The Ohio Department of Education is applying for a flexibility waiver under the Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) program. The waiver offers flexibility regarding the requirement in section 4201(b)(1)(A) of the Elementary and Secondary Education Act of 1965, which states that a 21stCCLC program operate “during non-school hours or periods when school is not in session (such as before and after school or during summer recess).” The flexibility allows 21st CCLC staff to provide the following types of support to students during school-day hours:

- engaging in remote learning lessons;
- completing independent work that is assigned; and
- engaging in enrichment activities during the portion of the week they are not engaged in traditional (in-person) classroom instruction

21st CCLC Program Purpose
Under the waiver, Ohio’s 21st CCLC programs shall continue to meet the federal programming requirements of the grant. 21st CCLC grant programs are required to provide appropriate academically and socially enriching opportunities within the existing reopening structures of districts and schools. The purpose of the 21st CCLC program will not change under the waiver. All programs shall continue to operate and address the purposes of the grant to:

1. Provide opportunities for academic enrichment to assist students in meeting the state academic standards;
2. Offer students access to a broad array of additional services, such as those that focus on youth development, social-emotional learning, civic engagement and nutritional and physical health’ and
3. Offer adult family members of program participants opportunities for educational development and engagement in their children’s education.

Grant Program Options
21st CCLC grantees will continue to be identified under the option selected from their initial grant application (unless changed by the Department). Hours of operation requirements for each option have changed. Please refer to the 21st CCLC Restart Support Guide for details.

Options include:

- Option 1: Expanded Learning Time (ELT) (elementary, middle and high school students)
- Option 2: Out-of-school Time (OST) (elementary school students)
- Option 3: Out-of-school Time (OST) (middle and high school students)

Flexibility Request Form
Grantees are required to request flexibility for programming (See Appendix A: Ohio’s 21st CCLC Flexibility Request Form) as part of or as an addendum to their initial application or continuation plan and receive approval by their Regional Educational Consultant prior to operating under this new rule.

- Licensed programs need the authorization from the Ohio Department of Education or the Ohio Department of Job and Family Services.
- Plans must include how the grantee will meet the health and safety protocols and guidelines regarding recruitment, ratios, staffing, physical distancing, etc.
- Grantees requesting to use funds to support students at remote leaning centers must be able to demonstrate the ability to continue to meet the original grant intent.
- Expenses under the flexibility must continue to be used toward academic (reading and mathematics), youth development and family engagement enrichment initiatives for OST programs. Budgeted activities must align with the performance measures and strategies written in the application.
Use of Funds
The flexibility allows additional options for grantees to use 21st CCLC grant funds to support students that may otherwise be disengaged.

- **Documentation**: All accounts, records and other supporting documentation pertaining to costs incurred shall be maintained for five years for audit purposes. Supporting documentation for expenditures is required for all funding methods. Examples of such documentation include but are not limited to invoices with check numbers verifying payment and/or bank statements, time and effort logs for staff and salary/benefits schedules for staff. All documentation must be available to the Department upon request. The flexibility does not change this process or accountability. As always, expenditures must be reasonable, allowable and necessary.

- **In-person support during remote learning**: Grant funds may be used to support in-person programming on remote learning days that include but are not limited to project-based learning, enrichment, academic support and other engaging academic and social and emotional learning opportunities. These activities should deepen learning and engage students.

- **Intended population**: Programs must continue to primarily serve the select population of high needs students (those students who attend high-poverty and low-performing schools) that these grants are intended to support. Grant funds may only be used to support a consistent group of students that attend funded schools/sites. Students must enroll for the program. Programs where students drop in for services rather than attend regularly are not permissible in any funded 21st CCLC programs. Drop-in programs are defined as programs that do not meet the 21st CCLC purpose, programmatic requirements and hours of operation. Summer programs are expected to have consistency in attendance, just as they would during the school year.

- **Materials**: Grantees may use funding to support additional materials/supplies, contractual services, other justifiable costs and/or transportation needed to and from the remote learning center. When considering transportation costs, grantees must justify the need and demonstrate that other mechanisms or funding sources are not available to transport students to the remote learning center.

- **Payroll**: Grant funds may be used to cover costs of additional staff hours and/or staff that will provide support to students in-person or remotely. For example, during remote learning, when students are meeting virtually in a small reading group as part of the school-day instruction, grant funds may support the program staff member that is helping to ensure the students log in and are engaged during the instruction.

- **Supplement vs Supplant**: Grant funds may only be used to supplement (for example: build upon, add to and extend) existing programing or services. They may not be used to supplant (for example: replace or take the place of) existing state or local funds for core instruction, teachers on payroll, and services connected to a student’s Individualized Education Program (IEP) and/or that were supported by other public/private funding sources prior to the move to remote or blended learning formats.

- **Traditional school day hours**: OST programs may request flexibility to serve students during traditional school-day hours either remotely or in-person for the duration of the 2020-2021 school year.

- **Wraparound Programs**: Programs utilizing grant funds to provide in-person wraparound programming during remote schoolwork cannot charge families to attend the portion of programming supported by the grant.
21st CCLC Programming under the Flexibility Waiver

In-person Classroom Learning

Schools that are offering in-person or hybrid learning structures must continue to meet the in-person Expanded Learning Time and/or OST intent of the grant.

- Expanded Learning Time - on days when students are attending school in-person, students should continue to receive grant-funded, academically enriching programming within the context of the school-day hours or schools may request flexibilities to offer programming outside of the school-day hours for a subset of students.
- OST – elementary, middle and high schools – Students must enroll and be encouraged to attend each day they are in school.

Remote Learning

Grantees may continue to use grant funds to deliver remote learning for funded 21st CCLC sites where students are engaged in remote learning during the school day. Refer to the 21st CCLC Restart Support Guide for ideas.

- Grantees may request flexibility for the 10% for material and supplies requirement when costs are higher due to the need to provide individualized materials.
- When students are participating in remote learning, they can still engage in small remote learning groups or rotations, or even in pairs, for tandem learning experiences at home. Social interaction is motivating for many students.

The Office of Improvement and Innovation – 21st CCLC Team members are available to support grantees with questions regarding 21st CCLC program and fiscal operations.
APPENDIX A: FLEXIBILITY REQUEST FORM

Ohio 21st Century Community Learning Centers
Flexibility Request Form

<table>
<thead>
<tr>
<th>IRN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program Name</td>
</tr>
<tr>
<td>Program Manager</td>
</tr>
<tr>
<td>Grant number</td>
</tr>
<tr>
<td>Site</td>
</tr>
<tr>
<td>Phone</td>
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<tr>
<td>Email</td>
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</tbody>
</table>

Check all that apply

☐ Currently funded for Option 1 - ELT
☐ Currently funded for Option 2 – OST (elementary)
☐ Currently funded for Option 3 – OST (middle and high school)

KEY:

ELT – Expanded Learning Time
OST – Out-of-School Time
In-person/In school Learning – face-to-face learning environment only
Remote Learning – online learning environment only
Blended Learning – combination of remote and in-person

1. Flexibilities requested check all that apply:

| OST – (blended learning) use of funds during what would be considered school day |
| OST - temporarily relocate the program |
| ELT - Use of funds to support a subset of students only during the school day or remote learning hours |
| ELT- Blended Learning - support a subset of students in person or remotely outside of school day remote learning hours. |
| ELT/OST- Use of funds to develop/support a remote learning centers |
| Other please describe: |

2. Please provide a description of the programmatic flexibilities requested including any additional program and transportation costs. Include the types of services, supports and programming that will be provided. Please note if 21st CCLC funds are supporting any portion of a remote learning program, families may NOT be charged a fee to attend.

3. If applicable, describe how the program will meet the health and safety protocols and guidelines regarding grouping of students, ratios, staffing, physical distancing, etc. established by the Department of Elementary and Secondary Education for school districts, by the Ohio Department of Education, by school districts and/or by local boards of health.

4. Please describe the selected student population to be served and the recruitment plan. Note: Funded programs must continue to primarily serve students that are economically disadvantaged and considered high needs.
5. **STUDENTS to be served.** Please indicate the *estimated* number of students served at each applicable grade-level.

<table>
<thead>
<tr>
<th></th>
<th>Pre-K</th>
<th>K</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
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<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
</table>

6. Please describe the costs associated with the requested flexibilities. Please note any budget expenses must continue to be within the allowable expenses (for example: funds may not be used for rental of space or utilities).

7. **Hours of Operation** – Please list all hours of operation including flexibility requested hours and ELT or OST operation hours as follows: number of hours per day, number of days per week, number of weeks and total number of hours.

<table>
<thead>
<tr>
<th>Day of the week</th>
<th>#Hours of OST</th>
<th>#Hours of Flexibility (Daytime)</th>
<th>Total hours</th>
</tr>
</thead>
</table>

8. **Additional comments:**