

112TH CONGRESS  
2D SESSION

# H. R. 3821

To reauthorize 21st century community learning centers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2012

Mr. KILDEE (for himself, Mrs. LOWEY, and Ms. DELAURO) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To reauthorize 21st century community learning centers, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “After School for Amer-  
5       ica’s Children Act of 2012”.

6       **SEC. 2. PURPOSE; DEFINITIONS.**

7       Section 4201 of the Elementary and Secondary Edu-  
8       cation Act of 1965 (20 U.S.C. 7171) is amended—

9               (1) in subsection (a)—

1 (A) in paragraph (1), by striking “, such  
2 as reading and mathematics”;

3 (B) in paragraph (2)—

4 (i) by inserting “service learning, nu-  
5 trition and health education,” before “drug  
6 and”;

7 (ii) by striking “and character edu-  
8 cation programs,” and inserting “social  
9 and emotional learning programming,  
10 character education programs, and phys-  
11 ical fitness and wellness programs,”; and

12 (C) by striking paragraph (3) and insert-  
13 ing the following:

14 “(3) offer families of students served by com-  
15 munity learning centers opportunities for active and  
16 meaningful engagement in their children’s education,  
17 including opportunities for literacy and related edu-  
18 cational development.”; and

19 (2) in subsection (b)—

20 (A) in paragraph (1)—

21 (i) by striking subparagraph (A) and  
22 inserting the following:

23 “(A) assists students in meeting State and  
24 local academic achievement standards in core  
25 academic subjects by providing the students

1 with academic and enrichment activities and a  
2 broad array of other activities (such as drug  
3 and violence prevention, physical education,  
4 wellness education, art, music, counseling, and  
5 technology programs) during nonschool hours  
6 or periods when school is not in session (such  
7 as before or after school or during summer re-  
8 cess) that—

9 “(i) reinforce and complement the  
10 regular academic programs of the schools  
11 attended by the students served; and

12 “(ii) are targeted to the students’ aca-  
13 demic needs and aligned with the instruc-  
14 tion students receive during the school day;  
15 and”; and

16 (ii) in subparagraph (B), by inserting  
17 “and opportunities for active and meaning-  
18 ful engagement in their children’s edu-  
19 cation” before the period at the end;

20 (B) by redesignating paragraph (4) as  
21 paragraph (7); and

22 (C) be redesignating paragraphs (2) and  
23 (3) as paragraphs (4) and (5), respectively;

24 (D) by inserting after paragraph (1) the  
25 following:

1           “(2) SOCIAL AND EMOTIONAL LEARNING.—The  
2           term ‘social and emotional learning’ means the proc-  
3           ess through which children and adults acquire the  
4           knowledge, attitudes, and skills associated with the  
5           core areas of social and emotional competency in-  
6           cluding—

7                   “(A) self-awareness and self management  
8                   to achieve school and life success, such as iden-  
9                   tifying and recognizing strengths, needs, emo-  
10                  tions, values and self-efficacy, impulse control  
11                  and stress management, self-motivation and  
12                  discipline, and goal setting and organization  
13                  skills;

14                  “(B) social awareness and interpersonal  
15                  skills to establish and maintain positive rela-  
16                  tionships, such as perspective taking and re-  
17                  spect for others, communication, working coop-  
18                  eratively, negotiation, conflict management, and  
19                  help-seeking; and

20                  “(C) decision-making skills and responsible  
21                  behaviors in personal, academic and community  
22                  contexts, such as situational analysis, problem  
23                  solving, reflection, and social and ethical re-  
24                  sponsibility.

1           “(3) SOCIAL AND EMOTIONAL LEARNING PRO-  
2           GRAMMING.—The term ‘social and emotional learn-  
3           ing programming’ refers to classroom instruction  
4           and schoolwide activities and initiatives that—

5                   “(A) integrate social and emotional learn-  
6                   ing into school curriculum;

7                   “(B) provide systematic instruction where-  
8                   by social and emotional skills are taught, mod-  
9                   eled, practiced, and applied so that students use  
10                  them as part of their daily behavior;

11                  “(C) teach children to apply social and  
12                  emotional skills to prevent specific problem be-  
13                  haviors such as substance use, violence, bul-  
14                  lying, and school failure, and to promote posi-  
15                  tive behaviors in class, school, and community  
16                  activities; and

17                  “(D) establish safe and caring learning en-  
18                  vironments that foster student participation,  
19                  engagement, and connection to learning and  
20                  school.”;

21                  (E) in paragraph (5) (as so redesignated),  
22                  by inserting “Indian tribe or tribal organization  
23                  (as such terms are defined in section 4 of the  
24                  Indian Self-Determination and Education Act

1 (25 U.S.C. 450b)),” after “community-based  
2 organization,”; and

3 (F) by inserting after paragraph (5) the  
4 following:

5 “(6) EXTERNAL ORGANIZATIONS.—The term  
6 ‘external organization’ means a nonprofit organiza-  
7 tion with a record of success in running or working  
8 with after school programs.”.

9 **SEC. 3. ALLOTMENTS TO STATES.**

10 Section 4202(c) of such Act (20 U.S.C. 7172(c)) is  
11 amended—

12 (1) in paragraph (1), by striking “95 percent”  
13 and inserting “93 percent”;

14 (2) in paragraph (2)—

15 (A) in subparagraph (B), by inserting “rig-  
16 orous” before “peer review”; and

17 (B) by striking “supervising the” and in-  
18 serting the following:

19 “(C) supervising the”; and

20 (3) in paragraph (3)—

21 (A) in the matter preceding subparagraph  
22 (A), by striking “3 percent” and inserting “5  
23 percent”; and

24 (B) by adding at the end the following:

1           “(E) Ensuring that any eligible entity that  
 2           receives an award under this part from the  
 3           State aligns the activities provided by the after-  
 4           school program with State academic standards.

5           “(F) Ensuring that any such eligible entity  
 6           identifies and partners with external organiza-  
 7           tions, if available, in the community.

8           “(G) Working with teachers, principals,  
 9           parents, and other stakeholders to review and  
 10          improve State policies and practices to support  
 11          the implementation of effective programs.

12          “(H) Coordinating funds received under  
 13          this program with other Federal and State  
 14          funds to implement high-quality programs.

15          “(I) Providing a list of prescreened exter-  
 16          nal organizations, as described in section  
 17          4203(a)(12).”.

18 **SEC. 4. STATE APPLICATION.**

19          (a) IN GENERAL.—Section 4203(a) of such Act (20  
 20 U.S.C. 7173(a)) is amended—

21               (1) in paragraph (6), by inserting “and coordi-  
 22               nating professional development for staff in specific  
 23               content areas as well as youth development” before  
 24               the semicolon at the end;

25               (2) in paragraph (11)—

1 (A) by striking “provides an assurance”  
2 and inserting the following:

3 “provides—

4 “(A) An assurance”;

5 (B) by striking “and representatives of  
6 teachers” and all that follows through “organi-  
7 zations;” and inserting “statewide after school  
8 networks (where applicable), representatives of  
9 teachers, local educational agencies, and com-  
10 munity-based organizations; and”; and

11 (C) by adding at the end the following:

12 “(B) a description of any other representa-  
13 tives of teachers, parents, students, or the busi-  
14 ness community that the State has selected to  
15 assist in the development of the application, if  
16 applicable;”;

17 (3) by redesignating paragraphs (13) and (14)  
18 as paragraphs (14) and (15), respectively;

19 (4) by inserting after paragraph (12) the fol-  
20 lowing:

21 “(13) describes how the State will prescreen ex-  
22 ternal organizations that could provide assistance in  
23 carrying out the activities under this section, and de-  
24 velop and make available to eligible entities a list of



external organizations that successfully completed the prescreening process; and”; and

(5) in paragraph (14) (as redesignated by paragraph (3))—

(A) in subparagraph (A), by striking “activities; and” at the end and insert the following:

“activities, with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

“(i) are able to track student success and improvement over time; and

“(ii) include State assessment results and other indicators of students success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level;”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

1 “(B) a description of how data collected  
 2 for the purposes of subparagraph (A) will be  
 3 collected; and”.

4 (b) LIMITATION.—Section 4203 of such Act (20  
 5 U.S.C. 7173) is amended by adding at the end the fol-  
 6 lowing:

7 “(g) LIMITATION.—The Secretary may not impose a  
 8 priority or preference for eligibility for, or applications by,  
 9 States or eligible entities that seek to use funds made  
 10 available under this part to extend the regular school  
 11 day.”.

12 **SEC. 5. LOCAL COMPETITIVE GRANT PROGRAM.**

13 Section 4204 of such Act (20 U.S.C. 7174) is amend-  
 14 ed—

15 (1) in subsections (b), (c), (d), (g), (h), and (i),  
 16 by striking “under this part” each place the term  
 17 appears and inserting “under this section”; and

18 (2) in subsection (b)(2)—

19 (A) in subparagraph (A)(ii), by inserting “,  
 20 if applicable” after “home”;

21 (B) in subparagraph (B), by inserting “,  
 22 as well as overall student success” before the  
 23 semicolon;

24 (C) by striking subparagraph (C) and in-  
 25 serting the following:

“(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;”;

(D) in subparagraph (D)—

(i) by inserting “and alignment” after “collaboration”; and

(ii) by inserting “, including the sharing of relevant student data among the schools, all participants in the eligible entity, and any partnering entities described in subparagraph (H) while complying with applicable laws relating to privacy and confidentiality” before the semicolon; and

(E) by striking subparagraph (J) and inserting the following:

“(J) a demonstration that the eligible entity uses research or evidence-based practices to provide educational and related activities that will complement and enhance the academic performance, achievement, and positive youth development of the students;”;

(3) in subsection (e), by inserting “rigorous” before “peer review”;

(4) in subsection (i)(1)—

1 (A) in subparagraph (A), by striking  
2 “and” after the semicolon;

3 (B) in subparagraph (B)(ii), by striking  
4 the period at the end and inserting “; and”;  
5 and

6 (C) by adding at the end the following:

7 “(C) demonstrating that the activities pro-  
8 posed in the application—

9 “(i) are, as of the date of the submis-  
10 sion of the application, not accessible to  
11 students who would be served; or

12 “(ii) would expand accessibility to  
13 high-quality services that may be available  
14 in the community.”;

15 (5) by adding at the end of subsection (i) the  
16 following:

17 “(3) LIMITATION.—A State educational agency  
18 may not impose a priority or preference for eligi-  
19 bility for, or applications by, eligible entities that  
20 seek to use funds made available under this part to  
21 extend the regular school day.”; and

22 (6) by adding at the end the following:

23 “(j) RENEWABILITY OF AWARDS.—A State edu-  
24 cational agency may renew a grant provided under this

1 section to an eligible entity, based on the eligible entity's  
 2 performance during the original grant period.”.

3 **SEC. 6. LOCAL ACTIVITIES.**

4 Section 4205 of such Act (20 U.S.C. 7175) is amend-  
 5 ed—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph

8 (1)—

9 (i) by striking “under this part” and  
 10 inserting “under section 4204”; and

11 (ii) by inserting “and support student  
 12 success” after “academic achievement”;

13 (B) by redesignating paragraph (6), (7),  
 14 and (8) through (12) as paragraphs (7), (8),  
 15 and (9) through (13), respectively;

16 (C) by striking paragraphs (1) through (5)  
 17 and inserting the following:

18 “(1) academic enrichment learning programs,  
 19 mentoring programs, remedial education activities,  
 20 and tutoring services, that are aligned with local  
 21 school curricula and State and local content and stu-  
 22 dent academic achievement standards;

23 “(2) core academic subject education activities,  
 24 including such activities that enable students to be  
 25 eligible for credit recovery or attainment;

1 “(3) literacy education programs;

2 “(4) programs that support a healthy, active  
3 lifestyle, including nutritional education and regular,  
4 structured physical activity programs;

5 “(5) art and music education activities;

6 “(6) services for individuals with disabilities;”;

7 (D) by striking paragraph (8) (as redesign-  
8 nated by subparagraph (B)) and inserting the  
9 following:

10 “(8) activities and programs that support global  
11 education and global competence, including those  
12 that foster learning about other countries, cultures,  
13 languages, and global issues;”;

14 (E) in paragraph (9) (as redesignated by  
15 subparagraph (B)), by inserting “to serve com-  
16 munity needs” before the semicolon:

17 (F) in paragraph (10) (as redesignated by  
18 subparagraph (B)), by inserting “to serve com-  
19 munity needs” before the semicolon;

20 (G) in paragraph (11) (as redesignated by  
21 subparagraph (B)), by inserting “parenting  
22 skills” before “programs”;

23 (H) in paragraph (12) (as redesignated by  
24 subparagraph (B)), by striking “and” after the  
25 semicolon;

1 (I) in paragraph (13) (as redesignated by  
2 subparagraph (B)), insert “social and emotional  
3 learning programming” before “and character”;  
4 and

5 (J) by adding at the end the following:

6 “(14) programs that build skills in science,  
7 technology, engineering, and mathematics (referred  
8 to in this paragraph as ‘STEM’) and that foster in-  
9 novation in learning by supporting nontraditional  
10 STEM education teaching methods.”; and

11 (2) in subsection (b)—

12 (A) in the subsection heading, by striking  
13 “PRINCIPLES OF” and inserting “MEASURES  
14 OF”;

15 (B) in paragraph (1)—

16 (i) in subparagraph (B), by striking  
17 “and” after the semicolon;

18 (ii) in subparagraph (C), by striking  
19 the period and inserting a semicolon; and

20 (iii) by adding at the end the fol-  
21 lowing:

22 “(D) ensure that measures of student suc-  
23 cess align with the regular academic program of  
24 the school and the academic needs of partici-  
25 pating students and include performance indica-

1           tors and measures described in section  
2           4203(a)(13)(A); and

3           “(E) collect the data necessary for the  
4           measures of student success described in sub-  
5           paragraph (D).”; and

6           (C) in paragraph (2)(A), by inserting “and  
7           overall student success” before the period at the  
8           end.

9   **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

10       Section 4206 of such Act (20 U.S.C. 7176) is amend-  
11   ed to read as follows:

12   **“SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.**

13       “‘There are authorized to be appropriated to carry out  
14   this part such sums as may be necessary for fiscal year  
15   2012 and each of the 5 succeeding fiscal years.’”

16   **SEC. 8. TRANSITION.**

17       The recipient of a multiyear grant award under part  
18   B of title IV of the Elementary and Secondary Education  
19   Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was  
20   in effect on the day before the date of enactment of this  
21   Act, shall continue to receive funds in accordance with the  
22   terms and conditions of such award.

○