

Safe and Drug-Free Schools and Communities Act

Community Service Grant Program

Draft Nonregulatory Guidance



**Subpart 2 of Title IV
Elementary and Secondary Education Act of 1965
as amended by the
No Child Left Behind Act of 2001
Public Law 107-110**

September 2002

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Introduction

On January 8, 2002, President George W. Bush signed into law the No Child Left Behind Act (NCLB), Public Law 107-110, which reauthorizes the Elementary and Secondary Education Act (ESEA). ESEA Title IV, Part A, the Safe and Drug-Free Schools and Communities Act (SDFSCA), supports drug and violence prevention programs. Section 4126 of Title IV authorizes the new Community Service Grant program.

In Fiscal Year 2002, the U.S. Department of Education (ED) will allocate \$50 million among the States for the new Community Service Grant program under the following formula as prescribed in Section 4126:

- (1) one-half according to the ratio between the school-aged population of each State and the school-aged population of all the States; and
- (2) one-half according to the ratio between the amount each State received under ESEA, Title I, Part A for the preceding year and the sum of such amounts received by all the States.

ED provides this guidance to highlight the important aspects of the Community Service Grant Program, and to provide guidance on administering programs assisted under this grant. States may rely on this guidance in managing their Community Service Grant. ED officials will consider State recipients that follow approaches contained in this guidance to be in compliance with the applicable Federal regulations that govern this grant.

Purpose of Section 4126 – Community Service Grant Program

The purpose of the Community Service Grant program is to enable States to implement and coordinate programs under which students expelled or suspended from school are required to perform community service. The goal of this program is to provide suspended and expelled students with meaningful activities to occupy their time during their absence from regular school; to help them avoid negative behavior; and to teach them the value of service to others and their communities.

I. How to Apply for Funds

States have the following application options under this grant:

- ◆ Consolidated State Plan (permits a State to submit one document and receive five-year funding under several ESEA programs)
- ◆ Program-Specific Application (separate application that addresses the State's plan for implementing the Community Service Grant Program)

Consolidated State Plan

Information about the contents of a consolidated application is available from the Safe and Drug-Free Schools Program (see Resources section for information about how to contact the Safe and Drug-Free Schools Program), or on ED's web site at <http://www.ed.gov>.

Program-Specific Application

A complete, program-specific application for Community Service Grant Program funds submitted to ED must provide the following information:

1. Information on the application cover sheet, including the original signature of the Chief State School Officer.
2. Assurances contained in the application package, including the original signature of the Chief State School Officer.
3. A narrative that:
 - ◆ Describes State performance indicators and measures that the State educational agency (SEA) identifies as appropriate based on its analysis of need and its plan for use of these funds.
 - ◆ Describes how funds will be used by the SEA to develop and implement a Community Service Grant Program.
 - ◆ Describes how input from parents and community leaders or members of community-based organizations will be sought regarding the development and implementation of the Community Service Grant Program.
 - ◆ Describes how the SEA will ensure collaboration and coordination between schools and community agencies participating in this project.
 - ◆ Describes how the proposed project will reflect up-to-date knowledge and effective practice in the field of community service programs.
 - ◆ Describes how the SEA will monitor any contract activities to ensure compliance with applicable Federal guidance or guidelines and to ensure that goals and objectives for the program are achieved.
 - ◆ Describes the methods by which the proposed project will be evaluated.

**An Education Department General Administrative Regulations (EDGAR)
Highlight: Amendments to Applications**

The five-year period covered by the State application, and the need to update activities based on success with State performance indicators, may cause SEAs to make amendments to their multi-year applications.

Section 76.140 of EDGAR discusses when a State must amend its plan. It requires such amendments whenever there is a significant or relevant change in:

- the information or assurances in the plan
- the administration and operation of the plan
- the organization, policies, or operations of the SEA that received the grant, if the change materially affects the information or assurances in the plan.

A SEA must also amend its plan if the Secretary determines that an amendment is essential. For example, the Secretary might make such a judgment in response to a statutory change in the administration of this grant program.

Consultation on State Applications

To the extent possible, States should develop their applications in consultation with representatives from state and/or local community organizations, youth-serving organizations, businesses, parents, law enforcement, students, teachers, pupil service personnel, mental health organizations, and other groups with interest and expertise in community service programs.

Frequently Asked Questions

- Q1. Are Outlying Areas eligible to participate in the Community Service Grant program?
- A1. No, Outlying Areas are not eligible to receive funds under this program. In Section 4126(e) of the SDFSCA, the term “State” is defined as the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, and does not include Outlying Areas. Only “States”, as defined under that section, will receive grants.
- Q2. Must programs implemented with these funds meet the requirements of the SDFSCA Principles of Effectiveness?
- A2. Although the Community Service Grant program is not subject to the Principles of Effectiveness, programs implemented with these funds should be based on scientific research on effective community service programs that have demonstrated positive impact on participants.

II. Distribution of Funds

Allocations from ED to the States

ED uses the formula provided in Section 4126 (b) of the SDFSCA. The formula is based on a State's relative share of school-aged population and its relative share of Title I, Part A funds. The only exception to this formula is provided for "small States"; this exception ensures that no State will receive less than one-half of one percent of the total amount allocated to all the States [See Section 4126 (c) of the SDFSCA].

Redistribution of Funds

If a State is unable to use its allotment within two years of the allocation, the Secretary may reallocate the funds to States using the formula outlined in Section 4126 (b) of the SDFSCA.

Frequently Asked Questions

- Q3. May SEAs subgrant funds or enter into contracts or interagency agreements with other entities for the day-to-day operation of the Community Service Grant program?
- A3. Under the program statute, there is no authority for SEAs to subgrant funds under this program. SEAs may enter into contracts with LEAs, community-based organizations (CBOs), including faith-based organizations, or public or private non-profit entities to provide capacity-building services, such as technical assistance or training; or to operate programs that provide community service opportunities to suspended or expelled students. SEAs may also enter into agreements with other State agencies to assist in the implementation of the Community Service Grant program. However, SEAs remain responsible for administration and implementation of the program, and must exercise appropriate oversight for activities conducted under the program.
- Q4. May SEAs use Community Service Grant program funds for program administration?
- A4. The statute does not authorize Community Service Grant Program funds for program administration. Administrative costs associated with this program will have to be paid through other Federal or State resources.
- Q5. May SEAs fund State-level activities under the Community Service Grant program?
- A5. Yes, a SEA may use Community Service Grant program funds to develop and implement statewide community service programs and initiatives.

III. Program Implementation

Section 4126 of the SDFSCA authorizes States to carry out programs under which students suspended or expelled from school are required to perform community service. Community service programs are characterized by mandatory or voluntary activities that are not based on curriculum and can be arranged through schools, community agencies, or private companies. These services can encompass a variety of activities, including activities such as volunteering at local homeless shelters, sanitation and community clean-up, or working with the elderly. They also may or may not be related to a student's future career choice. Since it is not curriculum-based and does not contain specific learning objectives, community service usually does not allow its participants to earn course credit toward graduation. Other examples of allowable activities include (but are not limited to):

- ◆ Expanding mandatory community service programs for juvenile offenders to include suspended and expelled students;
- ◆ Developing activities that promote awareness of effective community service programs that can serve suspended and expelled youth;
- ◆ Disseminating information about community service programs to local school districts and communities;
- ◆ Coordinating “alternative education” services with community service programs;
- ◆ Formulating comprehensive and collaborative community service programs that include strategies, such as reintegration approaches, individual and family counseling services, and alternative education services, for transitioning suspended and expelled students back into the education mainstream;
- ◆ Developing a partnership with the Governor’s SDFSCA program to integrate community service into existing community-based programs; and
- ◆ Collaborating with State VISTA and service-learning coordinators to establish community service opportunities for suspended and expelled students (Contact the Corporation for National and Community Service for additional information).

The activities described above should not be viewed as the only or even the best strategies for SEAs to employ under the Community Service Grant program, but are provided to help practitioners consider the range of options available and to stimulate thinking about activities in the context of State and local needs and resources in this area. Under the statute, SEAs have the flexibility to develop, adopt, or implement programs that will best meet their identified needs.

Effective Community Service Programs

Designing and implementing community service programs can be a challenging task. For the purposes of this grant, effective community service programs are likely to:

- ◆ Be based on sound research and include an evaluation component;
- ◆ Feature a tracking system to ensure that students complete community service requirements and return to the education mainstream in a timely manner;
- ◆ Involve schools, community organizations, parents, and students in the design and implementation of the programs;
- ◆ Engage youth in meaningful and positive activities;
- ◆ Provide troubled students with consistent support, opportunities, and skills for successful futures.

To develop and implement programs that are aligned with these principles, every aspect of the community – businesses, youth serving organization, law enforcement, mental health organizations, and religious organizations – must be active supporters. States should consider coordinating funds from the SDFSCA Community Service Grant program with resources from other Federal and State programs, where appropriate.

Frequently Asked Questions

- Q6. Are capacity-building activities eligible for support under the Community Service Grant Program?
- A6. Yes, capacity-building activities (e.g., training) or dissemination of community service program materials on a statewide level are eligible for support under this grant. A State should consider a variety of information, including existing activities in the area of community service programming as well as demographic information about suspended or expelled students, in determining how it will structure its activities under this program.

IV. Program Administration, Technical Assistance, and Reporting Requirements

SEAs that receive funding under this grant are required to comply with the administrative and reporting requirements outlined in Parts 76, 77, 79, 80, 81, 82, 85, 97, 98, and 99 of EDGAR.

Frequently Asked Questions

- Q7. What are the monitoring requirements for SEAs under the Community Service Grant program?
- A7. SEAs must monitor grant-supported activities to ensure compliance with applicable Federal requirements, and to ensure that performance goals are being achieved. Monitoring must cover each program, function, or activity supported with federal funds.
- Q8. Are SEAs required to keep records under this grant?
- A8. Yes, SEAs must retain all programmatic and financial records, as well as any supporting documents related to the Community Service Grant program for at least three (3) years after the receipt of the grant award.
- Q9. What reporting requirements apply to the Community Service Grant program?
- A9. Section 80.40 of EDGAR requires that grantees submit annual performance reports. Requirements for the Community Service Grant program will be developed and included in the consolidated report for ESEA programs. The same reporting information will be required of SEAs that apply for funding using a program-specific application.
- Q10. What kind of information will States be required to submit in the reports?
- A10. States will be required to submit information comparing their actual accomplishments to the objectives established for the performance period, the reasons for slippage if established goals were not met, as well as other information that the State deems pertinent. Specific content for performance reports for this program will be included as part of the consolidated report for ESEA programs.
- Q11. Are States required to provide for the equitable participation of non-public school students and teachers in the Community Service Grant program?
- A11. Yes, the requirements in Section 9501 of Title IX for equitable participation by private school children and teachers apply to the Community Service Grant program.

V. Resources

Additional information about community service programs is available from ED and other sources. The following resources can provide helpful information that will supplement this guidance:

Safe and Drug-Free Schools Program

U.S. Department of Education
400 Maryland Avenue, S.W. Room 3E304
Washington, D.C. 20202-6123
Phone: (202) 260-3954
Facsimile: (202) 260-7767
Email Address: www.ed.gov/offices/OESE/SDFS

The Safe and Drug-Free Schools Program staff provides additional information about the administration of SDFSCA programs and can also help States interpret the regulations that govern this program.

Corporation for National and Community Service

1201 New York Avenue, NW
Washington, D.C. 20525
phone: 202-606-5000
TTY: (202) 565-2799
Email address: www.cns.gov

The Corporation for National and Community Service works with Governor-appointed State commissions, nonprofits, faith-based groups, schools, and other civic organizations to provide information and opportunities for Americans of all ages to serve their communities.

Office of Juvenile Justice and Delinquency Prevention (OJJDP)

U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
Phone: (202) 307-5911
Facsimile: (202) 307-2093
Email Address: Askjj@ncjrs.org

Juvenile Justice Clearinghouse

P.O. Box 6000
Rockville, MD 20849-6000
Phone: 800-638-8736
Facsimile: 301-519-5212
Email Address: askncjrs@ncjrs.org

The OJJDP supports States and local communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and improve the juvenile justice system so that it protects the public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of families and each individual juvenile. The Juvenile Justice Clearinghouse is a resource center for obtaining publications and other information concerning juvenile justice programs.