

114TH CONGRESS  
1ST SESSION

# S. 308

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

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IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2015

Mrs. BOXER (for herself, Ms. MURKOWSKI, Mr. MANCHIN, and Mrs. CAPITO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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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”.

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”; and

7 (ii) by striking “and recreation pro-  
8 grams” and all that follows through “char-  
9 acter education programs” and inserting  
10 “physical fitness and wellness programs,  
11 and technology education 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 pro-  
3 grams and activities described in subsection  
4 (a)(2)) during nonschool hours or periods when  
5 school is not in session (such as before or after  
6 school or during summer recess) that—

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

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

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

18 (B) in paragraph (3), by inserting “Indian  
19 tribe or tribal organization (as such terms are  
20 defined in section 4 of the Indian Self-Deter-  
21 mination and Education Act (25 U.S.C.  
22 450b)),” after “community-based organiza-  
23 tion,”;

24 (C) by redesignating paragraph (4) as  
25 paragraph (6); and

1 (D) by inserting after paragraph (3) the  
2 following:

3 “(4) EXTERNAL ORGANIZATION.—The term ‘ex-  
4 ternal organization’ means—

5 “(A) a nonprofit organization with a  
6 record of success in running or working with  
7 after school programs; or

8 “(B) in the case of a community where  
9 there is no such organization, a nonprofit orga-  
10 nization in the community that enters into a  
11 formal agreement or partnership with an orga-  
12 nization described in subparagraph (A) to re-  
13 ceive mentoring and guidance.

14 “(5) RIGOROUS PEER REVIEW PROCESS.—The  
15 term ‘rigorous peer review process’ means a process  
16 by which—

17 “(A) employees of a State educational  
18 agency who are familiar with the 21st century  
19 community learning center program under this  
20 part review all applications that the State re-  
21 ceives for awards under this part for complete-  
22 ness and applicant eligibility;

23 “(B) the State educational agency selects  
24 peer reviewers for such applications, who  
25 shall—

1                   “(i) be selected for their expertise in  
2                   providing effective academic, enrichment,  
3                   youth development, and related services to  
4                   children; and

5                   “(ii) not include any applicant, or rep-  
6                   resentative of an applicant, that has sub-  
7                   mitted an application under such section  
8                   for the current application period; and

9                   “(C) the peer reviewers described in sub-  
10                  paragraph (B) review and rate the applications  
11                  to determine the extent to which the applica-  
12                  tions meet the requirements under sections  
13                  4204(b) and 4205.”.

14 **SEC. 3. ALLOTMENTS TO STATES.**

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

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

19                   (2) in paragraph (2)—

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

22                           (B) by striking “supervising the” and in-  
23                           serting the following:

24                                   “(C) supervising the”; and

25                           (3) in paragraph (3)—

1 (A) in the matter preceding subparagraph  
2 (A), by striking “3 percent” and inserting “5  
3 percent”; and

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

5 “(E) Ensuring that any eligible entity that  
6 receives an award under this part from the  
7 State aligns the activities provided by the after  
8 school program with State academic standards.

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

12 “(G) Working with teachers, principals,  
13 parents, and other stakeholders to review and  
14 improve State policies and practices to support  
15 the implementation of effective programs.

16 “(H) Coordinating funds received under  
17 this program with other Federal and State  
18 funds to implement high-quality programs.

19 “(I) Providing a list of prescreened exter-  
20 nal organizations, as described in section  
21 4203(a)(11).”.

22 **SEC. 4. STATE APPLICATION.**

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

25 (1) in subsection (a)—

1 (A) by striking paragraph (3) and insert-  
2 ing the following:

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

5 “(A) will make awards under this part to  
6 eligible entities that serve students who pri-  
7 marily attend schools that are eligible for  
8 schoolwide programs under section 1114 and  
9 the families of such students; and

10 “(B) will further give priority to eligible  
11 entities that propose in the application to serve  
12 students who are not proficient, as described in  
13 section 4204(i)(1);”;

14 (B) in paragraph (4), by inserting “State  
15 and” after “students meet”;

16 (C) in paragraph (6), by striking “and dis-  
17 semination of promising practices” and insert-  
18 ing “, dissemination of promising practices, and  
19 coordination of professional development for  
20 staff in specific content areas as well as youth  
21 development”;

22 (D) by redesignating paragraphs (11)  
23 through (14) as paragraphs (12) through (15),  
24 respectively;

1 (E) by inserting after paragraph (10) the  
2 following:

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

9 (F) in paragraph (12) (as redesignated by  
10 subparagraph (D))—

11 (i) by striking “provides an assur-  
12 ance” and inserting “provides—  
13 “(A) an assurance”;

14 (ii) by inserting “statewide after  
15 school networks (where applicable),” after  
16 “or their designees,”; and

17 (iii) by striking “and representatives  
18 of teachers” and all that follows through  
19 “organizations;” and inserting the fol-  
20 lowing: “representatives of teachers, local  
21 educational agencies, and community-based  
22 organizations; and

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



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

3 (G) in paragraph (14) (as redesignated by  
4 subparagraph (D))—

5 (i) by redesignating subparagraph (B)  
6 as subparagraph (C); and

7 (ii) in subparagraph (A), by striking  
8 “; and” and inserting the following: “with  
9 emphasis on alignment with the regular  
10 academic program of the school and the  
11 academic needs of participating students,  
12 including performance indicators and  
13 measures that—

14 “(i) are able to track student success  
15 and improvement over time, and

16 “(ii) include State assessment results  
17 and other indicators of student success and  
18 improvement, such as improved attendance  
19 during the school day, better classroom  
20 grades, regular (or consistent) program at-  
21 tendance, and on-time advancement to the  
22 next grade level;

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

1 (2) by adding at the end the following:

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

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

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

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

13 (2) in subsection (b)(2)—

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

16 (B) in subparagraph (B), by inserting “,  
17 as well as overall student success” before the  
18 semicolon;

19 (C) by striking subparagraph (C) and in-  
20 serting the following:

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

1 (D) by striking subparagraph (D) and in-  
2 serting the following:

3 “(D) an assurance that the proposed pro-  
4 gram was developed, and will be carried out,  
5 in—

6 “(i) active collaboration with the  
7 schools the students attend, including the  
8 sharing of relevant student data among the  
9 schools, all participants in the eligible enti-  
10 ty, and any partnering entities described in  
11 subparagraph (H) while complying with  
12 applicable laws relating to privacy and con-  
13 fidentiality; and

14 “(ii) in alignment with State and local  
15 content and student academic achievement  
16 standards;”;

17 (E) in subparagraph (F), by striking “pri-  
18 marily target students who” and inserting “tar-  
19 get students who primarily”;

20 (F) by striking subparagraph (J) and in-  
21 serting the following:

22 “(J) a demonstration that the eligible enti-  
23 ty will use best practices, including research or  
24 evidence-based practices, to provide educational  
25 and related activities that will complement and

1 enhance the academic performance, achieve-  
2 ment, and positive youth development of the  
3 students;”; and

4 (G) in subparagraph (M)—

5 (i) by striking “senior volunteers” and  
6 inserting “volunteers”; and

7 (ii) by striking “qualified seniors” and  
8 inserting “qualified persons”;

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

11 (4) in subsection (i)—

12 (A) in paragraph (1)—

13 (i) by striking subparagraph (A) and  
14 inserting the following:

15 “(A) proposing to target services to—

16 “(i) students who primarily attend  
17 schools that—

18 “(I) have been identified as in  
19 need of improvement under section  
20 1116;

21 “(II) have been identified as in  
22 need of improvement or corrective ac-  
23 tion under paragraph (1) or (7) of  
24 section 1116(b); or

1                   “(III) enroll students who scored  
2                   below the proficient level on the State  
3                   academic assessments under section  
4                   1111(b)(3) in reading, language arts,  
5                   or mathematics, on the most recent  
6                   such assessments for which data are  
7                   available; and

8                   “(ii) the families of students described  
9                   in clause (i);”;

10                   (ii) by striking clause (ii) of subpara-  
11                   graph (B) and inserting the following:

12                   “(ii) other eligible entity; and”;

13                   (iii) by adding at the end the fol-  
14                   lowing:

15                   “(C) demonstrating that the activities pro-  
16                   posed in the application—

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

20                   “(ii) would expand accessibility to  
21                   high-quality services that may be available  
22                   in the community.”; and

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

24                   “(3) LIMITATION.—A State educational agency  
25                   may not impose a priority or preference for eligi-

1 bility for, or applications by, eligible entities that  
 2 seek to use funds made available under this part to  
 3 extend the regular school day.”; and

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

5 “(j) RENEWABILITY OF AWARDS.—A State edu-  
 6 cational agency may renew a grant provided under this  
 7 section to an eligible entity, based on the eligible entity’s  
 8 performance during the original grant period.”.

9 **SEC. 6. LOCAL ACTIVITIES.**

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

12 (1) in subsection (a)—

13 (A) in the matter preceding paragraph

14 (1)—

15 (i) by striking “under this part” and  
 16 inserting “under section 4204”; and

17 (ii) by inserting “and support student  
 18 success” after “academic achievement”;

19 (B) by redesignating paragraphs (6)  
 20 through (12) as paragraphs (7) through (13),  
 21 respectively;

22 (C) by striking paragraphs (1) through (5)  
 23 and inserting the following:

1           “(1) academic enrichment learning programs,  
2 mentoring programs, remedial education activities,  
3 and tutoring services, that are aligned with—

4                   “(A) State and local content and student  
5 academic achievement standards; and

6                   “(B) local curricula that are designed to  
7 improve student academic achievement;

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

11                   “(3) literacy education programs;

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

15                   “(5) art and music education activities;

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

17                   (D) by striking paragraph (8) (as redesign-  
18 nated by subparagraph (B)) and inserting the  
19 following:

20                   “(8) cultural programs;”;

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

1 (F) in paragraph (12) (as redesignated by  
2 subparagraph (B)), by striking “and” after the  
3 semicolon;

4 (G) in paragraph (13) (as redesignated by  
5 subparagraph (B)), by striking “, counseling  
6 programs, and character education programs.”  
7 and inserting “and counseling programs; and”;  
8 and

9 (H) by adding at the end the following:

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

15 (2) in subsection (b)—

16 (A) in the subsection heading, by striking  
17 “PRINCIPLES OF” and inserting “MEASURES  
18 OF”;

19 (B) in paragraph (1)—

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

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

24 (iii) by adding at the end the fol-  
25 lowing:



1           “(D) ensure that measures of student suc-  
2           cess align with the regular academic program of  
3           the school and the academic needs of partici-  
4           pating students and include performance indica-  
5           tors and measures described in section  
6           4203(a)(14)(A); and

7           “(E) collect the data necessary for the  
8           measures of student success described in sub-  
9           paragraph (D).”; and

10           (C) in paragraph (2)—

11           (i) in subparagraph (A), by inserting  
12           “and overall student success” before the  
13           period at the end; and

14           (ii) in subparagraph (B)—

15           (I) in clause (i), by striking  
16           “and” after the semicolon;

17           (II) in clause (ii), by striking the  
18           period at the end and inserting “;  
19           and”; and

20           (III) by adding at the end the  
21           following:

22           “(iii) used by the State to determine  
23           whether a grant is eligible to be renewed  
24           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.

○