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**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION**

**21st Century Community Learning Centers (CCLC) Program
Frequently Asked Questions (FAQs)**

**Related to Implementation of the Elementary and Secondary Education Act of 1965 (ESEA),
as Amended by the Every Student Succeeds Act (ESSA)**

March 2017

Below are answers to questions the United States Department of Education (Department) has received from grantees under the 21st CCLC program regarding implementation of the ESSA. These FAQs are listed in the order in which they were received. We will update the FAQs periodically as we receive additional questions related to implementation of the 21st CCLC program under the ESSA.

#	Question	Answer
1	Will the Department host any trainings or roundtables for States regarding requirements related to <i>external organizations</i> under section 4201(b)(4) of ESEA, as amended by the ESSA?	<p>The Department plans to engage in future discussions on a number of topics related to implementation of the reauthorized 21st CCLC program based, in part, on feedback from stakeholders. Several meetings are scheduled with State educational agency (SEA) coordinators in March and April 2017.</p> <p>The reauthorized 21st CCLC program statute defines <i>external organization</i> under section 4201(b)(4) as “(A) a nonprofit organization with a record of success in running or working with before and after school (or summer recess) programs and activities; or (B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a written agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance in running or working with before and after school (or summer recess) programs and activities” (20 U.S.C. 7171(b)(4)). Under section 4203(a)(11) of the ESEA, as amended by the ESSA, each State must describe in its application for 21st CCCL program funds how it will “prescreen external organizations that could provide assistance in carrying out [program] activities” and “develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process” (20 U.S.C. 7173(a)(11)).</p> <p>The requirement in section 4203(a)(11) is intended to</p>

		<p>improve the quality of 21st CCLC programs at the local level by helping eligible entities gain access to a broad network of expert nonprofit organizations that are qualified to assist and support subgrantees in the development and implementation of evidence-based, high-quality before school, after school, and summer learning programs, including programs and services offered during expanded learning time (ELT). The Department acknowledges that compiling an all-inclusive list of external organizations is infeasible. Likewise, section 4203(a)(11) does not require subgrantees to work with external organizations, or to select contractors from the list of external organizations provided by the SEA. Under this new requirement, States must establish criteria and standards to identify organizations with the requisite experience operating 21st CCLC programs and develop the external organization list based on those criteria. States also must provide the Department with a plan for disseminating this information to subgrantees and other eligible entities.</p>
2	<p>How does section 8452 of the ESEA, as amended by the ESSA, apply to applications submitted by local educational agencies (LEAs) to SEAs under the 21st CCLC program?</p>	<p>Under section 8452, SEAs must approve applications for funds submitted by LEAs under certain ESEA programs, unless the SEA makes a written determination that the LEA's application does not comply with the relevant statutory provision. 20 U.S.C. 7872. Further, section 8452(b) requires the SEA to provide the LEA with notice and an opportunity for a hearing before making a final determination that the application is disapproved due to its failure to meet program requirements. 20 U.S.C. 7872(b). With the exception of section 4204(b) of the ESEA, as amended by the ESSA, all of the programs to which section 8452 refers – namely, sections 2102(b), 4106, and 8305 – require SEAs to allocate funds to LEAs by formula.</p> <p>Section 4204 prescribes the requirements to which an SEA must adhere when administering its 21st CCLC program at the local level. Contrary to the other programs referenced in section 8452, section 4204(b) of the 21st CCLC program authorizing statute requires SEAs to award subgrants to LEAs and other eligible entities on a competitive basis. 20 U.S.C. 7174. Specifically, section 4204(b) prescribes the information an eligible entity must include in its application in order to be considered for a subgrant, and section 4204(e) requires that SEAs use a “rigorous peer-review process” (or other methods to ensure the quality of funded projects) when selecting applications for funding.</p>

		<p>We recognize that there are inconsistencies between section 8452 and the core requirement of the 21st CCLC program to award local subgrants on a competitive basis, which will prevent SEAs from implementing their 21st CCLC programs in a manner that meets the requirements of both section 8452 and section 4204. Therefore, SEAs should comply with the more specific programmatic requirements of section 4204 when reviewing and evaluating applications for subgrants submitted by LEAs and other eligible applicants under the 21st CCLC program. <u>All</u> applications for subgrants under the 21st CCLC program must meet the requirements of section 4204, and SEAs must comply with those requirements when awarding subgrants to LEAs and other eligible entities under section 4204(b).</p>
3	<p>May an SEA award multiple subgrants to the same eligible entity – one for programs and activities conducted during non-school hours and another subgrant for programs and activities conducted during ELT? May an entity receive a subgrant to offer activities only during ELT? May States limit ELT programs to certain grade levels (e.g., high schools)?</p>	<p>Under the ESSA, 21st CCLC program funds may be used to conduct authorized activities before and after school, during the summer, and during ELT. SEAs have broad discretion, however, to establish parameters and priorities for their local subgrant competitions. Therefore, an SEA may choose to permit applicants to submit a single application to provide services during a combination of supplemental learning periods, such as during non-school hours (or periods when school is not in session) and during ELT, or to provide services during a single learning period, such as during ELT only, based on the needs of the students served. Similarly, an SEA may permit a single applicant to submit four (4) separate applications during a subgrant competition to provide services during each of the authorized periods – an application to provide services before school; an application to provide services after school; an application to provide services during the summer; and an application to provide services during ELT. Eligible entities should contact the SEA in their respective States for specific information and requirements related to the local subgrant competition in their State.</p> <p>Likewise, depending on their specific needs, States may establish priorities that would limit the use of 21st CCLC funds to support ELT to the elementary, middle, or high school level, provided that the requirements of section 4204(a)(2)(A) are met.</p>
4	<p>Several States have expressed the need to run a local subgrant competition in early 2017, in order to make awards and enable subgrantees to begin implementing their</p>	<p>State plans and individual program plans are due to the Department on April 3, or September 18, 2017. The Department has issued guidance regarding implementation of the ESSA and has taken a number of actions, consistent</p>

<p>21st CCLC program projects during school year (SY) 2017-2018. Since State plans are not due to the Department until spring 2017, it may be difficult for SEAs to implement the new requirements of the ESSA. Will the Department issue guidance or provide technical assistance to assist SEAs in implementing the new requirements that are applicable to the 21st CCLC program in a timely manner?</p>	<p>with its authority under section 4(b) of the ESSA, to support States, LEAs, and schools in making an orderly transition to the new law (<i>see</i> https://www.ed.gov/ESSA).</p> <p>A State has the option of (1) including the 21st CCLC program in the consolidated State plan; or (2) submitting a separate 21st CCLC application. If a State decides to submit a separate application for the 21st CCLC program, the State would need to address all statutory requirements, including priorities and assurances.</p> <p>We will continue to review and analyze the provisions of the ESSA as they relate to the 21st CCLC program and convene meetings and conduct webinars for State coordinators regarding implementation of the reauthorized program, as necessary. Several meetings are scheduled with SEA coordinators in March and April 2017.</p> <p>In the meantime, we encourage SEAs to submit to your assigned program officer at the Department any questions related to implementation of the 21st CCLC program under the ESSA for purposes of developing Requests for Proposals (RFAs) for upcoming local subgrant competitions. We will attempt to address new questions in updates to these FAQs or other guidance, or during upcoming scheduled meetings and webinars. While there may be challenges as State and local 21st CCLC programs transition to the ESSA, when developing RFAs for local subgrant competitions, SEAs should consider how the State's 21st CCLC program will fit into the State's overall school reform plan and ensure that the 21st CCLC program aligns with the consolidated State plan or individual program plan that the State submits to the Department.</p>
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