

108TH CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the National and Community Service Act of 1990 to establish a Community Corps, 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 “School Service Act of
5 2003”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to mobilize the patriotism and energy of
9 youth in the United States in order to meet the
10 unmet human, educational, environmental, and pub-
11 lic safety needs of United States society;

1 (2) to foster an ethic of service and citizenship
2 in young people that will last throughout their lives;

3 (3) to support a limited number of States, In-
4 dian tribes, and local educational agencies whose
5 schools require that every student, prior to sec-
6 ondary school graduation, engage in substantial
7 service to their community and country;

8 (4) to ensure that entities receiving that sup-
9 port establish high-quality service-learning programs
10 that offer students opportunities for meaningful
11 service and for reflection on such service;

12 (5) to guarantee substantial flexibility to enti-
13 ties receiving that support in order to design pro-
14 grams that meet local needs;

15 (6) to support nonprofit and nongovernmental
16 organizations that engage youth in effective and in-
17 novative service programs; and

18 (7) to conduct rigorous evaluations of service
19 programs to determine their costs and benefits and
20 to ensure high quality.

21 **TITLE I—COMMUNITY CORPS**

22 **SEC. 101. SERVICE PROGRAMS.**

23 Part I of subtitle B of title I of the National and
24 Community Service Act of 1990 (42 U.S.C. 12521 et seq.)
25 is amended—

1 (1) by redesignating subpart C as subpart D;

2 (2) by redesignating section 118 as section
3 118N; and

4 (3) by inserting after subpart B the following:

5 **“Subpart C—Community Corps**

6 **“SEC. 118. GRANTS.**

7 “(a) IN GENERAL.—The Corporation, after consulta-
8 tion with the Secretary of Education, may make grants
9 under subsection (b) on a competitive basis to qualified
10 entities to pay for the Federal share of the cost of plan-
11 ning or operating Community Corps programs.

12 “(b) PLANNING AND OPERATIONAL GRANTS.—

13 “(1) PLANNING GRANTS.—The Corporation
14 may make a planning grant to a qualified entity to
15 provide assistance for the planning of a Community
16 Corps program that meets the requirements of this
17 subpart.

18 “(2) OPERATIONAL GRANTS.—The Corporation
19 may make an operational grant to a qualified entity
20 to provide assistance for the operation of a Commu-
21 nity Corps program that meets the requirements of
22 this subpart.

23 “(3) TOTAL PERIOD.—The period of a grant
24 made under paragraph (1) shall be not more than
25 1 year. The total period of a grant made under

1 paragraph (2), or grants made under paragraphs (1)
2 and (2), to a qualified entity shall be not less than
3 3 years, except as provided in section 118F(b).

4 “(c) DIRECT OR INDIRECT EXPENDITURES.—To
5 carry out programs under this subpart, a qualified entity
6 that receives a grant under subsection (b) may—

7 “(1) expend the funds made available through
8 the grant; or

9 “(2) use the funds to make subgrants to—

10 “(A) in the case of a qualified entity that
11 is a State or Indian tribe, local educational
12 agencies;

13 “(B) public elementary schools or sec-
14 ondary schools;

15 “(C) institutions of higher education;

16 “(D) public or private nonprofit organiza-
17 tions;

18 “(E) private elementary schools or sec-
19 ondary schools, if the qualified entity has made
20 a certification regarding such schools under sec-
21 tion 118B(b)(2); and

22 “(F) qualified partnerships, as defined by
23 the Corporation.

24 “(d) DISCRETION WITH RESPECT TO PROGRAM
25 TYPE.—A qualified entity that uses funds to make a

1 subgrant under subsection (c)(2) may determine, or may
2 permit the subgrant recipient to determine, the type of
3 program (as described in section 118A(a)(2)) to be
4 planned or operated with the subgrant.

5 **“SEC. 118A. USE OF FUNDS.**

6 “(a) PROGRAMS.—

7 “(1) IN GENERAL.—An entity that receives a
8 grant or subgrant under section 118 shall use the
9 funds made available through the grant or subgrant
10 for a program for school-age youth that—

11 “(A) engages the youth in meaningful serv-
12 ice that meets unmet human, educational, envi-
13 ronmental, or public safety needs;

14 “(B) provides substantial structured op-
15 portunities for the youth to reflect on their
16 service activities, enhancing their sense of civic
17 responsibility;

18 “(C) as appropriate—

19 “(i) is integrated into and enhances
20 the academic curriculum of the school or
21 the educational components of an after-
22 school or summer program in which the
23 youth are enrolled; and

24 “(ii) involves participants in the plan-
25 ning, selection, and development of service

1 projects, or otherwise fosters leadership
2 skills; and

3 “(D) achieves such other goals as the Cor-
4 poration may specify or approve.

5 “(2) TYPES OF PROGRAMS.—Programs carried
6 out through grants or subgrants made under section
7 118 may be—

8 “(A) school-based service-learning pro-
9 grams that integrate service-learning into 1 or
10 more mandatory courses in an academic cur-
11 rriculum;

12 “(B) school-based service-learning pro-
13 grams that—

14 “(i) require secondary school students
15 to perform community service after school,
16 on weekends, or during summer vacations;
17 and

18 “(ii) utilize appropriately trained
19 adults—

20 “(I) to work with community
21 members and organizations to identify
22 opportunities to fulfill the requirement
23 described in clause (i);

1 “(II) to disseminate to secondary
2 school students information about
3 such opportunities; and

4 “(III) to ensure that such stu-
5 dents have substantial structured op-
6 portunities for reflection on their serv-
7 ice activities;

8 “(C) community-based service-learning
9 programs operated by community-based agen-
10 cies or by nonprofit organizations, in partner-
11 ship with State educational agencies, local edu-
12 cational agencies, elementary schools, or sec-
13 ondary schools, that engage school-age youth to
14 perform community service—

15 “(i) after school; or

16 “(ii) during summer vacations;

17 “(D) programs that combine course-based
18 service-learning with individualized service; and

19 “(E) such other programs as the Corpora-
20 tion may designate, consistent with the objec-
21 tives of the Community Corps.

22 “(b) PERMISSIBLE ACTIVITIES.—An entity that re-
23 ceives a grant or subgrant under section 118 for a Com-
24 munity Corps program may use the funds made available

1 through the grant or subgrant to pay for the Federal
2 share of—

3 “(1) the cost of providing training for teachers,
4 supervisors, personnel from community-based agen-
5 cies, and trainers, who are necessary for the oper-
6 ation of the program;

7 “(2) the cost of developing service-learning cur-
8 ricula to be integrated into the program;

9 “(3) the cost of providing effective outreach and
10 dissemination of information to ensure the broadest
11 possible involvement in the Community Corps pro-
12 gram of community-based agencies with dem-
13 onstrated effectiveness in working with school-age
14 youth;

15 “(4) the cost of recruiting, training, super-
16 vising, placing, and providing salaries and benefits
17 to adults necessary for the operation of the program,
18 including paying for such cost for individuals who—

19 “(A) are participants in a program under
20 subtitle C or receive a national service edu-
21 cational award under subtitle D; and

22 “(B)(i) serve as service-learning coordina-
23 tors as specified in section 111(b);

24 “(ii) perform the responsibilities described
25 in subsection (a)(2)(B)(ii);

1 “(iii) coordinate or supervise the activities
2 of school-age youth in a program described in
3 subsection (a)(2)(C); or

4 “(iv) serve in other appropriate roles, as
5 determined by the Corporation; and

6 “(5) other reasonable costs related to the super-
7 vision of participants, program administration, de-
8 velopment and acquisition of program materials,
9 transportation, insurance, verification of youth par-
10 ticipation, and meeting other program needs.

11 **“SEC. 118B. APPLICATIONS.**

12 “(a) IN GENERAL.—To be eligible to receive a grant
13 under section 118, a qualified entity shall prepare, submit
14 to the Corporation, and obtain approval of, an application
15 at such time and in such manner as the Chief Executive
16 Officer may reasonably require.

17 “(b) CONTENTS.—An application that is submitted
18 under subsection (a) with respect to a program described
19 in section 118A—

20 “(1) shall include—

21 “(A) a certification that, not more than 24
22 months after the qualified entity receives the
23 grant under section 118—

24 “(i) all public school students at the
25 schools where the program is proposed to

1 be carried out shall be required, as a con-
2 dition of secondary school graduation, to
3 complete a substantial community service
4 experience; and

5 “(ii) the qualified entity shall provide
6 opportunities, through high-quality service
7 programs, as defined in section
8 118C(a)(2), for all such students to meet
9 the requirement of clause (i);

10 “(B)(i) a 5-year strategic plan, which shall
11 contain—

12 “(I) information demonstrating how
13 the results specified in the certification de-
14 scribed in subparagraph (A) will be
15 achieved; and

16 “(II) such additional information as
17 the Chief Executive Officer may reasonably
18 require; and

19 “(ii) information demonstrating that the
20 program will be carried out in a manner con-
21 sistent with the approved strategic plan;

22 “(C) a description of the outcome meas-
23 ures developed for the program as described in
24 section 118F(a)(3)(C) and specific, quantifiable
25 goals addressing each outcome measure;

1 “(D) certifications that—

2 “(i) the applicant will keep such
3 records and provide such information to
4 the Corporation with respect to the pro-
5 grams as may be required for fiscal audits
6 and program evaluation;

7 “(ii) the applicant will comply with
8 the nonduplication and nondisplacement
9 requirements of section 177 and the griev-
10 ance procedure requirements of section
11 176(f); and

12 “(iii) the applicant has consulted with
13 the State Commission for the State in
14 which the applicant is located about the
15 application; and

16 “(E) such additional information as the
17 Chief Executive Officer may reasonably require;
18 and

19 “(2) may include—

20 “(A) a certification that, not more than 24
21 months after the qualified entity receives the
22 grant under section 118—

23 “(i) all private school students at the
24 schools where the program is proposed to
25 be carried out shall be required, as a con-

1 dition of secondary school graduation, to
2 complete a substantial community service
3 experience; and

4 “(ii) the qualified entity shall ensure
5 opportunities on an equitable basis,
6 through high-quality service programs, as
7 defined in section 118C(a)(2), for all such
8 students to meet the requirement of clause
9 (i); and

10 “(B) in the 5-year strategic plan required
11 under paragraph (1)(B)(i), information dem-
12 onstrating how the results specified in the cer-
13 tification described in subparagraph (A) will be
14 achieved.

15 **“SEC. 118C. CONSIDERATION OF APPLICATIONS.**

16 “(a) HIGH-QUALITY SERVICE PROGRAMS.—

17 “(1) IN GENERAL.—In awarding grants under
18 section 118, the Corporation shall give priority to a
19 qualified entity that demonstrates that the entity
20 will engage school-age youth in high-quality service
21 programs.

22 “(2) DEFINITION.—In this subsection, the term
23 ‘high-quality service program’ means a program
24 that—

1 “(A) effectively meets unmet human, edu-
2 cational, environmental, or public safety needs;

3 “(B) effectively fosters—

4 “(i) an ethic of civic responsibility;
5 and

6 “(ii) personal character development;

7 “(C) as appropriate for the type of pro-
8 gram and participants—

9 “(i) improves performance in core
10 academic subjects; and

11 “(ii) fosters leadership skills;

12 “(D) in the case of a school-based pro-
13 gram, is operated, to the extent appropriate, by
14 a partnership that includes an entity that—

15 “(i) is a community-based agency,
16 nonprofit organization, or institution of
17 higher education; and

18 “(ii) has expertise in the provision of
19 services to meet unmet needs, youth devel-
20 opment, service-learning, or another rel-
21 evant field; and

22 “(E) effectively achieves such other goals
23 as the Corporation may specify.

24 “(b) GEOGRAPHIC DIVERSITY OF RECIPIENTS.—

25 Subject to subsection (a), the Corporation shall ensure

1 that qualified entities receiving grants under section
2 118—

3 “(1) are geographically diverse; and

4 “(2) fully and adequately represent urban and
5 rural areas.

6 “(c) **LOW-INCOME FAMILIES.**—Subject to subsection
7 (a), in awarding grants under section 118, the Corpora-
8 tion shall give priority to a qualified entity that proposes—

9 “(1) to serve a jurisdiction having a high num-
10 ber or high percentage of low-income families; and

11 “(2) to focus the funds made available through
12 such a grant on those parts of the jurisdiction hav-
13 ing a high number or high percentage of low-income
14 families.

15 “(d) **OTHER CRITERIA.**—In awarding grants under
16 section 118, the Corporation may establish such other pri-
17 orities as the Corporation determines to be appropriate,
18 consistent with the objectives of the Community Corps.

19 **“SEC. 118D. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

20 “(a) **SHARE.**—

21 “(1) **IN GENERAL.**—The Federal share attrib-
22 utable to this subpart of the cost of carrying out a
23 program for which a grant or subgrant is made
24 under this subpart may not exceed—

1 “(A) 75 percent of the total cost of the
2 program for the first, second, and third years
3 for which the program receives assistance under
4 this subpart;

5 “(B) 65 percent of the total cost of the
6 program for the fourth year for which the pro-
7 gram receives assistance under this subpart;
8 and

9 “(C) 50 percent of the total cost of the
10 program for the fifth year, and for any subse-
11 quent year, for which the program receives as-
12 sistance under this subpart.

13 “(2) CALCULATION.—In providing for the re-
14 maining share of the cost of carrying out such a pro-
15 gram, each recipient of assistance under this
16 subpart—

17 “(A) shall provide for such share through
18 a payment in cash or in kind, fairly evaluated,
19 including facilities, equipment, or services; and

20 “(B) may provide for such share through
21 State sources, local sources, private sources, or
22 Federal sources (other than funds made avail-
23 able under the national service laws).

24 “(b) WAIVER.—The Chief Executive Officer may
25 waive the requirements of subsection (a) in whole or in

1 part with respect to any such program in any fiscal year
2 if the Corporation determines that such a waiver would
3 be equitable due to a lack of available financial resources
4 at the local level.

5 **“SEC. 118E. LIMITATIONS ON USES OF FUNDS.**

6 “(a) ADMINISTRATIVE COSTS.—

7 “(1) LIMITATION.—Not more than 5 percent of
8 the amount of assistance provided to a qualified en-
9 tity that is the original recipient of a grant under
10 section 118 for a fiscal year may be used to pay for
11 administrative costs incurred by—

12 “(A) the original recipient; or

13 “(B) the entity carrying out the commu-
14 nity service programs supported with the assist-
15 ance.

16 “(2) RULES ON USE.—The Chief Executive Of-
17 ficer may by rule prescribe the manner and extent
18 to which—

19 “(A) such assistance may be used to cover
20 administrative costs; and

21 “(B) that portion of the assistance avail-
22 able to cover administrative costs should be dis-
23 tributed between—

24 “(i) the original recipient; and

1 “(ii) the entity carrying out the com-
2 munity service programs supported with
3 the assistance.

4 “(b) LOCAL USES OF FUNDS.—Funds made avail-
5 able under this subpart may not be used to pay any sti-
6 pend, allowance, or other financial support to any student
7 who is a participant under this subtitle, except reimburse-
8 ment for transportation, meals, and other reasonable out-
9 of-pocket expenses directly related to participation in a
10 program assisted under this subpart.

11 **“SEC. 118F. ACCOUNTABILITY.**

12 “(a) EVALUATION.—

13 “(1) IN GENERAL.—The Corporation shall
14 make a grant or enter into a contract with an eligi-
15 ble entity to conduct an annual evaluation of the ef-
16 fectiveness of each program that receives assistance
17 under section 118. The first such evaluation shall
18 occur during the second year for which the program
19 receives a grant under section 118(b)(2).

20 “(2) ELIGIBLE ENTITY.—To be eligible to re-
21 ceive a grant or contract under paragraph (1), an
22 entity shall not be—

23 “(A) the Corporation;

24 “(B) a State educational agency;

25 “(C) a local educational agency;

1 “(D) an entity that receives a grant or
2 subgrant under section 118; or

3 “(E) a division of an entity described in
4 subparagraph (A), (B), (C), or (D).

5 “(3) CONTENTS.—In conducting the evaluation
6 with respect to a program, the eligible entity shall—

7 “(A) conduct a cost-benefit analysis of the
8 program;

9 “(B) determine the performance of the
10 program in—

11 “(i) meeting unmet human, edu-
12 cational, environmental, or public safety
13 needs; and

14 “(ii) contributing, in both the short
15 term and the long term, to youth—

16 “(I) civic engagement;

17 “(II) character development;

18 “(III) personal responsibility;

19 “(IV) academic motivation; and

20 “(V) academic achievement; and

21 “(C) determine the performance of the
22 program on outcome measures developed by the
23 entity carrying out the program.

24 “(b) FAILURE TO MEET QUANTIFIABLE GOALS.—

1 “(1) PROBATION.—A program that receives as-
2 sistance under section 118 that—

3 “(A) fails to perform satisfactorily in meet-
4 ing the goals described in subsection (a)(3)(B),
5 as determined by the Corporation; or

6 “(B) fails to meet substantially the goals
7 described in section 118B(b)(1)(C), as deter-
8 mined by the Corporation,

9 during the second year for which the program re-
10 ceives a grant under section 118(b)(2) or a subse-
11 quent fiscal year, shall be placed on probation for
12 the following fiscal year.

13 “(2) ASSISTANCE FOR GRANT RECIPIENTS ON
14 PROBATION.—The Corporation shall, on request by
15 a recipient of a grant for a program on probation
16 under paragraph (1), provide technical assistance to
17 such grant recipient for the purpose of remedying a
18 failure described in subparagraph (A) or (B) of
19 paragraph (1).

20 “(3) FAILURE TO MEET GOALS AFTER PROBA-
21 TION.—The Chief Executive Officer will withdraw
22 funding from a grant recipient for a program that
23 receives assistance under section 118 and that expe-
24 riences a failure described in subparagraph (A) or

1 (B) of paragraph (1) during a year in which the pro-
2 gram is on probation under paragraph (1).

3 “(c) **FIRST EVALUATION.**—Notwithstanding section
4 179, with respect to a program receiving assistance under
5 this subpart, the Corporation shall first evaluate the pro-
6 gram under section 179(a) during the second year for
7 which the program receives a grant under section
8 118(b)(2).

9 **“SEC. 118G. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out
11 this subpart such sums as may be necessary for each of
12 fiscal years 2004 through 2008.

13 **“SEC. 118H. DEFINITION.**

14 “In this subpart, the term ‘qualified entity’ means—

15 “(1) a State, acting through the State edu-
16 cational agency;

17 “(2) an Indian tribe;

18 “(3) a local educational agency; or

19 “(4) a nonprofit organization, meeting such re-
20 quirements as the Corporation may specify, acting in
21 partnership with 1 or more States, Indian tribes, or
22 local educational agencies.”.

1 **TITLE II—AMENDMENTS TO**
2 **EXISTING PROGRAMS**

3 **SEC. 201. SCHOOL-BASED PROGRAMS.**

4 Section 111(a) of the National and Community Serv-
5 vice Act of 1990 (42 U.S.C. 12521(a)) is amended—

6 (1) in paragraph (3), by striking “; and” at the
7 end and inserting a semicolon;

8 (2) in paragraph (4), by striking the period and
9 inserting “; and”; and

10 (3) by adding at the end the following:

11 “(5) planning, implementing, operating, or ex-
12 panding school-based programs that utilize appro-
13 priately trained adults (who may be participants in
14 a program under subtitle C or receive a national
15 service educational award under subtitle D) in sec-
16 ondary schools—

17 “(A) to work with community members
18 and organizations to identify service opportuni-
19 ties for secondary school students;

20 “(B) to disseminate to such students infor-
21 mation about such opportunities; and

22 “(C) to ensure that such students have
23 substantial structured opportunities for reflec-
24 tion on their service activities.”.

1 **SEC. 202. COMMUNITY-BASED AFTER-SCHOOL OR SUMMER**
2 **SERVICE PROGRAMS.**

3 (a) IN GENERAL.—Section 117A(b) of the National
4 and Community Service Act of 1990 (42 U.S.C. 12542(b))
5 is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A), by striking “;
8 or” and inserting a semicolon;

9 (B) by redesignating subparagraph (B) as
10 subparagraph (C);

11 (C) by inserting after subparagraph (A)
12 the following:

13 “(B) to make a grant to a qualified organi-
14 zation to implement, operate, expand, or rep-
15 licate a community-based service program
16 that—

17 “(i) engages school-age youth, after
18 school or during summer vacations, in
19 meaningful service that meets unmet
20 human, educational, environmental, or
21 public safety needs; and

22 “(ii) provides substantial structured
23 opportunities for the youth to reflect on
24 their service activities, enhancing their
25 sense of civic responsibility; or”; and

1 (D) in subparagraph (C) (as redesignated
2 by subparagraph (B)), by striking “such an or-
3 ganization” and inserting “an organization de-
4 scribed in subparagraph (A) or (B)”; and

5 (2) in paragraph (2), by striking “paragraph
6 (1)(A)” and inserting “subparagraph (A) or (B) of
7 paragraph (1)”.

8 (b) CONFORMING AMENDMENT.—Section 117(1) of
9 the National and Community Service Act of 1990 (42
10 U.S.C. 12541(1)) is amended by striking “section
11 117A(b)(1)(A)” and inserting “subparagraph (A) or (B)
12 of section 117A(b)(1)”.

13 **SEC. 203. NATIONAL SERVICE PROGRAMS.**

14 (a) TYPES OF PROGRAMS.—Section 122(a) of the
15 National and Community Service Act of 1990 (42 U.S.C.
16 12572(a)) is amended—

17 (1) by redesignating paragraph (15) as para-
18 graph (16); and

19 (2) by inserting after paragraph (14) the fol-
20 lowing:

21 “(15) A program that provides specialized
22 training to individuals and places the individuals
23 after such training in positions as coordinators, su-
24 pervisors, or leaders of programs funded under sub-
25 part C of part I of subtitle B.”.

1 (b) TYPES OF POSITIONS.—Section 123(4) of the
2 National and Community Service Act of 1990 (42 U.S.C.
3 12573(4)) is amended by inserting “or a position de-
4 scribed in section 122(a)(15)” before the period.

5 **SEC. 204. CONFORMING AMENDMENTS.**

6 (a) CLEARINGHOUSES.—Section 198A of the Na-
7 tional and Community Service Act of 1990 (42 U.S.C.
8 12653a) is amended by striking “118” and inserting
9 “118N”.

10 (b) TABLE OF CONTENTS.—The table of contents for
11 the National and Community Service Act of 1990 is
12 amended by striking the items relating to subpart C of
13 part I of subtitle B of title I and inserting the following:

“SUBPART C—COMMUNITY CORPS

“Sec. 118. Grants.
“Sec. 118A. Use of funds.
“Sec. 118B. Applications.
“Sec. 118C. Consideration of applications.
“Sec. 118D. Federal, State, and local contributions.
“Sec. 118E. Limitations on uses of funds.
“Sec. 118F. Accountability.
“Sec. 118G. Authorization of appropriations.
“Sec. 118H. Definition.

“SUBPART D—CLEARINGHOUSE

“Sec. 118N. Service-learning clearinghouse.”.