

114TH CONGRESS  
1ST SESSION

# H. R. 1042

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

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## 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

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## 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-

1 mer recess) that reinforce and complement the  
2 regular academic programs of the schools at-  
3 tended by the students served;” and

4 (ii) in subparagraph (B), by inserting  
5 before the period at the end “and opportu-  
6 nities for active and meaningful engage-  
7 ment in their student’s education”;

8 (B) in paragraph (3), by inserting “Indian  
9 tribe or tribal organization (as such terms are  
10 defined in section 4 of the Indian Self-Deter-  
11 mination and Education Act (25 U.S.C.  
12 450b)),” after “community-based organiza-  
13 tion,”;

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

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

18 “(4) EXTERNAL ORGANIZATION.—The term ‘ex-  
19 ternal organization’ means a nonprofit organization  
20 with a record of success in carrying out or working  
21 with before school, after school, or summer learning  
22 programs.”.

23 **SEC. 3. ALLOTMENTS TO STATES.**

24 Section 4202(c) of the Elementary and Secondary  
25 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;”;

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—

1           “(A) a description of the performance indi-  
2           cators and performance measures that will be  
3           used to evaluate programs and activities, and  
4           with emphasis on alignment with the regular  
5           academic program of the school and the aca-  
6           demic needs of participating students, including  
7           performance indicators and measures that—

8                   “(i) are able to track student success  
9                   and improvement over time, and

10                   “(ii) include State assessment results  
11                   and other indicators of student success and  
12                   improvement, such as improved attendance  
13                   during the school day, better classroom  
14                   grades, regular (or consistent) program at-  
15                   tendance, on-time advancement to the next  
16                   grade level and graduation rate, local  
17                   crime rate, and classroom behavior;

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

21           “(C) public dissemination of the evalua-  
22           tions of programs and activities carried out  
23           under this part;”); and

24           (2) by adding at the end the following new sub-  
25           section:

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-

1 dents attend, including the sharing of relevant  
 2 student data among the schools, all participants  
 3 in the eligible entity, and any partnering enti-  
 4 ties described in subparagraph (H) in a manner  
 5 consistent with the applicable laws relating to  
 6 privacy and confidentiality;” and

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

11 (2) in subsection (e)—

12 (A) by striking “In reviewing” and insert-  
 13 ing the following:

14 “(1) IN GENERAL.—In reviewing”;

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

16 and

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

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

21 “(A) a State educational agency selects  
 22 peer reviewers who are employees of such agen-  
 23 cy and who—

24 “(i) have experience with community  
 25 learning centers;

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

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

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

12          (3) in subsection (i)—

13                 (A) in paragraph (1), by striking “and” at  
14                 the end of subparagraph (A), by striking the  
15                 period at the end of clause (ii) of subparagraph  
16                 (B) and inserting “; and”, and by adding at the  
17                 end the following new subparagraph:  
18                 “(C) demonstrating that the activities proposed  
19                 in the application—

20                         “(i) are, as of the date of the submission  
21                         of the application, not otherwise accessible  
22                         to students who would be served  
23                         by such activities; or  
24                         by such activities; or  
25

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.

○