



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: October 1, 2020

TO: Local and Intermediate School District Superintendents
Public School Academy Directors
21st Century Community Learning Centers Sub-grantees and
Project Directors

FROM: Dr. Scott M. Koenigsknecht, Deputy Superintendent
P-20 System and Student Transitions 

SUBJECT: Michigan Department of Education 21st Century Community Learning
Centers (21st CCLC) Federal Waiver Proposal for PUBLIC COMMENT

Due to the extraordinary circumstances created by the COVID-19 pandemic, and the unprecedented challenges that schools, teachers, students, and their families are facing as the 2020-2021 school year begins, the U. S. Department of Education (USED) is offering flexibility to states regarding the federal 21st Century Community Learning Centers (21st CCLC) program.

States may apply for a waiver from the requirement in section 4201(b)(1)(A) of the Elementary and Secondary Education Act of 1965 (ESEA) that a 21st CCLC program operate "during non-school hours or periods when school is not in session (such as before and after school or during summer recess)."

The intent of the waiver is to provide flexibility for a 21st CCLC sub-grantee to operate as needed to support education during remote or hybrid models of schooling during the 2020-2021 school year in response to COVID-19. This waiver would permit a 21st CCLC sub-grantee to operate whenever students are not physically in school receiving in-person instruction. The waiver allows a state to permit a 21st CCLC sub-grantee to provide academic enrichment services to students who are participating in remote learning.

Specifically, under the waiver the state may permit a 21st CCLC sub-grantee to provide academic enrichment services to students while the students are participating in instruction or lessons given remotely by the students' teacher and when students are engaged in independent learning activities. These services must

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be offered at a 21st CCLC location that meets the requirement in ESEA section 4204(b)(1)(A)(i) that it be a safe and easily accessible facility and is approved by the state.

Michigan Department of Education (MDE) is considering applying for a flexibility waiver to requirement in ESEA section 4201(b)(1)(A) for school year 2020-2021.

If it does apply for and receive this waiver, MDE would ensure that its sub-grantees use 21st CCLC funds in accordance with all other provisions of Title IV, Part B of the ESEA and all applicable regulations, program plans, and applications. Additionally, MDE would apply the following rules to 21st CCLC programs making use of this waiver:

- The sub-grantee would amend the 21st CCLC MEGS+ application to include a description of how students would be selected and the services that would be provided during school hours (synchronous learning).
- Only students enrolled by the sub-grantee that receive services during asynchronous learning and non-school hours in addition to services provided during synchronous school hours would be counted for attendance.
- Only in-person 21st CCLC supports would be allowed for programming during synchronous school hours.
- In-person programming must meet all licensing requirements as posted by the Michigan Department of Licensing and Regulatory Affairs for child-care centers.
- No programming may be provided in a student's home for synchronous learning during school hours.
- Prior MDE approval is required, if students not currently part of the approved sub-grantee's target population are to be served.
- No additional funds would be allocated beyond the approved grant award.
- 21st CCLC funds must continue to be used only for allowable activities and must be used to supplement, and not supplant, other federal, state, or local funds in accordance with ESSA, Title IV, Part B, Section 4203(a)9.

Public comment on the waiver will be accepted through October 15, 2020. Any persons wishing to comment on whether the MDE should apply for the waiver or not are asked comment here: <https://www.surveymonkey.com/r/21stCCLCWaiver>.

cc: Michigan Education Alliance
Confederation of Michigan Tribal Education Directors