

# **New USED Non-Regulatory Guidance on 21<sup>st</sup> Century Community Learning Centers Suggests How to Position Products and/or Services for Purchases Using 21<sup>st</sup> CCLC Funds**

*A Technology Monitoring and Information Service (TechMIS)*  
**SPECIAL REPORT**

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In February, USED published Nonregulatory Guidance (NRG) on the 21<sup>st</sup> Century Community Learning Centers program shortly after releasing the Mathematica evaluation of the program, which was used by the Administration to justify cutting the program from one billion dollars to \$600 million for FY 2004 (see last TechMIS Washington Update). In the guidance to SEAs, which are now conducting grant competitions this first year under NCLB amendments, several important criteria and competitive priorities are suggested reflecting USED policy. Similar priorities and preferences are also provided in the guidance for LEAs and indirectly for firms attempting to sell products and services purchased under this program.

In the cover letter from Under Secretary Hickok, USED's interpretation of the 21<sup>st</sup> CCLC purpose 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 families of participating children...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 NRG concedes that the above purposes of 21<sup>st</sup> CCLC after NCLB amendments, is much more clearly delineated than were the initial purposes (to provide safe havens for students or "keep kids off the street") under the program initiated in 1999. As stated in the NRG, "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." Some of the most relevant changes in the authorizing statute include, stated in the guidance:

- "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." The previous legislation included the requirement to follow "principles of effectiveness." It also allowed districts to

select “promising practices” for use for up to two years to determine their effectiveness.

- “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.” Previous legislation provided a broad array of services to children and individuals living within the community.
- “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.”
- “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.” Previously, school were encouraged to collaborate with community-based organizations.
- “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*.”

Other important changes include:

- allowing local programs to take place in locations outside public schools;
- requiring grantees to use 21<sup>st</sup> CCLC funds to supplement, not supplant other Federal, state and local funds;
- allowing states to require a local match which could be “in kind”;
- allowing states to fund grantees for up to five years; under previous legislation, grants were for three years.

Unlike the previous legislation, USED’s NRG would limit the use of 21<sup>st</sup> CCLC funds to 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.”

Most of the examples of activities include constructive learning activities and hands-on applications of math, reading, and other academic skills. Moreover, the NRG states, “...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.” On the other hand, in response to the question “When is scientifically based research appropriate for the 21<sup>st</sup> CCLC program?,” the response was “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 upon such research.” The NRG then points to the five essential components of effective reading instruction as required under Reading First, including phonemic awareness, phonics, vocabulary development, fluency (including oral reading skills), and reading comprehension strategies. The guidance also cites as a model the “After-school Programs and the K-8 Principals” guide developed by the National Association for Elementary School Principals, in cooperation with the National Institute on Out of School Time, the National School-Age Care Alliance, and the U.S. Department of Education, for creating “excellent, high-quality after-school programs” which include a wide range of activities beyond activities designed to increase student achievement in math and reading. But in the end, the NRG clearly indicates that both state and local evaluations must address progress being made on performance indicators and performance measures related to academic achievement.

In the end, SEAs, through the application and selection process, will choose those grantees who not only follow the intent of the new statute, but also reflect the SEA priorities. For example, Michigan placed competitive priorities on applicants that proposed to: (a) provide services to schoolwide programs in which fewer than 40 percent of students scored satisfactory or above in reading on the MEEP; (b) work jointly with community-based organizations; (c) provide services for schools identified for improvement (average grants would be between \$125,000-\$175,000 for 18 months with continued funding contingent upon performance and availability of Federal funds); and (d) use sites serving exclusively middle school students, especially homeless students with LEP and special education students.

The Texas request for applications (which are due April 1, 2003), generally follows the intent and letter of the NCLB law. The range of grants will be between \$50,000 and \$175,000 for up to a maximum of five centers per applicant. The purchase of infrastructure for computers and Internet are not encouraged; thus, such purchases would have to be clearly justified. It includes a strong “supplement not supplant” provision and also a “maintenance of effort” clause to prevent Federal funds from making up for reallocation of state funds from similar activities. While the Texas RFA recites the provisions on “principles of effectiveness,” one of the 18 criteria is “the extent to which the proposal selects, describes, and implements strategies that have a high probability of enabling the students, their teachers, and other program staff to be successful in meeting program objectives and are substantiated by longitudinal scientific research on successful, out-of-school learning opportunities and effective afterschool programs, including summer recess.” The Texas RFA goes beyond those allowable activities in the February 2003 nonregulatory guidance by including supplemental activities relevant to history, social studies, geography, government, economics, and civics.

The Maryland SEA application, which was made available last September, addressed the “principles of effectiveness” requirements more so than either Texas or Michigan. Under the strategies/activities component of the application, applicants were required to address what evidence of experience or promise do the partners in the proposal have in providing educational and related activities that will complement and enhance the academic performance of achievement and positive youth development. Applicants also had to justify why and how they selected strategies and how they will help achieve outcomes, citing research to support the strategies.

The types of products that are likely to be in high demand are as follows:

- those which have valid evidence and data that meet the “principles of effectiveness” criteria, particularly increasing student performance and achievement;
- those which are clearly aligned with state content and related standards;
- those which provide students opportunities to apply skills that they have taught through hands-on projects and activities;
- those which take a constructivist approach as recommended in the NRG.

Firms with appropriate products have at least two opportunities to facilitate sales: (a) districts that are likely to be funded and have their products included in the proposal; and (b) recently-awarded grantees who for one reason or another may wish to purchase additional products than those originally proposed.

In the first instance, the types of applicants who are most likely to be funded are those which:

- were grantees of 21<sup>st</sup> Century federally-funded projects in 1999 and 2000, whose funding is now in the last year and who are likely to be eager to continue their efforts by receiving grants this time from the state;
- have a track record of implementing after-school programs which have proven to be successful in increasing student achievement in math, reading, and other subjects;
- have as a joint partner a CBO, faith-based organization, or other group with which they have had a long-term successful relationship;
- can provide the level of matching determined by the state;
- have a generally good reputation and good relations with individuals on the state peer review process; and
- plan to serve schoolwide programs which have been failing for three consecutive years, in which case the after-school provider could also serve as a supplemental service provider generating additional resources for product purchases.

Convincing a recent 21<sup>st</sup> CCLC grantee to replace or supplement an existing approach can be difficult unless an overwhelming case can be made that the firm's product and/or service would be much more effective in helping the project achieve its instructional goals, namely improving student achievement. This is particularly true if, after the first six to twelve months, such achievement gains have clearly not been met thereby increasing the probability that the SEA will not approve funding for the remaining years of the project.