

Fireside Chat Policy Updates

Thursday, Sept 14, 2023



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Trailer Bill (SB 114): Expanded Learning Updates

SB 114 outlines a number of changes to the California Education Code (EC) related to Expanded Learning

For more details [access the trailer bill](#). The updated EC related to ELO-P begins in Sec 38.

- **ELO-P School Year:** Any instance of School Year for ELO-P is replaced with Fiscal Year. *This is **consistent** with what was proposed in the May Revise.*
- **ELO-P Expenditures:** Adds encumber (i.e. expend or encumber) and extends the deadline for expending or encumbering funds received in 2021-22 and 2022-23 to June 30, 2024. *This is **consistent** with what was proposed in the May Revise.*
- **Health & Safety:** When an LEA contracts with a third party, the third party must report to the LEA any health or safety-related issues. It also requires the third party to request from parents or guardians, student health information (it is at the discretion of the parents or guardians to provide this information). *This is **consistent** with what was proposed in the May Revise and modifies EC Section 8483.4, [impacting ELO-P, ASES, and 21st CCLC funded programs](#). See details in Sec. 8. of [SB 114](#).*

Trailer Bill Details: Health & Safety

Section **8483.4** of the Education Code is **amended** to read:

Previous Language

8483.4. (a) The administrator of every program established pursuant to this article shall establish minimum qualifications for each staff position that, at a minimum, ensure that all staff members who directly supervise pupils meet the minimum qualifications for an instructional aide, pursuant to the policies of the school district. Selection of the program site supervisors shall be subject to the approval of the schoolsite principal. The administrator shall also ensure that the program maintains a pupil-to-staff member ratio of no more than 20 to 1. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in current law and district policy for school personnel and volunteers in the school district.

New Language Starts Here

(b) When a local educational agency contracts with a third party to operate a program pursuant to this article, the local educational agency shall require the third party to **notify the local educational agency by the next working day** following, and to **submit a written report within seven days of**, the occurrence of any health- or safety-related issues, including, but not limited to, issues involving criminal background clearances for employees, building safety, and any event specified in subdivision (c).

(c) For purposes of this section, an “event” includes any of the following:

- (1) Death of a child from any cause.
- (2) Any injury to a child that requires medical treatment.
- (3) Any unusual incident or child absence that threatens the physical or emotional health or safety of a child.
- (4) Any suspected child abuse or neglect, as defined in Section 11165.6 of the Penal Code.
- (5) Epidemic outbreaks.
- (6) Poisonings.
- (7) Fires or explosions that occur in or on the premises.
- (8) Exposure to toxic substances.
- (9) An arrest of an employee of the third party.
- (10) Any other event as specified by the local educational agency.

Trailer Bill Details: Health & Safety, Continued

(d) When a local educational agency contracts with a third party, the local educational agency shall require the third party to request from parents or guardians pupil health information, such as whether a pupil has allergies or asthma, before pupil enrollment. Parents or guardians may provide this information at their discretion and are not required to provide pupil health information in order for the pupil to receive services pursuant to this article.

Section **8483.4** applies to all Expanded Learning funding streams:

- ASES
- 21st CCLC, and
- ELO-P

Trailer Bill (SB 114): Updates Continued

- **ELO-P Licensing Requirements:** *Requirements proposed during the May Revise have been **revised**.* ELO-P programs **do not need** a child daycare facility license or special permit to operate. An ELO-P operated by a third party that holds a child daycare facility license or special permit as of June 1, 2023, shall maintain that license or permit capacity as a requirement of contracting pursuant to this section until June 30, 2024.
[For more info on Licensing, access the Video and Slide Deck from Fireside Chat #53.](#)
- **ELO-P Off-Site Programs:** *Requirements proposed during the May Revise have been **revised**.* A process and timeline will be established for LEAs to submit information to the California Department of Education if they are contracting with third parties to provide ELO-P services at a location other than a school campus: contact info for the third party, number of students and grades of students served off-site, and licensing info if applicable. **The final bill added providing a single point of contact for each LEA regarding ELO-P.**
- **ELO-P Data Reporting:** By Feb 1, 2024 CDE will need to submit a report that includes the following:
 - The number of providers who are serving TK/K students on a non LEA site and the number of students served during the school year and summer.
 - The number of providers who are serving TK/K students on a non LEA site in 23-24 who are also licensed, the type of programs that are licensed, and how many students are served.
 - A list of LEAs that contract with third party providers serving students on a non LEA site during the school year and summer including how many contractors they work with, and the number of students served, by grade.

These are **new** requirements that weren't included in the May Revise proposal.

Next Steps

While the primary budget process is complete, it is possible for additional changes to be made.

In the current year, **September 14** marks the deadline for the Legislature to pass bills. *This includes the approval of any remaining budget trailer bills, which are supplementary bills that provide details for specific programs outlined in the main budget.*

Governor Newsom has one month, until **October 14**, to either sign or veto these bills. However, modifications to the budget can still be made even beyond 2023 and extend into 2024.

[Access CA Policy Updates on the CAN Website](#)

