

## Elementary and Secondary Education Act Waiver: 21<sup>st</sup> CCLC Flexibility Option

### FREQUENTLY ASKED QUESTIONS

*FAQs from different guidance documents the United States Department of Education issued in the past year related to the 21<sup>st</sup> Community Learning Centers (CCLC) flexibility option.*

### EXPANDED LEARNING TIME

#### **B-24. What does this flexibility include with respect to expanded learning time?**

Under this flexibility, an SEA (State Education Agency) may request flexibility to permit its LEAs (Local Education Agencies) to use funds for community learning centers under the 21st CCLC program to support activities that provide high-quality expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session (*i.e.*, before and after school or during summer recess).

#### **B-25. What does high-quality expanded learning time look like?**

Supporting activities to provide high-quality expanded learning time might include:

- Adding significantly more time by expanding the school day, school week, or school year to increase learning time for all students;
- Using the additional time to support a well-rounded education that includes time for academics and enrichment activities;
- Providing additional time for teacher collaboration and common planning; and
- Partnering with one or more outside organizations, such as a nonprofit organization, with demonstrated experience in improving student achievement.

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February, 2012 updates:

#### **B-24. What does this flexibility include with respect to expanded learning time?**

Under this flexibility, an SEA may request flexibility to permit an eligible entity to use funds under the 21st CCLC program to provide activities that support high-quality expanded learning time during an expanded school day, week, or year in addition to activities during non-school hours or periods when school is not in session (*i.e.*, before and after school or during summer recess). (Modified February 10, 2012)

### **B-24a. How does ESEA flexibility affect the 21st CCLC program?**

At an SEA's (State Education Agency's) option, the flexibility allows for an additional use of funds for the 21st CCLC program — to provide activities that support high-quality expanded learning time. Expanded learning time is the time that an LEA (Local Education Agency) or school extends its normal school day, week, or year to provide additional instruction or educational programs for all students beyond the State-mandated requirements for the minimum number of hours in a school day, days in a school week, or days or weeks in a school year. Because the 21st CCLC statute restricts the use of program funds to support a broad range of academic enrichment and other activities during “non-school hours or periods when school is not in session,” and expanded learning time is, by definition, an extension of the normal school day, week, or year, an SEA would need the optional ESEA flexibility waiver to allow a 21st CCLC subgrantee to use 21st CCLC funds for activities that support expanded learning time.

With the exception of carrying out 21st CCLC activities during an expanded school day, week, or year, an eligible entity in a State that receives a waiver must comply with all other 21st CCLC requirements. In other words, other provisions of the 21st CCLC program remain unchanged, including the allocation of funds to SEAs by formula, the requirement that SEAs use 95 percent of their State formula grants to make competitive subgrants, and the entities eligible to compete for those subgrants (which consist of LEAs, community-based organizations, other public or private entities, and consortia of those entities). In a State that has been approved to implement ESEA flexibility, and that has requested the optional flexibility for the 21st CCLC program, eligible entities may submit applications to the SEA for activities that support expanded learning time and/or to operate programs before and after school and during summer recess as allowed under current requirements. For more information on the 21st CCLC program, please refer to ESEA sections 4201–4206 and the February 2003 non-regulatory guidance [available at <http://www2.ed.gov/programs/21stcclc/guidance2003.pdf>]. (Added February 10, 2012)

### **B-24b. When would ESEA flexibility for 21st CCLC funds take effect?**

ESEA flexibility would not affect current 21st CCLC subgrantees. Rather, this flexibility would take effect for local competitions conducted after an SEA receives ESEA flexibility. Thus, when an SEA runs its next 21st CCLC competition following the receipt of ESEA flexibility, it may solicit applications from eligible entities to provide activities that support high-quality expanded learning time in addition to activities

conducted during non-school hours or periods when school is not in session. (Added February 10, 2012)

**B-24c. What are some examples of ways an eligible entity might use 21st CCLC funds to provide activities that support expanded learning time?**

An eligible entity in a State that has been approved to implement ESEA flexibility (and has requested the optional flexibility for the 21st CCLC program) may use 21st CCLC funds to provide activities that support high-quality expanded learning time. The 21st CCLC activities may be carried out at any point in time during an extended school day, week, or year. For example, if an LEA (Local Education Agency) lengthens its school day beyond the State minimum, the LEA or another eligible entity might use 21st CCLC funds to provide supplemental science, reading, civics, or art instruction or other supplemental academic enrichment activities to students in the morning or afternoon to allow teachers time to collaborate or plan. Similarly, an LEA working with a community partner, might use 21st CCLC funds to extend its school week and incorporate enrichment activities, such as debate or college preparation, on either Saturday or a week day. Using 21st CCLC funds to support expanded learning time should not be just “more of the same”; it should involve careful planning by the eligible entity to ensure that the programs or activities will be used to improve student achievement and ensure a well-rounded education that prepares students for college and careers. (Added February 10, 2012)

**B-24d. Does the 21st CCLC supplement, not supplant provision apply to the use of 21st CCLC funds to support expanded learning time under ESEA flexibility?**

Yes, the 21st CCLC supplement, not supplant provision applies to the use of 21st CCLC funds to support expanded learning time under ESEA flexibility. Thus, an SEA (State Education Agency) receiving a waiver to permit an eligible entity to use 21st CCLC funds to provide activities that support expanded learning time programs must ensure that the 21st CCLC funds are used to supplement, and not supplant, Federal, State, local, or other non-Federal funds that, in the absence of the 21st CCLC funds, would be made available for programs and activities authorized under the 21st CCLC program (ESEA 4203(a)(9) and 4204(b)(2)(G)). (Added February 10, 2012)