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 programs that can be found in elementary or secondary schools or other similarly accessible facilities. Each local application must address how the applicant will coordinate with other Federal, State, and local programs and make the most effective use of public resources.

Any public or private organization allowed to collaborate with schools the children attend is an eligible organization to apply. The Department encourages SEAs to make the list of pre-screened external organizations easily accessible on its State website, share it as part of the State’s annual application, and make the list available to eligible entities.

The 21st CCLC program provides opportunities for communities to establish or expand activities in community learning centers that provide for academic enrichment, including providing tutoring services to help students, particularly students who attend schools in need of additional support, to meet the challenging State academic standards. It also offers students a broad array of additional services, programs, and activities, such as youth development and/or enrichment programs, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical and health education and related programs, career and technical education, leadership programs, mentorship or apprenticeship programs, and other partnerships with in-demand industry sector or occupation for high-school students that are designed to reinforce and complement the regular academic program of participating students. In addition, the program offers families of students enrolled in community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

A community learning center is an entity that assists students in meeting challenging State academic standards; provides students with academic enrichment activities, and offers a broad array of other activities during non-school hours or periods when school is not in session (such as before and after school, weekends, or during school breaks) that —

- reinforce and complement the regular academic programs of the schools attended by participating students; and
- are targeted to students’ academic needs and aligned with the instruction students receive during the school day.

Community learning centers also offer families of participating students opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

Accordingly, any entity that is not under Federal or public supervision or control is a “private entity” for purposes of 21st CCLC eligibility, including a faith-based or for-profit private entity. Thus, it can perform the functions of a community learning center.

Each local application must address how the applicant will coordinate with other Federal, State, and local programs and make the most effective use of public resources. The Department encourages the SEA to require applicants 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 3-3 for examples.

An SEA must pre-screen external organizations that could aid subgrantees in carrying out program activities and make the list available to eligible entities. An SEA may use its State-level activities funds (i.e., not more than five percent of its 21st CCLC allocated) to provide a list of pre-screrned external organizations.

An SEA must have a written agreement or partnership with an organization that offers services in a written agreement or partnership with an organization that offers services in the school(s) and/or community(ies) the project proposes to serve.

As part of an agreement under 21st CCLC funds awarded to local subgrantees must be used only to supplement the level of Federal, State, local, and other non-Federal funds and not to supplant funds (Federal, State, local, or other non-Federal funds) that would have been available to conduct activities if 21st CCLC funds had not been available.

Each applicant must design its program or activities to increase student achievement and overall student success. Such programs or activities must be based on the following measures of effectiveness:

- The assessment of objective data regarding the need for before- and after-school programs (including programs on weekends and during school holidays) and activities in the school(s) and community(ies) in which the program proposes to serve;
- A set of performance measures established by the State (see F-1) aimed at ensuring the availability of high-quality academic enrichment opportunities; and
- Appropriateness, evidence-based, and/or non-experimental performance measures.

An applicant must describe in its application how its proposed program or activities will meet these measures of effectiveness.
Scientifically based research, as defined in Title III of the reauthorized ESEA, is research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to educational 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 systematic evaluation process; (7) 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; (8) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on strong evidence from at least one well-designed and well-implemented experimental study, or moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or (9) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and (10) addresses efforts to examine the effects of such activity, strategy, or intervention.

The term “evidence-based” means an activity, strategy, or intervention that—

- demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
  - strong evidence from at least one well-designed and well-implemented experimental study;
  - moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or
  - promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or
- demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and
- includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

An SEA can also include a section of practice guides that may be helpful, including Structuring Out of School Time to Improve Academic Achievement. An SEA can also review the Department’s guidance on using evidence.

Yes, an applicant for a 21st CCLC subgrant must include an assurance in its local application that the program will target students who primarily attend schools eligible for schoolwide programs under section 114 of the ESEA and their families. Under section 4205(b)(1)(C) of the ESEA, a Title I school is eligible to operate a schoolwide program if 40% or more of its students are living in poverty, or if the school has a poverty rate of less than 40%, it received a waiver from the SEA to operate a schoolwide program. Therefore, the requirement that 21st CCLC programs target students who attend schools eligible for schoolwide programs would mean that Title II CCLC programs must target students who attend—

(1) a Title I school with 40% or more poverty or
(2) any Title I school that receives a waiver from the SEA to operate a schoolwide program; or
(3) a non-Tlile I public school that has 40 percent or more poverty.

Section 4205(b)(1)(C) requires a 21st CCLC applicant to propose a program or activity that, if appropriate, is “based upon evidence-based research that the program or activity will help students meet the challenging State academic standards and any local academic standards.” The term “evidence-based” means an activity, strategy, or intervention that—

- demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
  - strong evidence from at least one well-designed and well-implemented experimental study;
  - moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or
  - promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or
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(3) a non-Tlile I public school that has 40 percent or more poverty.

Since the 21st CCLC statute does not define what it means to “target” students attending schools eligible to operate a schoolwide program, an SEA has discretion to determine how an applicant might meet that requirement. Please note that the requirement to target students who primarily attend schools eligible for schoolwide programs under Title I is distinct from the requirement that the SEA prioritize applications proposing to target students attending schools identified for comprehensive or targeted support and improvement. If an applicant is proposing to target students who attend a school that is both eligible for a schoolwide program and identified for comprehensive or targeted support and improvement, it has met both the requirement with respect to schoolwide programs and the priority with respect to comprehensive or targeted support and improvement.

Yes, an SEA applicant must, under section 4205(b)(1)(C) of the ESEA, assure that the program was developed and will be carried out in active collaboration with the schools the participating students attend. Collaboration between the non-LEA and the schools allows for alignment between the school day curriculum and activities supported in the 21st CCLC programs.

Moreover, a non-LEA must obtain relevant data to conduct its evaluation of the 21st CCLC program.

As part of the collaboration, the non-LEA and the LEA should consider formalizing how the non-LEA and the LEA will work together. In addition to collaborating, more formal partnerships among entities may be valuable in creating effective 21st CCLC programs.

An applicant for a 21st CCLC subgrant must include an assurance in its local application that the program will target students who primarily attend schools eligible for schoolwide programs under section 114 of the ESEA. Title I schools that receive a waiver from the SEA to operate a schoolwide program under section 4205(b)(1)(C) of the ESEA are included in the term “Title I school.”

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(2) any Title I school that receives a waiver from the SEA to operate a schoolwide program; or
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There are no statutory provisions that address the criterion 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.
SEA or Subgrantee Use Funds to Supplement and Not Supplant Other Funds

The ESEA contains two supplement, not supplant requirements related to 21st CCLC—one that applies to an SEA and one that applies to a subgrantee—that are designed to ensure that 21st CCLC funds do not supplant funds available from other sources for similar activities. The Department uses two presumptions to determine whether supplanting has occurred: (1) whether a 21st CCLC grantee or subgrantee used 21st CCLC funds for an activity it is required to provide to comply with Federal, State, or local law; and (2) whether a grantee or subgrantee used 21st CCLC funds for an activity that it supported in the prior year(s) with other funds. These presumptions are rebuttable. For example, an SEA or subgrantee may be able to demonstrate that it no longer has the 25 funds available it used in the prior year for an activity it wishes to continue with 21st CCLC funds.

The two 21st CCLC supplement, not supplant provisions are slightly different with respect to the funds that may not be supplanted with 21st CCLC funds.

- Section 4203(a)(9) of the ESEA requires an SEA to assure in its consolidated State plan that it will use 21st CCLC funds to supplement, and not supplant, “other Federal, State, and local public funds” used to provide authorized programs and activities. This provision requires an SEA to use 21st CCLC funds only to supplement activities it conducts with other Federal, State, or local funds and not to replace such funds with 21st CCLC funds.

- In contrast, section 4204(b)(2)(G) of the ESEA requires a subgrantee in its local application to assure that it will use 21st CCLC funds to “increase the level of State, local, and other non-Federal funds that would, in the absence of [21st CCLC funds], be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds.”

The operative difference between the SEA and subgrantee supplement, not supplant provisions is the inclusion of “other non-Federal funds” at the subgrantee level. The inclusion of “other non-Federal funds” at the subgrantee level applies particularly to a CBO, for example, that might use non-Federal funds from fundraising or a philanthropy for an activity that its 21st CCLC funds must supplement. If such other non-Federal funds are not available in a subsequent year, the CBO may rebut the presumption of supplanting and use 21st CCLC funds for the activity.

Federal Requirements for Hours of Operation of a Program or Number of Students a Local Program Must Serve

No. The ESEA does not require specific hours of operation, except that a 21st CCLC program must offer services during non-school hours or periods when school is not in session (e.g., before or after school, evenings, weekends, holidays, summers, or other school vacation periods). (Section 4201(b)(1)). Similarly, there are no federal requirements for the minimum or maximum number of students a 21st CCLC program must serve. Each 21st CCLC applicant should base its application on the needs of its students and their families.

Program Be Located or Take Place Outside of School

Yes. Section 4204(c) of the ESEA allows an SEA to approve an application for a 21st CCLC program 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.
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 schools are in session) that advance student achievement. In the Department’s view, local grantees are limited to providing activities within the following list:

1. Academic enrichment learning programs, mentoring programs, remedial education activities (e.g., academic acceleration), and high-quality tutoring services, that are aligned with—
   A. The challenging State academic standards and any local academic standards; and
   B. Local curricula that are designed to improve student academic achievement;

2. Well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment;

3. Literacy education programs, including financial literacy programs and environmental literacy programs;

4. Programs that support a healthy and active lifestyle, including nutrition education and regular, structured physical activity programs;

5. Services for individuals with disabilities;

6. Programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

7. School-based programs;

8. Telecommunications and technology education programs (e.g., digital literacy programs);

9. Expanded library service hours;

10. Parenting skills programs that promote parental involvement and family literacy;

11. Programs that provide assistance to students who have been truant, suspended, or expelled to support their academic achievement;

12. Drug and violence prevention programs and counseling programs;

13. Programs that build skills in science, technology, engineering, and mathematics (“STEM”), including computer science, and that foster innovation in learning by supporting cross-boundary/21st Century education teaching methods (e.g., work-based learning opportunities);

14. Programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (Pub L. 109-280) and the Workforce Innovation and Opportunity Act (20 U.S.C. 1001) et seq.);

Each 21st CCLC subgrantee may use the funds to carry out a broad array of before- and after-school activities (or activities during other times when schools are in session) that advance student achievement and overall well-being. In addition to the activities described in 21 U.S.C. a subgrantee may provide the following activities:

- Programs that support a healthy and active lifestyle, including nutrition education, and regular, structured physical activity programs;

- Programs that promote parental involvement and family literacy;

- Programs that provide assistance to students who have been truant, suspended, or expelled to support their academic achievement;

- Drug and violence prevention programs and counseling programs;

- Programs that build skills in science, technology, engineering, and mathematics (“STEM”), including computer science, and that foster innovation in learning by supporting cross-boundary/21st Century education teaching methods (e.g., work-based learning opportunities);

- Programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (Pub L. 109-280) and the Workforce Innovation and Opportunity Act (20 U.S.C. 1001) et seq.);

Activities a Subgrantee May Use

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<thead>
<tr>
<th>No.</th>
<th>Description</th>
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<tr>
<td>1</td>
<td>Academic enrichment learning programs, mentoring programs, remedial education activities, (e.g., academic acceleration), and high-quality tutoring services, that are aligned with—</td>
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The Department provides specific resources for increasing attendance and engagement on the FII website, through the Center on PBIS | Resource: Improving Attendance Center. For example, 21st CCLC programs designed specifically for middle and high school students can improve student attendance by (1) enhancing students’ skills that increase their success at school and (2) establishing partnerships with adults that focus on academic achievement. In addition to taking advantage of these Department resources, we encourage SEAs and 21st CCLC subgrantees to focus on appropriate evidence-based practices.

Yes

Abd 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.

Yes

Field Trips An Allowable Use of Funds

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.
However, the E-21
Yes. A subgrantee may offer opportunities for secondary students to participate in work-based learning programs and technical education act of 2006 (Perkins V), each LEA completes a comprehensive local needs assessment (CLNA) to inform its application for subgrant funds. The CLNA, which is updated biennially, outlines the alignment of the LEA’s career and technical education programs with workforce needs, the needs of the LEA’s students, particularly students from low-income backgrounds and other members of special populations, and other factors. A subgrantee interested in identifying in-demand fields and aligning its activities with Perkins V will find these CLNAs to be a rich source of information and guidance. An LEA’s career and technical office can provide a copy of its most recent CLNA upon request.

Yes. A subgrantee may offer opportunities for secondary students to participate in dual or concurrent enrollment programs through which they enroll in one or more postsecondary courses and earn postsecondary credit. Dual enrollment is a proven, evidence-based strategy to increase high school achievement and completion and to boost postsecondary enrollment and credential attainment. However, the use of 21st CCLC funds for dual and concurrent enrollment programs may only supplement and/or support any federal or non-federal funds that are being or have been received. Support dual or concurrent enrollment programs.

Yes. A subgrantee may offer opportunities for secondary students to participate in career and college advancement, student transition services, and other activities that provide coaching and advisement to students that support their career and college goals.

Subgrantees are encouraged to participate in the USDA Food and Nutrition Service programs that provide meals and snacks to students and families outside of the school day. However, there may be times when students and families are participating in 21st CCLC programs during normal meal or snack times and food may not be provided.

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 establish, 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 it 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 cases, 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 will generally rely on the determinations of the Federal Government.

The costs of certification examinations associated with the industry-recognized credential may be charged to the subgrant. A subgrantee that does not have a current indirect cost rate may request that the SEA negotiate such an agreement or refer it to the “cognizant” agency that establishes such a rate. (See 34 C.F.R. § 76.560). The SEA, as the grantee, is responsible for negotiating an indirect cost rate agreement to charge indirect costs to a subgrant. A subgrantee that does not have a current indirect cost rate may request that the SEA negotiate such an agreement or refer it to the “cognizant” agency that establishes such a rate. Medicare and Medicaid.

Yes. Indirect costs are the expenses incurred by a subgrantee in administering or providing subgrant or concurrent program services. 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. (See 34 C.F.R. § 75.560). The SEA, as the grantee, is responsible for negotiating and approving an indirect cost rate agreement to charge indirect costs to a subgrant. A subgrantee that does not have a current indirect cost rate may request that the SEA negotiate such an agreement or refer it to the “cognizant” agency that establishes such a rate. (See 34 C.F.R. § 76.560). The SEA, as the grantee, is responsible for determining the allowability of the costs charged to the grant.

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The SEA should make it clear in its competition announcements that subgrantees must use a restricted indirect cost rate.

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Yes. Students, teachers, and other educational personnel are eligible to participate in 21st 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 the requirements. Grantees must ensure that students participating in the 21st CCLC programs are provided with the benefits and services described in IDEA of the Civil Rights Act, which bars discrimination based on race, color, or national origin. Section 504 of the Rehabilitation Act of 1973, which bars discrimination based on disability, and the Age Discrimination Act of 1975, which bars discrimination based on age.

No. However, programs must be equally accessible to all students targeted for services, regardless of their ability to pay. Programs that charge fees for 21st CCLC programs must not be designed to compensate 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 programs activities specified in the grant application.

Yes. All subgrantees receiving funds under the 21st CCLC program must, after timely and meaningful consultation with appropriate officials of private schools located in the area served by the subgrant, provide to private school children and educators educational services and other benefits that are equitable in comparison to such services and other benefits provided with public school children and educators. The requirement to provide for the equitable participation of private school children and educators applies regardless of whether a subgrant is on an LEA, CBO, or other eligible entity.

No. Generally, under the Department’s regulations implementing Section 300 of the Rehabilitation Act of 1973 (Section 504), a 21st CCLC subgrantee, by virtue of receiving federal financial assistance, must provide services and activities in such a manner as to ensure to students with disabilities meaningful access to an equal opportunity to participate in such services and activities. 34 C.F.R. § 300.117 (b) (2006). Titles V and VI of the Rehabilitation Act of 1973 and their implementing regulations likewise prohibit discrimination on the basis of disability. 28 C.F.R. Parts 35 and 36. Under these Federal laws, a 21st CCLC subgrantee, whether an LEA or other eligible entity, is required to provide certain program modifications, supports, and services to a student with a disability in order to ensure meaningful access and an equal opportunity to participate in nonacademic and extracurricular programs or activities unless the 21st CCLC subgrantee can demonstrate that the modification or aid or service would constitute an undue burden to its program or would fundamentally alter the 21st CCLC program. For more information about obligations under Section 504, see the Dear Colleague Letter dated January 25, 2013, available at: https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.pdf.

Yes. Students, teachers, and other educational personnel are eligible to participate in 21st CCLC programs on an equitable basis. A public school or other public or private school students in the areas 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.

Yes. A 21st CCLC subgrantee may earn program income. In accordance with 2 C.F.R. § 200.307, any program income that is earned by a 21st CCLC subgrantee must be deducted from the 21st CCLC subgrant unless the subgrantee receives prior written approval from the Department to earn program income. (See 2 C.F.R. § 200.307, Subpart D, § 200.330.) A 21st CCLC subgrantee that is an LEA is also subject to the requirements in the Individual with Disabilities Education Act (IDEA). Under the IDEA, to the extent that the individualized needs of a student with a disability, the student’s individualized education program (IEP), developed by the LEA through the IEP Team, must include any supplementary aids and services determined appropriate and necessary in order to afford the student an equal opportunity for participation with non-disabled students and regular education services and activities, which may include modifications, supports, and services to a student with a disability in order to ensure meaningful access and an equal opportunity to participate in nonacademic and extracurricular programs or activities unless the 21st CCLC subgrantee can demonstrate that the modification or aid or service would constitute an undue burden to its program or would fundamentally alter the 21st CCLC program. For more information about obligations under IDEA, see the Dear Colleague Letter dated January 25, 2013, available at: https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201301-504.pdf.

Yes. Students, teachers, and other educational personnel are eligible to participate in 21st 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 the requirements. Grantees must ensure that students participating in the 21st CCLC programs are provided with the benefits and services described in IDEA of the Civil Rights Act, which bars discrimination based on race, color, or national origin. Section 504 of the Rehabilitation Act of 1973, which bars discrimination based on disability, and the Age Discrimination Act of 1975, which bars discrimination based on age.

No. However, programs must be equally accessible to all students targeted for services, regardless of their ability to pay. Programs that charge fees for 21st CCLC programs must not be designed to compensate 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 programs activities specified in the grant application.
An SEA must report on the 21st CCLC program's performance measures via a web portal known as 21APR. How often an SEA must report data depends on the type of 21st CCLC programming the SEA offers: school year only, school year and summer, or all year.

Conducting risk assessments of subgrantees helps ensure that potential risks are identified, and appropriate monitoring is established to mitigate those risks. The Department does not define what it means to have an ELP. The Department does not interpret the term “expanded learning program” in section 4204(a)(2) of the ESEA to mean the same as “expanded learning time,” as defined in section 8101(22) of the ESEA. Nor, the Department does not define how to calculate the 300 hours.

An SEA must determine that the CLP provides at least 300 hours before a 21st CCLC subgrantee may use 21st CCLC funds for activities during the school day. There are multiple scenarios that may comply with the statutory language. For example, an SEA might choose to allow an ELP where a 21st CCLC subgrantee would provide at least 300 hours of activities both during and out of school and may therefore implement 21st CCLC activities during the school day. An SEA might also permit a 21st CCLC subgrantee to provide services during the school day when a school increases its mandatory hours by 260 hours. THIS IS NOT AN OPTION FOR PA 21st CCLC SUBGRANTEES.

Each local subgrantee must conduct a periodic evaluation in conjunction with the SEA’s evaluation plan (see F-1) to assess its progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

Student academic achievement data are needed in at least two aspects of a 21st CCLC program. First, an applicant may need LEA or school level data to describe how its proposed program or activities are expected to improve student academic achievement and overall student success. (Section 4204(a)(2)(A), (E).) Second, a subgrantee must evaluate its program or activities to assess the program’s progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

Under the Family and Educational Rights and Privacy Act (FERPA), an LEA may disclose personally identifiable information (PII) from a student’s education records, to a third party with parental consent or under an exception to FERPA’s general consent requirement, if applicable. There are three exceptions to the written consent requirement that LEAs most often consider when disclosing PII from education records to third parties in this context. These exceptions are the “school official,” “studies,” and “audit/evaluation” exceptions. For information on how these exceptions may apply to LEAs disclosing PII from education records to third parties with parental consent, see the Department’s Student Privacy Policy Officer’s Guidance on Sharing Information with Community-Based Organizations. See the Department’s Student Privacy website for further information on FERPA.

An SEA must report on the 21st CCLC program’s performance measures via a web portal known as 21APR. How often an SEA must report data depends on the type of 21st CCLC programming the SEA offers: school year only, school year and summer, or all year.

An SEA must monitor the activities of subgrantees as necessary to ensure that 21st CCLC funds are used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subgrant; and that proposed performance goals are achieved. (Section 4204(a)(1)(A), 21 C.F.R. § 200.333(b).) An SEA may use a variety of tools to monitor subgrantees such as financial and performance reports, comprehensive onsite and virtual program reviews, and structured periodic check-ins. The SEA must also evaluate each subgrantee’s risk of non-compliance with 21st CCLC requirements to inform the SEA’s monitoring protocol.

Conducting risk assessments of subgrantees helps ensure that potential risks are identified, and appropriate monitoring is established to mitigate those risks. If the identified risks are significant, an SEA may impose specific conditions under 21 C.F.R. § 200.333 in the subgrant award.