

114TH CONGRESS
1ST SESSION

H. R. 1042

To amend the Elementary and Secondary Education Act of 1965 to improve
21st Century Community Learning Centers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2015

Mr. KILDEE introduced the following bill; which was referred to the
Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act
of 1965 to improve 21st Century Community Learning
Centers.

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 “Afterschool for Amer-
5 ica’s Children Act”.

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), by amending paragraphs

10 (1) and (2) to read as follows:

1 “(1) offer students a broad array of additional
2 services, programs, and activities, such as youth de-
3 velopment activities, service learning, nutrition and
4 health education, drug and violence prevention pro-
5 grams, counseling programs, art, music, social and
6 emotional learning programs, physical fitness and
7 wellness programs and recreation programs, such as
8 sports, and technology education programs, that are
9 designed to reinforce and complement the regular
10 academic program of participating students;

11 “(2) provide opportunities for academic enrich-
12 ment, including providing tutorial services to help
13 students, particularly students who attend low-per-
14 forming schools, in core academic subjects; and”;

15 (2) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) by amending subparagraph (A) to
18 read as follows:

19 “(A) assists students in core academic sub-
20 jects by providing the students with academic
21 and enrichment activities and a broad array of
22 other activities (such as programs and activities
23 described in subsection (a)) during nonschool
24 hours or periods when school is not in session
25 (such as before or after school or during sum-

mer recess) that reinforce and complement the regular academic programs of the schools attended by the students served;” and

(ii) in subparagraph (B), by inserting before the period at the end “and opportunities for active and meaningful engagement in their student’s education”;

(B) in paragraph (3), by inserting “Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)),” after “community-based organization,”;

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following new paragraph:

“(4) EXTERNAL ORGANIZATION.—The term ‘external organization’ means a nonprofit organization with a record of success in carrying out or working with before school, after school, or summer learning programs.”.

SEC. 3. ALLOTMENTS TO STATES.

Section 4202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7172(c)) is amended—

1 (1) in paragraph (2)(B), by inserting “rig-
2 orous” after “implementing a”;

3 (2) by striking the undesignated matter after
4 paragraph (2)(B) and inserting the following new
5 subparagraph:

6 “(C) supervising the awarding of funds to
7 eligible entities (in consultation with the Gov-
8 ernor and other State agencies responsible for
9 administering youth development programs and
10 adult learning activities).”; and

11 (3) in paragraph (3), by inserting after sub-
12 paragraph (D) the following new subparagraphs:

13 “(E) Assisting eligible entities receiving an
14 award under this part to align with State aca-
15 demic standards the activities carried out under
16 before school, after school, or summer learning
17 programs funded with such award.

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

21 “(G) Working with teachers, principals,
22 parents, and other stakeholders to review and
23 improve State policies and practices to support
24 the implementation of effective programs.

1 “(H) Coordinating funds received under
2 this program with other Federal and State
3 funds to implement high-quality programs.

4 “(I) Providing a list of prescreened exter-
5 nal organizations to eligible entities under sec-
6 tion 4203(a)(12).”.

7 **SEC. 4. STATE APPLICATION.**

8 Section 4203 of the Elementary and Secondary Edu-
9 cation Act of 1965 (20 U.S.C. 7173) is amended—

10 (1) in subsection (a)—

11 (A) by amending paragraph (3) to read as
12 follows:

13 “(3) contains an assurance that the State edu-
14 cational agency—

15 “(A) will make awards under this part only
16 to eligible entities that propose to serve stu-
17 dents who primarily attend schools eligible for
18 schoolwide programs under section 1114, and
19 families of such students; and

20 “(B) will give priority to eligible entities
21 that propose to serve students described in sec-
22 tion 4204(i)(1);”;

23 (B) in paragraph (4), by striking “meet
24 local content and student academic achievement

1 standards” and inserting “improve academic
2 and life success”;

3 (C) in paragraph (6), by striking “prom-
4 ising practices” and inserting “successful prac-
5 tices, and coordination of professional develop-
6 ment for staff in specific content areas and
7 youth development”;

8 (D) by amending paragraph (11) to read
9 as follows:

10 “(11) provides—

11 “(A) an assurance that the application was
12 developed in consultation and coordination with
13 appropriate State officials, including the chief
14 State school officer, and other State agencies
15 administering before school, after school, or
16 summer school learning programs, the heads of
17 the State health and mental health agencies or
18 their designees, and representatives of teachers,
19 parents, students, the business community, and
20 community-based organizations; statewide after-
21 school networks (where applicable); and

22 “(B) a description of any other representa-
23 tives of teachers, parents, students, or the busi-
24 ness community that the State has selected to

1 assist in the development of the application, if
2 applicable;”;

3 (E) by redesignating paragraph (14) as
4 paragraph (15);

5 (F) by amending paragraph (12) to read
6 as follows:

7 “(12) describes how the State will prescreen ex-
8 ternal organizations that may provide assistance in
9 carrying out the activities under this part and de-
10 velop and make available to eligible entities a list of
11 external organizations that successfully completed
12 the prescreening process;”;

13 (G) by amending paragraph (13) to read
14 as follows:

15 “(13) describes the results of the State’s needs
16 and resources assessment for before school, after
17 school or summer learning activities, which shall be
18 based on the results of on-going State evaluation ac-
19 tivities;”; and

20 (H) by amending paragraph (14) to read
21 as follows:

22 “(14) describes how the State educational agen-
23 cy will evaluate the effectiveness of programs and
24 activities carried out under this part, which shall in-
25 clude, at a minimum—

“(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities, and 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 student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, on-time advancement to the next grade level and graduation rate, local crime rate, and classroom behavior;

“(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

“(C) public dissemination of the evaluations of programs and activities carried out under this part;”;

(2) by adding at the end the following new subsection:

1 “(g) LIMITATION.—The Secretary may not impose a
 2 priority or preference for States or eligible entities that
 3 seek to use funds made available under this part to extend
 4 the regular school day.”.

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

6 Section 4204 of the Elementary and Secondary Edu-
 7 cation Act of 1965 (20 U.S.C. 7174) is amended—

8 (1) in subsection (b)(2)—

9 (A) in subparagraph (B), by inserting
 10 “and overall student success” after “achieve-
 11 ment”;

12 (B) by amending subparagraph (C) to read
 13 as follows:

14 “(C) a demonstration of how the proposed
 15 program will—

16 “(i) work in partnership with Federal,
 17 State, and local programs that will be com-
 18 bined or coordinated with the proposed
 19 program; and

20 “(ii) make the most effective use of
 21 public resources;”;

22 (C) in subparagraph (D), by striking “, in
 23 active collaboration with the schools the stu-
 24 dents attend;” and inserting “in active collabo-
 25 ration and alignment with the schools the stu-

dents attend, including the sharing of relevant student data among the schools, all participants in the eligible entity, and any partnering entities described in subparagraph (H) in a manner consistent with the applicable laws relating to privacy and confidentiality;” and

(D) in subparagraph (J), by striking “has experience, or promise of success, in providing” and inserting “uses research or evidence-based practices to provide”;

(2) in subsection (e)—

(A) by striking “In reviewing” and inserting the following:

“(1) IN GENERAL.—In reviewing”;

(B) by inserting “rigorous” before “peer”;

and

(C) by adding at the end the following:

“(2) RIGOROUS PEER REVIEW PROCESS.—For purposes of this subsection, the term ‘rigorous peer review process’ means a process by which—

“(A) a State educational agency selects peer reviewers who are employees of such agency and who—

“(i) have experience with community learning centers;

1 “(ii) have expertise in providing effective academic, enrichment, youth development, and related services to students; and

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4 “(iii) are not eligible entities, or representatives of an eligible entity, that have submitted an application under this section for the grant period for which applications are being reviewed; and

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9 “(B) the peer reviewers described in subparagraph (A) review and rate the applications to determine the extent to which the applications meet the requirements under subsection (b) of this section and 4205.”;
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14 (3) in subsection (i)—

15 (A) in paragraph (1), by striking “and” at the end of subparagraph (A), by striking the period at the end of clause (ii) of subparagraph (B) and inserting “; and”, and by adding at the end the following new subparagraph:

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20 “(C) demonstrating that the activities proposed in the application—

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22 “(i) are, as of the date of the submission of the application, not otherwise accessible to students who would be served by such activities; or

1 “(ii) would expand accessibility to
2 high-quality services that may be available
3 in the community.”; and

4 (B) by adding at the end the following new
5 paragraph:

6 “(3) LIMITATION.—A State educational agency
7 may not impose a priority or preference for eligible
8 entities that seek to use funds made available under
9 this part to extend the regular school day.”; and

10 (4) by adding at the end the following new sub-
11 section:

12 “(j) RENEWABILITY OF AWARDS.—A State edu-
13 cational agency may renew a grant provided under this
14 section to an eligible entity, based on the eligible entity’s
15 performance during the first grant period.”.

16 **SEC. 6. LOCAL ACTIVITIES.**

17 Section 4205 of the Elementary and Secondary Edu-
18 cation Act of 1965 (20 U.S.C. 7175) is amended—

19 (1) by amending subsection (a) to read as fol-
20 lows:

21 “(a) AUTHORIZED ACTIVITIES.—Each eligible entity
22 that receives an award under section 4204 may use the
23 award funds to carry out a broad array of before and after
24 school activities (including during summer recess periods)

1 that advance student academic achievement and support
2 student success, including—

3 “(1) academic enrichment learning programs,
4 mentoring programs, remedial education activities,
5 and tutoring services;

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

9 “(3) art and music education activities;

10 “(4) services for individuals with disabilities in-
11 cluding enrichment programs that provide access to
12 sports and fitness for students with disabilities de-
13 signed to improve wellness, self-esteem, and inde-
14 pendence;

15 “(5) activities and programs that support global
16 education and global competence, including those
17 that foster learning about other countries, cultures,
18 languages, and global issues;

19 “(6) programs that provide after school activi-
20 ties for limited English proficient students that em-
21 phasize language skills and academic achievement;

22 “(7) programs that support a healthy, active
23 lifestyle, including nutritional education, recreation
24 and regular, structured physical activity programs;

1 “(8) telecommunications and technology edu-
2 cation programs to serve academic and community
3 needs;

4 “(9) expanded library service hours to serve
5 academic and community needs;

6 “(10) parenting skills programs that promote
7 parental involvement and family literacy;

8 “(11) programs that provide assistance to stu-
9 dents who have been truant, suspended, or expelled
10 to allow the students to improve their academic
11 achievement;

12 “(12) drug and violence prevention programs,
13 counseling programs, social and emotional learning
14 programming and character education programs;

15 “(13) literacy education programs; and

16 “(14) programs that build skills in science,
17 technology, engineering, and mathematics (referred
18 to in this paragraph as ‘STEM’) and that foster in-
19 novation in learning by supporting non-traditional
20 STEM education teaching methods.”; and

21 (2) in subsection (b)—

22 (A) in the subsection heading, by striking
23 “PRINCIPLES” and inserting “MEASURES”;

24 (B) in paragraph (1), by striking “and” at
25 the end of subparagraph (B), by striking the

1 period at the end of subparagraph (C) and in-
2 serting a semicolon, and by inserting after sub-
3 paragraph (C) the following new subpara-
4 graphs:

5 “(D) ensure that measures of student suc-
6 cess align with the regular academic program of
7 the school and the academic needs of partici-
8 pating students, and include performance indi-
9 cators and performance measures described in
10 section 4203(a)(13)(A); and

11 “(E) collect the data necessary for the
12 measures of student success described in sub-
13 paragraph (D).”; and

14 (C) in paragraph (2)—

15 (i) in subparagraph (A), by inserting
16 before the period at the end “and overall
17 student success”; and

18 (ii) in subparagraph (B), by striking
19 “and” at the end of clause (i), by striking
20 the period at the end of clause (ii) and in-
21 serting “; and”, and by inserting after
22 clause (ii) the following new clause:

23 “(iii) used by the State to determine
24 whether a grant is eligible to be renewed
25 under section 4204(j).”.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 4206 of the Elementary and Secondary Edu-
3 cation Act of 1965 (20 U.S.C. 7176) is amended to read
4 as follows:

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

6 “There are authorized to be appropriated to carry out
7 this part such sums as may be necessary for fiscal year
8 2016 and each of the 5 succeeding fiscal years.”.

9 **SEC. 8. TRANSITION.**

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

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