

Proposition 49: After School Education and Safety Program Act of 2002

What would it do?

Beginning in 2004–05, Proposition 49 would require a specific spending level each year for the After School Education and Safety Program (currently known as the Before and After School Learning and Safe Neighborhoods Partnership Program). The annual amount of that spending level would be as much as \$550 million (an increase of up to \$455 million over 2001–02 allocations) and would depend on the growth in General Fund spending outside of Proposition 98. The measure specifies that funding for the program would be “continuously appropriated” (appropriated automatically each year without further legislative action) and that the statutes authorizing the continuous appropriation may not be amended by the Legislature.

The measure would establish new funding priorities, also beginning in fiscal year 2004–05. First, schools that received a state before or after school grant in 2003–04 would continue to receive an equivalent grant amount in 2004–05 and each subsequent year. The second priority under the measure is to make every elementary, middle, and junior high school eligible to receive a new After School Education and Safety Universal Grant to operate after school programs during the regular school year. However, if available funding were insufficient to provide after school funding to all schools, priority for the new grants would be consistent with current law, targeting schools with at least 50% of its pupils eligible for federally subsidized meals. If the first and second priorities are fully funded, any additional funds would be distributed for both before and after school programs based on current priorities and funding rules. The measure allows schools receiving a grant under the first two priorities to apply for these additional funds.

Is it good for kids?

Yes. Before and after school programs are important and should be appropriately funded by the state. Such programs reduce crime, increase academic performance, and reduce drop out rates. However, concerns have been raised about Proposition 49’s funding mechanism. Some child advocates are concerned that it guarantees an increased level of funding for one program while failing to provide a commensurate new revenue source; they argue that Proposition 49 could potentially force spending reductions in the child welfare system, health care, and child care programs that serve CalWORKs’ recipients and the working poor. Other respected groups object to the parsing out of a pre-determined sum for any purpose as limiting the flexibility of the legislature—which is properly relied upon to allocate public resources.

However, the initiative takes a modest portion of new funds generated in the normal course to allocate for its purposes. It includes important safeguards against “supplanting” current money spent on after-school programs, or on other education spending (*e.g.*, within Proposition 98 protection). Its practical result is likely to be a substantial but measured increase for the target purposes where overall general fund revenues increase. Where they do not increase, it will not apply. The fears about specific cuts to other child related programs fail to recognize that many are required by federal or constitutional command, and others are stimulated by 50–50 or 2–1 federal matches. Further, those other programs are subject to maximum cuts in the current environment in any event. Moreover, the scale of the after-school program does not portend such child-related cuts; rather, it may stimulate some spending for children that otherwise is unlikely to occur. The net effect is more likely than not to favor the interests of children.

Finally, principled objections to special funding inflexibility neglect to discuss the billions of dollars now so allocated at the behest of special interests — from funds for regulatory operations to the highway system. It is not persuasive to start objecting to such special fund allocation when to the advantage of the one group unable to obtain a share due to political impotence. If special funding protection is provided at all, it should be provided for politically powerless children. Objections based on democratic theory and deference to legislative discretion should await the elimination of all such protection for the many groups not needing it politically.

Prepared by
Children's Advocacy Institute — University of San Diego School of Law
5998 Alcalá Park — San Diego, CA 92110 — www.caichildlaw.org