

# 21<sup>st</sup> Century Community Learning Centers



## Non-Regulatory Guidance



**U.S. Department of Education  
Office of Elementary and Secondary Education  
Academic Improvement and Teacher Quality Programs**

**February 2003**



## United States Department of Education

Dear Colleague:

I am pleased to share with you this updated Non-Regulatory Guidance for the 21<sup>st</sup> Century Community Learning Centers program. This document is designed to help State educational agencies (SEAs) and eligible public and private schools and organizations throughout the country understand how they can successfully participate in this important initiative. Since the time that the previous draft version was released in May 2002, the Department has clarified and expanded the Guidance in response to inquiries received from the field.

The 21<sup>st</sup> Century Community Learning Centers program is authorized under Title IV, Part B, of the Elementary and Secondary Education Act, as amended by the *No Child Left Behind Act of 2001*. The purpose of this important program is to create *community learning centers* that provide academic enrichment opportunities for children, particularly students who attend high-poverty and low-performing schools, to meet State and local student standards in core academic subjects, to offer students a broad array of enrichment activities that can complement their regular academic programs, and to offer literacy and other educational services to the families of participating children.

The Non-Regulatory Guidance can help the State Educational Agencies to develop selection criteria to ensure that local programs are of the highest possible quality and are appropriately tailored to address the needs of students and their families. In particular, States and local communities must identify and implement programs for which there is evidence, based on rigorous research and evaluation, that they can effectively help children to succeed in school.

*The No Child Left Behind Act of 2001* recognizes that improved student achievement occurs when communities implement programs and strategies scientifically proven to be effective. The 21<sup>st</sup> Century Community Learning Centers program is committed to ensuring that our students have access to high-quality and engaging enrichment activities that can truly support their learning and development. I look forward to working with you on this exciting program. If you have questions or need further information regarding the 21<sup>st</sup> Century Community Learning Centers program, please contact Carol J. Mitchell, the 21<sup>st</sup> Century Community Learning Centers Program Manager, at (202) 260-0982 or via e-mail to [carol.j.mitchell@ed.gov](mailto:carol.j.mitchell@ed.gov).

Eugene W. Hickock  
Under Secretary

400 MARYLAND AVE, SW, WASHINGTON, DC 20202-6200

*Our mission is to ensure equal access to education and to promote educational excellence throughout the nation.*

## **TABLE OF CONTENTS**

### **SECTION A. INTRODUCTION**

### **SECTION B. OVERVIEW OF THE 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTERS (21<sup>ST</sup> CCLC) PROGRAM**

- B-1. What is the purpose of the 21<sup>st</sup> CCLC Program?
- B-2. How has the program changed?
- B-3. Which requirements apply to State educational agencies and which apply to local applicants?
- B-4. What is a community learning center?
- B-5. What is the relationship between the 21<sup>st</sup> CCLC and other Federal programs?

### **SECTION C. FEDERAL AWARDS TO STATES**

- C-1. How are 21<sup>st</sup> CCLC funds allocated to the States?
- C-2. What is the definition of “State” under the 21<sup>st</sup> CCLC program?
- C-3. Must the outlying areas run competitions for local communities?
- C-4. Are unitary districts required to hold a competition within the district to distribute funds?
- C-5. How and when does a State educational agency submit its application for 21<sup>st</sup> CCLC funds?
- C-6. What happens to a State’s allocation if it does not apply for, or is not approved for, 21<sup>st</sup> CCLC funds?
- C-7. When will 21<sup>st</sup> CCLC funds become available to State?
- C-8. How long will a State application be in effect, and what is the duration of a State award?
- C-9. How long are 21<sup>st</sup> CCLC funds available for obligation?

### **SECTION D. STATE APPLICATION REQUIREMENTS**

- D-1. What are the key issues that must be addressed in a State educational agency’s application for 21<sup>st</sup> CCLC funds?
- D-2. Under what condition would the Secretary disapprove a State application, and what happens if a State’s application is not approved?
- D-3. How must States develop their applications?

### **SECTION E. FUNDS RESERVED FOR STATE USE**

- E-1. May a State educational agency reserve a portion of its allocation for State use?
- E-2. What flexibility does the State have in using the funds reserved for State administration and activities?
- E-3. Can SEA’s conduct applicant workshops?

### **SECTION F. STATE COMPETITIVE GRANTS TO LOCAL ENTITIES**

- F-1. What organizations are eligible to apply for 21<sup>st</sup> CCLC funds?
- F-2. Is a local application eligible to apply for a grant if it has no prior after-school experience?
- F-3. What must a local organization include in its application to an SEA?
- F-4. Are there any required priorities for awarding local grants?

- F-5. Can a State include other priorities in the local grant competition?
- F-6. What is the minimum amount of 21<sup>st</sup> CCLC funds that an SEA may provide to a grants?
- F-7. What is the period of a local 21<sup>st</sup> CCLC award?
- F-8. Does the 21<sup>st</sup> CCLC program have a local matching requirement? If so, what is it and what organizations can provide the match?
- F-9. Is collaboration a requirement for LEAs and other public or private organizations eligible to apply?
- F-10. May a community learning center be located or take place outside of a school?
- F-11. Are there any requirements for the hours of operation of a center or the number of students a location program must serve?
- F-12. Can SEAs award local grants to schools that already receive Federal 21<sup>st</sup> CCLC program funds?
- F-13. May 21<sup>st</sup> CCLC program funds support communities that are already implementing before- and after-school activities.
- F-14. May an SEA use 21<sup>st</sup> CCLC funds to award a planning grant to an organization that currently does not provide any out-of-school time activities?
- F-15. Are religious organizations, including entities such as religious private schools, eligible to receive 21<sup>st</sup> CCLC grants from the SEA?
- F-16. Are private school students eligible to participate in 21<sup>st</sup> CCLC activities carried out in public schools?
- F-17. May several organizations form a consortium to apply for 21<sup>st</sup> CCLC funds?
- F-18. May States reserve their first-year funding, or a portion of their funding, to support current Federal 21<sup>st</sup> CCLC grantees whose program are ending?
- F-19. How does the legislative requirement for a minimum award of \$50,000 per grant apply to a consortium of organizations?
- F-20. Are public charter schools eligible to participate in the 21<sup>st</sup> CCLC program?
- F-21. May an intermediate unit within a State apply for 21<sup>st</sup> CCLC program funds on behalf of eligible schools for which it provides services?
- F-22. Can BIA schools apply to the State and the BIA?
- F-23. How flexible is the timing of the local grant competition?
- F-24. Can a State begin a competition for local grants before the Department approves its application?
- F-25. Does an SEA have discretion in selecting criteria for its local competition?
- F-26. Who may serve as peer reviewers for local competitions?
- F-27. Can a State opt to have the Department continue to administer its allocation of the funds?
- F-28. Can two or more States combine their grant review process?
- F-29. On what basis does an SEA make continuation awards?

### **SECTION G. LOCAL USE OF FUNDS**

- G-1. For what activities may a grantee use 21<sup>st</sup> CCLC program funds?
- G-2. Can 21<sup>st</sup> CCLC program funds support services to adults?
- G-3. Can 21<sup>st</sup> CCLC program funds support services for pre-kindergarten children?
- G-4. Several civil rights laws apply to recipients of Federal grants. Do these laws apply to private organizations that receive a grant under this program?

- G-5. What flexibility does a local educational agency have in its uses of 21<sup>st</sup> CCLC program funds?
- G-6. Can 21<sup>st</sup> CCLC activities take place during the regular school day?
- G-7. Can 21<sup>st</sup> CCLC local grantees use funds other Federal, State and local programs that have related purposes?
- G-8. How does 21<sup>st</sup> CCLC fit within the broader context of a school’s improvement plan?
- G-9. May LEAs or other organizations charge indirect costs to their 21<sup>st</sup> CCLC grant?
- G-10. May a grantee charge pre-award costs to the 21<sup>st</sup> CCLC grant?
- G-11. Can a local grantee charge the 21<sup>st</sup> CCLC grant for costs incurred after the grant period?
- G-12. How does the “carryover provision” apply to 21<sup>st</sup> CCLC funds at the local level?
- G-13. May a local grantee use 21<sup>st</sup> CCLC program funds to pay or reimburse a proposal-writing firm for developing its grant application?
- G-14. Must community learning centers provide services free of charge?

#### **SECTION H. EVALUATION AND ACCOUNTABILITY**

- H-1. What information will the Department collect from SEA?
- H-2. What evidence is required from the States and local programs to determine whether 21<sup>st</sup> CCLC programs are research-based and effective?
- H-3. What is scientifically based research?
- H-4. When is scientifically based research appropriate for the 21<sup>st</sup> CCLC programs?
- H-5. What are the State evaluation requirements?
- H-6. What are the evaluation requirements for local grantees?
- H-7. What are the Department’s plans for the national evaluation of the 21<sup>st</sup> CCLC program?
- H-8. How does a State ensure that organizations other than LEA will be able to provide academic enrichment and have access to student achievement data?

#### **SECTION I. MISCELLANEOUS**

- I-1. What portions of the Education Department’s General Administrative Regulations (EDGAR) apply to the 21<sup>st</sup> CCLC program?

#### **APPENDIX A—RESOURCES ON AFTER-SCHOOL**

#### **APPENDIX B – 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTERS STATE ALLOCATIONS FOR FY 2002**

#### **APPENDIX C – 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTERS STATUTE**

## **SECTION A. INTRODUCTION**

Over the last ten years, a growing body of research studies and evaluations has assessed the characteristics and the benefits of after-school programs. Initially, evaluations of after-school programs focused not on academic outcomes, but on the quality of program implementation, and most of those studies did not employ scientifically rigorous evaluation designs. This has begun to change as the U.S. Department of Education (ED), foundations, after-school program developers and sponsors, and State and local agencies have invested considerable resources into assessing whether well-designed and well-implemented after-school programs can have measurable effects on student academic performance and behavior.

In February 2003, early findings from an ED-funded study of the 21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLC) program, conducted by Mathematica Policy Research, Inc., were released in a report titled **When Schools Stay Open Late**. In general, the first-year findings showed that typical 21<sup>st</sup> CCLC programs had a negligible impact on academic and behavioral outcomes for students. The study design was the most rigorous ever used to assess the benefits of after-school programs. It included a representative national sample of middle schools, examining data from matched comparison groups of 4,400 middle-school students in 34 schools districts with 62 Community Learning Centers. The study also examined after-school programs in 7 elementary school districts in which approximately 1,000 students were randomly assigned to participate or not.

The first-year findings revealed that participating in these programs had little influence on academic performance and no influence on feelings of safety or on the number of "latchkey" kids, although the proportion of students being cared for by an older sibling was reduced and Centers did show increased parental involvement. The study also showed that 21<sup>st</sup> CCLC programs – particularly at the middle-school level – had low levels of student participation and overall did not offer high-quality academic enrichment experiences.

Clearly, these findings suggest that 21<sup>st</sup> CCLC program managers and service providers must do a better job of delivering exciting, engaging and purposeful enrichment activities, validated by research, that can increase student participation and contribute more directly to supporting academic growth and positive youth development. Since the Mathematica study began, there have been significant changes to the 21<sup>st</sup> CCLC program. The **No Child Left Behind** legislation gave the States the responsibility to focus 21<sup>st</sup> CCLC programs on providing academic and other enrichment opportunities to children in high-poverty, low-performing schools, and to help these children succeed in meeting State and local academic standards.

Continued research and rigorous evaluations, coupled with carefully designed technical assistance to help after-school programs put in place exciting and engaging learning activities based on sound research on teaching and learning, will be critical to ensure that no child is left behind. The U.S. Department of Education is looking forward to its continuing work with the States and local communities across the country to address these challenges.

## **The 21<sup>st</sup> Century Community Learning Centers Program**

The passage of the *No Child Left Behind Act of 2001*, which significantly amended the Elementary and Secondary Education Act to expand State and local accountability and flexibility and to stress the adoption of research-based practice, contained a number of new provisions that specifically affected the 21<sup>st</sup> Century Communities Learning Centers (21<sup>st</sup> CCLC) program.

The remainder of this document focuses on the requirements of the statute and the Department's interpretation of these provisions. Throughout this document, we have tried to provide guidance that clearly interprets the requirements of the statute, represents the findings of research and experience, promotes high-quality programs that directly assist student learning and achievement, and ensures that diverse stakeholders within each community are involved in planning and delivering program services.

### **SECTION B. OVERVIEW OF THE 21<sup>st</sup> CENTURY COMMUNITY LEARNING CENTERS (21<sup>st</sup> CCLC) PROGRAM**

#### **B-1: What is the purpose of the 21<sup>st</sup> CCLC program?**

The purpose of the program is to establish or expand *community learning centers* that provide students with academic enrichment opportunities along with activities designed to complement the students' regular academic program. Community learning centers must also offer families of these students literacy and related educational development. Centers – which can be located in elementary or secondary schools or other similarly accessible facilities – provide a range of high-quality services to support student learning and development, including tutoring and mentoring, homework help, academic enrichment (such as hands-on science or technology programs), and community service opportunities, as well as music, arts, sports and cultural activities. At the same time, centers help working parents by providing a safe environment for students during non-school hours or periods when school is not in session.

Authorized under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA), as amended by the *No Child Left Behind Act of 2001*, the law's specific purposes are to: (1) provide opportunities for academic enrichment, including providing tutorial services to help students (particularly students in high-poverty areas and those who attend low-performing schools) meet State and local student performance standards in core academic subjects such as reading and mathematics; (2) offer students a broad array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students; and (3) offer families of students served by community learning centers opportunities for literacy and related educational development.

#### **B-2: How has the program changed?**

The *No Child Left Behind Act of 2001* made several significant changes to the 21<sup>st</sup> CCLC program. These changes ensure that the program focuses on helping children in high-need

schools succeed academically through the use of scientifically based practice and extended learning time. The new statute provides additional State and local flexibility in how funds can be used to support higher academic achievement, and dramatically expands eligibility for 21<sup>st</sup> CCLC funding to public and private educational and youth-serving organizations.

Changes to the program’s authorizing statute include:

- **Implementing activities based on rigorous scientific research.** For the first time, the new authorizing statute provides *principles of effectiveness* to guide local grantees in identifying and implementing programs and activities that can directly enhance student learning. These activities must address the needs of the schools and communities, be continuously evaluated using performance measures, and – if appropriate – be based on scientific research.
- **Focusing services on academic enrichment opportunities.** Under the new legislation, grantees **must** provide academic enrichment activities to students in high-poverty schools to help them meet State and local standards in the core content areas, such as reading, math, and science. In addition, applicants must also provide services to the families of children who are served in the program. Under the previous statute, grantees provided a broad array of services to children and community members. The new legislation allows community learning centers to serve adult family members of students, but not community members at large.
- **Transferring program administration from the Federal to the State level.** The new legislation turns over responsibility for administering the 21<sup>st</sup> CCLC program to the State educational agency (SEA) in each State. The U.S. Department of Education (the Department) will allocate funds to the SEAs by formula. The SEA will manage grant competitions and award grants to eligible organizations for local programs. States now will be accountable to the Department for ensuring that all statutory requirements are met. Under the previous legislation, the Department managed a nationwide competition and directly awarded over 1,600 grants to public schools and school districts that worked in collaboration with other public and nonprofit organizations, agencies, and educational entities.
- **Expanding eligibility to additional entities.** The new legislation allows public and private organizations to receive funds directly from the State under this program. Under the previous authority, only public schools or local educational agencies could directly receive grants. The Department continues to strongly encourage all applicants to collaborate with other public and private agencies, including the local school districts, to create programs as comprehensive and high-quality as possible.
- **Targeting services to poor and low-performing schools.** The new legislation requires States to award grants only to applicants that will primarily serve students who attend schools with a high concentration of poor students. In addition, States must give priority to applications for projects that will serve children in schools designated as in need of improvement under Title I and that are submitted jointly by school districts receiving Title I funds and community-based organizations or public or private

organizations. These priorities are new. The previous legislation restricted eligibility to inner-city or rural schools and strongly encouraged schools to collaborate with community-based organizations.

- **Extending the duration of grant awards.** States now have the discretion to award grants to local organizations for a period of three to five years. The previous law limited the duration of the grants to three years.
- **Increasing accountability at the State and local levels.** The new legislation requires States to develop performance indicators and performance measures that they can use to evaluate programs and activities. States must require local grantees to implement programs that meet the *principles of effectiveness*. In addition, grantees must periodically evaluate their programs to assess progress toward achieving the goal of providing high-quality opportunities for academic enrichment.
- **Expanding the range of locations in which local programs may take place.** The new legislation provides support for services for children and their families in elementary or secondary schools or in any other location that it is at least as available and accessible as the school. The previous legislation allowed for community learning centers to be located only in public elementary or secondary schools.
- **Requiring funds to supplement and not supplant.** Grantees must use program funds to supplement and not supplant other Federal, State, and local funds. This “supplement not supplant” provision was not included in the previous statute.
- **Allowing States to require a local match.** States may now require local grantees to match funds. Under the previous law no match was required.
- **Requiring consultation and coordination.** States must, in their State application, provide an assurance that the State application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, other State agencies administering before- and after-school (or summer school) programs, the heads of the State health and mental health agencies or their designees, and representatives of teachers, parents, students, the business community, and community-based organizations, including faith-based organizations.
- **Providing States with funds to carry out administrative responsibilities.** Up to five percent of a State’s 21<sup>st</sup> CCLC allocation may be reserved by the State for the administrative and support responsibilities associated with implementing a quality program. These funds may be used to plan the competition, manage a peer-review process, award the grants, and monitor progress. State-level funds also may be used to strengthen the programs—to provide training and technical assistance to the local grantees and to conduct evaluations.

**B-3: Which requirements apply to State educational agencies and which apply to local applicants?**

There are two levels of program requirements under the new statute. First, section 4203(a) describes requirements that the SEA must address in its application to the Department (see question D-1). Second, section 4204(b)(2) describes requirements that an eligible entity at the local level must address in its application to the State (see question F-3). Both levels of requirements are mandated by statute and must be addressed and implemented.

**B-4: What is a community learning center?**

A community learning center offers academic, artistic, and cultural enrichment opportunities to students and their families during non-school hours (before or after school) or periods when school is not in session (including holidays, weekends or summer recess). According to section 4201(b)(1) of the program statute, a community learning center assists students in meeting State and local academic achievement standards in core academic subjects, such as reading and mathematics, by providing the students with opportunities for academic enrichment. Centers also provide students with a broad array of other activities – such as drug and violence prevention, counseling, art, music, recreation, technology, and character education programs – during periods when school is not in session. Community learning centers must also serve the families of participating students, e.g., through family literacy programs.

**B-5: What is the relationship between the 21<sup>st</sup> CCLC and other Federal programs?**

The 21<sup>st</sup> CCLC serves as a supplementary program that can enhance State or local reform efforts to improve student academic achievement and to support their overall development. In particular, 21<sup>st</sup> CCLC funds will create and expand after-school programs that offer extended learning opportunities for children and their families. Once these programs have been established with 21<sup>st</sup> CCLC funds, other Federal, State, or local funds can also be used to provide activities and services in these centers. Some illustrative examples of how 21<sup>st</sup> CCLC programs can operate in conjunction with other Federal programs to meet mutual goals and provide additional resources to target populations are provided below.

*Experience & Practice*

Title I funds, in concert with the 21<sup>st</sup> CCLC program funds, can provide extended learning programs in schools that integrate enrichment and recreation opportunities with academic services. 21<sup>st</sup> CCLC program funds can also meet the needs of parents seeking supplemental educational services (such as tutoring and academic enrichment) for their children. Local 21<sup>st</sup> CCLC programs may also work in collaboration with programs to supplement services to target populations such as migrant students.

Other Federal programs can also complement local 21<sup>st</sup> CCLC programs. Many current 21<sup>st</sup> CCLC programs are eligible to receive funds through the U.S. Department of Agriculture (USDA) Food and Nutrition Service for “After-school Snacks,” and in some cases to provide supper to young children. Local communities can also participate in USDA’s Summer Food Service program. These snacks and meals can contribute to the nutritional services provided in local programs. Services made available through funds from Temporary Assistance to Needy Families (administered by the U.S. Department of Health and Human Services) can be combined with 21<sup>st</sup> CCLC programs to serve children outside of the regular school day. 21<sup>st</sup> CCLC programs can also utilize Federal funding available through local prevention grants under Title V of the Juvenile Justice and Delinquency Prevention Act (administered by the Office of Juvenile Justice and Delinquency Prevention in the U.S. Department of Justice). Further information on local prevention grants can be found on the OJJDP website, <http://ojjdp.ncjrs.org/titlev/index.html>.

In no case, however, may 21<sup>st</sup> CCLC funds supplant other Federal, State or local funds (see question G-7 for more information).

**SECTION C. FEDERAL AWARDS TO STATES**

**C-1: How are 21<sup>st</sup> CCLC funds allocated to the States?**

In fiscal year (FY) 2002, Congress appropriated \$1 billion for the 21<sup>st</sup> CCLC program. From that total appropriation, the Department will reserve: (1) the amount needed to support the continuation costs of awards made by the Department through the earlier competitive grant program; (2) up to 1 percent to carry out national activities; and (3) up to 1 percent for grants to the Bureau of Indian Affairs and Outlying Areas (Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands). The Department will allocate the remaining funds to States in proportion to each State’s share of funds in the previous fiscal year under Part A of Title I of the Elementary and Secondary Education Act (ESEA). However, no State will receive less than one-half of 1 percent of the total amount available for States. In FY 2002, the Department will allocate approximately \$305 million to the States and \$10 million to the BIA and Outlying Areas, and will reserve \$675 million for continuations of current grants and \$10 million for national leadership activities (including evaluation). See Appendix C for the estimated FY 2002 State allocations.

Note: The Freely Associated States (the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau) are no longer eligible to receive funding under this program.

**C-2: What is the definition of “State” under the 21<sup>st</sup> CCLC program?**

For the purposes of this program, the definition of State (Section 4201(b)(4)) includes the 50 States, the Commonwealth of Puerto Rico, and the District of Columbia.

**C-3: Must the outlying areas run competitions for local communities?**

Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands must hold a competition to distribute funds to local communities if they are going to use 21<sup>st</sup> CCLC funds for its statutory purposes. However, if these island entities choose to use their authority to consolidate their 21<sup>st</sup> CCLC funds under another applicable ESEA program -- and not spend their funding on after-school programs -- a local 21<sup>st</sup> CCLC competition is not necessary.

**C-4: Are unitary districts required to hold a competition within the district to distribute funds?**

Yes. Hawaii, the District of Columbia, and Puerto Rico must conduct a grant competition to ensure that all eligible organizations – including all public or private entities and not just public schools and districts – can have a chance to compete for 21<sup>st</sup> CCLC grants.

**C-5: How and when does a State educational agency submit its application for 21<sup>st</sup> CCLC funds?**

A State educational agency may submit its application for 21<sup>st</sup> CCLC funds in either of two ways. The State may request 21<sup>st</sup> CCLC funds as part of a consolidated ESEA application (under Section 9302), or it may submit a separate 21<sup>st</sup> CCLC program application. The Outlying Areas have their own consolidated application to which different guidelines apply. The consolidated application allows the State to submit one application for up to 12 formula grant programs under ESEA. The Department has 120 days to approve the State application or request additional information as needed. SEAs are encouraged to submit their applications as early as possible so they can receive funding on a timely basis and begin the process of awarding local grants to eligible organizations.

**C-6: What happens to a State’s allocation if it does not apply for, or is not approved for, 21<sup>st</sup> CCLC funds?**

If a State does not apply for 21<sup>st</sup> CCLC funds, or if an SEA’s application is not approved, the Secretary will reallocate those funds to participating States. A State’s decision not to participate in the 21<sup>st</sup> CCLC program will not have an effect on its receipt of other Federal resources. It is important to note that if a State does not apply for funds or its application is disapproved, eligible organizations from that State cannot apply to the U.S. Department of Education directly. A State that does not receive an allotment in any one year will still be

eligible for funds the following year, provided that it submits an application that is subsequently approved by the Department.

**C-7: When will 21<sup>st</sup> CCLC funds become available to States?**

The Department will make 21<sup>st</sup> CCLC grants after it approves a State's application, subject to the timeline discussed in C-5.

**C-8: How long will a State application be in effect, and what is the duration of a State award?**

Applications submitted to the Department by State educational agencies will be in effect for six years. New State allotments are calculated for each fiscal year based on the State's share of the previous allotment under Subpart 2 of Part A of Title I.

**C-9: How long are 21<sup>st</sup> CCLC funds available for obligation?**

To ease the transition of the 21<sup>st</sup> CCLC program from a Federal discretionary grant program to a State grant program, Congress made FY 2002 program funds available for Federal obligation for a period of two years. This means that 21<sup>st</sup> CCLC funds became available for obligation on October 1, 2001 and will remain available for Federal obligation until September 30, 2003. However, under the provisions of the Tydings amendment, States and local grantees have an additional 12-month period to obligate their Federal funds; thus, States and locals will actually have until September 30, 2004, to obligate their FY 2002 funds. In subsequent years, the Department anticipates that the funds will become available on July 1 of the current fiscal year and remain available for 15 months.

Note: An obligation does not occur when an SEA makes a local grant award. Obligation of 21<sup>st</sup> CCLC funds only occurs when funds are committed to specific activities by an SEA or local grantee. See the Education Department General Administrative Regulations (EDGAR) at 34 C.F.R. §76.707.

**SECTION D. STATE APPLICATION REQUIREMENTS**

**D-1: What are the key issues that must be addressed in a State educational agency's application for 21<sup>st</sup> CCLC funds?**

As described in question C-5, States will have the choice to apply for 21<sup>st</sup> CCLC funds through a consolidated or a program-specific application. Whether applying through a consolidated or program-specific application, States must provide the Department with the information requested. According to statute, each application must designate the State educational agency as the agency responsible for administration and supervision of the program. The statute also requires that program-specific applications describe:

- How the SEA will use the funds, including funds reserved for State-level activities;
- The procedures and criteria the SEA will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which must take into consideration the

likelihood that a proposed community learning center will help participating students meet local content and student academic standards;

- How the SEA will ensure that awards are (a) of sufficient size and scope to support high-quality, effective programs that are consistent with legislative purpose and, (b) made in amounts of at least \$50,000;
- The steps the SEA will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, and dissemination of promising practices;
- How 21<sup>st</sup> CCLC programs will be coordinated with ESEA and other programs as appropriate;
- The results of the State’s needs and resources assessment for before- and after-school activities, which must be based on the results of on-going State evaluation activities; and
- How the SEA will evaluate the effectiveness of programs and activities, which must include, at a minimum, a description of (a) the performance indicators and performance measures that will be used to evaluate programs and (b) how the State will carry out public dissemination of the evaluations of programs and activities.

Further, the statute requires that each program-specific application provide assurances that:

- The application was developed in consultation and coordination with appropriate State officials, including the chief State school officer; other State agencies administering before- and after-school (or summer school) programs; heads of the State health and mental health agencies or their designees; and representatives of teachers, parents, students, the business community, and community-based organizations;
- The SEA will require eligible entities to describe in their application how the transportation needs of participating students will be addressed;
- The SEA will make awards for programs for a period of not less than 3 years and not more than 5 years and will require each eligible organization applying for funds to describe how the community learning center will continue after 21<sup>st</sup> CCLC funding ends;
- Funds will supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities allowable under this program; (See question G-7)
- The SEA will make awards only to eligible entities that propose to serve students, and families of students, who primarily attend schools eligible for Title I schoolwide programs or schools that serve a high percentage of students from low-income families; and
- The State has provided timely public notice of intent to file the application and the application will be available for public review after submission.

To reduce paperwork burden, the Department has not explicitly included all of these descriptive requirements or assurances in the consolidated application. The consolidated application requests information in three main areas: 1) a description of the subgranting process; 2) the State’s plans for providing training and technical assistance to the local grantees; and 3) how the State will evaluate local programs to determine substantial progress for subsequent funding years. The consolidated application is available at

<http://www.ed.gov/admins/lead/account/consolidated/index.html>. Even though the States are not explicitly being asked to address all of the statutory requirements in their consolidated application, States nevertheless must still follow all the provisions of statute in designing and administering their programs.

**D-2: Under what conditions would the Secretary disapprove a State application, and what happens if a State’s application is not approved?**

The Secretary will only disapprove applications not in compliance with the statute. If the Secretary finds that the application is not in compliance, the Secretary will give the SEA notice and an opportunity for a hearing. The Secretary will notify the SEA of the finding of noncompliance and cite the specific provisions in the application that are not in compliance. The Secretary will then request additional information needed to make the application compliant. If the SEA responds to the Secretary’s notification within 45 days and resubmits the application with the requested information, the Secretary will approve or disapprove the application within 45 days from the date the application is resubmitted or within 120 days of the original submission, whichever is later. If the SEA does not respond to the Secretary’s notification within 45 days, the application will be deemed disapproved.

**D-3: How must States develop their applications?**

The statute requires that a State educational agency, in developing its application, consult and coordinate with appropriate State officials, including the chief State school officer, other State agencies administering before- and after-school programs, heads of State health and mental health agencies, and representatives of teachers, parents, students, the business community, and community-based organizations. The statute also requires that the SEA consult with the Governor in establishing the peer review process and in awarding grants. The Department has found that thorough planning for a competition ensures higher-quality applications and yields fewer difficulties with grant implementation.

***Experience & Practice***

According to the Council of Chief State School Officers, 95 percent of State educational agencies, as their first step in developing an application, establish an advisory committee to help them in this effort. As States develop their plans, they should meet with involved stakeholders to: (1) acquire diverse perspectives (e.g., meet with school districts, community-based organizations, institutions of higher education, etc); (2) ensure that appropriate staffing is available for administration for the program; (3) post timely public notice announcing the State’s intent to file an application; (4) provide ample consideration and attention to the technical assistance aspect of the program in terms of who the providers will be, the services that can be provided, and the timeframe for which such services will be provided.

## **SECTION E. FUNDS RESERVED FOR STATE USE**

### **E-1: May a State educational agency reserve a portion of its allocation for State use?**

Yes. The SEA may use up to 5 percent of the total amount available to it for State administration and activities. Specifically, an SEA may use up to 2 percent of the amount available to the State for the administrative costs of carrying out its responsibilities to establish and implement a peer review process for grant applications, and to supervise the awarding of funds to eligible organizations. An SEA may use up to 3 percent of its allocation for the following State level activities (1) monitoring and evaluating programs and activities; (2) providing capacity-building, training, and technical assistance specific to grantees; (3) comprehensively evaluating (directly or through a grant or contract) the effectiveness of programs and activities; and (4) providing training and technical assistance to eligible organizations that are applicants for, or recipients of, awards. State funds can be used for travel, personnel, and contracted support as necessary and reasonable to carry out a State's monitoring, evaluation, technical assistance, and training functions. As noted in D-1 and D-3, States must consult and coordinate with a broad range of stakeholders as they develop their plans for State administration and activities.

#### ***Experience & Practice***

To sustain a quality program, staff and volunteers who will be delivering academic support and enrichment services should be provided with ongoing training and learning opportunities, both to ensure that they interact appropriately with students, and also to prevent high rates of student turnover. Staff training should focus on how to work with children, how to negotiate, and how to address the needs of children of different ages, races, and cultures, and children with disabilities. Training can also give staff ideas for enrichment and hands-on activities, greater expertise in academic subject matter, knowledge in assessing student progress, and strategies for implementing the different program components of academics, enrichment, and recreation.

### **E-2: What flexibility does the State have in using the funds reserved for State administration and activities?**

Pursuant to Titles VI and IX of the reauthorized ESEA, a number of flexibility provisions are applicable to the 21<sup>st</sup> CCLC program at the State level. These include:

- *SEA Transferability.* A State may transfer 50 percent of funds available for State activities (that is, half of up to 3 percent of its total 21<sup>st</sup> CCLC allocation) to carry out State-level activities under one or more of the following programs:
  - Part A of Title I
  - Section 2113(a)(3) (Teacher and Principal Training and Recruitment)
  - Section 2412(a)(1) (Enhancing Education Through Technology)
  - Section 4112(a)(1) (Safe and Drug-Free Schools and Communities Governor's funds, with the agreement of the Governor)
  - Section 4112(c)(1) (Safe and Drug-Free Schools and Communities SEA funds)
  - Section 5112(b) (Innovative Programs)

A State may also elect to transfer up to 50 percent of the State’s non-administrative funds from any of the above-listed programs to carry out State-level activities under the 21<sup>st</sup> CCLC program.

- *Consolidation of State Administration Funds.* An SEA may consolidate its 21<sup>st</sup> CCLC State administration funds (up to 2 percent of its total 21<sup>st</sup> CCLC allocation) with any other administrative funds available from ESEA programs. The purpose of such consolidation is to enhance the effective and coordinated use of administrative funds under the consolidated programs. (Note: With the SEA’s approval, LEAs may also combine administrative funds.)
- *State-Flex.* The Secretary has the authority to award, on a competitive basis, “State-Flex” status to up to seven SEAs. States that are awarded this flexibility will be able to combine all funds reserved for State use and use those funds for any educational purpose authorized under the ESEA programs covered by this provision.
- *Waivers.* In addition to the flexibility provisions described above, SEAs may apply to the Secretary for waivers of certain other 21<sup>st</sup> CCLC statutory requirements. The Secretary cannot, however, waive statutory provisions that address the basic intent and purpose of the 21<sup>st</sup> CCLC program, nor can he waive supplement-not-supplant or civil rights provisions.

### **E-3: Can SEAs conduct applicant workshops?**

Yes. SEAs may use their State activity money (i.e., up to 3 percent of their allocations) to provide technical assistance to eligible applicants. Due to the popularity of the previous 21<sup>st</sup> CCLC program, SEAs should expect a large number of inquiries regarding the new program and should provide information to eligible organizations about new program requirements and priorities.

#### *Experience & Practice*

The Department encourages each State to conduct applicant workshops and provide other technical assistance to address issues of quality, access, and equity. Well-planned workshops are an effective way to directly reach eligible prospective applicants and specifically target populations that are typically underserved and underrepresented. It is particularly helpful to hold applicant workshops before the first competition of a new program because eligible applicants are unlikely to be familiar with the specific requirements of the current program.

Previous applicant workshops for the 21<sup>st</sup> CCLC program provided a greater understanding among applicants of the program’s goals and objectives and, most importantly, provided critical examples of effective programs and activities. The Department found that the quality of the applications increased as communities participated in applicant workshops. The Department was able to document that the average standardized score of all applications increased steadily over the program’s history from 72 (in 1998) to 75 (in 1999) to almost 80 (in 2000).

## **SECTION F. STATE COMPETITIVE GRANTS TO LOCAL ENTITIES**

### **F-1: What organizations are eligible to apply for 21<sup>st</sup> CCLC funds?**

Any public or private organization is now eligible to apply for a 21<sup>st</sup> CCLC grant. Examples of agencies and organizations now eligible under the 21<sup>st</sup> CCLC program include, but are not limited to: non-profit agencies, city or county government agencies, faith-based organizations, institutions of higher education, and for-profit corporations. The statute encourages eligible organizations applying for funds to collaborate with the schools the children attend. The statute also allows a consortium of two or more agencies, organizations or entities to apply.

### **F-2: Is a local applicant eligible to apply for a grant if it has no prior after-school experience?**

Organizations do not have to demonstrate prior experience in providing after-school programs to be eligible to apply for a grant. However, in its application to the SEA, an organization that does not have such experience must demonstrate promise of success in providing educational and related activities that will complement and enhance the academic performance, achievement, and positive youth development of the students.

#### ***Experience & Practice***

Positive youth development refers to a philosophy and approach to working with young people that recognizes that: (1) multiple domains of young people’s development—cognitive, social, emotional, physical and moral—are interconnected; (2) all young people have strengths and prior knowledge that serve as a platform for subsequent development; and (3) young people are active agents of their own growth and development.

### **F-3: What must a local organization include in its application to an SEA?**

An SEA will award grants to eligible organizations on a competitive basis in accordance with the statute. Applications must include descriptions of:

- Before- and after-school, summer or other non-school time activities to be funded;
- How students will travel safely to and from the center and home;
- How the organization will disseminate information about the center (including its location) to the community in a manner that is understandable and accessible;
- How the activities are expected to improve student achievement;
- Federal, State, and local programs that will be combined or coordinated with the proposed program for the most effective use of public resources;
- How the program will meet the following principles of effectiveness by being based on:
  - An assessment of objective data regarding need for the before- and after-school programs (including during summer or other periods when school is not in session) and activities in the schools and communities;

- An established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities; and
- If appropriate, scientifically based research that provides evidence that the program or activity will help students meet State and local student academic achievement standards;
- The partnership between a local educational agency, a community-based organization, and another public or private organization (if appropriate);
- An evaluation of the community needs and available resources for the community learning center and a description of how the proposed program in the center will address those needs (including the needs of working families);
- The eligible organization’s experience, or promise of success, in providing educational and related activities that will complement and enhance the academic performance, achievement, and positive youth development of students; and
- How the applicant will use qualified seniors to serve as volunteers, if the applicant plans to do so.

Further, each application must contain assurances that:

- The program will take place in a safe and easily accessible facility;
- The program was developed and will be carried out in active collaboration with the schools the students attend;
- The program will primarily target students who attend schools eligible for Title I schoolwide programs and their families;
- Funds under the program will be used to increase the level of State, local and other non-Federal funds that would, in the absence of these Federal funds, be made available for authorized programs and activities, and will not supplant Federal, State, local, or non-Federal funds;
- The community was given notice of the applicant’s intent to submit an application; and
- After the submission, the applicant will provide for public availability and review of the application and any waiver request.

The application must also include a preliminary plan for continuation of the center after Federal funding ends.

**F-4: Are there any required priorities for awarding local grants?**

Yes. States must give competitive priority to applications that both propose to serve students who attend schools identified for improvement (pursuant to Section 1116 of Title I) *and* that are submitted jointly between at least one LEA receiving funds under Title I, Part A and at least one public or private community organization. Although the statute provides an exception to this requirement for LEAs that do not have qualified community organizations within reasonable geographic proximity, such LEAs would still have to propose to serve students attending schools identified for improvement to qualify for the priority.

In determining whether an application has been “submitted jointly,” States should look for evidence in the application that the LEA and at least one other organization collaborated in the

planning and design of the program, each have substantial roles to play in the delivery of services, share grant resources to carry out those roles, and have significant ongoing involvement in the management and oversight of the program. States may want to consider what organization(s) wrote the application, what organization will be the fiscal agent, whether there is a history of these organizations working together, and whether there is evidence in the application of integration of the after-school program activities with the regular school day program. Letters of endorsement are not by themselves sufficient evidence that organizations or school districts have substantially been involved in the design of a program.

**F-5: Can a State include other priorities in the local grant competition?**

Yes. The SEA is authorized in the statute to include additional priorities in the local competition so long as they are aligned with the statute’s requirements and priorities. For example, the State may give priority to novice grantees. However, States cannot establish priorities that would curtail eligibility under this program.

**F-6: What is the minimum amount of 21<sup>st</sup> CCLC funds that an SEA may provide to a grantee?**

By statute, a grant may not be made in an amount that is less than \$50,000. The Department interprets this to mean that grants must be for at least \$50,000 per year. In addition, the statute requires SEAs to ensure that awards are of sufficient size and scope to support high-quality, effective programs. The Department encourages SEAs to consider awarding fewer but more substantial awards – large enough to fully implement comprehensive plans described in successful grant applications – rather than a larger number of small awards unlikely to have any measurable impact on student achievement. Regardless of the size of the grant, proposed costs must be *reasonable and necessary* to carry out the program’s purposes and objectives.

**F-7: What is the period of a local 21<sup>st</sup> CCLC award?**

The legislation allows States to award grants for not less than 3 years and not more than 5 years. States can determine the appropriate length of the grants they award within the statutory parameters.

***Experience & Practice***

Each year, participating organizations should collect data that can help them analyze and refine their programs based on the impact of the activities. Programs with proven effectiveness are those that are most likely to be sustained after the Federal funding ends. Current practice and research strongly suggest that three years is not enough time for local communities to fully develop a program. Research finds that it takes a period of approximately five years of continual revision and improvement for a community to fully implement a successful program.

**F-8: Does the 21<sup>st</sup> CCLC program have a local matching requirement? If so, what is it and what organizations can provide the match?**

States are permitted to require grantees to match their Federal funds. However, the State educational agency “shall not consider an eligible entity’s ability to match funds when determining which eligible organizations will receive awards... (section 4204(d)(4)).” In other words, States are prohibited from discriminating among applicants based on the extent to which they are able to match, but States may require all applicants to match at least at some minimal level.

In addition, the amount of the required match may not exceed the amount of the grant award and cannot be derived from other Federal or State funds. If it decides to require matching, the State must establish a sliding scale that takes into account the relative poverty of the students and families targeted for services and the ability of the applicant to obtain matching funds. SEAs must permit applicants to provide all or any portion of the match in the form of in-kind contributions. The requirement to provide matching funds would apply to an entire grant, and should not be the sole responsibility of any individual collaborating partner.

**F-9: Is collaboration a requirement for LEAs and other public or private organizations eligible to apply?**

The legislation contains several provisions about the importance of collaboration. Section 4204(b)(2)(H) requires districts applying for local grants to provide a description of the partnership between a local educational agency, a community-based organization (CBO), and other public or private organizations, if appropriate. If the local applicant is another public or private organization, it must provide an assurance that its program was developed and will be carried out in active collaboration with the schools the students attend. In addition, Section 4204(i)(1)(B) requires that States give priority to applications submitted jointly by an LEA receiving Title I funds and a CBO or other agency proposing to serve students in schools in need of improvement under Section 1116. As noted in F-4, SEAs must provide the same priority to LEAs proposing to target schools in need of improvement but demonstrate an inability to partner with a CBO within reasonable geographic proximity and of sufficient quality.

By bringing together community organizations with school districts, centers can take advantage of multiple resources in the community. Community learning centers can offer residents in the community an opportunity to volunteer their time and their expertise to help students achieve academic standards and master new skills. Collaboration can also ensure that the children attending a learning center benefit from the collective resources and expertise throughout the community.

*Experience & Practice*

Effective partnerships within the community allow for more efficient use of local resources. Collaboration among diverse partners strengthens the variety of services the community can offer. For example, community learning centers that partner with a county hospital, the local church, and a printing company in the community might more easily offer health care information, have church volunteers serving snacks for the program, and promote the program with free copying services.

An example of such a 21<sup>st</sup> CCLC partnership is the Dallas Independent School District (DISD) and Camp Fire USA Lone Star Council. The partnership provides students activities before school, after school and summers. Prior to applying for a 21<sup>st</sup> CCLC grant, Camp Fire provided programs to DISD students, including service learning, drug and gang prevention, and other after-school programs. The 21<sup>st</sup> CCLC funds have provided the opportunity to expand this long-lasting relationship. Presently, a Camp Fire staff member is located in the DISD office and works with the 21<sup>st</sup> CCLC staff to train program providers and coordinate after-school programs throughout the school district. Camp Fire also receives funding to provide additional quality programs to students during non-school hours. Key elements of this successful partnership include:

- A relationship between the CBO and the district prior to applying for 21<sup>st</sup> Century funds.
- Both the school district and CBO receive funds to administer programs.
- Ongoing communication and coordination between the CBO and district in program delivery.

**F-10: May a community learning center be located or take place outside of a school?**

Yes. The SEA may approve an application for a community learning center to be located in a facility other than an elementary or secondary school. However, the alternate facility must be at least as available and accessible to the participants as if the program were located in an elementary or secondary school. Each State will determine the evidence an applicant will need to demonstrate that the program will be available and accessible. (Note: “elementary school” and “secondary school” are defined in ESEA as any “nonprofit institutional day or residential school, including a public charter school...”)

Whether the program takes place in a school building or other facility, the applicant must address how students will travel safely to and from the community learning center and home.

**F-11: Are there any requirements for the hours of operation of a center or the number of students a local program must serve?**

No. The statute does not mention specific hours of operation or minimum or maximum numbers of students a center must serve. The statute does, however, specify that community learning centers must offer services during non-school hours or periods when school is not in session. In addition to after-school, that definition can include before school, evenings, weekends, holidays, summers, or other school vacation periods. Each community should base its application on the needs of its students and their families.

*Experience & Practice*

The majority of community learning centers funded directly by the Department are open at least 15 hours per week. Research suggests that more time spent in engaged and sustained learning activities yields greater benefits. To ensure that children have ample extended learning time, the Department believes that, based on our analyses of 21<sup>st</sup> CCLC and other after-school program evaluation data, centers should be open three hours a day and at least four days a week. To best serve the children of working families, centers should consider establishing consistent and dependable hours of operation. States may offer guidelines for specific hours centers must operate.

**F-12: Can SEAs award local grants to schools that already receive Federal 21<sup>st</sup> CCLC program funds?**

Yes. Communities that presently have a grant from the Department are eligible to receive additional funds under the SEA-administered program. However, local applicants and SEAs should be aware that new funds must be used in a manner consistent with all the requirements of the new statute and must be used only to supplement, not supplant, any Federal, State or local dollars available to support activities allowable under the 21<sup>st</sup> CCLC program. Funds may be used to expand or enhance current activities, or to establish programs in non-participating schools within an LEA that has a 21<sup>st</sup> CCLC grant. School districts that have received 21<sup>st</sup> CCLC awards that have ended, or are ending this year, may apply to the SEA for funds to continue those programs. The supplanting provision does not prohibit Federal funds from being used to continue programs where a previous Federal grant has ended and other Federal, State or local funds would not have been available.

**F-13: May 21<sup>st</sup> CCLC program funds support communities that are already implementing before- and after-school activities?**

Yes. 21<sup>st</sup> CCLC funds may be used to expand and enhance current activities provided in existing after-school programs, whether supported by public or private funds. For example, a grantee may use funds to align activities to help students meet local and State academic standards if those services are not part of the current after-school program. Again, grantees must bear in mind that 21<sup>st</sup> CCLC funds can be used only to supplement and not supplant any Federal or non-Federal funds used to support current programs.

**F-14: May an SEA use 21<sup>st</sup> CCLC funds to award a planning grant to an organization that currently does not provide any out-of-school time activities?**

No. Funds under this program must be used to provide services and cannot exclusively support planning. The legislation requires a local applicant to demonstrate prior experience or promise of success in providing educational or related activities. To assist communities in planning and implementing programs, the SEA is authorized to use up to 3 percent of the funds for State-level activities, including training and capacity building for both applicants and recipients of grants. Local applicants should plan for implementation prior to applying for the grant. However, grantees may use funds for ongoing planning throughout the grant period to strengthen the program based on evaluation results.

*Experience & Practice*

To ensure sufficient planning at the community level, SEAs may consider incorporating a planning component into the application process. SEAs may require detailed descriptions of planning activities in the application from the community to ensure that factors that may affect a program's quality are addressed.

**F-15: Are religious organizations, including entities such as religious private schools, eligible to receive 21<sup>st</sup> CCLC grants from the SEA?**

Yes. Faith-Based Organizations (FBOs) are eligible to apply for local grants provided they meet all statutory and regulatory requirements of this program. In order to ensure that a local grantee, including a FBO, meets the program's purposes and criteria, it should not discriminate against beneficiaries on the basis of religion. In matters of program eligibility, the SEA may not discriminate against grant applicants with regard to religion. Thus, faith-based and community-based organizations are encouraged to apply for local grants on the same basis as other applicants.

Funds shall be used solely for the purposes set forth in this grant program. No funds provided pursuant to this program shall be expended to support religious practices, such as religious instruction, worship, or prayer. FBOs may offer such practices, but not as part of the program receiving assistance, and FBOs should comply with generally applicable cost accounting requirements to ensure that funds are not used to support these activities. For example, FBOs may wish to keep grant funds in a separate account or accounts to ensure that they are not used inappropriately. OMB Circulars A-21 (for educational institutions) and A-122 (for non-profit organizations) provide further guidance regarding these accounting requirements.

**F-16: Are private school students eligible to participate in 21<sup>st</sup> CCLC activities carried out in public schools?**

Yes. Students, teachers, and other educational personnel are eligible to participate in 21<sup>st</sup> CCLC programs on an equitable basis. A public school or other public or private organization that is awarded a grant must provide equitable services to private school students, and their families. In designing a program that meets this requirement, grantees must provide comparable opportunities for the participation of both public- and private-school students in the area served by the grant. Grantees must consult with private school officials during the design and development of the 21st CCLC program on issues such as how the children's needs will be identified and what services will be offered. Services and benefits provided to private school students must be secular, neutral, and non-ideological.

**F-17: May several organizations form a consortium to apply for 21<sup>st</sup> CCLC funds?**

Yes. Communities or organizations may apply together to share resources, so long as statutory requirements are met. States can determine what constitutes an eligible consortium so long as the State's determination is consistent with program requirements.

**F-18: May States reserve their first-year funding, or a portion of their funding, to support current Federal 21<sup>st</sup> CCLC grantees whose programs are ending?**

No. States must distribute all their funds for local grants via a competitive process. Previous Federal grantees can compete for new grants, but cannot be guaranteed that they will receive a grant.

**F-19: How does the legislative requirement for a minimum award of \$50,000 per grant apply to a consortium of organizations?**

The minimum grant award is \$50,000 per year regardless of how many organizations take part in the consortium. However, one organization must be designated as the fiscal agent on behalf of all members of the consortium.

**F-20: Are public charter schools eligible to participate in the 21<sup>st</sup> CCLC program?**

Yes. Under State law, a public charter school is generally either an LEA or a public school within an LEA. As such, public charter schools are eligible to be considered for support on the same basis as other schools or LEAs in the State. Regardless of a charter school's status as an LEA or a public school, it is eligible to apply for a grant because any public or private entity may apply. Even if a charter school does not apply for or receive a grant, its students may participate in 21<sup>st</sup> CCLC programs established through an application submitted by other organizations.

**F-21: May an intermediate unit within a State apply for 21<sup>st</sup> CCLC program funds on behalf of eligible schools for which it provides services?**

Yes. An intermediate unit within a State (e.g., a Board of Cooperative Educational Services (a BOCES) or an Intermediate Service District (an ISD)) may apply for and receive a grant. States may award funds to such agencies to coordinate and carry out activities for LEAs, other participating organizations, or consortia of organizations.

**F-22: Can BIA schools apply to the State and the BIA?**

Yes. Schools within the BIA may apply to both the State and the BIA. However, the school may only accept one grant (a school cannot receive two grants for the same purpose).

**F-23: How flexible is the timing of the local grant competition?**

States may hold a local grant competition at any time in which funds are available for obligation. However, the earlier the SEA makes its local awards, the longer the period of time the grantees will have to implement their programs and obligate their funds. The SEA application to the Department should provide specific information regarding the timing of the local competition. The Department encourages SEAs to allow communities sufficient planning time in which to design a high-quality program and prepare their application.

**F-24: Can a State begin a competition for local grants before the Department approves its application?**

The Department strongly discouraged any SEA from running a competition before the Department approved its application. However, all State plans for managing the 21<sup>st</sup> CCLC program have now been approved by the Department.

**F-25: Does an SEA have discretion in selecting criteria for its local competition?**

Yes. SEAs have the discretion to determine criteria by which to judge applications so long as the criteria are consistent with the purpose, requirements, and priorities in the legislation. In addition, the legislation allows SEAs to require State-specific information and assurances.

***Experience & Practice***

In selecting applicants for funding, States may wish to consider using any or all of the five criteria that have been applied by the Department in its national competitions. The Department's use of these criteria resulted in grants to high-needs areas that proposed high-quality programs. The criteria were:

- Need for Project
- Quality of Project Design
- Adequacy of Resources
- Quality of Management Plan
- Quality of Project Evaluation

**F-26: Who may serve as peer reviewers for local competitions?**

An SEA must, through a peer review process or other objective method, ensure that quality applications are selected for funding. The Department encourages SEAs to seek qualified individuals with diverse expertise, geographic location, gender, racial, and ethnic representation to review applications. In addition, the Department encourages SEAs to consider soliciting potential reviewers from a large array of organizations, including educational and non-educational entities. By drawing widely, States are most likely to develop a pool of highly qualified reviewers and thereby ensure that quality applicants are chosen as grantees.

In soliciting reviewers for its national competitions, the Department sought representatives from groups that included, but were not limited to: teachers and principals, experts in expanded learning and after-school programs, representatives from community education, researchers and evaluators with methodological expertise, content area specialists, representatives from community service agencies and faith-based organizations, private-sector individuals involved in education, representatives from school-age child care alliances, local and civic leaders, representatives from foundations and charitable organizations, and representatives from institutions of higher education.

SEAs should also be mindful of potential *conflicts of interest* that may arise in selecting peer reviewers, especially among grant writers, evaluators, and technical assistance providers. A *conflict of interest* is generally defined as a situation in which a peer reviewer has a direct financial interest in the outcome of a competition. A conflict of interest situation could exist, for instance, if a peer reviewer (or a member of her immediate family) is named as an evaluation contractor in an application she may review.

***Experience & Practice***

The Department's experience indicates that the recruitment and training of peer reviewers is one of the most important factors in ensuring that the highest-quality applications are selected for funding. Recruitment can happen in many ways, including through e-mail or formal correspondence, data base searches, or requests from relevant organizations. The most important aspect of recruitment is the qualifications of the reviewers selected.

To ensure that only the best applications are funded, SEAs should provide reviewers with formal training with regard to the selection criteria they will use to evaluate applications. The training should ensure that reviewers thoroughly understand the selection criteria, and the program purpose and goals, before reading applications.

**F-27: Can a State opt to have the Department continue to administer its allocation of the funds?**

No. The State must administer the program. The Department will provide technical assistance regarding administration of the program but it cannot administer the program on behalf of a State.

**F-28: Can two or more States combine their grant review process?**

Yes. However, this approach is likely to be successful only when States decide to use the same competitive processes and selection criteria. Otherwise, reviewers will have to make judgments about application quality using varying standards and criteria, which is likely to result in an unreliable process even if high-quality training is provided to reviewers. If States do decide to hold joint reviews of grant applications, funding decisions must still be made on an individual State basis.

**F-29: On what basis does an SEA make continuation awards?**

There are no statutory provisions that address the criteria States must assess in determining whether to provide continuation awards for local grants. States may wish to consider the criterion that the Department uses in making these decisions (see EDGAR at 34 C.F.R. §75.253), that is, whether a grantee made substantial progress toward meeting the objectives set forth in its approved application.

**SECTION G. LOCAL USE OF FUNDS**

**G-1: For what activities may a grantee use 21<sup>st</sup> CCLC program funds?**

Each eligible organization that receives an award may use the funds to carry out a broad array of before- and after-school activities (or activities during other times when school is not in session) that advance student achievement. In the Department's view, local grantees are limited to providing activities within the following list:

- Remedial education activities and academic enrichment learning programs, including providing additional assistance to students to allow the students to improve their academic achievement;
- Mathematics and science education activities;
- Arts and music education activities;
- Entrepreneurial education programs;
- Tutoring services (including those provided by senior citizen volunteers) and mentoring programs;
- Programs that provide after-school activities for limited English proficient students that emphasize language skills and academic achievement;
- Recreational activities;
- Telecommunications and technology education programs;
- Expanded library service hours;
- Programs that promote parental involvement and family literacy;
- Programs that provide assistance to students who have been truant, suspended, or expelled, to allow the students to improve their academic achievement; and
- Drug and violence prevention programs, counseling programs, and character education programs.

***Experience & Practice***

Academic enrichment can include tutoring in core academic subjects, and provide extra learning opportunities that provide students with ways to practice their academic skills through engaging, hands-on activities. Such activities might include: chess clubs, to foster critical thinking skills, persistence and other positive work habits; theatre programs, to encourage reading, writing and speaking as well as teamwork, goal-setting and decision-making; book clubs, to encourage reading and writing for pleasure; cooking programs, to foster application of reading, writing, math and science skills; poetry contests and slams, to encourage reading, writing and speaking; woodworking programs, to encourage planning, measurement, estimation and other calculation skills; and computer clubs, including newspaper publishing, to promote writing, editing and knowledge of and comfort with technology.

These kinds of enrichment programs are consistent with evidence of the importance of constructive learning activities during the non-school hours. For example, researcher Reginald Clark found that economically disadvantaged youth who participated in constructive learning activities for 20-35 hours per week performed better in school than their more passive peers.

**G-2: Can 21<sup>st</sup> CCLC program funds support services to adults?**

Yes. Adult family members of students participating in a community learning center may participate in educational services or activities appropriate for adults. In particular, local programs may offer services to support parental involvement and family literacy. Services may be provided to families of students to advance the students' academic achievement. However, programs are open only to adults who are family members of participating children.

**G-3: Can 21<sup>st</sup> CCLC program funds support services for pre-kindergarten children?**

Yes. Although “students” are designated in statute as the intended beneficiaries of the program, the Department believes that younger children who will become students in the schools being served can also participate in program activities designed to get them ready to succeed in school.

**G-4: Several civil rights laws apply to recipients of Federal grants. Do these laws apply to private organizations that receive a grant under this program?**

Yes, these laws apply to recipients of federal financial assistance, whether they are public or private. They include Title VI of the Civil Rights Act, which bars discrimination based on race, color, or national origin; Title IX of the Education Amendments of 1972, which bars discrimination based on gender; Section 504 of the Rehabilitation Act of 1973, which bars discrimination based on disability; and the Age Discrimination Act of 1975. Section 9534 of the Elementary and Secondary Education Act in effect provides that nothing in that Act disturbs the application of these laws. By the same token, the Act does not alter the applicability of other non-discrimination laws that are unrelated to the receipt of federal funds (such as Title VII of the Civil Rights Act, which forbids employment discrimination on the basis of race, color, religion, sex, or national origin, but also contains certain exceptions).

**G-5: What flexibility does a local educational agency have in its uses of 21<sup>st</sup> CCLC program funds?**

Generally, an LEA – or any other grantee – must use its 21<sup>st</sup> CCLC funds to provide after-school enrichment programs as described in its applications. However, the reauthorized ESEA provides some flexibility in how 21<sup>st</sup> CCLC funds can be used at the local level for grantees that are LEAs.

- *Consolidation of Local Administration Funds.* With approval from the SEA, LEAs may consolidate administrative funds with any other administrative funds available from ESEA programs, consistent with the administrative provisions established for each program. Such consolidation may enhance the effective and coordinated use of administrative funds under the consolidated programs.
- *Schoolwide programs.* LEAs are permitted to consolidate and use funds under Part A of Title I together with 21<sup>st</sup> CCLC and other ESEA program funds received at the school to upgrade the entire educational program of a school that serves an eligible school attendance area. (A school in which not less than 40 percent of the children are from low-income families is eligible for “schoolwide” status.) However, local schools

are still responsible for implementing activities for which they received the 21<sup>st</sup> CCLC award.

- *Rural Education Initiatives.* LEAs eligible for the Small, Rural School Achievement program may use their “applicable funding” (funds received under the Improving Teacher Quality State Grants, Educational Technology State Grants, State Grants for Innovative Programs, and Safe and Drug-Free Schools and Communities program) to carry out activities authorized under the 21<sup>st</sup> Century Community Learning Centers, Title I, Part A, Title III, or any of these particular programs.

**G-6: Can 21<sup>st</sup> CCLC activities take place during the regular school day?**

No. The statute specifically indicates services are to be provided outside the regular school day or during periods when school is not in session, e.g., before school, after school, evenings, weekends, holidays, or summer. The program may offer services to students during normal school hours on days when school is not in session, e.g., school holidays or teacher professional development days.

However, activities targeting pre-kindergarten children and adult family members may take place during regular school hours, as these times may be the most suitable for serving these populations.

**G-7: Can 21<sup>st</sup> CCLC local grantees use funds from other Federal, State and local programs that have related purposes?**

Yes. The Department strongly encourages local programs to identify other sources of related funding and to describe, in their applications, how all of these resources will be combined or coordinated to offer a high-quality, sustainable program. Each local application must identify Federal, State, and local programs that also offer after-school services and that will be combined or coordinated with the proposed program to make the most effective use of public resources. See question B-5 for examples.

However, 21<sup>st</sup> CCLC funds awarded to local grantees must be used only to supplement the level of Federal, State, local, and other non-Federal funds and not to replace funds that would have been available to conduct activities if 21<sup>st</sup> CCLC funds had not been available.

**G-8: How does 21<sup>st</sup> CCLC fit within the broader context of a school’s improvement plan?**

A 21<sup>st</sup> CCLC program can be an important component in a school improvement plan, particularly as it offers extended learning time to help children meet State and local academic standards. Local programs must ensure that the academic services they provide are aligned with the school’s curriculum in the core subject areas.

**G-9: May LEAs or other organizations charge indirect costs to their 21<sup>st</sup> CCLC grant?**

Yes. Indirect costs are the expenses incurred by a school district, community-based organization or other entity in administering or providing program services. A grantee must

have, or must establish, an indirect cost rate agreement to charge indirect costs to a grant. A grantee that does not have a current indirect cost rate – which may be initially established by a Federal or State agency that has previously provided a grant to that organization – may request that the SEA negotiate such an agreement or refer them to the “cognizant” agency that establishes such a rate. See EDGAR at 34 C.F.R. §75.560. The State, as the grantee, is responsible for ensuring that local grantees properly expend and account for Federal funds, including direct or indirect costs. Claims for indirect costs are determined in accordance with applicable Federal cost principles. In some instances, a local grantee may be the direct recipient of other Federal grants or contracts and will have had its indirect costs approved by the Federal Government. In such cases, the State grantee may generally rely on the determinations of the Federal Government and should contact the Federal agency that approved the costs to ensure that its determinations apply to the State’s situation. When a local grantee has not been the direct recipient of Federal funds or has not received Federal approval of its costs, the SEA is responsible for determining acceptable direct or indirect costs. The following can be used as a guide:

➤ Local grantee (receiving direct federal funding)

If the local grantee is a non-profit AND receives some other DIRECT funding from a Federal agency (e.g., ED, HHS, or DOL), the indirect cost rate agreement must be approved by the cognizant Federal agency under OMB Circular A-122.

The same scenario applies to Institutions of Higher Education (IHEs), pursuant to OMB Circular A-21. (Note: student aid money is not considered direct assistance.)

➤ Local grantee (not receiving direct Federal funding)

If the IHE or non-profit local grantee does NOT also receive direct assistance from a Federal agency, then the SEA is responsible for the rate negotiation.

➤ Local educational agency (LEA)

If the local grantee is an LEA, it should already have an indirect cost rate. The SEA should use the restricted rate methodology when reviewing proposed rates for LEAs.

➤ Commercial organizations

If the local grantee is a for-profit organization, the Federal Acquisition Regulations (FAR) applies. A formal rate agreement is discretionary, but the SEA is responsible for determining the allowability of the costs charged to the grant.

The SEA should make it clear in its competition announcements that the awards are subject to the non-supplanting and restricted rate requirements of EDGAR at 34 CFR 76.563. If SEAs have any questions about indirect cost rates, they may contact the Department’s 21<sup>st</sup> CCLC program staff. Program staff will be able to consult, as appropriate, with staff in the Department’s Indirect Cost Group to answer questions or resolve any concerns.

**G-10: May a grantee charge pre-award costs to the 21<sup>st</sup> CCLC grant?**

Yes, but the grantee must receive written approval from the SEA to charge pre-award costs to the grant. If an applicant incurs costs after receiving notification of its 21<sup>st</sup> CCLC award but

before the effective date of the award, these costs may be charged to the 21<sup>st</sup> CCLC grant to the extent they would have been allowable if incurred after the award date. However, prior to receiving notice of the grant, the local organization incurring financial obligations is doing so at its own risk.

**G-11: Can a local grantee charge the 21<sup>st</sup> CCLC grant for costs incurred after the grant period?**

An organization that receives a 21<sup>st</sup> CCLC grant may use 21<sup>st</sup> CCLC funds for allowable costs only during the grant award period. For example, a grantee is free to enter into a multi-year contract with a service provider; however, 21<sup>st</sup> CCLC funds may only be used for allowable costs related to that contract occurring within the grant award period.

**G-12: How does the “carryover provision” apply to 21<sup>st</sup> CCLC funds at the local level?**

Under the 21<sup>st</sup> CCLC program, an SEA has some discretion regarding carryover of unobligated 21<sup>st</sup> CCLC funds. An SEA may permit its grantees to carry over unobligated 21<sup>st</sup> CCLC funds, or the SEA may collect those funds at the end of the initial grant period and redistribute them to other participating grantees. This general rule is tempered by the requirement that each grantee receive at least \$50,000 annually for a minimum of three years. Thus, provided a grantee is making substantial progress in implementing its 21<sup>st</sup> CCLC program, the SEA may not redistribute 21<sup>st</sup> CCLC funds that remain unobligated by the grantee after its initial grant period if doing so would reduce the total amount of funds available to the grantee from a given fiscal year's appropriation below \$50,000. On the other hand, if an SEA determines that a grantee is not making substantial progress and decides not to award a second or third year 21<sup>st</sup> CCLC grant continuation, the SEA may redistribute any unobligated funds, even if doing so would reduce the funds available to the grantee below \$50,000.

The Department's experience shows that, particularly in the start-up period of a grant, there are usually some carryover funds given that it often takes more time than initially thought to hire all staff, recruit program participants, and develop a broad range of program services.

**G-13: May a local grantee use 21<sup>st</sup> CCLC program funds to pay or reimburse a proposal-writing firm for developing its grant application?**

According to OMB Circular A-87 (Proposal Costs), the costs of preparing proposals for potential Federal awards are allowable, so long as the Department approves the expense. However, the Department rarely approves such requests. When proposal costs are approved, they are normally treated as indirect costs and not charged directly to the grant.

**G-14: Must community learning centers provide services free of charge?**

No. However, programs must be equally accessible to all students targeted for services, regardless of their ability to pay. Programs that charge fees may not prohibit any family from participating due to its financial situation. The priority of the program to serve poor students and families could be compromised through high program fees. Programs that opt to charge fees must offer a sliding scale of fees and scholarships for those who cannot afford the

program. Income collected from fees must be used to fund program activities specified in the grant application.

## **SECTION H. EVALUATION AND ACCOUNTABILITY**

### **H-1: What information will the Department collect from SEAs?**

The Department is in the process of developing annual ESEA consolidated reporting requirements for States. In addition to consolidated reporting, the Department may also issue program-specific reporting requirements. These will be shared with the States as they become available.

### **H-2: What evidence is required from the States and local programs to determine whether 21<sup>st</sup> CCLC programs are research-based and effective?**

In its application to the Department, an SEA must describe the performance indicators and performance measures that it will use to evaluate local programs and activities. These State-developed performance measures can be used by local grantees as the “established set of performance measures” described in the second bullet below.

Local programs must indicate how they meet the *principles of effectiveness* described in the law. According to statute, programs or activities must be based on:

- An assessment of objective data regarding the need for before- and after-school programs (including summer school programs) and activities in schools and communities;
- An established set of performance measures aimed at ensuring high-quality academic enrichment opportunities; and
- If appropriate, scientifically based research that provides evidence that the program or activity will help students meet the State and local academic achievement standards.

Appendix A to this document – **Resources on After-school** – provides additional information that can be used by local grantees to design and implement effective, research-based after-school programs.

***Experience & Practice***

The 21<sup>st</sup> Century Community Learning Centers program uses multiple objectives and performance indicators to measure the progress of 21<sup>st</sup> CCLC grantees, as described below:

*GOAL: To enable elementary and secondary schools to plan, implement, or expand extended learning opportunities for the benefit of the educational, health, social service, cultural, and recreational needs of their communities.*

**Objective 1 – Participants in 21<sup>st</sup> Century Community Learning Centers programs will demonstrate educational and social benefits and exhibit positive behavioral changes.**

**1.1 Achievement.** Increasing percentages of students regularly participating in the program will meet or exceed State and local academic achievement standards in reading and mathematics.

**1.2 Behavior.** Students participating in the program will show improvements on measures such as school attendance, classroom performance, and decreased disciplinary actions or other adverse behaviors.

**Objective 2 – 21<sup>st</sup> Century Community Learning Centers will offer a range of high quality educational, developmental, and recreational services.**

**2.1 Core educational services.** More than 85 percent of Centers will offer high-quality services in core academic areas, e.g., reading and literacy, mathematics, and science.

**2.2 Enrichment and support activities.** More than 85 percent of Centers will offer enrichment and support activities such as nutrition and health, art, music, technology, and recreation.

**H-3: What is scientifically based research?**

Scientifically based research, as defined in Title IX of the reauthorized ESEA, is research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. This means research that: (1) employs systematic, empirical methods that draw on observation or experiment; (2) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn; (3) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators; (4) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment, experiments, or other designs to the extent that those designs contain within-condition or across-condition controls; (5) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their

findings; (6) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

#### **H-4: When is scientifically based research appropriate for the 21<sup>st</sup> CCLC program?**

When providing services in core academic areas where scientifically based research has been conducted and is available – such as reading and mathematics – a community learning center must employ strategies based on such research. The Department, in collaboration with other agencies, will continue to identify programs and practices based on rigorous scientific research and will ensure that such information is made widely available. Appendix A of this document provides resources on best practices in after-school programming. The Department also encourages the States and local programs to provide professional development in practices and strategies that have been proven effective.

#### *Experience & Practice*

Scientifically based reading research has identified five essential components of effective reading instruction. To ensure that children learn to read well, explicit and systematic instruction should be provided in these five areas:

1. **Phonemic Awareness** – The ability to hear, identify and manipulate the individual sounds – phonemes – in spoken words. Phonemic awareness is the understanding that the sounds of spoken language work together to make words.
2. **Phonics** – The understanding that there is a predictable relationship between phonemes – the sounds of spoken language – and graphemes – the letters and spellings that represent those sounds in written language. Readers use these relationships to recognize familiar words accurately and automatically and to decode unfamiliar words.
3. **Vocabulary Development** – Development of stored information about the meanings and pronunciation of words necessary for communication. There are four types of vocabulary:
  - Listening vocabulary – the words needed to understand what is heard
  - Speaking vocabulary – the words used when speaking
  - Reading vocabulary – the words needed to understand what is read
  - Writing vocabulary – the words used in writing
4. **Reading fluency, including oral reading skills** – Fluency is the ability to read text accurately and quickly. It provides a bridge between word recognition and comprehension. Fluent readers recognize words and comprehend at the same time.
5. **Reading comprehension strategies** – Strategies for understanding, remembering, and communicating with others about what has been read. Comprehension strategies are sets of steps that purposeful, active readers use to make sense of text.

#### **H-5: What are the State evaluation requirements?**

States must conduct a comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities provided with 21<sup>st</sup> CCLC funds. In their applications to the Department, States are required to describe the performance indicators and performance

measures they will use to evaluate local programs. States must also monitor the periodic evaluations of local programs and must disseminate the results of these evaluations to the public.

### *Experience & Practice*

*After-School Programs and the K-8 Principals*, developed by the National Association for Elementary School Principals (NAESP), in cooperation with the National Institute on Out of School Time, The National School-Age Care Alliance, and the U.S. Department of Education, identifies standards for quality school-age child care. One of the standards of excellence that specifically pertains to after-school programming reflects a commitment to promoting knowledge, skills, and understandings through enriching learning opportunities that complement the school day. Specifically, high-quality after-school programs should offer opportunities for children to develop in the following areas:

- Communication skills in reading, writing, speaking, spelling, and listening.
- Math skills in computation, application, and problem solving.
- Scientific inquiry into the natural and physical world, as well as practical applications of science and technology.
- The interrelationships of people and cultures to historic, geographic and economic environments.
- Participation in the arts, including visual arts, music, dance, and drama.
- Development of physical fitness and motor skills through sports and other physical activity.
- Opportunities for problem-solving that strengthen decision-making and higher-level thinking skills.
- Study and time-management skills to encourage children's responsibility for their own learning.
- Personal and civic responsibility and the significance of service to others.
- Appreciation of, and respect for, differences in culture, race, and gender.
- Skill development in computer and multimedia technology.

(Source: The National Association of Elementary School Principals. *After-School Programs & The K-8 Principal*, p.7.)

The National School-Age Care Alliance (NSACA) has developed the *NSACA Standards for Quality School-Age Care*, which may be a useful tool in developing and evaluating programs. In addition, NSACA publishes the journal *School-Age Review*, which contains important developments in theory, research and practice in the after-school field.

#### **H-6: What are the evaluation requirements for local grantees?**

Each grantee must undergo a periodic evaluation to assess its progress toward achieving its goal of providing high-quality opportunities for academic enrichment. The evaluation must be based on the factors included in the *principles of effectiveness*. The results of the evaluation

must be: (1) used to refine, improve, and strengthen the program and to refine the performance measures; and (2) made available to the public upon request. Local grantees, working with their SEAs, must evaluate the academic progress of children participating in the 21<sup>st</sup> CCLC program.

### *Experience & Practice*

Good evaluations start with a set of important questions that can be answered during the actual evaluation. In large part, those questions may be determined through a careful analysis of the goals of the program. For example, improving academic achievement is, by statute, a mandatory goal. Each goal should have specific indicators that are measurable and that can be assessed repeatedly over time to track progress. An indicator for improving academic achievement, for example, may be students' reading grades. Once the goals and indicators have been framed, local grantees should identify data sources that are available for the indicator. For reading grades, the source may be report cards or test scores because they are a quantifiable indicator for success.

*Beyond the Bell: A Toolkit for Creating Effective After-School Programs*, developed by the North Central Regional Educational Laboratory, offers guidance and evaluation tools to help programs develop indicators for program goals, tips for creating good survey questions, and helpful resources in data collection and evaluation, as well as information on choosing an external evaluator.

In addition, the U.S. Department of Education and the American Institutes for Research developed a *Continuous Improvement Management Guide for 21<sup>st</sup> Century Community Learning Centers*, to address the need for on-going self-assessment and self-evaluation of 21<sup>st</sup> CCLC Programs. To download the Continuous Improvement Management Guide, go to [www.ed.gov/offices/OUS/PES/21cent/cim226.pdf](http://www.ed.gov/offices/OUS/PES/21cent/cim226.pdf) .

### **H-7: What are the Department's plans for the national evaluation of the 21<sup>st</sup> CCLC program?**

The Department has contracted with Mathematica Policy Research, Inc., to conduct an evaluation of the 21<sup>st</sup> CCLC grants awarded by the Department from FY 1998 through FY 2001. As noted in the INTRODUCTION section of this document, the first-year report of this evaluation is now available. The Department intends to fund a separate national evaluation to examine the implementation and effectiveness of the 21<sup>st</sup> CCLC program as a State-administered program.

***Experience & Practice***

According to information in the publication **Start Smart: Learning the Basics**, produced jointly by the National Center for Community Education and the Afterschool Alliance, it is important to note that effective communication is about: (1) conveying a considered and specific message, (2) using particular tools, (3) targeting specific audiences, and (4) identifying deliberate purposes. These four elements may be helpful to the States in conveying and disseminating program results.

**H-8: How does a State ensure that organizations other than LEAs will be able to provide academic enrichment and have access to student achievement data?**

In the local competitions, SEAs must include a priority for applications submitted jointly by (1) an LEA receiving Title I funds, and (2) CBOs or other public or private organizations that propose to serve students attending schools in need of improvement. Through such partnerships, a grantee responsible for implementing and evaluating the local program can ensure access to student achievement data. Because of the legal obligation to maintain confidentiality of student data, the Department encourages LEAs to gather the achievement data necessary to evaluate the effectiveness of the program. The LEAs should also be responsible for sharing the content area standards and curriculum with its partners. Whether or not a grantee has a formal partnership with an LEA, it still must evaluate the program consistent with the statute's principles of effectiveness.

**SECTION I. MISCELLANEOUS**

**I-1: What portions of the Education Department's General Administrative Regulations (EDGAR) apply to the 21<sup>st</sup> CCLC program?**

34 C.F.R. Part 76-State-Administered programs, 34 C.F.R. Part 77- Definitions that Apply to Department Regulations, 34 C.F.R. Part 80-Uniform Administrative Requirements for the Grants and Cooperative Agreements to States and Local Governments, 34 C.F.R. Part 82-New Restrictions on Lobbying, 34 C.F.R. Part 85, Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants), 34 C.F.R. Part 99-Family Educational Rights and Privacy.

## **Appendix A**

### **Resources on After-school**

**The list below describes some key resources on after-school programs. The U.S. Department of Education does not endorse the findings or programs that are featured at the web sites. This list is not meant to be exclusive.**

#### **Academy for Educational Development – [www.afterschool.org](http://www.afterschool.org)**

This website is hosted by AED to share practices that are working in after-school programs. The website contains practices from programs around the country, and also enables users to talk with other after-school staff and share their own practices.

#### **Benton Foundation Kids Campaign - [www.connectforkids.org](http://www.connectforkids.org)**

This website contains information for adults about opportunities to improve their community for children. It has specific information and resources on after-school time.

##### *Specific Resources:*

- **Choosing a Good Program** answers “How can you know a good program when you see it?” Items published by the National Parent-Teacher Association on what parents should be looking for in quality after-school care.
- **Financing Help for Out-of-School Programs** helps to figure out the range of costs that out-of-school time and community school initiatives incur, and develops cost estimates for continuing or expanding programs.

#### **C. S. Mott Foundation - [www.mott.org](http://www.mott.org)**

The Mott Foundation is a partner of the U.S. Department of Education’s 21st Century Community Learning Centers initiative. The foundation is a private philanthropy that awards grants, in four program areas, in the United States and selected regions internationally.

##### *Specific Resources:*

- **Learning Together: The Developing Field of School-Community Issues**, a report chronicling the ideas, approaches, and strategies employed by 20 school-community initiatives across the United States.
- **Making After-School Count (numerous volumes)**: a publication on issues of after-school care.
- **Philosophy, Programs, and Procedures: Pathways Out of Poverty** provides guidelines and application procedures for the *Pathways Out of Poverty* program that provides funding for improved education.

#### **ERIC Clearinghouse on Information & Technology - [www.thegateway.org](http://www.thegateway.org)**

This website contains Internet-based lesson plans, curriculum units and other education resources. Browse subject and keyword lists, or search The Gateway. Retrieved records will link directly to the Internet resources they describe.

*Specific Resources:*

- [\*\*Resource Guide for Planning and Operating After-School Programs\*\*](#), a description of resources to support after-school programs for school-aged children. Also included are resources for before-school, summer programs and community learning centers.

**The Finance Project - [www.financeproject.org](http://www.financeproject.org)**

This website is part of a series of technical assistance resources on financing and sustaining out-of-school time and community school initiatives developed by The Finance Project, with support from the DeWitt Wallace-Reader's Digest Fund.

*Specific Resources:*

- **The Child Care Partnership Project** is an initiative to develop and disseminate technical assistance materials on public-private partnerships for childcare, as well as to provide direct assistance to the state child-care administrators on how to create and sustain effective partnerships.
- **Out-of-School-Time Project** provides technical assistance on financing and sustainability of after-school programs.
- **Starting Points** is an initiative to provide and develop a series of publications and technical assistance materials designed to promote young children's readiness for school.
- **Using Title I to Support Out-of-School Time and Community Initiatives (January 2002, Vol. 2, No. 4):** a strategy brief about using Title I funds.

**Federal Resources for Educational Excellence (FREE) - [www.ed.gov/free](http://www.ed.gov/free)**

Resources for teaching and learning from 30 federal agencies with search tools and a bulletin board for teachers and federal agencies to communicate about potential collaboration on new teaching and learning resources.

**General Services Administration - [www.afterschool.gov](http://www.afterschool.gov)**

A website for parents, teachers, after-school providers, and children to learn about after-school resources from many different government and non-profit agencies.

*Specific Resources:*

- Bringing Education to After-school Programs
- After-school Action Kit

**Harvard Family Research Project – <http://www.hfrp.org>**

The Harvard Family Research Project website, sponsored by the Harvard Graduate School of Education, provides information on evaluation and ways to evaluate after-school programs.

*Specific Resources:*

- **Federal Funding in Out-of-School Time with Accountability Requirements and Evaluations** is a map of the after-school field and detailed federal funding streams for after-school programs. In addition, related programming is provided alongside their accountability requirements and evaluations.

- **Out-of-School Time Evaluation Database** offers an investigation of the overall picture of evaluation work in the field of out-of-school time and a way to investigate how different programs approach the evaluation task in order to support development of the field and its programs.
- **Out-of-School Time Issues of the Evaluation Exchange:** quarterly newsletter highlighting issues in the out-of-school time arena and featuring articles by out-of-school time evaluators, researchers, and practitioners.

**National Center for Community Education (NCCE) – [www.nccenet.org](http://www.nccenet.org)**

The National Center for Community Education provides training and technical assistance focusing on communities and education. The Center has provided training for 21<sup>st</sup> Century Community Learning Center Grantees and the Center’s website has on-line training in evaluation and management for after-school programs.

**National Institute for Out-of-School Time -[wellesley.edu/WCW/CRW/SAC](http://wellesley.edu/WCW/CRW/SAC)**

Located at the Center for Research on Women at Wellesley College, the National Institute for Out-of-School Time studies issues and policy regarding children’s out-of-school time. Their website contains research and publications about quality management and curriculum for after-school programs.

*Specific Resources:*

- **After-School Issues** are a series of publications produced by NIOST on core after-school issues of interest including emerging roles in the field, focus on staffing, and focus on accountability.
- **Literacy: Exploring Strategies to Enhance Learning in Out-of-School Time (1999)** explores, through research, different ways that after-school programs can support children’s literacy development.
- **Making an Impact on Out-of-School Time** is a new publication giving a comprehensive investigation to after-school care.

**The National Governor’s Association - [www.nga.org](http://www.nga.org)**

The National Governor’s Association has information on schools and after-school programs.

*Specific Resources:*

- **Extra Learning Opportunities**, a web-based publication on giving information regarding practices and recent activities in after-school programs.
- **EXTRA:** Quarterly publication used to disseminate information on after-school issues and practices

**National Network for Child Care (NNCC) - [www.nncc.org](http://www.nncc.org)**

The NNCC website houses a database of publications and a listserv supported by the U.S. Department of Agriculture’s Cooperative Extension Service.

*Specific Resources:*

- **NNCC School-Age Child Care Database:** a resource that contains articles and abstracts about before- and after-school care. Topics include not-for-profit status for school-age care programs, selecting staff, and preventing conflict.

**North Central Regional Educational Laboratory (NCREL) - [www.ncrel.org/after](http://www.ncrel.org/after)**  
Internet resources and examples of after-school programs compiled by one of the U.S. Department of Education-funded regional education laboratories.

*Specific Resources:*

- **Beyond the Bell: A Toolkit for Creating Effective After-School Programs** provides guidance on critical issues such as management, collaboration, programming, evaluation, and communication.
- **Strengthening Connections:** a study by NCREL involving multiple facets of after-school care.

**Northwest Regional Educational Laboratory (NWREL) - [www.nwrel.org/learns](http://www.nwrel.org/learns)**  
Internet resources and examples of after-school programs compiled by one of the U.S. Department of Education-funded regional education laboratories.

*Specific Resources:*

- **LEARNS:** provides technical assistance to the Corporation for National Service projects focusing on literacy and education. It features downloadable resources, ideas for literacy practices and education-based national service projects.

**University of California at Irvine - <http://poseidon.gse.uci.edu/>**  
After-school staff training and program resource materials for local projects in California and beyond can be found on this website.

**U.S. Department of Agriculture - [www.fns.usda.gov/cnd](http://www.fns.usda.gov/cnd)**  
The Child Nutrition program of the Food and Nutrition Service provides information on the after-school snack program, including eligibility and reimbursement.

**U.S. Department of Education - [www.ed.gov](http://www.ed.gov)**  
The Department presents information about national education issues, publications, education statistics, and information about its different offices and programs. For more about after-school programs, visit 21<sup>st</sup> Century Community Learning Centers at: [www.ed.gov/21stcclc/](http://www.ed.gov/21stcclc/).

*Specific Resources:*

- **21<sup>st</sup> Century Community Learning Centers: Providing Quality After-school Learning Opportunities for America's Families** is a publication on aspects of the 21<sup>st</sup> CCLC and a description of the initial challenges and successes of the program.
- **Bringing Education to After-school Programs:** helps after-school providers understand how to integrate academic content (e.g., reading and mathematics) into their programs to enhance children's learning.

- **Information for Parents and Families:** the Department of Education provides resources, ideas, funding, and conferences relevant to family and community involvement in education, including after-school programs, and other resources.
- **Keeping Schools Open as Community Learning Centers: Extended Learning in a Safe, Drug-Free Environment Before and After-school** is designed to help schools and community-based organizations begin their process of keeping neighborhood schools open for children and families.
- **Safe and Smart: Making After-School Hours Work for Kids** highlights research evidence on the potential of after-school programs to increase the safety of children, reduce their risk-taking, and improve learning.
- **When Schools Stay Open Late: The National Evaluation of the 21st-Century Community Learning Centers Program** presents the first-year findings of a large and rigorous examination of school-based after-school programs

**U.S. Department of Health and Human Services - [www.hhs.gov](http://www.hhs.gov)**

The section on Health and Human Child Care Programs, including the Child Care Development Fund, offer useful resources.

*Specific Resources:*

- **Promoting Better Health for Young People Through Physical Activity and Sports:** a report to the President from the Secretary of Health and Human Services and the Secretary of Education, available at:  
[www.cdc.gov/nccdphp/dash/healthtopics/physical\\_activity/promoting\\_health/](http://www.cdc.gov/nccdphp/dash/healthtopics/physical_activity/promoting_health/)

**U.S. Department of Justice - [usdoj.gov/kidspage](http://usdoj.gov/kidspage)**

This site provides information for children and youth on crime prevention, staying safe, volunteer and community service opportunities, and the criminal justice system.

*In addition to websites, the following listservs may be of interest:*

**EDinfo**

Subscribe to this news service listserv with the latest information about the U.S. Department of Education at [www.ed.gov/news.html](http://www.ed.gov/news.html)

**ERIC Clearinghouse on Elementary and Early Childhood Education**

Subscribe to a joint ERIC Clearinghouse on Elementary and Early Childhood Education listserv where practitioners, policymakers, and parents share ideas, resources, problems, and solutions. Send a message (without your e-mail signature if you have one) to: [listserv@postoffice.cso.uiuc.edu](mailto:listserv@postoffice.cso.uiuc.edu). Leave the subject line blank and just type subscribe SAC-L <Your Full Name Here>

**After-school listserv**

The after-school listserv, supported by the C.S. Mott Foundation, is hosted by the Academy for Educational Development. The listserv is designed to provide a forum for the exchange of information, ideas, resources, and experiences. To subscribe, send a message to [ppas@aed.org](mailto:ppas@aed.org).

**Appendix B**  
**21<sup>st</sup> Century Community Learning Centers**  
**State Allocations for FY 2002**

The FY 2002 allocations to States do not reflect continuation funds the Department will make to current grantees in the States. These costs are noted in Continuation Awards below.

| <b>State</b>   | <b>FY 2002 Allocations</b> |
|----------------|----------------------------|
|                | <b><u>Allocation</u></b>   |
| Alabama        | \$4,543,745                |
| Alaska         | 1,522,706                  |
| Arizona        | 4,952,662                  |
| Arkansas       | 2,862,340                  |
| California     | 41,494,874                 |
| Colorado       | 2,772,973                  |
| Connecticut    | 3,030,036                  |
| Delaware       | 1,522,706                  |
| D.C.           | 1,522,706                  |
| Florida        | 14,502,093                 |
| Georgia        | 9,149,225                  |
| Hawaii         | 1,522,706                  |
| Idaho          | 1,522,706                  |
| Illinois       | 12,520,691                 |
| Indiana        | 4,565,336                  |
| Iowa           | 1,783,539                  |
| Kansas         | 2,178,601                  |
| Kentucky       | 4,437,307                  |
| Louisiana      | 6,248,838                  |
| Maine          | 1,522,706                  |
| Maryland       | 4,441,895                  |
| Massachusetts  | 6,359,594                  |
| Michigan       | 11,748,583                 |
| Minnesota      | 3,323,440                  |
| Mississippi    | 3,903,109                  |
| Missouri       | 4,778,758                  |
| Montana        | 1,522,706                  |
| Nebraska       | 1,522,706                  |
| Nevada         | 1,522,706                  |
| New Hampshire  | 1,522,706                  |
| New Jersey     | 7,400,835                  |
| New Mexico     | 2,381,312                  |
| New York       | 29,274,520                 |
| North Carolina | 6,231,301                  |
| North Dakota   | 1,522,706                  |
| Ohio           | 9,763,093                  |
| Oklahoma       | 3,519,158                  |
| Oregon         | 2,710,767                  |

|                                     |                        |
|-------------------------------------|------------------------|
| Pennsylvania                        | 11,544,215             |
| Puerto Rico                         | 9,310,064              |
| Rhode Island                        | 1,522,706              |
| South Carolina                      | 4,026,962              |
| South Dakota                        | 1,522,706              |
| Tennessee                           | 4,422,079              |
| Texas                               | 24,034,335             |
| Utah                                | 1,522,706              |
| Vermont                             | 1,522,706              |
| Virginia                            | 5,029,926              |
| Washington                          | 4,125,691              |
| West Virginia                       | 2,395,587              |
| Wisconsin                           | 4,410,421              |
| Wyoming                             | 1,522,706              |
| BIA                                 | 7,011,765              |
| American Samoa                      | 738,039                |
| Guam                                | 634,630                |
| Northern Marina<br>Islands          | 359,036                |
| Virgin Islands                      | 1,256,530              |
| National<br>Activities <sup>1</sup> | 10,000,000             |
| Continuation<br>Awards <sup>2</sup> | 675,458,799            |
| <b>Total</b>                        | <b>\$1,000,000,000</b> |

---

<sup>1</sup> To be reserved by the Department for evaluation, technical assistance and other activities designed to support program quality

<sup>2</sup> To be reserved by the Department to provide continuation funds for grants awarded in FY 2000 and FY 2001

## **Appendix C**

### **TITLE IV, PART B — 21<sup>st</sup> Century Community Learning Centers**

#### **SEC. 4201. PURPOSE; DEFINITIONS.**

(a) **PURPOSE-** The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that--

(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet State and local student academic achievement standards in core academic subjects, such as reading and mathematics;

(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, drug and violence prevention programs, counseling programs, art, music, and recreation programs, technology education programs, and character education programs, that are designed to reinforce and complement the regular academic program of participating students; and

(3) offer families of students served by community learning centers opportunities for literacy and related educational development.

(b) **DEFINITIONS-** In this part:

(1) **COMMUNITY LEARNING CENTER-** The term 'community learning center' means an entity that--

(A) assists students in meeting State and local academic achievement standards in core academic subjects, such as reading and mathematics, by providing the students with opportunities for academic enrichment activities and a broad array of other activities (such as drug and violence prevention, counseling, art, music, recreation, technology, and character education programs) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that reinforce and complement the regular academic programs of the schools attended by the students served; and

(B) offers families of students served by such center opportunities for literacy and related educational development.

(2) **COVERED PROGRAM-** The term 'covered program' means a program for which--

(A) the Secretary made a grant under part I of title X (as such part was in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

(B) the grant period had not ended on that date of enactment.

(3) **ELIGIBLE ENTITY-** The term 'eligible entity' means a local educational agency, community-based organization, another public or private entity, or a consortium of two or more of such agencies, organizations, or entities.

(4) **STATE-** The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

**SEC. 4202. ALLOTMENTS TO STATES.**

(a) RESERVATION- From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve--

(1) such amount as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Affairs, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

(b) STATE ALLOTMENTS-

(1) DETERMINATION- From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

(2) REALLOTMENT OF UNUSED FUNDS- If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State's allotment to the remaining States in accordance with this section.

(c) STATE USE OF FUNDS-

(1) IN GENERAL- Each State that receives an allotment under this part shall reserve not less than 95 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

(2) STATE ADMINISTRATION- A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for--

(A) the administrative costs of carrying out its responsibilities under this part;

(B) establishing and implementing a peer review process for grant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and supervising the awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

(3) STATE ACTIVITIES- A State educational agency may use not more than 3 percent of the amount made available to the State under subsection (b) for the following activities:

- `(A) Monitoring and evaluation of programs and activities assisted under this part.
- `(B) Providing capacity building, training, and technical assistance under this part.
- `(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.
- `(D) Providing training and technical assistance to eligible entities who are applicants for or recipients of awards under this part.

**`SEC. 4203. STATE APPLICATION.**

`(a) IN GENERAL- In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that--

- `(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;
- `(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;
- `(3) contains an assurance that the State educational agency will make awards under this part only to eligible entities that propose to serve--
  - `(A) students who primarily attend--
    - `(i) schools eligible for schoolwide programs under section 1114; or
    - `(ii) schools that serve a high percentage of students from low-income families; and
  - `(B) the families of students described in subparagraph (A);
- `(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet local content and student academic achievement standards;
- `(5) describes how the State educational agency will ensure that awards made under this part are--
  - `(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and
  - `(B) in amounts that are consistent with section 4204(h);
- `(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, and dissemination of promising practices;
- `(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;
- `(8) contains an assurance that the State educational agency--
  - `(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and
  - `(B) will require each eligible entity seeking such an award to submit a plan describing how the community learning center to be funded through the award will continue after funding under this part ends;

`(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

`(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

`(11) provides an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school (or summer school) programs, the heads of the State health and mental health agencies or their designees, and representatives of teachers, parents, students, the business community, and community-based organizations;

`(12) describes the results of the State's needs and resources assessment for before and after school activities, which shall be based on the results of on-going State evaluation activities;

`(13) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum--

    `(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities; and

    `(B) public dissemination of the evaluations of programs and activities carried out under this part; and

`(14) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

`(b) **DEEMED APPROVAL**- An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

`(c) **DISAPPROVAL**- The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and opportunity for a hearing.

`(d) **NOTIFICATION**- If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall--

    `(1) give the State educational agency notice and an opportunity for a hearing; and

    `(2) notify the State educational agency of the finding of noncompliance, and, in such notification, shall--

        `(A) cite the specific provisions in the application that are not in compliance; and

        `(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

`(e) **RESPONSE**- If the State educational agency responds to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with

the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of--

`(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

`(2) the expiration of the 120-day period described in subsection (b).

`(f) **FAILURE TO RESPOND**- If the State educational agency does not respond to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

#### **SEC. 4204. LOCAL COMPETITIVE GRANT PROGRAM.**

`(a) **IN GENERAL**- A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to eligible entities for community learning centers in accordance with this part.

`(b) **APPLICATION**-

`(1) **IN GENERAL**- To be eligible to receive an award under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

`(2) **CONTENTS**- Each application submitted under paragraph (1) shall include--

`(A) a description of the before and after school or summer recess activities to be funded, including--

`(i) an assurance that the program will take place in a safe and easily accessible facility;

`(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home; and

`(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;

`(B) a description of how the activity is expected to improve student academic achievement;

`(C) an identification of Federal, State, and local programs that will be combined or coordinated with the proposed program to make the most effective use of public resources;

`(D) an assurance that the proposed program was developed, and will be carried out, in active collaboration with the schools the students attend;

`(E) a description of how the activities will meet the principles of effectiveness described in section 4205(b);

`(F) an assurance that the program will primarily target students who attend schools eligible for schoolwide programs under section 1114 and the families of such students;

`(G) an assurance that funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and

activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

`(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

`(I) an evaluation of the community needs and available resources for the community learning center and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

`(J) a demonstration that the eligible entity has experience, or promise of success, in providing educational and related activities that will complement and enhance the academic performance, achievement, and positive youth development of the students;

`(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

`(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

`(M) if the eligible entity plans to use senior volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified seniors to serve as the volunteers; and

`(N) such other information and assurances as the State educational agency may reasonably require.

`(c) **APPROVAL OF CERTAIN APPLICATIONS-** The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

`(d) **PERMISSIVE LOCAL MATCH-**

`(1) **IN GENERAL-** A State educational agency may require an eligible entity to match funds awarded under this part, except that such match may not exceed the amount of the grant award and may not be derived from other Federal or State funds.

`(2) **SLIDING SCALE-** The amount of a match under paragraph (1) shall be established based on a sliding fee scale that takes into account--

`(A) the relative poverty of the population to be targeted by the eligible entity; and

`(B) the ability of the eligible entity to obtain such matching funds.

`(3) **IN-KIND CONTRIBUTIONS-** Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

`(4) **CONSIDERATION-** Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive awards under this part.

`(e) PEER REVIEW- In reviewing local applications under this section, a State educational agency shall use a peer review process or other methods of assuring the quality of such applications.

`(f) GEOGRAPHIC DIVERSITY- To the extent practicable, a State educational agency shall distribute funds under this part equitably among geographic areas within the State, including urban and rural communities.

`(g) DURATION OF AWARDS- Grants under this part may be awarded for a period of not less than 3 years and not more than 5 years.

`(h) AMOUNT OF AWARDS- A grant awarded under this part may not be made in an amount that is less than \$50,000.

`(i) PRIORITY-

`(1) IN GENERAL- In awarding grants under this part, a State educational agency shall give priority to applications--

`(A) proposing to target services to students who attend schools that have been identified as in need of improvement under section 1116; and

`(B) submitted jointly by eligible entities consisting of not less than 1--

`(i) local educational agency receiving funds under part A of title I; and

`(ii) community-based organization or other public or private entity.

`(2) SPECIAL RULE- The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

#### **SEC. 4205. LOCAL ACTIVITIES.**

`(a) AUTHORIZED ACTIVITIES- Each eligible entity that receives an award under this part may use the award funds to carry out a broad array of before and after school activities (including during summer recess periods) that advance student academic achievement, including--

`(1) remedial education activities and academic enrichment learning programs, including providing additional assistance to students to allow the students to improve their academic achievement;

`(2) mathematics and science education activities;

`(3) arts and music education activities;

`(4) entrepreneurial education programs;

`(5) tutoring services (including those provided by senior citizen volunteers) and mentoring programs;

`(6) programs that provide after school activities for limited English proficient students that emphasize language skills and academic achievement;

`(7) recreational activities;

`(8) telecommunications and technology education programs;

`(9) expanded library service hours;

`(10) programs that promote parental involvement and family literacy;

`(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement; and

`(12) drug and violence prevention programs, counseling programs, and character education programs.

`(b) **PRINCIPLES OF EFFECTIVENESS-**

`(1) **IN GENERAL-** For a program or activity developed pursuant to this part to meet the principles of effectiveness, such program or activity shall--

`(A) be based upon an assessment of objective data regarding the need for before and after school programs (including during summer recess periods) and activities in the schools and communities;

`(B) be based upon an established set of performance measures aimed at ensuring the availability of high quality academic enrichment opportunities; and

`(C) if appropriate, be based upon scientifically based research that provides evidence that the program or activity will help students meet the State and local student academic achievement standards.

`(2) **PERIODIC EVALUATION-**

`(A) **IN GENERAL-** The program or activity shall undergo a periodic evaluation to assess its progress toward achieving its goal of providing high quality opportunities for academic enrichment.

`(B) **USE OF RESULTS-** The results of evaluations under subparagraph (A) shall be--

`(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures; and

`(ii) made available to the public upon request, with public notice of such availability provided.

**`SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.**

`There are authorized to be appropriated--

`(1) \$1,250,000,000 for fiscal year 2002;

`(2) \$1,500,000,000 for fiscal year 2003;

`(3) \$1,750,000,000 for fiscal year 2004;

`(4) \$2,000,000,000 for fiscal year 2005;

`(5) \$2,250,000,000 for fiscal year 2006; and

`(6) \$2,500,000,000 for fiscal year 2007.