

SB 328 (Portantino)

Local educational agencies: educational programs

PROBLEM

School districts after school funding is subject to be used only for after school programs. Flexibility is needed to ensure before school programs can obtain those same resources and funding. Also, there is not a clear definition of what school districts in California would qualify for the Rural School District exemption from school start times and by exempting surf class would help those coastal schools from eliminating their program.

Lastly, some Local Education Agencies (LEA's) are subject to local, county or city regulations which creates hardship when trying to implement a state mandate

BACKGROUND

In 2019 the Governor signed SB 328 (Portantino) into law, which requires middle schools to start their school day no earlier than 8:00 a.m. and high schools to start no earlier than 8:30 a.m. Limited optional zero periods are allowed and rural school districts are exempt. LEA's and charter schools shall be in compliance by July 1, 2022, or by the date upon which their relevant collective bargaining agreement that was operative on January 1, 2020, expires, whichever is later.

According to the Centers for Disease Control and Prevention, nearly 80% of California's secondary schools start the regular school day before 8:30 a.m., with many starting as early as 7:00 a.m. Middle and high schools that start before 8:30 a.m. have been identified by scientific, medical, and public health consensus as the primary modifiable public policy cause of the adolescent sleep loss epidemic. Accord-

ingly, leading public health and medical organizations have issued policy statements advising 8:30 a.m. or later start times for secondary schools to combat the public health epidemic of adolescent sleep deprivation, including the American Academy of Pediatrics (2014) and the American Academy of Sleep Medicine (2017).

Because brain changes that occur at puberty cause most teenagers to naturally stay awake later at night, early school start times prevent most adolescents from obtaining the quantity and quality of sleep doctors recommend.

Sleep loss among adolescents causes higher rates of car accidents, suicide, mental illness, physical illness, absences, tardies, and lower grades, and it is disproportionately harmful to low income students and students of color. Abundant evidence demonstrates that when secondary schools start later, students get more sleep on average and they are healthier, safer, and perform better in school.

SUMMARY

SB 328 would allow flexibility for school districts to use their afterschool funds as a resource for before school. The bill also defines what a Rural School district is and authorizes a school district subject to start time requirements to offer surf class or club before the start of the school day.

Lastly, SB 328 prohibits a city, county government, and county office of education or school district from imposing any rule, regulation, ordinance or condition that would prohibit a Local Education Agency (LEA) from being in compliance with State Law.

EXISTING LAW

Existing law requires the school day for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, by July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later, except for rural school districts.

Existing law 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, under which a program can apply for a grant for operating a before school component, and after school component, or both the before and after school components, on one or multiple school sites.

SUPPORT

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