

ESEA Flexibility FAQ

Flexibility in the Use of Twenty-First Century Community Learning Centers (21st CCLC) Program Funds

An SEA can request a waiver of ESEA sections 4201(b)(1)(A) and 4204(b)(2)(A) requirements that restrict the activities provided by a community learning center under the 21st CCLC program to activities provided only during non-school hours or periods when school is not in session. The purpose of the waiver is to allow 21st CCLC funds to be used to support expanded learning time during the school day in addition to activities during non-school hours or periods when school is not in session.

The Department notes that the 21st CCLC program can continue to fund after school and summer programs during non-school hours and clarifies that local communities should have full authority without state or federal preference or direction to make their own decisions about whether to use 21st CCLC funds for (1) after-school, (2) summer learning programs, (3) before school, and/or (4) expanded learning time programs.

The Department clarifies that state educational agencies seeking waivers to use 21st CCLC funds for expanded learning time programs during the school day are encouraged to include the following elements in their plans:

- **Require partnerships between school districts and community-based partners, in which either the community-based partner or the school district can be the lead fiscal agent;**
- **Ensure providers integrate academics, enrichment, and skill development through hands-on experiences that make learning relevant and engaging;**
- **Allow programs to serve all students or focus on groups of students to best meet the needs of the school and community;**
- **Fund programs that offer a range of activities that capture student interest and strengthen student engagement in learning, which promotes higher class attendance, reduces risk for retention or drop out, and increases chance for graduation; and**
- **Support programs that actively address the specific learning needs and interests of all types of students, especially those who may benefit from approaches and experiences not offered in the traditional classroom setting.**

Turnaround Principles

To receive flexibility, an SEA must develop and implement a system of differentiated recognition, accountability, and support for all LEAs in the State and for all Title I schools in these LEAs.

The SEA's system must, at a minimum, "effect dramatic, systemic change in the lowest-performing schools by publicly identifying 'priority schools' and ensuring that each LEA with one or more of these schools implements, for three years, meaningful interventions aligned with the turnaround principles in each of these schools."

Meaningful interventions designed to improve the academic achievement of students in priority schools must be aligned with "turnaround principles" including, "redesigning the school day, week, or year to include additional time for student learning and teacher collaboration."

The Department notes that turnaround principles related to the redesign of the school day, week, or year include strong partnerships between schools and community partners and encourages that such strategies be implemented through a variety of high-quality and effective strategies, including summer, after school, and expanded learning time programs that integrate academics, enrichment, and skill development through hands-on experiences that make learning relevant and engaging.