



Florida Department of Education

John L. Winn, Commissioner

21ST CCLC POLICY MANUAL

Part B of Title IV – 21st Century Community Learning Centers
No Child Left Behind Act (NCLB) of 2001
Public Law 107-110

Bureau of Family and Community Outreach
21st CCLC Program

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INTRODUCTION

The No Child Left Behind Act of 2001 (NCLB) reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) in order to close the achievement gap, so that no child is left behind. By providing all children with the opportunity to obtain a high quality education, this will enable them to meet or exceed the challenging State academic achievement standards. The NCLB legislation provided the States the responsibility to focus 21st CCLC programs on providing academic and other enrichment opportunities to children in high poverty, low performing schools, and to help these children succeed in meeting State and local academic standards.

STATUTORY PURPOSE OF THE PROGRAM

The purpose of the 21st CCLC program is to supplement the education of children, who live in high-poverty areas and attend low-performing schools, to enable them to attain the skills necessary to meet Florida's Sunshine State Standards. A 21st CCLC program must provide participating students with academic, enrichment, and recreation opportunities that complement the regular school day and offer literacy and other educational services to the families of the participating children.

Authorized under Title IV, Part B, of the Elementary and Secondary Education (ESEA), as amended by the No Child Left Behind Act of 2001, the law's specific purposes are to: (1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students in high poverty areas and those who attend low-performing schools, meet State and local student performance standards in core academic subjects such as reading and mathematics; (2) offer a broad array of additional services, programs, and activities, such as youth development activities, drug and violence prevention, counseling, art, music, recreation, technology education, and character education programs, that are designed to reinforce and complement the regular academic program of participating students; and (3) offer families of students served by community learning centers opportunities for literacy and related educational development.

PURPOSE OF THE STATE 21ST CCLC POLICY MANUAL

This policy manual is intended to help eligible local educational agencies (LEAs), faith-based organizations (FBOs), and community-based organizations (CBOs) apply for and use funds available under the 21st CCLC. In addition, the information contained in the policy manual helps to support the involvement of all 21st CCLC stakeholders in the development and implementation of academic, enrichment, and recreation services to assist low-income, low-performing school students, and their families. The guidance in this manual replaces all prior policy guidance for the 21st CCLC program. It is intended to be read in conjunction with the authorized statute and applicable regulations that are relevant to the 21st CCLC program, including the Green Book issued by the Florida Department of Education.

DEFINITIONS

APPLICANT – A school district (LEA) or other agency (e.g., FBO, CBO, and institution of higher education) seeking a project award from the Florida Department of Education.

CBO – Community-based organization, a private nonprofit organization which is representative of a community or significant segments of a community and which provides educational or related services to individuals in the community [Section 9101(6) of Title IX, Part A].

CFR – Code of Federal Regulations. These regulations may be reviewed at <http://www.access.gpo.gov/nara/cfr/>.

COMMUNITY LEARNING CENTER – A community learning center offers academic, artistic, and cultural enrichment opportunities to students and their families when school is not in session (before school, after school, or during holidays or summer recess). According to section 4201(b)(1) of the program statute, a community learning center assists students in meeting State and local academic achievement standards in core academic subjects such as reading and mathematics, by providing the students with opportunities for academic enrichment. Centers also provide students with a broad array of other activities, such as drug and violence prevention, counseling, art, music, recreation, technology, and character education programs, during periods when school is not in session. Community learning centers also serve the families of participating students through family literacy programs [Section 4201(b)(1) of Title IV, Part B].

DOE – Florida Department of Education.

EDGAR – Education Department General Administrative Regulations (EDGAR). The U.S. Department of Education code of federal regulations. These regulations may be reviewed at <http://www.ed.gov/offices/OCFO/grants/edgar.html>.

EP – University of Florida 21st CCLC Evaluation Program Unit.

ESEA – The Elementary and Secondary Education Act (ESEA).

FAMILY LITERACY SERVICES – Services are provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrates (1) interactive literacy activities between parents and their children; (2) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children; (3) parent literacy training that leads to economic self-sufficiency; and (4) an age-appropriate education to prepare children for success in school and life experiences [Section 9101(20) of Title IX, Part A].

FBO – Faith-based organization including churches, religious or parochial schools, and other faith-based groups.

FCAT – Florida Comprehensive Achievement Test.

FORMATIVE EVALUATION – Formative evaluation entails the collection of data throughout the project period to assess ongoing progress (e.g., quarterly) toward project objectives. Formative evaluation data is used to make decision about programmatic changes that may improve the project’s impact.

FREE AND REDUCED PRICE MEALS – Are free meals or reduced price meals available to children eligible under National School Lunch Program (NSLP) guidelines. Those guidelines are based on family size and income or benefits such as Food Stamps or Temporary Assistance to Needy Families.

GEPA – The General Education Provisions Act.

IN-KIND/MATCHING CONTRIBUTIONS – In-kind or matching funds contributed within the project duration for the benefit of the project activities. In-kind contributions may include services, paid staff time, instructional materials, equipment, or supplies, which will be donated for the implementation of activities specified in the proposal. Matching funds include monies that will be donated on behalf of the sub-grantee for activities specified in the proposal (34 CFR, Part 74.2).

LEA – For the purposes of the 21st CCLC program, local education agency (LEA) is defined as a local school district.

LEP – Limited English Proficiency.

MENTORING – A process by which a responsible adult, postsecondary student, or secondary school student works with a child to provide a positive role model for the child, to establish a supportive relationship with the child, and to provide the child with academic assistance and exposure to new experiences and examples of opportunity that enhance the ability of the child to become a responsible adult [Section 9101(27) of Title IX, Part A].

NCLB – The Federal No Child Left Behind Act of 2001.

NRG – Non-Regulatory Guidance.

OMB – The United States Office of Management and Budget.

PARAPROFESSIONAL – An employee, not the teacher, who provides instructional support in the program.

PARENTAL INVOLVEMENT – The participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents play an integral role in assisting their child's learning; that parents are encouraged to be actively involved in their child's education at school; and that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child [Section 9101(32) of Title IX, Part A].

PRC – University of Florida 21st CCLC Policy, Research, and Compliance Unit.

PROJECT AWARD NOTIFICATION – A contract documenting the project recipient, amount of the project award and other identifying information, such as project period, standard and special terms and conditions of the award.

PROJECT DURATION – The length of time for which the project's funding has been authorized.

PROJECT RECIPIENT – An eligible sub-grantee which has written a funded project under the policies and procedures established by the DOE.

PROJECT YEAR – A period (usually annual) within a project duration that corresponds to the project starting and ending dates (July 1 – June 30).

SEA – State Educational Agency.

SUB-GRANTEE – The governmental or other legal entity to which a sub-grant is awarded and which is accountable to the grantee for the use of funds provided (34 CFR, Part 80.3).

SUMMATIVE EVALUATION – At the conclusion of the project, summative evaluation strategies are used to measure the changes that occurred as a result of the project. Summative evaluation data is compared to baseline data to show how successful the project was in achieving the expected outcomes.

TA & T – University of Florida 21st CCLC Technical Assistance and Training Unit.

TITLE I – A federal program under NCLB, the purpose of which is to improve the academic achievement of the disadvantaged.

TITLE I SCHOOL DESIGNATED AS IN NEED OF IMPROVEMENT – A school that has not met adequate yearly progress, per Title I, for the last two consecutive years.

TITLE I SCHOOLWIDE PROGRAM – A school-wide program permits a high poverty school to use funds from Title I, Part A and other federal education program funds and resources to upgrade the entire education program of the school in order to raise academic achievement for all the students. This contrasts with a Title I targeted assistance program, through which Title I, Part A funds are used only for supplementary educational services for eligible children who are failing or at risk of failing to meet state standards.

A school with a Title I school-wide program is one that:

- serves a participating attendance area or is a participating school under section 1113 of Title I of Public Law 107-110, No Child Left Behind Act, and
- has at least 40% of the children, enrolled in the school or residing in the school attendance area, from low-income families.

USDOE – United States Department of Education

COMPETITIVE PROJECTS

Competitive projects are designed to provide before school or after school or summer programs for school-wide Title I students and their families. Applications should be submitted jointly between at least one local educational agency (LEA), including individual public or private schools, a consortium of schools, or a consortium of school districts, receiving funds under Part A of Title I and at least one public or private community-based organization. The Department will permit an application submitted by a local education agency if the local education agency demonstrates that it is unable to partner with a community-based organization that is within reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

Statutory Requirements:

Section 4204(a)(b)(c)(i) of Title IV, Part B; Sections 1001, 1114, & 1116 of Title I, Part A

Regulatory Requirements:

20 U.S.C. 7174; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section F; Florida Department of Education - 21st CCLC Policy Manual

Q1. Is an LEA, FBO, or CBO eligible to apply for funds if it has no prior after school experience?

A. LEA, FBO, and CBO are eligible to apply for funding and do not have to demonstrate prior experience in providing after school programs. However, those that do not have such experience must demonstrate a promise of success in providing educational and related activities that will complement and enhance the academic performance, achievement, and positive youth development of students.

Q2. Is collaboration a requirement for LEAs and other public or private organizations to apply?

A. The legislation contains several provisions about the importance of collaboration. Section 4204(b)(2)(H) requires applicants to provide a description of the partnership between a local education agency (LEA), a community-based organization (CBO), and other public or private organizations, if appropriate. If the local applicant is a public or private organization, it must provide an assurance that its program was developed and will be carried out in active collaboration with the schools the students attend.

In addition, Section 4204(i)(1)(B) requires that the SEA provide priority to applications submitted jointly by an LEA receiving Title I funds and a CBO or other agency proposing to serve students in schools in need of improvement under Section 1116. The SEA will give priority to applicants proposing to target

schools in need of improvement, but will not penalize LEAs that demonstrate an inability to partner with a CBO within reasonable geographic proximity and of sufficient quality. By bringing together community organizations with LEAs, centers can take advantage of multiple resources in the community. Collaboration can also ensure the children attending a learning center benefit from the collective resources and expertise throughout the community.

Q3. May a community learning center be located or take place outside of a school?

A. A community-learning center may be located in a facility other than an elementary or secondary school. However, the alternate facility must be available and accessible to the participants as if the program were located in an elementary or secondary school. Whether the program take places in a school building or other facility, the applicant must address how students will travel safety to and from the community learning center and home and show the benefit of transporting the students from a school to another location.

Q 4. Are there any requirements for the hours of operation of a center or the number of students a local program must serve?

A. Data from federal grants indicate that there is a minimum participation level before the 21st CCLC is effective. Therefore, the SEA has determined that programs must operate a minimum required hours a week. The statute requires that community learning centers must offer services during non-school hours or periods when school is not in session, including before school, after school, evenings, weekends or during summer. Each community should base its application on the needs of its students and their families.

Q 5. Who may serve as peer reviewers for competitions?

A. Under federal statute, the SEA must review 21st CCLC applications under a peer review process or other objective methods to ensure that quality applications are selected for funding. The SEA will make every effort to recruit qualified individuals with diverse expertise, geographic location, gender, racial, and ethnic representation to review applications. In addition, the Department will solicit potential reviewers from an array of organizations, including educational and non-educational entities.

Reviewers may include, but will not be limited to the following: teachers and principals, experts in expanded learning and after school programs, representatives from community education, researchers and evaluators with methodological expertise, content area specialists, representatives from

community service agencies and faith-based organizations, private sector individuals involved in education, representatives from school-age child care alliances, local and civic leaders, representatives from foundations and charitable organizations, and representatives from institutions of higher education.

The SEA will be mindful of potential conflicts of interest that may arise in selecting peer reviewers, especially among grant writers, evaluators, and technical assistance providers. A conflict of interest is generally defined as a situation in which a peer reviewer has a direct financial interest in the outcome of a competition. A conflict of interest situation could exist, for instance, if a peer reviewer (or a member of his or her immediate family) is named as an evaluation contractor in an application he or she may review.

Q6. What is Title I?

- A. Title I is a federal program authorized under the No Child Left Behind Act of 2001 and is administered by states to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and State academic assessments.

Funds are intended to help schools meet the educational needs of low-achieving children in our Nation’s highest-poverty schools, limited English proficient children, migratory children, children with disabilities, Indian children, neglected or delinquent children, and young children in need of reading assistance. Schools that are eligible to receive Title I funds are those in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families served by the local educational agency as a whole.

Q7. What is Title I “school-wide eligible”?

- A. The “school-wide program” is a subpart of the overall Title I program. “School-wide eligible” are those schools within attendance areas in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families. “Low income” is defined by the percentage of students who are eligible to receive free or reduced price meals. In this part of the Title I program, a local educational agency may consolidate and use Title I funds, together with other Federal, State, and local funds, in order to upgrade the entire educational program of an eligible school.

Q8. What is the minimum amount of 21st CCLC funds that an SEA may provide to a sub-grantee?

A. The minimum project award is \$50,000 per year.

Q9. How many new competitive grants are expected to be awarded each year?

A. If funds are available, those applications receiving the highest scores will be funded. Request for Proposals (RFPs) will be funded in rank order until all of the available of funds are distributed.

Q10. What is the period of a sub-grantee 21st CCLC award?

A. The length of the project award will be five years.

PUBLIC SCHOOLS (INCLUDING CHARTER SCHOOLS)

The NCLB legislation allows both public and private organizations to receive funds directly from the SEA under this program. Under the previous authority, only public schools or local educational agencies could directly receive grants. The Florida Department of Education encourages all applicants to collaborate with other public and private agencies, including the local school districts, to create programs as comprehensive and high quality as possible.

Statutory Requirements:

Section 4201(b)(3) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 7174; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section F

Q1. As the LEA, can we be a lead applicant on one application and a partner on another application with a CBO as the lead applicant?

A. Yes, provided that different schools are included in each application and services for students and their families of those schools are not duplicated.

Q2. May a direct-funded charter school apply as an LEA?

A. In Florida, charter schools are public schools that operate as part of school districts; therefore, Florida charter schools may not apply as LEAs.

PRIVATE SCHOOLS

The legislation allows public and private organizations to receive funds directly from the SEA under this program. Under the previous authority, only public schools or local educational agencies could directly receive grants. The Florida Department of Education encourages all applicants to collaborate with other public and private agencies, including the local school districts, to create programs as comprehensive and high quality as possible.

The Elementary and Secondary Education Act (ESEA), as authorized by the No Child Left Behind (NCLB) Act of 2001, provides benefits to private school students, teachers and other educational personnel, including those in religiously affiliated schools. These services are considered to be assistance to students and teachers and not to private schools.

Statutory Requirements:

Section 4201(b)(3) of Title IV, Part B; Sections 9501, Part E, Subpart 1 & 9505 of Title IX, Part F, Subpart 2

Regulatory Requirements:

20 U.S.C. 7174; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section F

Q1. Are parochial schools eligible to apply as school sites to serve their student population if they meet the Title I requirements?

A. Yes.

Q2. What are specific requirements for participation of private school children?

A. Section 9501 of the No Child Left Behind (NCLB) Act of 2001 statute, which also applies to the 21st CCLC program, defines the participation of private school children. This section deals with the requirement for equitable participation of private school children in federal elementary and secondary programs. In brief, public or private school students are eligible to participate in 21st CCLC programs on an equitable basis. A public school or other public or private organization that is awarded a grant must provide equitable services to private school students and their families.

Q3. What does equitable participation by private school students and teachers mean?

- A. The participation of private school students, teachers and other education personnel in the NCLB programs providing services to this population is governed by the Uniform Provisions in Title IX, Sections 9501-9504. Under the Uniform Provisions, LEAs or other entities receiving federal financial assistance are required to provide services to eligible private school children, teachers and other personnel consistent with the number of eligible children enrolled in private elementary and secondary schools in the LEA, or in the geographical area served by another entity receiving federal financial assistance. These services and other benefits must be comparable to the services and benefits provided to public school children and teachers participating in the program and they must be provided in a timely manner.

In designing a program that meets this requirement, sub-grantees must provide comparable opportunities for the participation of both public and private school students in the areas served by the project. In other words, any child, who either lives in or attends school in an area served by a 21st CCLC grant, is eligible to participate in the program on an equitable basis, regardless of where the program is housed or who manages the project. Furthermore, if a public school or district is applying, they must consult with private school officials during the design and development of the 21st CCLC program on issues such as how the children's needs will be identified and what services will be offered. Services and benefits must be secular, neutral, and non-ideological.

Q4. What consultation is required under the equitable participation provision?

- A. The Uniform Provisions contain requirements for timely and meaningful consultation between appropriate public and private school officials. The goal of the consultation process is to design and implement a program that will provide equitable services and meet the needs of eligible private school students and/or teachers and other education personnel. Consultation between the entity receiving federal financial assistance and private school officials must occur before any decision is made that could affect the ability of private school students, teachers and other education personnel to receive benefits under the NCLB and must continue throughout the implementation and assessment of activities.

Consultation generally must include discussion on such issues as: how children's needs will be identified; what services will be offered; how and where the services will be provided; who will provide the services; how the services will be assessed and how the results of assessment will be used to improve those services; the amount of funds available for services; the size and scope of the services to be provided; and how and when decisions about the delivery of services will be made.

Q5. How do private schools students access services related to the Florida 21st CCLC Program?

A. Private schools may apply for 21st CCLC Program funding as an applicant or may choose to be part of a district application for the 21st CCLC Program. Title IX, Section 9501, of NCLB requires that participating public school districts must contact the private schools within their district and consult with the private schools to determine if the private schools want to be part of the district application. Timely and meaningful consultation must include discussions identifying the needs of private school students, the services to be provided, where the services will be provided, and how the services will be assessed.

Q6. May a private school apply to implement an after school program at its school site for students who live in the neighborhood but do not attend the private school?

A. A private school may propose to serve students from other schools at its site. Proposing to serve students in the neighborhood would incorporate the concept of “community learning center.” It is highly recommended that the schools where those students attend be included as partners on the application. All other eligibility requirements must be met.

Q7. Are private school students, teachers, and other educational personnel eligible to participate in 21st CCLC activities carried out by public schools?

A. Students, teachers, and other educational personnel are eligible to participate in 21st CCLC programs on an equitable basis. A public school or other public or private organization that is awarded a project must provide equitable services to private school students, their families, and their educators, if those students are part of the population identified for assistance.

FAITH-BASED & COMMUNITY-BASED ORGANIZATIONS

The legislation allows public and private organizations, such as faith-based and community-based organizations, to receive funds directly from the SEA under this program. Under the previous authority, only public schools or local educational agencies could directly receive projects. The Florida Department of Education encourages all applicants to collaborate with other public, faith-based and community-based organization, and the local school districts, to create programs as comprehensive and high quality as possible.

Faith-based organizations eligible to receive 21st CCLC funds should be guided by three principles with respect to their rights and responsibilities:

- They may not discriminate against any persons receiving a public service or make participation in religious activities a condition of receiving such services;
- They are accountable for the public funds they receive and must use them only for their intended purposes, with no federal dollars being used to support inherently religious activities; and
- When they receive federal funds, they do retain their right to hire those individuals who are best able to further their organizations' goals and mission.

Statutory Requirements:

Sections 4201(b)(3) & 4202 of Title IV, Part B; Section 1116 of Title I, Part A; Section 9505 of Title IX

Regulatory Requirements:

20 U.S.C. 7174; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section F

Q1. Are community-based organizations (CBOs) eligible to apply directly for funds for programs provided to existing 21st CCLC Program sites if the CBO is currently providing these programs free as an in-kind match?

A. CBOs may apply directly for the 21st CCLC Program; however, receiving funds through this project for services currently provided to a program, even free as an in-kind match, would be considered supplanting existing use of funds.

Q2. Can there be several CBOs providing different types of programs on one application with an LEA, or should the CBOs apply separately?

A. If several CBOs are providing different services to a group of students under one comprehensive program, then only one application is required for the program.

Q3. We are a CBO and have no site of our own. May we serve multiple schools with our program, or must we apply jointly with each school? If so, wouldn't we be applying for multiple projects?

A. A CBO may apply to run a program at more than one school site in a single application. However, each school must clearly be a collaborative partner in the application. No duplication of services to the same students and families is allowed.

Q4. Why do community-based and faith-based agencies have to collaborate with the schools?

A. The intent and focus of the Title IV, Part B of the NCLB Act of 2001 is to improve student achievement in low-income and low-performing schools. Although the legislation allows community-based and faith-based organizations to apply, it will not be possible to reach the overarching goal of improvement in student achievement if the after school program does not interact with teachers and the school administration in the schools the students attend.

Q5. Are religious organizations, including entities such as religious private schools, eligible to receive 21st CCLC projects from the Florida Department of Education?

A. Faith-based organizations (FBOs) are eligible to apply for 21st CCLC program projects provided they meet all statutory and regulatory requirements of this program. A local sub-grantee, including an FBO, may not discriminate against beneficiaries on the basis of religion. In matters of program eligibility, the SEA may not discriminate against project applicants with regard to religion. However, NCLB Section 4204 requires that states give priority to applications submitted jointly by an LEA, consortium, or entity receiving Title I funds and a community-based organization or other agency proposing to serve students in schools in need of improvement under NCLB Section 1116.

Funds are to be used solely for the purposes set forth in this project. NCLB Section 9505 states that no funds may be expended to support religious practices, such as religious instruction, worship, or prayer. FBOs may offer such practices, but not as part of the program receiving assistance, and FBOs should comply with generally applicable cost accounting requirements to ensure that funds are not used to support these activities.

PROGRAM REQUIREMENTS

The legislation requires SEAs to award projects only to applicants who will primarily serve students who attend schools with high concentration of poor students. In addition, SEAs 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.

There are two levels of program requirements under the NCLB. First, section 4203(a) describes requirements that the State must address in its application to the U.S. Department of Education. Second, section 4204(b)(2) describes requirements that an eligible entity at the local level must address in its application to the State. Both levels of requirements are mandated by statute and must be addressed and implemented.

Statutory Requirements:

Section 4204(b)(c) & (d) of Title IV, Part B; Section 1116 of Title I, Part A

Regulatory Requirements:

20 U.S.C. 7175; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Sections F & G; 2 CFR Part 225 (OMB Circular A-87); Florida Department of Education - 21st CCLC Policy Manual

Q1. Is there a requirement on the number of students to be served?

- A. There are no specific Federal requirements regarding the number of students or family members to be served. However, sub-grantees are required to specify a reasonable number of students and families to be served and the amount of funds requested.

Q2. Can a community-based organization (CBO) apply for the 21st CCLC funds if a district already has an after school program funded by the 21st CCLC?

- A. A CBO may apply for funds and must partner with the school district and ensure that there will be no duplication of services for the same students and families.

Q3. If the sub-grantee desired to have two after school sites and a different summer school site, is this permissible?

- A. It is permissible, provided that the alternate facility is available and accessible.

Q4. May the sub-grantee use 21st CCLC funds to pay for space at a local community college to provide adult education/family literacy program for family members?

A. Funds may be used, provided that the cost is reasonable, necessary, and allocable.

Q5. If a school for which an application is being developed, in this case a middle school, has not yet opened, should the sub-grantee use data from the school's projected feeder school?

A. Yes, provided that the school will be operational by the beginning of the school year and that data from the feeder schools would be appropriate to use as it is the only data available.

Q6. If we are not including a family literacy component, do we need to explain why?

A. Federal statute mandates that all applicants must assess the need for family literacy services as part of their proposal.

Q7. If a school does not provide transportation but students walk to and from school, including to a centrally located center, does this situation meet the "safe access" requirement?

A. Policies regarding the safe transportation of students to and from the program should be addressed and determined by the local agency. A description of the provision for safe transportation must be provided in the application.

Q8. May we use high school students as tutors or use them as volunteers?

A. Applicants are advised to follow local policy about the use of volunteers. In addition, effective practice suggests that tutors receive training to become knowledgeable and able to assist in the instruction of reading, writing, and math.

Q9. May a program be run Monday through Thursday at school and Friday and Saturday at the CBO community site?

A. If the local collaborative agrees, a program may be operated at a combination of sites if all requirements of an off-site program are met.

Q10. Is there a difference between a tutor and a paraprofessional in terms of staffing requirements?

A. Federal legislation does not require tutors or teachers who provide academic enrichment or tutorial services under the 21st CCLC Program to have specific qualifications. However, specific paraprofessional qualifications do apply to LEA employees with instructional duties in 21st CCLC programs that (1) share funding with Title I-funded programs; and/or (2) are part of the Title I school-wide program. The paraprofessional requirements for staff hired by an LEA do not apply if the after school program (1) is not funded with Title I funds; and/or (2) is not part of the Title I school-wide program. Employees who are contracted or employed by agencies other than an LEA that provide 21st CCLC Program services are not required to meet paraprofessional qualifications.

Q11. Is there an example of what an arts program would look like to be in accordance with the 21st CCLC Program?

A. An arts program that provides educational enrichment to help students meet state and local visual and performing arts standards would comply with the regulations of the 21st CCLC Program.

Q12. May an off-site program that is busing in students from various schools operate until 7:30 p.m.?

A. An after school program must operate a minimum required hours as required by the SEA. Programs are welcome to operate for more than the required hours, though no additional funding will be granted.

Q13. Can preschool children participate in the 21st CCLC program?

A. The federal guidance indicates that “students” are the intended beneficiaries of the program; however, the U.S. Department of Education believes that younger children, who will become students in the schools being served, can also participate in program activities designed to get them ready to succeed in school. While some 21st CCLC funds might be used for programs that include preschoolers, an entire program may not be directed to preschoolers because the intent of the legislation is to focus on the school-age population and their families.

Q14. Can 21st CCLC provide programming for morning Pre-Kindergarten students in the afternoon? Can parent classes for 21st CCLC be offered during school hours?

A. In general, services are to be provided outside the regular school day or during periods when school is not in session (i.e., before school, after school, evenings, weekends, holidays or summer). However, activities targeting pre-kindergarten children and adult family members may take place during regular school hours, as these times may be the most suitable for serving these populations. The 21st CCLC pre-K program cannot supplant an existing program.

Q15. What percentage of staff must be certified?

A. The applicant should review its approved project application as reference for this question. Sub-grantees are encouraged to employ high-qualified staff that will positively impact student performance.

Q16. How does 21st CCLC fit within the broader context of a school's improvement plan?

A. A 21st CCLC program can be an important component in a school improvement plan, particularly as it offers extended learning time to help children meet State and local academic standards. Local programs must ensure that the academic services they provide are aligned with the school's curriculum in the core subject areas. Applicants are encouraged to show linkages between the school's improvement plan and the activities offered in the 21st CCLC program.

Q17. Do family literacy activities have to take place between 3:00 p.m. – 5:30 p.m.?

A. Program activities for families of students served by the 21st CCLC may occur during the school day and in the evenings, as long as the times are convenient for family members to participate.

Q18. What is the effect of the Florida Department of Education's approval of a project application?

A. Once the Department approves a project application, the sub-grantee is required to administer and operate its project in accordance with its application and any amendments, and in compliance with all applicable Federal and State laws and regulations.

Q19. Is it a requirement that a sub-grantee must have required documentation for personnel costs charged to the 21st CCLC project?

A. Charges for salaries and wages must be supported by periodic certifications for employees who worked solely on that program for the period covered by the certification. These certifications must be prepared at least semi-annually and are signed by the employee or supervisory official having first hand knowledge of the work performed by the employee. For employees working on multiple activities, personnel activity reports (PARs) must (1) reflect an after-the-fact distribution of the actual activity of each employee; (2) account for the total activity for which each employee is compensated; (3) prepare at least monthly and coincide with one or more pay periods; and (4) sign by the employee.

Q20. Is it a requirement that a sub-grantee must have a management plan to achieve its goals and objectives?

A. The program must have a management plan to achieve the objectives of the project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

Q21. Is it a requirement that a sub-grantee has to identify program plans for staff development?

A. The program must identify program plans for professional development for staff delivering program activities and provide evidence of qualified staff with adequate student to staff ratios.

Q22. Is it a requirement that a sub-grantee must support the Reading initiative?

A. The program must describe the relationship of the project to the reading initiative, Just Read, Florida! and offer supports to this initiative.

Q23. Is it a requirement that a sub-grantee has to include a diversity of perspectives in the operation of the project?

A. The program must include the perspectives of parents, teachers, private and public schools, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or others as appropriate.

Q24. Is it a requirement that a sub-grantee has to identify methods for marketing and dissemination of program information to appropriate population?

A. The program must identify methods that will be used to disseminate and market information about the project to the appropriate population.

Q25. Is it a requirement that a sub-grantee has to collaborate with the regular school day staff?

A. The program must collaborate with the regular school day staff to ensure after school program activities are aligned to the regular school day activities.

Q26. Is it a requirement that a sub-grantee must recruit and utilize senior volunteers?

A. It is not a Federal requirement; however, sub-grantees are encouraged to recruit senior volunteers to support after school program activities.

Q27. Is it a requirement that a sub-grantee must provide daily snacks to students?

A. The 21st CCLC program providers must offer a daily, nutritious snack that meets the requirements of the USDA National School Lunch Program for meal supplements, and funds used for this activity must come from sources other than 21st CCLC funds. (Please note that state and federal funds awarded through the State of Florida may not be used for purchase of food.)

Q28. Is it a requirement that a sub-grantee has to identify sources of federal and other funds used for the program?

A. The program must identify federal and other sources of funds used for the program.

Q29. Is it a requirement that a sub-grantee has to identify and serve the target population?

A. The program must identify and serve eligible students and their families consistent with the approved application.

Q30. May children with disabilities be served in the 21st CCLC program?

A. The program must identify and provide appropriate services to eligible students with disabilities as required under Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112, as amended), and the Individuals with Disabilities Education Act (IDEA) (P.L. 94-142, as amended). The statute prohibits the use of 21st CCLC funds for services that the school districts or agencies are otherwise required by Federal, State, or local law to make available for students with disabilities.

Q31. May a sub-grantee desires to have a policy to target public school students that are low academic achievement? And may sub-grantees use the same selection criteria for private school children residing in the eligible attendance area?

A. Sub-grantees may use that criteria for targeting such public school children; sub-grantees may use the same criteria for targeting private school children.

Q32. What constitutes a consortium?

A. A consortium consists of two or more of the same entity, such as two schools, school districts, or other agencies or organizations applying together.

Q33. What does partnership mean?

A. A partnership involves having at least one LEA receiving funds under Title I, Part A and a community-based organization or other public or private entity working together in the delivery of services, share project resources to carry out those roles, and have significant on-going involvement in the management and oversight of the program.

Q34. What distinguishes a partner from a contracted service provider?

A. A partner is involved in the organization and implementation of the program. A contracted service provider is an organization that is contracted to deliver a specific service to the program.

Q35. Can a 21st CCLC program be operated during the day when out-of-school suspension students are not in school?

A. The program cannot be implemented during the regular school hours.

FISCAL REQUIREMENTS

21st CCLC funds may be used only to benefit eligible 21st CCLC students and their families; they may not be used to support projects of general aid to populations that include non-21st CCLC children. The legislation requires the Florida Department of Education to manage the project competition and award projects to eligible organizations for local programs. The SEA is accountable for ensuring that all statutory requirements are met.

Statutory Requirements:

Section 4204(d) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 7175; U.S. Department of Education, Non-Regulatory Guidance, February 2003; 2 CFR Part 225 (OMB Circular A-87); Florida Department of Education Green Book; Florida Department of Education – 21st CCLC Policy Manual

Q1. Should the five-year budget page show years 2-5 or a total of years 1-5?

A. The five-year budget plan should include all five years. This will be the projected cost break down throughout all five years. During the years when funding is reduced, the program should show how program operations will be maintained.

Q2. Are the funds diminishing year-by-year or is there just a match requirement?

A. Funds will start decreasing in years 3-5. That is why the sub-grantee must have partners to sustain its project at the current level in years 3-5. The State has no matching requirement for its 21st CCLC programs.

Q3. May a community-based organization partnering with an LEA use its own chart of account codes?

A. The CBO may utilize its chart of accounts if it is the fiscal agent for the project.

Q4. When must project applications be amended?

- A. A formal project amendment is required when a sub-grantee has (1) budget revisions which will increase the total amount of the project; (2) budget revisions which are necessary to implement a program amendment; (3) an increase in the total amount budgeted for capital outlay; and (4) changes in program objectives, types of target groups to be served, criteria for selection of target groups, project evaluation scope, or add any personnel position or professional or technical services not described in the project application.

USE OF FUNDS

Section 4025 of Title IV, Part B provides that a sub-grantee may use 21st CCLC funds for projects designed to provide supplemental services to meet the needs of children from low-income and low-performing schools. Each eligible sub-grantee that receives an award may use the funds to carry out a broad array of before-and after school activities (or activities during other times when school is not in session) that advance student achievement. 21st CCLC funds may be used only to pay for authorized activities to meet the needs of those children. The authorized activities include the following:

- 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.

Statutory Requirements:

Section 4205(a) of Title IV, Part B; Section 427 of GEPA; Title VI of the Civil Rights Act; Title IX of the Education Amendments of 1972; Section 504 of Rehabilitation Act; Section 9534 of Title IX

Regulatory Requirements:

20 U.S.C. 7175; 34 CFR 76.303, 76.560, 76.561, & 76.563 of EDGAR; 2 CFR Part 220 (OMB Circulars A-21), 2 CFR Part 225 (OMB Circular A-87, & 2 CFR Part 330 (OMB Circular A-122); U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section G

Q1. May 21st CCLC funds be used to charter a bus for special field trips?

- A. 21st CCLC funds may be used to provide services only to address the special educational needs of eligible and participating students. Costs incurred for

transportation and admission on a field trip may be charged to the appropriate 21st CCLC program if the following conditions are met: (1) the school (or sub-grantee) establishes and maintains documentation which shows that each field trip directly relates to the approved program application to meet the identified special educational needs of 21st CCLC students; (2) all program and fiscal records related to the field trip are kept on file; (3) the school (or sub-grantee) has provided appropriate preparation as well as follow-up activities utilizing the knowledge gained from the trips; and (4) the school (or sub-grantee) must determine whether those gains are consistent with the sub-grantee's program objectives.

Q 2. Can the 21st CCLC fund both an after school and summer school program?

A. Yes.

Q3. The center will be based at the school, so there will be no charge to use of building facilities, but extra expenses will be occurred in the areas of maintenance and utilities. May a sub-grantee budget funds for that cost?

A. It may, provided that the costs are reasonable and necessary for the success of the program and are distributed on an equitable basis.

Q4. Is it an allowable cost to use 21st CCLC funds for dissemination activities, such as website set up and design, creation of video about the program?

A. It is an allowable cost so long the cost is reasonable, necessary, and allocable.

Q5. What is an indirect cost?

A. Indirect costs are those that (1) have been incurred in the course of pursuing a common or joint purpose that benefits more than one cost objective; and (2) are not readily assignable to those cost objectives without an effort that is disproportionate to the benefits of doing so. They differ from direct costs which, because they can be identified specifically with a particular cost objective, may be charged directly to a particular grant or contract.

Q6. Can 21st CCLC program funds support services to adults?

A. Adult family members of students participating in a community learning center may participate in educational services or activities appropriate for adults. In particular, local programs may offer services to support parental involvement and

family literacy. Services may be provided to families of students to advance the students' academic achievement. However, programs are only open to those adults who are members of the families of participating children.

Q7. Can 21st CCLC program funds support services for pre-kindergarten children?

- A. Although “students” are designated in statute as the intended beneficiaries of the program, younger children who will become students in the schools being served can also participate in program activities designed to get them ready to succeed in school.

Q8. Several civil rights laws apply to recipients of Federal projects. Do these laws apply to private organizations that receive a project under this program?

- A. These laws apply to recipients of Federal financial assistance, whether they are public or private. They include Title VI of the Civil Rights Act, which bars discrimination based on race, color, or national origin; Title IX of the Education Amendments of 1972, which bars discrimination based on gender; Section 504 of the Rehabilitation Act of 1975. Section 9534 of the Elementary and Secondary Education Act in effect provides that nothing in that Act would change the application of these laws.

Q9. Which equitable access and participation regulations apply to this program?

- A. Section 427 of the General Education Provision Act (GEPA) affects applicants for this project. All applicants must include information to address this provision under the “Equitable Access” portion. Section 427 requires each applicant to include its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Section 427 is not intended to duplicate the requirements of the civil rights statutes, but rather to ensure that, in designing their projects, applicants address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards.

Q10. What are some examples of how an applicant might satisfy the Section 427 GEPA requirements?

A. The following examples may help illustrate how an applicant might satisfy the Section 427 of GEPA.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on an audio-tape or in Braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the program might indicate how it intends to conduct “outreach” efforts to girls to encourage their enrollment.

Q11. Can 21st CCLC program funds be used to pay for snacks?

A. 21st CCLC funds cannot be used to pay for snacks.

Q12. What records are necessary to support the salary costs charged to 21st CCLC funds for an employee who works on 21st CCLC duties but also has other program responsibilities?

A. An employee is required to maintain appropriate time distribution records. Actual costs charged to each program must be based on the employee’s time distribution records.

Q13. May 21st CCLC funds be used to train personnel in preparation for implementing a program in a subsequent school year?

A. In preparation for implementing an after school program that embeds academic content areas into creative and fun academic enrichment activities during the next school year, a sub-grantee may use current 21st CCLC funds to implement a training program for 21st CCLC paid staff as well as teachers to be served by the new project during the next school year, provided that the training activities take place during the approved program period.

- Q14. May 21st CCLC funds be used to pay for travel and conference costs?**
- A. The costs for staff travel and conferences are allowable if the travel and conferences are specifically related to the 21st CCLC program and not to the general needs of the sub-grantee. These costs must be reasonable and necessary.
- Q15. Is it allowable to conduct student field trips during school hours?**
- A. No. According to the USDE 21st CCLC Non-Regulatory Guidance, community learning centers must offer services during non-school hours or periods when school is not in session (i.e., before school, after school, evenings, holidays, school vacation periods).
- Q16. May 21st CCLC funds be used to pay for employee benefits such as pension plans, unemployment insurance coverage, health insurance, severance pay, and life insurance?**
- A. Employers' contributions for employee benefits such as these are an allowable use of 21st CCLC funds provided the benefits are granted under approved plans and the costs are distributed equitably to the 21st CCLC grant and other activities. For questions regarding severance pay, sub-grantees should contact the SEA for more information.
- Q17. May 21st CCLC funds be used to pay the salary costs for employees during periods of authorized absences such as annual leave, sick leave, and sabbatical leave?**
- A. Employee benefits in the form of compensation paid during reasonable authorized absences from the job are an allowable use of 21st CCLC funds if the benefits are provided under an established leave system and the costs are equitably allocated to all related activities, including the 21st CCLC program.
- Q18. May 21st CCLC funds be used to provide training/professional development for instructional and support personnel not paid with 21st CCLC funds?**
- A. The cost of training personnel not paid with 21st CCLC funds is an allowable charge if the training is specifically related to the 21st CCLC program and designed to meet the specific needs of 21st CCLC participants and supplements, rather than supplants, State and local training.

Q19. Can school districts co-mingle funds (e.g., Title I, Title IV Safe and Drug Free Schools) with 21st CCLC?

A. Funds may not be co-mingled. However, multiple resources may be used to support 21st CCLC programs. Sub-grantees are encouraged to use additional financial resources in preparation for sustaining the program once the project period has ended.

FEES AND PROGRAM INCOME

Section G-14 of the United States Department of Education's 21st CCLC Program Non-Regulatory Guidance states that services must be equally accessible to all students targeted for services regardless of their ability to pay. Programs that propose to charge fees may not prohibit any family from participating due to its financial situation. Programs that propose to charge fees must offer a sliding scale of fees and scholarships for those who cannot afford to participate, and any income collected from fees must be used to fund program activities specified in the project application.

Statutory Requirements:

Section 4204(d)(2) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 7175; 34 CFR 74.24 & 80.25; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Section G; Florida Department of Education, Green Book

- Q1. May fee-based funds be carried out over from one year program to another and used as one piece of sustainability planning?**
- A. Fees generated from program participants are considered as program income and that it must be spent during the approved grant period as stated in the award notification (DOE 200), which is defined as the time between the effective date and the ending date of the project award (34 CFR 80.25).
- Q2. How would a sub-grantee be safeguarded fee-based funds for sustainability purposes because a fee for service is program income?**
- A. A sub-grantee may charge fees so long as students are not barred from participating based on an inability to pay. The funds are considered program income and must be used within the approved grant period as stated in the award notification (DOE 200); they cannot be saved for sustainability (34 CFR 80.25).
- Q3. Are sub-grantees required to obtain a prior approval from the Florida Department of Education regarding charging fees?**
- A. Sub-grantees are required to obtain a prior approval from the Department for charging fees. If authorized by the Florida DOE, program income may be added to the project. When program fees are added as program income, they must be used for the purposes and comply with the conditions of the award.

SUPPLEMENT, NOT SUPPLANT

The legislation requires that sub-grantees must use 21st CCLP program funds to supplement and not supplant other federal, State, and local funds. This “supplement, not supplant” provision was not included in the previous statute.

Statutory Requirements:

Section 4204(b)(G) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 7174(b)(2)(G); U.S. Department of Education, Non-Regulatory Guidance, February 2003, Page 7; 2 CFR Part 220 (OMB Circulars A-21), 2 CFR Part 225 (OMB Circular A-87, & 2 CFR Part 330 (OMB Circular A-122)

Section 4203(a)(9) of Title IV, Part B requires that the 21st CCLC project funds supplement (increase), and not supplant (replace) existing funding for the activities allowed in the project. Compliance with supplement, not supplant provisions is based on the theoretical answer to the question – What would the sub-grantee have done in the absence of the federal grant funds? Because the question can be answered only in theory (since the federal funds are available), instances of supplanting with federal funds are often not clear.

The U.S. Department of Education’s section in the OMB Circular A-133 Compliance Supplement (a guide for auditors performing single audits) listed some of these sample situations in which supplanting is presumed to have occurred: (1) The local education agency (LEA) used Federal funds to provide services that the LEA was required to make available under other Federal, State or local laws; (2) The LEA used Federal funds to provide services that the LEA provided with non-Federal funds in the prior years; and (3) The LEA used 21st CCLC funds to provide services for participating children that the LEA provided with non-Federal funds for non-participating children.

- Q1. In regard to supplanting vs. supplementing services, what about programs wishing to supplant currently offered services that are not meeting needs with services that will better meet the needs of students?**
- A. The 21st CCLC program funds must supplement, not supplant, currently existing funds. If a current program is not meeting the needs of the community, 21st CCLC Program funds may be used to supplement that program (additional services, extending services to a greater number of students), but they may not be used to replace any funding for services currently in place, including funding of services that may not be meeting the needs of participating students.

Q2. It was stated that 21st CCLC Program funds could not be used to support an existing program (supplanting). Can these funds be used to enhance (hire additional teachers, for example) an existing program?

A. These funds can be used to enhance an existing program by expanding service to more students and schools with the associated costs that would require additional staff.

SUSTAINABILITY

One of the goals of the 21st CCLC program is to continue activities beneficial to students after the project period is over. The application should be structured in such a fashion that it will become self-sustaining. Applicants are eligible to receive 100% funding for the first two years of the program. During the third year, the recipient should demonstrate a match of 20%, 40% of the fourth year and 60% in the fifth year of the project.

Statutory Requirements:

Section 4204(d) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 7175; 34 CFR 74.23; 34 CFR 80.24 & 80.25; U.S. Department of Education, Non-Regulatory Guidance, February 2003

Q1. What are the requirements for program sustainability?

- A. Applicants will receive 100% funding for the first two years of the program. The recipient should demonstrate a contribution of 20% in the third year, 40% the fourth year, and 60% in the fifth year of the project.

Q2. Are sub-grantees required to keep records of in-kind contributions?

- A. The regulations at 34 CFR 75.730(c) and (d) require that a sub-grantee keeps records that fully show the total cost of the project and the share of that cost provided from other sources. In addition, in-kind contributions must be verifiable and its records must show the value placed on third-party in-kind contributions was derived [34 CFR 80.24(b)(6)].

Q3. An SEA awards projects for five years with a decline of 40% in the fourth year and 60% in the fifth year, what if the project amounts falls below the \$50,000 per project? For example, if the original project was for \$60,000, then, the final year would be \$36,000, is that allowable?

- A. The statute specifically requires that a project award be an amount not less than \$50,000 [20 USC 7174(h)].

ASSESSMENT & EVALUATION

The legislation requires states to develop performance indicators and performance measures that they can use to evaluate programs and activities. States must require local sub-grantees to implement programs that meet the principles of effectiveness. In addition, sub-grantees must periodically evaluate their programs to assess progress toward achieving the goal of providing high quality opportunities for academic achievement.

According to statute, programs or activities must be based on: (1) an assessment of objective data regarding the need for before school, after school (including summer school programs) and activities in schools and communities; (2) an established set of performance measures aimed at ensuring high quality academic enrichment opportunities; and (3) if appropriate, scientifically-based research that provides evidence that the program or activity will help students meet the State and local academic achievement standards.

The Florida Department of Education expects that each sub-grantee will use its quarterly performance data and other information pertinent to local program implementation for a continuous review of program performance. The focus of local evaluation activity should be the continuous improvement toward the attainment of defined program goals and reporting that informs the public and potential partners of the nature and value of the program. The results of the evaluation must be used to refine, improve, and strengthen the program and to achieve the performance measures.

Statutory Requirements:

Sections 4202(c) & 4205(b) of Title IV, Part B; Section 9101(37) of Title IX, Part A

Regulatory Requirements:

20 U.S.C. 7175; 34 CFR 74.51, 76.722, & 76.770 of EDGAR; U.S. Department of Education, Non-Regulatory Guidance, February 2003, Sections E, F, G, & H

- Q1. **What evidence is required from a sub-grantee program to determine whether 21st CCLC programs are research-based and effective?**
- A. There are two elements to be considered. The first element involves basing the sub-grantee's program on activities that have proven effectiveness (activities proven through scientifically based research). The second element involves evaluating the effectiveness of the sub-grantee's program using scientific principles.

Q2. What is the definition of “principles of effectiveness?”

- A. The law defines that a program or activity developed must be based upon (1) an assessment of objective data regarding the need for before and after school programs (including during summer recess periods) and activities in the schools and communities; (2) an established set of performance measures aimed at ensuring the availability of high quality academic enrichment opportunities; and (3) if appropriate, scientifically based research that provides evidence that the program or activity will help students meet the State and local student academic achievement standards.

Q3. What is scientifically-based research?

- A. Scientifically-based research, as defined in the Title IX of the reauthorized ESEA, is research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. This means research that: (1) employs systematic, empirical methods that draw on observation or experiment; (2) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn; (3) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators; (4) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random assignment, experiments, or other designs to the extent that those designs contain within-condition or across-condition controls; (5) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; (6) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, scientific review.

Q4. What is evaluation based on scientific principles?

- A. In addition to choosing activities for the program that are based on sound scientifically based research, the sub-grantee will need to base its evaluation on scientific principles that align with the aforementioned description of scientifically based research. When feasible, programs should strive to use experimental or quasi-experimental research designs to test the effectiveness of their activities in achieving objectives. If such designs are not possible due to low enrollment or other reasons, such reasons should be stipulated and more appropriate evaluation methods chosen and justified. For more information on the U.S. Department of Education’s proposed definition of scientifically based

evaluation, please visit <http://www.ed.gov/legislation/FedRegister/proprule/2003-4/110403b.html>

Q5. When is scientifically-based research appropriate for the 21st CCLC program?

A. 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 on such research.

Q6. What are the evaluation requirements for local sub-grantees?

A. Each sub-grantee must conduct on going evaluation of activities to assess its progress toward achieving its goal of providing high-quality opportunities for academic enrichment. The evaluation must be based on the factors included in the principles of effectiveness. The results of the evaluation must be: (1) used to refine, improve, and strengthen the program and to refine the performance measures; (2) assessed the effectiveness of activities; (3) shared with appropriate local and state stakeholders; and (4) made available to the public upon request. Sub-grantees must work with the State Evaluation Program to evaluate the academic progress of children participating in the state's 21st CCLC program.

Q7. How will programs be evaluated?

A. Each program must propose a local evaluation that takes into consideration all aspects of the program's function, but particularly its effectiveness in implementing a high-quality experience for students that improves their development and academic achievement. Each sub-grantee must assure participation in a statewide evaluation and agrees to collect data and cooperate fully with the Program Evaluation (PE) Unit. Finally, sub-grantees will be required to provide information to the U.S. Department of Education. Programs should expect on-site visits from the 21st CCLC Evaluation and Technical Assistance and Training Units during the funding period.

Q8. How will the SEA ensure that organizations other than LEAs will be able to provide academic enrichment and have access to student achievement data?

A. The SEA will give priority to applications submitted jointly by (1) an LEA receiving Title I funds, and (2) CBOs or other public or private organizations that propose to serve students attending schools in need of improvement. Through such partnerships, a sub-grantee is responsible for implementing and evaluating the local program by ensuring access to student achievement data. Because of the

legal obligation to maintain confidentiality of student data, the Department encourages LEAs to gather the achievement data necessary to evaluate the effectiveness of the program. The LEAs should also be responsible for sharing the content area standards and curriculum with its partners.

Q9. Do sub-grantees have to use scientific research tied to academic achievement to justify arts and music activities, recreational activities, or character education programs?

A. It is highly recommended that these activities or programs be integrated with the academic activities that are being addressed by the program.

PROPERTY

The purpose of this component is to establish the procedures for maintaining appropriate records and disposition of 21st CCLC equipment. The Florida Department of Education is responsible for managing and disposing of equipment acquired under the 21st CCLC grant in accordance to Florida laws and procedures.

Statutory Requirements:

Section 274, Florida Statutes

Regulatory Requirements:

20 U.S.C. 7175; 34 CFR 74.34, 80.32(c)(d) & (e), 80.33(b) of EDGAR; Rules of the Florida Auditor General, Chapter 10.400; Rule 6A-2.28, FAC

Q1. May computers be purchased with 21st CCLC funds?

- A. Computer purchases are allowable, so long as these purchases are consistent with the grant agreement. In addition, a sub-grantee must determine that (1) the equipment is reasonable and necessary to effectively operate its 21st CCLC program; (2) existing equipment it already has will not be sufficient; and (3) the costs are reasonable.

Q2. What happens to the equipment purchased with 21st CCLC funds when it is no longer needed for 21st CCLC activities?

- A. Equipment must be used by the sub-grantee in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by the 21st CCLC program. The sub-grantee shall also make equipment available for use on other projects or programs currently or previously supported by the 21st CCLC program, providing such use will not interfere with the work on the projects or programs for which it was originally acquired. If there are no such current activities, the sub-grantee should contact the Florida Department of Education for disposition procedures.

Q3. What are the management requirements for equipment purchased with 21st CCLC funds?

- A. Procedures for managing equipment purchased with 21st CCLC funds must meet the following requirements: (1) property records must be maintained that include a description of the property, a serial number or other identification number, the source of property, who hold the title, the acquisition date, and cost of the

property, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property; (2) a physical inventory of the property must be taken and the results reconciled with the property records at least once every two years; (3) a control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated; (4) adequate maintenance procedures must be developed to keep the property in good condition; and (5) if the sub-grantee is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

Q4. What procedures govern disposition of equipment purchased with 21st CCLC funds?

- A. Section 80.32(b) of EDGAR requires that an SEA will dispose of equipment in accordance with its laws and procedures. Sub-grantees are required to submit a written request to the SEA for property disposition.

Q5. May equipment be purchased for the faith-based organizations?

- A. Equipment may be purchased by FBOs for use in the 21st CCLC program. The fiscal agent is required to maintain the equipment on its inventory list. The equipment cannot be used for any religious activities.

COMPLAINT PROCEDURES OF THE STATE EDUCATIONAL AGENCY (SEA)

The SEA is required to adopt procedures for receiving and resolving any technical or policy questions about the way in which the State's 21st CCLC program is operated, or complaints that a sub-grantee is violating a Federal statute or regulation that applies to the 21st CCLC program.

Statutory Requirements:

Section 4202(c)(3) of Title IV, Part B

Regulatory Requirements:

20 U.S.C. 1221e-3(a)(1), 6511(a), & 7373(b); 34 CFR 299.11, 76.770 of EDGAR

Q1. What is the process for resolving technical/policy questions or complaints that are raised by the sub-grantees?

- A. The process includes the following procedural steps:
- The 21st CCLC staff should first consult with their immediate supervisor to discuss possible solutions to resolve the program's questions or complaints that arise at the sub-grantee level;
 - Sub-grantee administrators may contact the 21st CCLC Technical Assistance and Training Unit or Program Evaluation Unit for assistance in providing answers to questions relating to program implementation or evaluation.
 - The Director of the Technical Assistance and Training or Program Evaluation Unit **shall** consult the SEA Program Director or designee if those questions require the interpretations of the Federal or State law, regulation, or policy;
 - Sub-grantee administrators may directly contact the Policy, Research, and Compliance Unit for questions relating to policy interpretations or compliance monitoring;
 - Sub-grantee administrators may directly contact the SEA for any questions or complaints;
 - The State Director or designee will research the question or complaint and will provide a response to the sub-grantee administrator, as appropriate, within 15 calendar days after the date the SEA receives a question or complaint;
 - Questions or complaints requiring a written response must be addressed in writing to the State Program Director, and a written response will be provided

within 30 calendar days after the date the SEA receives the question or complaint;

- If questions or interpretations require further guidance, the SEA will contact the U.S. Department of Education, Office of 21st CCLC program, in writing for the resolution of questions and interpretations. The SEA will also consult with appropriate officials within the SEA for responses to questions or complaints. Responses will be provided by the SEA within 45 calendar days.

AUDITS

The U.S. Department of Education's General Education Provisions Act (GEPA), Section 441(b)(3) requires that the SEA will adopt and use proper methods of administering each applicable program, including the monitoring of agencies, institutions and organizations responsible for carrying out each program, and the enforcement of any obligations imposed on those agencies, institutions, and organizations under law, and provide technical assistance, where necessary, to such agencies, institutions and organizations.

Statutory Requirements:

Section 4202(c) of Title IV, Part B; Section 437(a) of GEPA; The Single Audit Act Amendments of 1996; Section 215.97(2)(a) & (7)(a), Florida Statutes

Regulatory Requirements:

OMB Circular A-133; 34 CFR 74.51, 76.734 of EDGAR; Chapters 10.550 & 10.650, Rules of the Auditor General; DOE Green Book

Q1. What does the Single Audit Act of 1984 require?

- A. The Federal Single Audit Act of 1984 (as amended by the Federal Single Audit Act Amendments of 1996) requires that an independent auditor annually audit, for internal control and compliance, SEAs or LEAs receiving \$500,000 or more a year in Federal assistance. Those receiving less than \$500,000 a year are governed by audit requirements prescribed by State or local law or regulation. Under a single audit, auditors test the charges of each major Federal assistance program.

Q2. What document do auditors use to conduct audits under the Single Audit Act?

- A. Auditors use the compliance Supplement to Office of Management and Budget Office (OMB) Circular A-133 (entitled "Audits of States, Local Governments and Non-Profit Organizations"). The Compliance Supplement identifies important fiscal and programmatic compliance requirements that the Federal Government expects auditors to examine for each major Federal program that they review in a State or local single audit.

Q3. Who resolves audit findings?

- A. The Florida Department of Education resolves audits regarding local educational agencies (LEAs), faith-based organizations (FBOs), and community-based organizations (CBOs).

Q4. How does a sub-grantee prepare for an audit?

- A. There are certain ongoing activities that assist in preparing for an audit. They are:
- Establishing internal controls;
 - Complying with Federal and State requirements;
 - Establishing and maintaining proper record keeping and record retention systems; and
 - Requesting and performing internal audits.

Q5. What types of internal controls should a sub-grantee have in place?

- A. A sub-grantee should have internal controls that demonstrate, among other things, that :
- Payroll records support charges to federal funds;
 - Procedures exist to verify that charges are allowable under the 21st CCLC grant;
 - Procedures exist to verify that program participants are eligible; and
 - Corrective action results from monitoring reviews.

Q6. What are general responsibilities of the Florida Department of Education required by the Federal government?

- A. According to Section 441(b)(3) of GEPA, the SEA is required to adopt and use proper methods of administering each applicable program, including the monitoring agencies, institutions and organizations responsible for carrying out each program, and the enforcement of any obligations imposed on those agencies, institutions, and organizations under law, and provide technical assistance, where necessary, to such agencies, institutions and organizations

Q7. Under what authority does the Florida Department of Education monitor sub-grantee 21st CCLC programs?

- A. Section 80.40(a) of EDGAR requires that the SEA monitor sub-grantee supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved. This provision also requires the SEA to manage the day-to-day operations of sub-grantee activities and to monitor each program, function or activity of the grant. Monitoring instruments should be sufficiently comprehensive to determine whether sub-grantees have made progress toward meeting all approved project objectives.

Q8. What are the sub-grantee record requirements?

- A. According to 34 CFR 76.730, 80.20(2) & (6) of EDGAR, and OMB Circular A-87, sub-grantees are required to maintain records which adequately identify the source and application of funds provided for financially-assisted activities. These records must contain information pertaining to sub-grant awards and authorizations, obligations, un-obligated balances, assets, liabilities, outlays or expenditure, and income. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and sub-grant award documents, etc. Sub-grantees are required to keep records that fully show: (a) the amount of funds under the sub-grant; (b) how the sub-grantee uses the funds; (c) the total cost of the project; (d) the share of that cost provided from other sources; and (e) other records to facilitate an effective audit.

Q9. How long must sub-grantees retain fiscal and compliance records?

- A. Sub-grantees must retain records for five (5) years after completion of grant activity.

Q10. May the SEA's program monitors cite a sub-grantee for non-compliance with 21st CCLC requirements or the approved project application?

- A. The sub-grantee is responsible for implementing its program as approved by the SEA. Any failure to adhere to the provisions of the approved application may expose the sub-grantee to a finding of non-compliance. This could result in the need for either corrective action or a monetary refund [Section 452(a) of GEPA].

Q11. What auditing services will community-based or faith-based organizations use?

- A. Community-based or faith-based organizations may obtain their own auditing services staff who has extensive experience with Federal programs or they may contact the State Auditor General's Office requesting assistance.

Q12. May the cost of audit be allowable if the total of sub-grantee's grant amount is less than \$500,000?

- A. No. The cost of the audit must be paid from non-Federal resources.