

## Education Code 8483.4 Updates: Health and Safety Requirements for Third-Party ELO-P Providers

In July 2023, SB 114, the Education Omnibus Budget Trailer Bill, was signed into law. The passage of this legislation resulted in changes to the California Education Code (Ed Code) Sections 8483.4 and 46120. These Ed Code changes address licensing and health and safety requirements for an Expanded Learning Opportunities Program (ELO-P) providing access to students in Transitional Kindergarten and Kindergarten. This infographic was developed to assist Local Education Agencies and their ELO-P partners in better understanding these recent Ed Code changes. This infographic is not intended to be a compliance document in place of Ed Code—it is simply a tool to support understanding.

### Section b

### Third-Party Obligations



The Local Educational Agency requires the contracted third party to report any health or safety issues, including specified **events**, within one day and provide a written report within seven days.

### Section c

### "Event" Explained



The specified events under Ed Code 8483.4(b)-(d) encompass various incidents, including child death, injuries requiring medical attention, threats to physical or emotional well-being, suspected abuse or neglect, epidemics, poisonings, fires/explosions, toxic exposures, employee arrests, and other agency-specified events.

### Section d

### Pupil Health Information



Third-party contracts with Local Educational Agencies require third parties to request pupil health details from parents/guardians before enrollment, parents have the option to disclose certain health information to third party providers.

## Education Code 46120 Updates: Health and Safety Requirements for Third-Party ELO-P Providers

### 46120 (b) (10) (B)



An ELO program can operate without obtaining a child care license or special permit.

### 46120 (b) (10) (C)



An expanded learning program run by a licensed third party must maintain its license until June 30, 2024.

### 46120 (b) (10) (D)

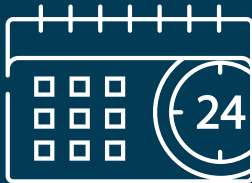
### Funding Source Conflicts



ELO programs are not automatically exempt from licensing requirements if multiple funding sources are used to serve pupils. In instances where multiple licensing requirements are in place, the program must implement the requirements of the funding source with the stricter programmatic requirements.

### 46120 (e)

### Annual Reporting Process



Starting in the 2023-24 school year, the State Superintendent of Public Instruction, with the State Department of Social Services, will set up a process for Local Educational Agencies and preschool providers to annually submit program access details for expanded learning, aiding in Community Care Licensing Division data collection.

### 46120 (f)

### Reporting to Legislature



By February 1, 2024, the State Superintendent of Public Instruction, along with the State Department of Social Services, will report to the Legislature about off-site expanded learning providers for Transitional Kindergarten and Kindergarten, including student enrollment for the school year and non-school days.