services Association Regions one through four, southern California shall be defined as California County Superintendents Educational Services Association Regions nine through eleven and central California shall be defined as the remaining regions.**

Insert new code section for 21st CCLC EC 8484.8(l)

**8484.(l) To the extent possible, the selection of applicants by the department shall result in an equitable distribution of grant awards to applicants in northern, southern, and central California, and in urban and rural areas of California. Urban and rural areas shall be defined by the United States Census Bureau. Northern California shall be defined as California County Superintendents Educational Services Association Regions one through four, southern California shall be defined as California County Superintendents Educational Services Association Regions nine through eleven and central California shall be defined as the remaining regions.**

1. **Good Standing**

Amend Ed code 8483.7

EC Section 8483.7(a)(1)(A)(vi)The department may **withhold or** terminate the grant **allocation** of any site or program that does not comply with **audit resolutions,** fiscal reporting, attendance reporting, or outcomes reporting requirements **~~established~~** **required** by the department**.** **~~and pursuant to Section 8484. The department may withhold the grant allocation for a program or site if the prior grant year's fiscal or attendance reporting remains outstanding, until the reports have been filed with the department.~~**

Insert new code section for ASSETS, Ed Code 8426(i)

**Ed Code 8426(i) The department may withhold or terminate the grant allocation of any site or program that does not comply with audit resolutions, fiscal reporting, attendance reporting, or outcomes reporting requirements required by the department.**

1. **Attendance credit for days that a school is closed due to civil unrest, or imminent danger to pupils or staff.**

Amend Ed Code 8482.8(d)

EC Section 8482.8 (d) If a program grantee is temporarily prevented from operating its entire program due to natural disaster, civil unrest, or imminent danger to pupils or staff, the department may **~~recommend, and the state board may~~** approve, a request by the grantee for **~~payment~~** **student attendance credit** equal to the **~~amount of funding~~** **average annual attendance that** the grantee would have received if it had been able to operate its entire program during that time period.

Insert new Ed code 8426 (j) for ASSETS

EC Section 8426(j) **If a program grantee is temporarily prevented from operating its entire program due to natural disaster, civil unrest, or imminent danger to pupils or staff, the department may approve, a request by the grantee for student attendance credit equal to the average annual attendance that the grantee would have received if it had been able to operate its entire program during that time period.**

1. **Fee based programs may charge low income students a fee**

Amend Ed Code 8482.6

8482.6. Every pupil attending a school operating a program pursuant to this article is eligible to participate in the program, subject to program capacity. A program established pursuant to this article **~~is not required to~~** **may** charge family fees**.** **~~or conduct individual eligibility determination based on need or income.~~ Programs that charge family fees shall offer free or reduced fees when the student is eligible for free or reduced-priced meals.**

Amend code section 8422(c) for ASSETS

8422. (a) Priority for funding pursuant to this article shall be given to programs that previously received funding pursuant to Section 8421, for expansion of existing grants up to the per site maximum established under paragraph (1) of subdivision (a) of Section 8426, or to replace expiring grants that have satisfactorily met their projected attendance goals.

 (b) A program established pursuant to this article shall be planned through a collaborative process that includes parents, pupils, representatives of participating schools, governmental agencies, including city and county parks and recreation departments, community organizations, law enforcement, and, if appropriate, the private sector.

 **~~(c) A program established pursuant to this article is not required to charge family fees or to conduct individual eligibility determinations based on need or income.~~**

**EC section 8422(c) Every pupil attending a school operating a program pursuant to this article is eligible to participate in the program, subject to program capacity. A program established pursuant to this article may charge family fees. Programs that charge family fees shall offer free or reduced fees when the student is eligible for free or reduced-priced meals.**

1. **After School Program Grades Served.**

Amend EC Section 8482.3(a)

EC Section 8482.3(a) - The After School Education and Safety Program shall be established to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. **The specific grades to be served by a program at participating schools may be determined in accordance with local needs.**

1. **Quality improvement process-Minor citation change**

Amend EC Section 8427(a)(2)

EC Section 8427(a)(2) Programs shall submit evidence of a data-driven program quality improvement process that is based on the department's guidance on program quality standards developed pursuant to paragraph (**~~4~~** **3**)

1. **School site substitution**

Amend EC Section 8482.8

8482.8. **~~(a) If there is a significant barrier to pupil participation in a program established pursuant to this article at the school of attendance for either the before school or the after school component, an applicant may request approval from the Superintendent, before or during the grant application process, to provide services at another schoolsite for that component. An applicant that requests approval shall describe the manner in which the applicant intends to provide safe, supervised transportation between schoolsites; ensure communication among teachers in the regular school program, staff in the before school and after school components of the program, and parents of pupils; and coordinate the educational and literacy component of the before and after school components of the program with the regular school programs of participating pupils.~~**

 **~~(b) For purposes of this article, a significant barrier to pupil participation in the before school or the after school component of a program established pursuant to this chapter means either of the following:~~**

 **~~(1) Fewer than 20 pupils participating in the component of the program.~~**

 **~~(2) Extreme transportation constraints, including, but not limited to, desegregation bussing, bussing for magnet or open enrollment schools, or pupil dependence on public transportation.~~**

**8482.8. (a) If there is a significant barrier to pupil participation in a program established pursuant to this article at the school of attendance, a grantee may request approval from the department to transfer program services to another schoolsite within the same local education agency. The schoolsite to which the program will be transferred shall satisfy the following requirements:**

**(1) The schoolsite will be receiving students from the current schoolsite; and**

**(2) The schoolsite shall already have a grant of the same type; or**

**(3) The schoolsite to which funds would be transferred shall have a percent of students eligible for free or reduced-price meal that is not lower than ten percent of the original site. If the proposed schoolsite receiving the program is not yet open, feeder school free or reduced-price meal data, as determined by the department, shall be considered in evaluating the proposed transfer.**

**The schoolsite program transfer shall not increase the funding at the proposed program schoolsite above the maximum after school grant amount established in Section 8483.7(a)(1)(C). An applicant that requests approval to transfer program services shall describe the manner in which the applicant intends to provide safe, supervised transportation; ensure communication among teachers in the regular school program, staff in the before school and after school components of the program, and parents of pupils; and align the educational and literacy component of the before and after school components of the program with the regular school programs of participating pupils.**

 **(b) For purposes of this article, a significant barrier to pupil participation in the before school or the after school component of a program established pursuant to this chapter means any of the following:**

 **(1) Fewer than 20 pupils participating in the component of the program.**

 **(2) Extreme transportation constraints, including, but not limited to, desegregation bussing, bussing for magnet or open enrollment schools, or pupil dependence on public transportation.**

**(3) A local education agency opens a new schoolsite, merges the program schoolsite with another schoolsite or splits a current program schoolsite so that the current program schoolsite is subject to a grant reduction pursuant to EC Section 8483.7(a)(1)(A).**

Insert new ED Section 8426.5(a)

**ED Section 8426.5(a) If there is a significant barrier to pupil participation in a program established pursuant to this article at the school of attendance, a grantee may request approval from the department to transfer program services to another schoolsite within the same local education agency. The schoolsite to which the program will be transferred shall satisfy the following requirements:**

**(1)     The schoolsite will be receiving students from the current schoolsite; and**

**(2)     The schoolsite shall already have a grant of the same type; or**

**(3)     The schoolsite to which funds would be transferred shall have a percent of students eligible for free or reduced-price meal that is not lower than ten percent of the original site. If the proposed schoolsite receiving the program is not yet open, feeder school free or reduced-price meal data, as determined by the department, shall be considered in evaluating the proposed transfer.**

**The schoolsite program transfer shall not increase the funding at the proposed program schoolsite above the maximum after school grant amount established under paragraph (1) of subdivision (a) of Section 8426. An applicant that requests approval to transfer program services shall describe the manner in which the applicant intends to provide safe, supervised transportation; ensure communication among teachers in the regular school program, staff in the before school and after school components of the program, and parents of pupils; and align the educational and literacy component of the before and after school components of the program with the regular school programs of participating pupils.**

**(b) For purposes of this article, a significant barrier to pupil participation in the before or after school component of a program established pursuant to this chapter means any of the following:**

**(1) Fewer than 20 pupils participating in the component of the program.**

**(2) Extreme transportation constraints, including, but not limited to, desegregation bussing, bussing for magnet or open enrollment schools, or pupil dependence on public transportation.**

**(3) A local education agency opens a new schoolsite, merges the program schoolsite with another schoolsite or splits a current program schoolsite so that the current program schoolsite is subject to a grant reduction pursuant to *EC* Section 8426(d).**

1. **Fiscal Agent Change**

8482.3. (a) The After School Education and Safety Program shall be established to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools.

 (b) A program may operate a before school component of a program, an after school component, or both the before and after school components of a program, on one or multiple schoolsites. If a program operates at multiple schoolsites, only one application shall be required for its establishment.

 (c) (1) Each component of a program established pursuant to this article shall consist of the following two elements:

 (A) An educational and literacy element in which tutoring or homework assistance is provided in one or more of the following areas: language arts, mathematics, history and social science, computer training, or science.

 (B) An educational enrichment element that may include, but need not be limited to, fine arts, career technical education, recreation, physical fitness, and prevention activities.

 (2) Notwithstanding any other provision of this article, the majority of the time spent by a pupil who is in kindergarten or any of grades 1 to 9, inclusive, and who is participating in a career technical education element of a program established pursuant to this article shall be at a site that complies with Section 8484.6.

 (d) (1) Applicants shall agree that snacks made available through a program shall conform to the nutrition standards in Article 2.5 (commencing with Section 49430) of Chapter 9 of Part 27 of Division 4 of Title 2.

 (2) Applicants shall agree that meals made available through a program shall conform to the nutrition standards of the United States

Department of Agriculture's at-risk afterschool meal component of the Child and Adult Care Food Program (42 U.S.C. Sec. 1766).

 (e) Applicants for programs established pursuant to this article may include any of the following:

 (1) A local educational agency, including, but not limited to, a charter school, the California School for the Deaf (northern

California), the California School for the Deaf (southern

California), and the California School for the Blind.

 (2) A city, county, or nonprofit organization in partnership with, and with the approval of, a local educational agency or agencies.

 (f) Applicants for grants pursuant to this article shall ensure that each of the following requirements is fulfilled, if applicable:

 (1) The application documents the commitments of each partner to operate a program on that site or sites.

 (2) The application has been approved by the school district, or the charter school governing body, and the principal of each participating school for each schoolsite or other site.

 (3) Each partner in the application agrees to share responsibility for the quality of the program.

 (4) The application designates the public agency or local educational agency partner to act as the fiscal agent. For purposes of this section, "public agency" means only a county board of supervisors or if the city is incorporated or has a charter, a city council. **Fiscal agents may be changed upon approval of the department if the new fiscal agent is one of the existing local education agency or public agency partners.**

1. **Restructuring of a grant consisting of partners**

Amend EC Code 8482.4(a)

8482.4. (a) The department shall review applications submitted under this article to determine whether the applicable requirements in subdivision (f) of Section 8482.3 have been fulfilled.

 (b) The department shall use the per-pupil formulas established pursuant to subparagraph (C) of paragraph (1) of subdivision (a) of Section 8483.7 and the targeted number of pupils to be served, as established pursuant to paragraph (9) of subdivision (f) of Section

8482.3, to determine the appropriate grant amount.

 (c) A grantee that establishes a program pursuant to this chapter is eligible to receive a three-year renewable grant subject to semi-annual reporting. Funding for a grant shall be allocated in annual increments for a period of not more than three years, contingent upon the availability of funds for those grants pursuant to Section 8483.5.

 **(1) Grantee partners may restructure their partnership or consortium when all of the following conditions are met:**

**(A) With the agreement of all partners.;**

**(B) When the new partnership structure(s) is consistent with Education Code Section 8482.3(f), as applicable.;**

**(C) There is no change in the school(s) served; and**

**(D) Upon approval by the Department.**

**(2) Grantee partners may restructure only at the time of renewal pursuant to conditions specified under Education Code Section 8482.4(c)(1).**

Amend EC 8426 for ASSETS

8426. (a) (1) A grantee that establishes a program pursuant to this chapter is eligible to receive a five-year grant of up to two hundred fifty thousand dollars ($250,000) per year per site in a program, subject to semiannual attendance reporting. Funding for a grant shall be allocated in annual increments for a period of not more than five years, contingent upon the availability and appropriation of federal funds by the Legislature for those grants.

 (2) The department shall notify new grantees of their award status and dollar amount of the award, if any, in writing on or before May 15 of each year in which new grants are awarded. The grantee shall notify the department in writing of its acceptance of the grant.

 (3) A first-year grant award shall be made no later than 60 days after enactment of the annual Budget Act and any authorizing legislation. A grant award for the second and subsequent fiscal years shall be made no later than 30 days after enactment of the annual Budget Act and any authorizing legislation.

**(4) Grantees may restructure a partnership or consortium when all of the following conditions are met:**

**(A) With the agreement of all the partners or consortium members.**

**(B) When the new consortia or partnership structure(s) is consistent with Education Code Section 8421(f)(8), as applicable.**

**(C) There is no change in the school(s) served; and**

**(D) Upon approval by the Department.**