

# MODESTO CITY SCHOOLS

## Administrative Regulation

AR 5148.2

### STUDENTS

#### Before/After School Programs

##### Definitions

Expanded learning opportunities means before school, after school, Saturday, summer, vacation, and/or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of students through hands-on, engaging learning experiences. Expanded learning opportunities does not mean an extension of instructional time, but rather, opportunities to engage students in enrichment, play, nutrition, and other developmentally appropriate activities. (Education Code 8482.1, 46120)

Offer access, with regard to an Expanded Learning Opportunities (ELO) program, means to recruit, advertise, publicize, or solicit through culturally and linguistically effective and appropriate communication channels. (Education Code 46120)

Provide access, with regard to an ELO program, means to register or enroll a student in an ELO program. (Education Code 46120)

Unduplicated student means a student enrolled in a district who is either classified as an English learner, eligible for a free or reduced-price meal, or is a foster youth. (Education Code 42238.02, 46120)

##### Grades TK 8

The District's After School Education and Safety (ASES) program or 21st Century Community Learning Center (21st CCLC) program shall serve students in any of grades K – 8 as the District may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The District's 21st CCLC program shall primarily serve students in Title I schoolwide programs. (Education Code 8484.8; 20 USC 7173)

The District's ELO program shall serve students in grades TK-6. (Education Code 46120)

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The District's programs shall be planned through a collaborative process that includes parents/guardians, students, and representatives of participating schools, governmental agencies, including city and county parks and recreation departments, local law enforcement, community organizations, and the private sector. As appropriate, the Superintendent or designee may include other stakeholders in such collaborative process. (Education Code 8482.5, 8484.75, 46120)

For the 2022-23 school year, the District shall offer access to ELO programs to all unduplicated students in grades TK-6 and provide access to such programs to at least 50 percent of enrolled unduplicated students. (Education Code 46120)

Commencing with the 2023-24 school year, the District shall offer access to the ELO program to all classroom-based students in grades TK-6. The District shall provide access to any student whose parent/guardian requests placement in an ELO program.

The Superintendent or designee shall ensure that the plan to provide access to full-day learning programs the year before kindergarten addresses the needs of children and their families as specified in BP 6170.1 - Transitional Kindergarten. (Education Code 8281.5)

The District's ASES, 21st CCLC, and ELO program(s) shall be operated in accordance with the following:

#### **1. Program Elements**

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3, 8484.75, 46120)
- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3 8484.75, 46120)

#### **2. Nutrition**

- a. If snacks or meals are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434 or

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42 USC 1766 as applicable. (Education Code 8482.3, 8484.75, 46120; 42 USC 1766-1766a; 7 CFR 226.17)

- b. The District's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1, 8484.75)

#### 3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3, 8484.75)
- b. When there is a significant barrier to student participation in either the before-school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8, 8484.75)
  - i. Fewer than 20 students participating in the program component
  - ii. Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
  - iii. A reduction in the program grant of an existing school due to its merging into a new school opened by the District or the splitting of its students with a new school

In such cases, the District shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the

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educational and literacy elements with the regular school program of participating students. (Education Code 8482.8, 8484.75)

#### **4. Staffing**

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 8484.75, 45330, 45344, 45344.5)
- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4, 8484.75)
- c. The student-to-staff ratio shall be no more than 20 to 1, except that programs serving transitional kindergarten or kindergarten students shall maintain a student-to-staff member ratio of no more than 10 to 1 (Education Code 8483.4, 8484.75, 46120)

#### **5. Hours of Operation**

- a. A before-school program shall not operate for less than one-half hours per regular school day. (Education Code 8483.1, 8484.75)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483, 8484.75)
- c. An ELO program shall provide in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, shall not be less than nine hours of combined instructional time and expanded learning opportunities per instructional day. (Education Code 46120)

#### **6. Admissions**

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6, 8484.75)

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- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

- i. First priority for enrollment shall be given to students who are identified as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year, to students who are identified by the program as being in foster care, and to students who are eligible for free or reduced-price meals.  
(Education Code 8483, 8483.1, 8484.75)

The District is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment.  
(Education Code 8483, 8483.1)

The District shall inform the parent/guardian of a homeless or foster youth, or student eligible for free or reduced price meals, of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483, 8484.75)

- ii. Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1, 8484.75)
- iii. Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulation.
- iv. Any remaining capacity shall be filled by students selected at random.
- v. A waiting list shall be established to accommodate additional students if space becomes available.

#### **7. Attendance/Early Release**

- a. Each student admitted into a District program shall be expected to attend the full number of hours that the program is in operation every day that the student participates. An ELO program offered pursuant to Education Code

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46120 does not have an attendance requirement, but the District may track student attendance for safety and continuous quality improvement purposes.

- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival for the before-school program or early daily release from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.
- c. Pursuant to Education Code 8483, Modesto City Schools After School Program has established the following Early Release Policy/Procedures for students in the after-school programs:

Modesto City Schools After School Education And Safety Program (ASES) has established 5:30 – 6:00 pm as normal release hours for students from program. For students being signed out prior to 5:30 pm from the Modesto City Schools After School Education and Safety Program (ASES), an Early Release Code must be entered by the parent/guardian indicating the reason for early release from program.

Parents/Guardians will enter the time of check-out and indicate the reason for early release by entering the appropriate code when signing out the student. Students may be released from the ~~ASES~~ after school program before normal release hours for the following reasons:

- School Activities, scouts, sports, religious activity
- Family emergencies (death in family, serious accidents)
- Medical (doctor, dentist, counseling, injury, illness, etc)
- Safety (darkness, weather)
- Transportation
- Other conditions as prescribed by the Administrator

#### 8. Summer/Intersession/Vacation Programs

- a. ELO programs shall offer no less than nine hours of in-person expanded learning opportunities per day for at least 30 non-school days, during intersessional periods.

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- b. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. (Education Code 8483, 8483.1, 8483.2, 8483.76) when both before-school and after-school programs are offered for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.2, 8483.76)
- c. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the District, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- d. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- e. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)
- f. For any program operating six hours per day, District procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

## **Volunteers**

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. The volunteer shall submit current contact information to the District and shall update that information whenever the information changes. (Education Code 35021.3)

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The Superintendent/or designee may use a volunteer registered with the District or may select another person to provide physical recreation to students after school hours or to provide other services (Education Code 35021.3)

### **Reports**

The Superintendent or designee shall annually submit to CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

#### **Legal References:**

##### **EDUCATIONAL CODES**

17260-17268 Plans and specifications for school facilities  
35021.3 After-school physical recreation instructors 45125  
Criminal record check  
45330 Paraprofessionals; instructional aides  
45340-45349 Paraprofessionals; instructional aides  
49024 Activity Supervisor Clearance Certificate  
49430-49434 Nutrition standards  
49540-49546 child care food program  
49553 Free or reduced-price meals  
69430-69460 Cal Grant program

##### **EDUCATIONAL CODES**

8263 Eligibility and Priorities for subsidized child development services 8263.4  
Enrollment of students ages 11-12 years  
8273.1 Family fees, exemptions  
8350-8359.1 Programs for CalWORKS recipients  
8360-8370 Personnel qualifications  
8420-8428 21<sup>st</sup> Century After-School Program for Teens  
8482-8484.65 After School Education and Safety Program  
8484.7-8484.9 21<sup>st</sup> Century Community Learning Centers  
8490-8490.7 Distinguished After School Health Recognition Program

##### **UNITED STATES CODE, TITLE 20**

6311 State plan  
6314 Title I schoolwide program  
7171-7176 21<sup>st</sup> Century Community Learning Centers  
**UNITED STATES CODE, TITLE 42**  
11434a Education for homeless children and youths  
1766-1766a Child and Adult Care Food Program



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#### Legal References (cont.):

#### CODE OF FEDERAL REGULATIONS, TITLE 7

*226.17 Child care center nutrition standards*

#### Management Resources:

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLC) FAQs Elementary/Middle School programs, September 2016*

*21<sup>st</sup> Century High School After School Safety and Enrichment for Teens Program Frequently Asked Questions, March 2012*

*A Crosswalk Between the Quality Standards for Expanded Learning and Program Quality Assessment Tools, 2014*

*California After School Physical Activity Guidelines, 2009*

*Quality Program Improvement Plan for Expanded Learning Programs in California 2016-17, November 2016*

*Quality Standards for Expanded Learning in California: Creating and Implementing a Shared vision of Quality, 2014*

*Request for Application for Programs Proposing to Serve High School Students, September 2016*

#### U.S. DEPARTMENT OF EDUCATION PUBLICATION

*21<sup>st</sup> Century Community Learning Centers, Nonregulatory Guidance, February 2003*

#### WEBSITES

*California Department of Education, Before and After School: <https://www.cde.ca.gov/ls/ex/>*

*U.S. Department of Agriculture: <https://www.usda.gov/> California*

*School-Age Consortium: <https://www.calsac.org/>*

*Partnership for Children and Youth: <https://www.partnerforchildren.org/>*

*California Healthy Kids Survey: <https://calschls.org/>*

*Commission on Teacher Credentialing: <https://www.ctc.ca.gov/>*

*CSBA: <https://www.csba.org/>*

*U.S. Department of Education: <https://www.ed.gov/>*

#### Cross References (cf):

*1240 – Volunteer Assistance (N/A)*

*1312.3 – Uniform Complaint Procedures*

*1330 – Use Of School Facilities*

*1330.1 – Joint Use Agreements (N/A)*

*1400 – Relations Between Other Governmental Agencies And The Schools (N/A)*

*3260 – Fees And Charges*

*3280 – Sale Or Lease Of District-Owned Real Property*

*3550 – Food Service/Child Nutrition Program*

*3552 – Summer Meal Program*

*3553 – Free And Reduced Price Meals*

*5131.6 – Alcohol And Other Drugs*

*5131.62 – Tobacco (N/A)*

*5137 – Positive School Climate*

*5141.21 – Administering Medication And Monitoring Health Conditions*

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#### *Cross References (cf) (cont.):*

*5141.23 – Asthma Management*  
*5141.27 – Food Allergies/Special Dietary Needs*  
*5144 – Discipline (N/A)*  
*5144 – Subpoena Power, Expulsion Proceedings*  
*5145.6 – Parental Notification*  
*5145.9 – Hate-Motivated Behavior*  
*5147 – Dropout Prevention (N/A)*  
*5148 – Child Care And Development (N/A)*  
*6142.7 – Physical Education And Activity*  
*6142.91 – Reading/Language Arts Instruction (N/A)*  
*6145 – Extracurricular And Cocurricular Activities*  
*6154 – Homework/Makeup Work (N/A)*  
*6154 – Homework K-6*  
*6159 – Individualized Education Program*  
*6171 – Title I Programs*  
*6173 – Education For Homeless Children*  
*6173.1 – Education For Foster Youth*  
*6175 – Migrant Education Program*  
*6176 – Weekend/Saturday Classes*  
*6177 – Summer Learning Programs (N/A)*  
*6179 – Supplemental Instruction for Remediation*

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