



## Summer for All Model Legislation

### I. Purpose

- A. To provide all students with universal access to high quality summer learning opportunities.
- B. To support academic achievement and growth, violence prevention, social and emotional wellness, nutrition support and workforce development of all K-12 students.
- C. To establish the [state] Summer for All Workgroup within the State Department of Education composed of, at a minimum, certain stakeholders, including members appointed by the department, to evaluate policy and regulatory barriers to ensuring the quality of and increased access to summer learning programs and any access barriers faced by students and their families, develop legislative and regulatory recommendations and specific proposals to reduce those barriers, and develop a roadmap for providing universal access to summer programs to all school age children, as provided.
- D. To appropriate an unspecified amount from the General Fund to the department to support the Workgroup's activities, and would require the workgroup to, among other things, provide a final report to the Legislature and the department within 6 months of enactment.
- E. To establish a competitive grant program, funded by the General Fund and any federal resources made available, and administered by the Department of Education, to provide funding for qualifying programs to expand access to summer learning opportunities.

### II. Findings

- A. The Legislature finds and declares the following:
  1. National research has demonstrated that 22% of school-aged children participated in a structured summer program in 2019, however, significant need and inequities remain. Nearly 1 in 3 children (31%) not in a program during the 2019 summer would have been enrolled in one if one were available to them, equating to 13.9 million students.
  2. In [X state], [insert number of students who are served by summer learning programs.]
  3. For families with low incomes, unmet demand for summer programs is greater than for higher income households. The cost of participating in structured summer programs is reported to be the greatest barrier to a



child's participation in enriching summer learning experiences. Program location and transportation is also a major barrier to enrollment for nearly 25% of low income families nationwide.

4. Research has demonstrated that elementary and middle school students who participate in afterschool and summer learning programs have significantly higher school attendance rates and even higher rates for high school students.
5. In 2021, the federal government passed significant one-time funding for afterschool and summer programs that support students' academic, social and emotional needs, designating more than \$1 billion for summer enrichment activities.
6. X state has invested [insert number] to provide access to after school and summer learning opportunities.
7. Local educational agencies and community-based summer providers are experiencing severe workforce challenges that limit their ability to expand access to high quality summer learning opportunities for all students.

### III. Definitions

- A. "Department" means the state Department of Education
- B. "Eligible entities" means a community-based organization that is exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501, an institution of higher education, a community or adult education program, a public library, a local government, or an intermediate district.
- C. "Students" means children and youth in grades K-12.
- D. "Summer" means a period as defined by the state or local government school year calendar
- E. "Priority group" means low-income students, English language learners, Students with disabilities, Students experiencing homelessness, System-involved students, Students in the foster care system, Students of military families, and children who have not reached proficiency on the English language arts, mathematics, science or social studies content area assessments.

### IV. Establishing a State Summer Learning for All Program

- A. Establishment of workgroup to evaluate specific state needs and barriers to establishing a universal Summer for All program
  1. To provide access to the critical opportunities and support that students need, it is the intent of the Legislature to commit funding to collect data and engage state agencies, practitioners, and stakeholders to compile recommendations to address implementation and sustainability challenges and to develop a roadmap towards universal access to



summer learning opportunities for all students. It is hereby established within the Department of Education to evaluate policy and regulatory barriers to ensuring the quality of and increased access to summer learning programs and any access barriers faced by students and their families, develop legislative and regulatory recommendations and specific proposals to reduce those barriers, and develop a roadmap for providing universal access to summer learning programs to all school age children.

- a) On or before 4 months post-enactment, the Workgroup shall provide initial recommendations to the department and the Legislature and post the initial recommendations publicly.
- b) On or before 6 months post-enactment, the workgroup shall provide a final report to the department and the Legislature on the barriers, recommendations and proposals, and a roadmap for providing universal access to summer learning programs.
- c) The workgroup shall examine, at a minimum, information regarding all of the following:
  - (1) The status of programs subsidized by state or federal funding, including the number of schools and local educational agencies with programs, the number and demographics of pupils enrolled in those programs, the type and amount of funding those pupils receive, the number of applications for funding received and approved for funding, and the duration of committed funding.
  - (2) Existing program quality standards and accountability measures.
  - (3) Challenges providers of programs face that impede quality service and increased access.
  - (4) The actual cost of providing programs that meet state quality standards.
- d) Consistent with the purposes described in this section, the workgroup shall provide recommendations, at a minimum, on legislative and administrative action needed to do all of the following:
  - (1) Enhance equitable access to programs for pupils in kindergarten and grades 1 to 12, inclusive, prioritizing the following groups of students:
    - (a) Low-income students
    - (b) English language learners
    - (c) Students with disabilities



- (d) Students experiencing homelessness
  - (e) System-involved students
  - (f) Students in the foster care system
  - (g) Students of military families
  - (h) Children who have not reached proficiency on the English language arts, mathematics, science or social studies content area assessments.
- (2) Provide evidence-based programs that meet state quality standards
  - (3) Recruit, train, and retain the workforce, including certificated teachers, paraprofessionals, and community-based partners
  - (4) Ensure adequate, prompt, and sustainable funding and rates
  - (5) Evaluate the impact of state and federal investment and local implementation
  - (6) Coordinate with and leverage other existing programs and funding sources such as universal prekindergarten, community schools, and funding to support school age children
  - (7) Evaluate barriers to families in accessing summer learning programs, including lack of adequate transportation options and access to summer nutrition programs
2. Members of the Workgroup
- a) The Department of Education, in consultation with the state legislature, shall appoint, at a minimum, the following members of the workgroup:
    - (1) Representative(s) from one or more Community-based organizations that provide summer learning programs within the state
    - (2) Representative(s) from one or more local school superintendent
    - (3) One or more parent(s) of school-aged children
    - (4) One or more student(s)
    - (5) One or more representative(s) from a local workforce development board
3. Reporting requirements
- a) Within six months of implementation of the workgroup recommendations, the Department of Education shall provide to



the state legislature and post publicly a report on the status of the implementation of the recommendations made.

- b) The Department of Education shall provide annual updates thereafter to the state legislature and post publicly a report that includes the following information:
  - (1) The status of the implementation efforts of the workgroup recommendations
  - (2) The number of students, broken down by local jurisdiction and demographics, enrolled in structured summer learning programs
  - (3) The barriers that exist in implementing universal access to summer learning opportunities.

- B. Providing authority to the Department of Education to implement the universal Summer for All competitive grant program
  - 1. The Department of Education shall develop a competitive grant program to distribute funds to eligible entities, as described in section 2(b) and as prescribed under this section.
  - 2. The Department shall establish competitive grant criteria for the grant program for eligible applicants to expand access to quality, affordable programming during the summer for young people. To be eligible for a grant under this section, the applicant must meet, at a minimum, all of the following criteria:
    - a) Serve children and youth in grades K-12
    - b) Be a community-based organization that is exempt from federal income tax under section 501(c)(3) of the internal revenue code, 26 USC 501, an institution of higher education, a community or adult education program, a public library, a local government, or an intermediate district.
    - c) Provide summer school programming to children described in subdivision (a). These programs must be used to support expanded learning opportunities, including, but not limited to, mentoring, leadership, community engagement, agriculture, art, music, literacy, science, technology, engineering, mathematics, health, workforce development skills and recreation programming.
    - d) Address measurable goals, including, but not limited to, improved school attendance, academic outcomes, positive behaviors, and skill acquisition, and include activities linked to research or quality practices.



3. The department shall establish a competitive grant process for awarding funding under this section. The process must be posted publicly at least 30 days prior to the grant application period. The department shall develop the form and manner for applying for the grants. The application must include a request for information on the applicant's outreach to children, youth, and families who are eligible for free or reduced-price meals under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j. The application must be open for not less than 30 calendar days. At least 30 days before the application is opened, the department must publish on its public website the criteria that will be used in evaluating the application that must include, but are not limited to, priorities under subsection (5).
4. Subject to subsection (8), in determining award amounts under this subsection, the department shall, to the extent practicable, ensure that eligible entities in all geographic regions of this state are represented in the distribution of grant funding under this section.
5. Subject to subsection (8), the department shall prioritize the distribution of grant funding under this section based on, at a minimum, the following:
  - a) An applicant's demonstrated need.
  - b) The percentage of low-income families in the geographic area being served. Prioritization must be determined by the average percentage of pupils in the district who are eligible for free and reduced-priced meals as determined under the Richard B. Russell national school lunch act, 42 USC 1751 to 1769j, where eligible entities will provide summer school programs.
  - c) The applicant's track record for providing quality, affordable before-and-after-school or summer school services.
  - d) Whether an applicant serving children in any of grades K through 8 is licensed or is in the process of becoming licensed or has implemented the State Board of Education's Out-of-School Time Standards of Quality. This does not preclude a non licensed entity from applying for funding under this section and being funded under this section.
6. Subject to subsection (7), an eligible entity that receives grant funding under this section shall use the funding only to provide summer school programming to children described in subsection (2)(a). The programming offered under this subsection must meet all of the following:



- a) Be provided to children in a manner in which the children are physically present at a building or location designated by the eligible entity.
  - b) Provide educational programming in core subject areas, including, but not limited to, mathematics, reading, and science.
  - c) Provide data to evaluate the program in a form and manner as prescribed by the department.
7. Subject to subsections (2), (4), and (5), up to 2% of funding allocated under this section must be allocated to a nonprofit entity with experience serving youth-serving organizations to provide start-up grants and capacity building, professional development, and technical assistance for implementation of high-quality, evidence-based out-of-school time learning opportunities.
  8. The department shall award no less than 60% of the funding under this section to community-based organizations.
  9. The department shall make payments under this section in full upon grant award. Grantees that do not comply with reporting requirements, fail to provide the services proposed in their grant application, or close during the grant period may be required to repay the funding they received under this section to the department.
  10. Reporting requirements-
    - a) The department shall establish reporting requirements for grant recipients that include, at a minimum, the following information:
      - (1) The number of students served
      - (2) The demographic information of students served, including information about the breakdown of students who are members of priority groups as defined by this Act.
      - (3) Measurable outcomes including, but not limited to, improved school attendance, academic outcomes, positive behaviors, and skill acquisition, and include activities linked to research or quality practices.

### C. Funding

1. Supplement not supplanting funds
  - a) It is the intent of the state that any funds provided by the legislature be applied to supplement, not supplant, existing funding.
2. Blending and Braiding of resources



- a) The state directs summer learning providers to blend and braid existing state and federal funding streams to provide a single comprehensive program.
3. Authorize partnerships
  - a) The state encourages local educational agencies to partner with eligible entities, community-based organizations and childcare providers to maximize access to evidence-based structured summer learning programs.
4. The Department is authorized to spend from the General Fund such sums necessary in order to convene the workgroup described in section IV(A) of this bill, and implement its findings.
5. The Department is authorized to spend \$X in the upcoming fiscal year from the state General Fund to implement the grant program authorized in section IV(B) of this Act.