

Report for Congress

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21st Century Community Learning Centers in P.L. 107-110: Background and Funding

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Summary

Most Elementary and Secondary Education Act (ESEA) programs, including the 21st Century Community Learning Centers (21st CCLC) program, expired at the end of FY2000. This program was reauthorized by H.R. 1, the No Child Left Behind Act, a bill to extend and revise the ESEA. On December 13 and 18, 2001, respectively, the House and Senate adopted the conference version of H.R. 1. The President signed H.R. 1 into law (P.L. 107-110) on January 8, 2002. This report summarizes the major provisions of the reauthorized 21st CCLC program.

The 21st CCLC program was originally authorized as Part I of Title X, of the Elementary and Secondary Education Act (ESEA), as amended. The amendment authorizing the 21st CCLC program was included as part of the Improving America's Schools Act of 1994, P.L. 103-382. The 21st CCLC program was authorized for 5 years, FY1995-FY1999. The 21st CCLC program was not reauthorized in the 106th Congress, and consequently its authorization expired (but not its funding) in FY2000. Under the previous authorization, the 21st CCLC program was a competitive grant program with grantees selected by the U.S. Department of Education (ED). Grant recipients could receive an award for up to 3 years and were required to include at least 4 out of 13 potential activities intended to serve the local community.

In contrast, the reauthorized 21st CCLC program is structured as a formula grant to states, with local grants awarded competitively to eligible local entities for a period of 3 to 5 years. State educational agencies (SEAs) must award at least 95% of their state allotment to eligible local entities (defined as local educational agencies (LEAs), community based organizations (CBOs), other public or private entities, or consortia of one or more of the above). To the extent possible, SEAs are to distribute funds equitably among geographic areas within the state, including urban and rural communities. SEAs are to make awards only to eligible entities who will be serving students who attend schools eligible for schoolwide programs under Section 1114 (i.e., are eligible for Title I-A grants on a schoolwide basis because they have a high percentage of low income pupils) and the families of these students. The authorizing level is \$1.25 billion for FY2002, rising to \$2.5 billion in 2007.

Eligible entities may use 21st CCLC grants for a broad array of before and after school activities that advance student academic achievement. The program's focus is now exclusively on after school hours activities for children and youth, and literacy related activities for their families. The FY2003 appropriations for the program was \$1 billion (not including the FY2003 across the board reductions); the Administration has requested funding of \$600 million for the program for FY2004.

Contents

Funding	1
National Reservations	2
Formula Grants to States	2
Competitive Local Grants	2
Local Uses of 21 st CCLC Grants	3
History	4
Program Effectiveness	4
Legislation in the 107 th Congress	5

21st Century Community Learning Centers in P.L. 107-110: Background and Funding

Most Elementary and Secondary Education Act (ESEA) programs, including the 21st Century Community Learning Centers (21st CCLC) program, expired at the end of FY2000.¹ Included in the No Child Left Behind Act is the reauthorization of the 21st CCLC, with, a new location (Title IV, Part B, *21st Century Schools*), and several substantive changes. On December 13 and 18, 2001, respectively, the House and Senate adopted the conference version of H.R. 1, The No Child Left Behind Act. The President signed H.R. 1 into law (P.L. 107-110) on January 8, 2002. This report summarizes the major provisions of the reauthorized 21st CCLC program. The reauthorized program is structured as a formula grant program to states, in response to concerns that a program as large as the 21st CCLC could no longer be equitably administered as a competitive grant program. In addition, the reauthorized program formally endorses a focus for the 21st CCLC on after-school hours activities for children and youth. This report will be updated periodically.

The 21st CCLC program emphasizes activities in the non-school hours that offer learning opportunities for children and youth. The stated purposes of the program, as reauthorized, are threefold:

1. Provide opportunities for academic enrichment to help students (particularly those attending low-performing schools) to meet state and local student academic achievement standards;
2. Offer students a wide variety of additional services, programs and activities intended to reinforce and complement their regular academic program; and
3. Offer families of students served, an opportunity for literacy and related educational development.

Funding

H.R. 1 authorizes the 21st CCLC program at \$1.25 billion for FY2002, \$1.5 billion for FY2003, \$1.75 billion for FY2004, \$2 billion for FY2005, \$2.25 billion for FY2006, and \$2.5 billion for FY2007. One billion dollars was appropriated for the program for FY2002 in H.R. 3061, the FY2002 Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriations Act. The Consolidated Appropriations Resolution, 2003 (P.L. 108-7), signed into law on February 20, 2003, provided \$1 billion for the program (not including the FY2003

¹ For more on the 21st CCLC program, including funding history, see CRS Report RL30306, *21st Century Community Learning Centers: An Overview of the Program and Analysis of Reauthorization Issues*, by Gail McCallion.

across the board reductions). The Administration has requested funding of \$600 million for the program for FY2004.

National Reservations

From amounts appropriated in any fiscal year, the Secretary shall reserve: amounts necessary for continuation awards (under the terms of those grants); not more than 1% for national activities; and not more than 1% for the outlying areas and the BIA.

Formula Grants to States

The reauthorized 21st CCLC, unlike its predecessor, is structured as a formula grant program to states. States will be awarded grants in proportion to the awards they received under Subpart 2 of Title I-A for the preceding fiscal year.² All states receiving awards will receive at least one-half of 1% of the total allotted for state awards. The Secretary of ED must make a written determination that a state's application is not in compliance within 120 days of its receipt, or the state's application is deemed to be approved.

State educational agencies (SEAs) may use not more than 2% of their award for state administration (including administrative costs, establishing and implementing a peer review process for grant applications, and supervising the awarding of funds to eligible entities).

SEAs may use not more than 3% of their award for state activities (including monitoring and evaluation, training and technical assistance, and comprehensive evaluation).

Competitive Local Grants

SEAs must award at least 95% of their state allotment to eligible local entities (defined as local educational agencies (LEAs), community based organizations (CBOs), other public or private entities, or consortia of one or more of the above.) This is a change from the program as originally authorized, which only permitted schools or consortia of schools (or LEAs operating on their behalf), to be directly awarded 21st CCLC grants.³ P.L. 107-110, Section 4204 (b) (2) (D), indicates that in order to receive a 21st CCLC grant in the reauthorized program, recipients must provide "an assurance that the proposed program was developed, and will be carried out, in active collaboration with the schools the students attend." In practical terms, this means that grant recipients other than schools must partner with a school or LEA. All recipients are strongly encouraged to form a partnership, however, P.L.

² See CRS Report RL31487, *Education for the Disadvantaged: Overview of ESEA Title I-A Amendments Under the No Child Left Behind Act*, by Wayne Riddle.

³ Although they were encouraged to: "collaborate with other public and nonprofit agencies and organizations, local businesses, educational entities, recreational, cultural, and other community and human service entities."

107-110 Section 4202 (i) (2) states that if an eligible LEA: “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,” then this LEA is to be given the same priority by SEAs in awarding grants, as eligible LEAs with a partner.

Grants are awarded competitively by SEAs for a period of 3 to 5 years. To the extent possible, SEAs are to distribute funds equitably among geographic areas within the state, including urban and rural communities. SEAs are to make awards only to eligible entities who will be serving students who attend schools eligible for schoolwide programs under Section 1114 (i.e., are eligible for Title I-A grants on a schoolwide basis because 40% or more of their pupils are from low-income families), or schools that serve a high percentage of students from low-income families; and the families of these students.

SEAs are to give priority to applications that propose to target services to students who attend schools that have been identified as in need of improvement under Section 1116 (schools that fail to make adequate yearly progress for 2 consecutive years by state measures); and are submitted jointly by an LEA and a CBO or other public or private entity.⁴

Local Uses of 21st CCLC Grants. Eligible entities may use 21st CCLC grants for a broad array of before and after school activities that advance student academic achievement including:

1. Remedial education activities and academic enrichment learning programs;
2. Mathematics and science education activities;
3. Arts and music education activities;
4. Entrepreneurial education programs;
5. Tutoring services and mentoring programs;
6. Programs that emphasize language skills and academic achievement for limited English proficient students;
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 improve academic achievement for students who have been truant, suspended or expelled;
12. Drug and violence prevention programs, counseling programs, and character education programs.

⁴ Unless, as discussed above, an LEA demonstrates that it is unable to partner with a CBO of sufficient quality and reasonable geographic proximity.

History

The 21st CCLC program was authorized by Title X, Part I, as amended, of the Elementary and Secondary Education Act (ESEA), and is administered by the U.S. Department of Education (ED). The amendment authorizing the 21st CCLC program was included as part of the Improving America's Schools Act of 1994, P.L. 103-382. The 21st CCLC program was authorized for 5 years, FY1995-FY1999.⁵ The 21st CCLC program was a competitive grant program with grantees selected by ED. Grant recipients could receive an award for up to 3 years and were required to include at least 4 out of 13 potential activities intended to serve the local community.

The 21st CCLC program has grown dramatically, as evidenced by the program's funding trajectory from \$750,000 in FY1995, its first year of funding, to \$845,614,000 in FY2001. The program is funded at \$1 billion (not including FY2003 across the board reductions) for FY2003. The program shifted in emphasis as the amount appropriated for the program increased. The original authorizing language included an absolute priority for those 21st CCLC projects that "offer a broad selection of services which address the needs of the community."⁶ Beginning with the program's significant expansion in FY1998, an additional absolute priority was added for: "activities that offer expanded learning opportunities for children and youth in the community and that contribute to reduced drug use and violence."⁷

Program Effectiveness

The U.S. Department of Education has contracted with Mathematica Policy Research Inc., for both an implementation and an impact study, of 21st CCLC after-school programs. The first report from the evaluation was published in February of 2003.⁸ Based on one year of data for the 2000-2001 school year the first year evaluation did not find significant improvements from 21st CCLC programs in academic outcomes or in the numbers of latchkey kids. The study was designed to focus on outcomes of typical 21st CCLC programs, rather than of programs implementing best practices. The study authors indicated more confidence in the results for middle school students (sample size 4,400) than for the elementary school students (sample size 1,000). More data on the first year will be published later with a larger sample of elementary school students.

Additionally, there is anecdotal information examining the impacts of extended school programs for students. Most of this information has shown positive effects

⁵ Section 422 of the General Education Provisions Act provides an automatic 1-year extension authority to all ED programs. Thus the 21st CCLC program's authorization (but not its funding), expired in FY2000. Legislation reauthorizing the program through FY2007 was signed into law on January 8, 2002.

⁶ 20 U.S.C. 8244. Only projects that met these absolute priorities were funded. In addition, the Secretary had the discretion to include competitive priorities that awarded additional points to potential grantees' applications.

⁷ See [<http://www.ed.gov/offices/OERI/21stCCLC/21qa98.html>].

⁸ For a copy of the study go to [<http://www.ed.gov/pubs/21cent/firstyear>].

of these programs; however, there is little empirical research employing scientific methodology evaluating these programs. Because of these data limitations, the evidence from these studies should be considered suggestive rather than conclusive.⁹ In a survey of the research literature, Fashola Olatokunbo finds that for all extended learning time programs, characteristics linked to success include: consistent structure; community involvement; extensive staff training; and, responsiveness to the needs of the program participants. For programs that focus specifically on academic achievement, structure is even more important, as are: a connection to the student's regular school curriculum, and the chance for one-on-one tutoring.¹⁰

In addition, another researcher has found that student success in programs focusing on academic achievement is most strongly correlated with more time when learning actually occurs (academic learning time). However, this is not equivalent to the number of hours spent in a classroom (allocated time) or even necessarily with the time students are participating in learning activities (engaged time), because some classroom time is spent in non-learning activities and transitions between activities; and because, even though a teacher may be engaged in teaching learning activities, not all students may be learning.¹¹

Legislation in the 107th Congress

On December 13 and 18, 2001, respectively, the House and Senate adopted the conference version of H.R. 1, The No Child Left Behind Act. The President signed H.R. 1 into law (P.L. 107-110) on January 8, 2002.

The House version of H.R. 1, was passed by the full House on May 23, 2001. It would have reauthorized the 21st CCLC as a formula grant program as part of a new Title V — Safe Schools for the 21st Century. One-half of the amount awarded to states would have been allocated in proportion to their school aged population; and one-half would have been awarded in proportion to their share of grants received in the preceding fiscal year under Subpart 2, Part A, of Title I of the ESEA. States receiving grants would have awarded competitive grants to eligible entities (a LEA, CBO, and other public entity or private organization or a consortium of two or more of such groups). The House Committee on Education and the Workforce amended H.R. 1 to retain a separate funding stream (\$900 million in FY2002 and such sums

⁹ Almost all after school programs suffer from selection bias. This means that students chose to participate (self-selection) in the program, and as a consequence are different from non-enrollers in motivations, parental support, etc. These characteristics all affect performance. In addition, few studies have control groups to compare with the students who participated in the program. And, even if a control group is used, the assessment usually focuses on the material taught in the program, but to which the control group may not have been exposed. Fashola Olatokunbo, *Review of Extended Day and After-School Programs and Their Effectiveness*, Baltimore, MD, Center for Research on the Education of Students Placed at Risk, October 1998.

¹⁰ Ibid.

¹¹ Testimony of Dr. Gary Estes, in U.S. Congress, Senate Committee on Health, Education, Labor and Pensions, *Hearing on Illiterate Graduates: Social Promotion and Retention*, 106th Congress, 1st Sess., Apr. 29, 1999 (Washington: 1999).

as may be necessary for the succeeding 4 fiscal years) for the 21st CCLC program. Authorized activities would have included before and after school activities to advance student achievement. Sixty million dollars would have been authorized for FY2002 for national programs to evaluate the effectiveness of all Title V programs, including the 21st CCLC program.

The Senate's version of H.R. 1, the *Better Education for Students and Teachers (BEST) Act*, a bill to reauthorize and revise the ESEA, was passed by the full Senate on June 14, 2001. The BEST Act would have reauthorized the 21st CCLC program as a new Part F of Title I. Under the BEST Act, the list of potential 21st CCLC grantees would have been expanded to include general purpose units of local government (counties, cities, etc.) and CBOs, as well as LEAs. The BEST Act would have reauthorized the 21st CCLC program as a formula grant to states and as a competitive grant from the states to eligible local grantees. It would have allocated grants to states (after reservations) in proportion to their share of grants received in the preceding fiscal year under Subpart 2, Part A, Title I of the ESEA. Like the *No Child Left Behind Act*, the BEST Act would have focused the 21st CCLC program on before and after-school activities intended to advance student achievement. In addition, the BEST Act would have authorized the 21st CCLC program to offer families of participating students opportunities for lifelong learning and literacy development. It also would have authorized \$1.5 billion for the program in FY2002, and such sums as may be necessary for each of the 6 succeeding years.