



## REQUEST FOR PUBLIC COMMENT

Request to waive the requirement that restricts activities provided by a program funded under the Nita M. Lowey 21st Century Community Learning Centers program (21st CCLC) to activities provided only during non-school hours or periods when school is not in session (such as before and after school or during summer recess).

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The Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act (ESSA) in 2015, limits implementation of 21<sup>st</sup> CCLC services to “nonschool hours or periods when school is not in session (such as before and after school or during summer recess)” per section 4201(b)(1)(A) [[20 U.S.C. 7171](#)]. In August, 2020, the US Department of Education (USED) published [notice of its intent to offer a waiver](#) to State Education Agencies, allowing them to waive that requirement during the 2020-2021 school year.

The Rhode Island Department of Elementary and Secondary Education (RIDE) believes this waiver will allow 21<sup>st</sup> CCLC subgrantees to serve students and families better, when students are not physically present in school but are participating in remote or independent learning due to the disruptions caused by COVID-19. This would allow 21<sup>st</sup> CCLCs to provide students with safe, structured, supervised environments in which to engage in virtual learning, as well as provide them with academic support and enrichment.

21<sup>st</sup> CCLC subgrantees who take advantage of this waiver would be required use 21<sup>st</sup> CCLC funds in accordance with all other provisions of Title IV, Part B of ESEA and all applicable regulations, program plans, and applications. All activities would be required to support – and in no way supplant, conflict with, or compete with – school classes and activities.

In requesting this waiver, RIDE must provide all Local Education Agencies and the public with notice and opportunity to comment on the request. RIDE will submit all comments to USED for consideration when determining whether to grant the waiver request. Please submit all comments, as well as whether or not you support the waiver request, via email to [jan.mermin@ride.ri.gov](mailto:jan.mermin@ride.ri.gov) by 4:00pm, Friday, October 2, 2020.