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## SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** AB 1014  
**Author:** Thurmond  
**Version:** June 1, 2015  
**Urgency:** No  
**Consultant:** Lenin Del Castillo  
**Hearing Date:** July 8, 2015  
**Fiscal:** Yes

**Subject:** Pupils: truancy: Our Children's Success – The Early Intervention Attendance Pilot Grant Program

### SUMMARY

This bill establishes the Our Children's Success – The Early Intervention Attendance Pilot Grant Program for the purpose of helping public schools resolve attendance problems of pupils in kindergarten or grades 1 to 3.

### BACKGROUND

The Safe Neighborhoods and Schools Act was approved by voters as Proposition 47 in November 2014 and makes significant changes to the state's criminal justice system. It reduces the penalties for certain non-violent, non-serious drug and property crimes, and requires that the resulting state savings be spent on 1) mental health and substance use services; 2) truancy and dropout prevention; and 3) victim services. Further, Proposition 47 requires that 25 percent of the Safe Neighborhoods School Fund be allocated to the California Department of Education (CDE) to administer a grant program to reduce truancy, high school dropout, and student victimization rates.

### ANALYSIS

This bill:

- 1) Makes various findings and declarations regarding the truancy of students and its effects.
- 2) Establishes Our Children's Success – The Early Intervention Attendance Pilot Grant Program under the administration of the CDE.
- 3) Provides that the program shall be implemented upon the appropriation of sufficient funding.
- 4) Provides that a public school, school district or county office of education (COE) maintaining any of grades kindergarten through grade 3 seeking to participate in the grant program may apply to the CDE for a grant. Requires an application submitted by a public school, school district or COE to reflect a plan that may include, but is not necessarily limited to, all of the following:
  - a) Establishment of a training program for key school officials and attendance staff to identify pupils with chronic attendance problems upon their second occurrence

- of tardiness or absence in a school year, and the mailing of attendance letters to the pupil's home in a timely manner.
- b) Establishment of a phone call outreach program, including a minimum of two calls from a school official, not limited to a recording, to follow up on those pupils whose attendance problems continue during that school year after the attendance letters are mailed.
  - c) Establishment of a parent advocate position or positions, designated for ongoing follow-up with the pupil and the parent throughout the school year to ensure the pupil's continued consistent school attendance. The number of these parent advocate positions may vary according to the applicant's needs, resources, and the parent advocate's ability to manage the workload.
  - d) Establishment of an outreach worker position or positions whose primary job is assisting families with a child or children who have ongoing chronic attendance problems. The duties of an outreach worker include sending letters, making phone calls and home visits, and helping to connect the family to the appropriate local, state, or federal programs in order to resolve issues that are creating impediments to the child's consistent attendance in school. The number of these outreach worker positions can vary according to the school's needs, resources, and the outreach worker's ability to manage the workload.
  - e) Determination that the applicant's plan is instituted, to the best of the applicant's ability, before a pupil enters the school attendance review board (SARB) process.
  - f) Establishment of a plan for teacher follow-up with pupils with chronic attendance problems to make up for lost instructional time.
  - g) Establishment of a plan to track both longitudinal, pupil level and pupil attendance and aggregate data on tardiness and attendance throughout the school year to determine whether improvement has been made.
  - h) Establishment of a plan to assess trends in attendance and chronic absence rates among pupils who are English learners, eligible for a free or reduced-price meal, or are foster youth, and target resources towards those groups of pupils who are most at risk for ongoing attendance problems.
  - i) Submission of deidentified, aggregate data on chronic absence and attendance rates to the Bureau of Children's Justice within the Department of Justice for inclusion in the report "In School + On Track" prepared by the Office of the Attorney General. Defines "deidentified" as information that cannot be used to identify an individual student.
- 5) Requires an applicant to include an estimate for the amount of the grant needed in the application and provide 20 percent matching funds for any amount requested, as specified.
- 6) Specifies that the program established by this section shall not be construed as a replacement of or a substitution for the SARB.

- 7) Requires the California Department of Education (CDE) to give priority for awarding grants to those applicants who demonstrate financial need for the grant and with the highest truancy rates in each of the following areas:
  - a) Urban areas.
  - b) Rural areas.
  - c) Suburban areas.
- 8) Specifies the following regarding the grants:
  - a) The grants shall be awarded for three years and be used to address the attendance problems of pupils in kindergarten and in grades 1 to 3, inclusive, pursuant to the plans submitted by the applicant.
  - b) Each grant shall be for no more than \$500,000.
  - c) Requires the CDE to provide no less than 10 grants and award no more than \$5 million in grants.
- 9) Requires an applicant that receives a grant to submit a report to the CDE at the conclusion of the grant. Requires the report to specify how the grant funds were used and the strategies employed to address pupil attendance problems. Requires the report to include pupil attendance data measured both before and after the implementation of the grant.
- 10) Requires the CDE to, on or before January 1, 2021, submit a report to the respective Appropriations Committees and Education Committees of the Assembly and the Senate. Requires the report to evaluate the strategies and the attendance data of the applicants that received funds from the grant program established by this bill. Requires the report to include, but not necessarily be limited to, a recommendation on whether the grant program should continue.
- 11) Sunsets and repeals on January 1, 2022, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.
- 12) Appropriates an unspecified amount to the CDE for purposes of implementing the Our Children's Success – The Early Intervention Attendance Grant Program. Expresses the intent of the Legislature that the funds appropriated pursuant to this bill be drawn from sources that may include, but are not necessarily limited to, the General Fund, the Safe Neighborhoods and Schools Fund established by Proposition 47 on the November 2014 statewide general election ballot, federal and local government funds, and contributions from nonprofit organizations and other private entities.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, this bill attempts to improve student attendance while generating needed revenue for schools, and creating brighter, long term outcomes for California's youth. This bill is modeled after an

attendance program established by the Berkeley Unified School District (BUSD), which spent \$100,000 in the first year and saw an increase of \$500,000 in Average Daily Attendance (ADA) the following year. The author indicates that "the school district successfully brought the students back into the classroom, while at the same time helping their families address the challenges that lead to the students' attendance problems. Attendance levels at BUSD have remained high due to the school district's focus on holistic solutions to the complex set of problems that cause children to miss school regularly. Schools and school districts across the country are demonstrating the value of addressing student attendance prior to the point of delinquency. Early intervention and a broad set of tools is the best way to get children back into the classroom consistently."

- 2) ***Truancy in schools.*** California's compulsory education law requires all students between the ages of six and 18 to attend school full-time and their parents and legal guardians to be responsible for ensuring that children attend school. A student who is absent from school without a valid excuse for more than 30 minutes on three days in a school year is considered a truant. Parents or legal guardians are notified when their children have been classified as a truant and are reminded of their obligation to compel the attendance of pupils at school. Upon a pupil's third truancy in a school year and following a district's conscientious effort to hold a conference with the parent or legal guardian of the pupil and the pupil, a pupil is classified as a habitual truant and may be referred to a school attendance review board (SARB) or to the local probation officer. Upon a fourth truancy, students and/or their parents or legal guardians may be fined. In 2012-13, the CDE reported a truancy rate of 29.28%, with 1.9 million students out of a total enrollment of 6.2 million considered truant.

According to the California Department of Education (CDE), students who are chronically absent in lower grades are much less likely to be proficient readers and have higher levels of suspensions. Chronic absence in the sixth grade is the most predictive indicator that a student will not graduate from high school.

- 3) ***Proposition 47.*** The Legislative Analyst's Office (LAO) released a report on the Implementation of Proposition 47 in February 2015. In the report, the LAO indicates that while the state savings that will result from Proposition 47 is subject to significant uncertainty, annual savings will likely range from \$100 million to \$200 million beginning in 2016-17. The LAO also notes that although Proposition 47 states that these savings shall be deposited into a new state fund, the new Safe Neighborhood and Schools Fund (SNSF), and be allocated for grant programs administered by specific departments, the Legislature has the opportunity to provide direction on how the funds are spent. Specifically, the Legislature could weigh in on 1) how the individual departments should distribute the funds and 2) how much state oversight to provide to ensure that the funds are being spent effectively.

Proposition 47 requires that 25 percent of the SNSF be allocated to the CDE to administer a grant program to reduce truancy, high school dropouts, and student victimization rates. The LAO estimates that the amount available for this grant program will likely total between \$25 million and \$50 million annually beginning in 2016-17. The LAO recommended in its report that the Legislature allocate the grants for truancy, high school dropout prevention, and student victimization rates to

school districts that have notably high concentrations of English learners, low-income, or foster youth, as these students are at higher risk for these concerning outcomes.

In light of the impending implementation of Proposition 47 and most notably, the grant program to be administered by the California Department of Education (CDE) to reduce truancy, high school dropouts, and student victimization rates, the Committee may wish to consider whether this bill is necessary as it seeks to accomplish substantially similar objectives and would appear to be duplicative.

- 4) **Attorney General's office report.** In 2013, the Attorney General's (AG's) office released a report titled "In School and On Track" on truancy of elementary school kids. Calling it a crisis, the AG argues that truancy at the elementary level has negative impacts on the students, who are more likely to drop out of high school; on public safety, when students become more likely to become involved with gangs, substance abuse, and incarceration; on school districts, who lose attendance dollars; and on the economy, due to lost economic productivity and revenues.
- 5) **Fiscal impact.** According to the Assembly Appropriations Committee, this bill would impose General Fund (GF) administrative costs to the CDE of approximately \$600,000 to create and review the application, assist with implementation of the grant and provide technical assistance. These costs assume applications flow from the district. The CDE anticipates additional staff resources if individual school sites submit applications. There would be additional costs in the range of \$150,000 to \$200,000 to complete the report at the end of the pilot, most likely through a contract. Proposition 98 General Fund costs would not exceed \$5 million dollars, contingent upon an appropriation for the purpose of establishing the grant program.

## SUPPORT

American Federation of State, County and Municipal Employees  
Attorney General (sponsor)  
California Alliance of Child and Family Services  
California Council of Community Mental Health Agencies  
California Dental Association  
California State PTA  
Children Now  
National Association of Social Workers, California Chapter

## OPPOSITION

None received.

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