

111TH CONGRESS
1ST SESSION

S. 465

To amend the National and Community Service Act of 1990 to establish a Semester of Service grant program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2009

Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Mr. CASEY, and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the National and Community Service Act of 1990 to establish a Semester of Service grant program, 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 “Semester of Service
5 Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Throughout the United States, there are
2 pressing unmet human, educational, environmental,
3 and public safety needs.

4 (2) Americans desire to affirm common respon-
5 sibilities and shared values, and join together in
6 positive experiences, that transcend race, religion,
7 gender, age, ability, region, income, and education.

8 (3) Americans of all ages can improve their
9 communities and become more engaged citizens
10 through service to their communities.

11 (4) When children and other youth participate
12 in service activities and see that they are able to im-
13 prove the lives of others, the youth are better able
14 to control their own lives in a positive way, avoiding
15 risky behaviors, strengthening their community con-
16 nections, and becoming more engaged in their own
17 education.

18 (5) When youth service is tied to learning objec-
19 tives, that service is shown to decrease alienation
20 and behavior problems, and increase knowledge of
21 community needs, commitment to an ethic of service,
22 and understanding of politics and morality.

23 (6) When service is tied to what students are
24 learning in school, the students make gains on
25 achievement tests, complete their homework more

1 often, and increase their attendance and grade point
2 averages.

3 (7) Service-learning has been shown to reduce
4 the achievement gap in schools.

5 (8) Students who engage in service-learning im-
6 prove their communication skills, increase their
7 awareness of career possibilities, have a deeper un-
8 derstanding of social and economic issues that face
9 the Nation, and develop more positive workplace at-
10 titudes, giving the students skills to be strong lead-
11 ers.

12 (9) 82 percent of students who participated in
13 service-learning programs say their feelings about
14 attending high school became more positive as a re-
15 sult of service-learning.

16 (10) 77 percent of students who participated in
17 service-learning programs and 66 percent of at-risk
18 students who did not participate in service-learning
19 programs, say that service-learning had or would
20 have had a big effect on motivating them to work
21 hard.

22 (11) According to youth who have dropped out
23 of school, providing service-learning tops the list of
24 ways schools can improve.

1 (12) Service-learning gives students the oppor-
2 tunity to apply curricular knowledge and skills while
3 serving the community.

4 (13) Research shows that for every dollar spent
5 on a service-learning project, \$4 worth of service is
6 provided to the community involved.

7 (14) 65 percent of all students find service-
8 learning appealing but only 30 percent of schools
9 provide service-learning projects. In those schools,
10 only 16 percent of students are currently aware that
11 service-learning projects are available to them. 83
12 percent of all students say they would enroll in serv-
13 ice-learning projects if their schools had them.

14 (15) Research demonstrates that to provide
15 enough time for students to become deeply involved
16 in service and for service projects to have a mean-
17 ingful impact on student's lives, projects should be
18 of ample duration, typically at least a semester, and
19 include sufficient service hours, typically at least 70
20 hours.

21 (b) PURPOSE.—The purposes of this Act are—

22 (1) to offer youth the chance to spend a semes-
23 ter in service to their communities for academic
24 credit in their junior or senior year of high school;

1 (2) to teach civic participation skills to youth
2 and help youth see themselves as resources and lead-
3 ers for their communities;

4 (3) to encourage youth, regardless of income or
5 ability, to engage in community service;

6 (4) to provide tangible benefits to the commu-
7 nities in which Semester of Service programs are
8 performed; and

9 (5) to enhance the social-emotional and aca-
10 ademic development of youth participants.

11 **SEC. 3. SEMESTER OF SERVICE PROGRAMS.**

12 Title I of the National and Community Service Act
13 of 1990 (42 U.S.C. 12511 et seq.) is amended—

14 (1) by redesignating subtitles F, G, H, and I as
15 subtitles G, H, I, and J, respectively;

16 (2) by redesignating sections 160 through 166
17 as sections 159A through 159G, respectively; and

18 (3) by inserting after subtitle E the following:

19 **“Subtitle F—Semester of Service**
20 **Programs**

21 **“SEC. 161. DEFINITIONS.**

22 “In this subtitle:

23 “(1) ELIGIBLE AGENCY.—The term ‘eligible
24 agency’ means a local educational agency, or a non-

1 profit organization working in partnership with a
2 local educational agency.

3 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means an individual school (including a des-
5 ignee of a school), or a nonprofit organization work-
6 ing in partnership with a school.

7 “(3) ELIGIBLE YOUTH.—The term ‘eligible
8 youth’ means a youth who will be enrolled in the
9 junior or senior year of high school during the
10 youth’s participation for a semester of service re-
11 ferred to in section 163(f).

12 “(4) LOCAL EDUCATIONAL AGENCY.—The term
13 ‘local educational agency’ has the meaning given the
14 term in section 9101 of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C. 7801).

16 “(5) YOUTH PARTICIPANT.—The term ‘youth
17 participant’ means a youth who is enrolled in the
18 junior or senior year of high school and is a partici-
19 pant in a project carried out under this subtitle.

20 **“SEC. 162. GRANTS TO ELIGIBLE AGENCIES.**

21 “(a) GRANTS.—

22 “(1) IN GENERAL.—The Chief Executive Offi-
23 cer shall award grants on a competitive basis to eli-
24 gible agencies to pay for the Federal share of the
25 cost of carrying out community service programs, to

1 support service-learning projects, including the dis-
2 trict-level activities described in subsection (d).

3 “(2) PERIODS OF GRANTS.—The Chief Execu-
4 tive Officer shall award the grants for periods of 3
5 years. The Chief Executive Officer may renew the
6 grants for not more than 2 additional periods of 3
7 years.

8 “(3) GRANT AMOUNT.—The Chief Executive
9 Officer shall award such a grant to an eligible agen-
10 cy for a program in an amount not greater than the
11 sum of—

12 “(A) the product obtained by multiplying
13 \$50 and a number equal to the number of eligi-
14 ble youth who will provide service under the
15 program, as specified in the application de-
16 scribed in subsection (b); and

17 “(B) an amount equal to 20 percent of the
18 product determined under subparagraph (A),
19 for school district-level activities.

20 “(b) APPLICATION.—To be eligible to receive a grant
21 under this section for a community service program, an
22 eligible agency shall submit an application to the Chief Ex-
23 ecutive Officer at such time, in such manner, and con-
24 taining such information as the Chief Executive Officer
25 may require, including information that—

1 “(1) describes the procedures and criteria the
2 eligible agency will use for reviewing applications
3 and awarding subgrants on a competitive basis
4 under section 163 to eligible entities for service-
5 learning projects, including how the eligible agency
6 will—

7 “(A) ensure the classroom-based instruc-
8 tion component of service-learning projects is
9 aligned with applicable State academic content
10 standards; and

11 “(B) ensure service-learning project activi-
12 ties are tied to, where available, State service-
13 learning standards;

14 “(2) describes the procedures and criteria the
15 eligible agency will use to evaluate eligible entities’
16 service-learning projects including, at a minimum, a
17 description of the objectives and benchmarks the eli-
18 gible agency will use to evaluate such projects; and

19 “(3) describes the steps the eligible agency will
20 take to ensure that the service-learning projects
21 funded will implement effective strategies, which
22 steps shall include providing eligible entities with on-
23 going technical assistance, professional development,
24 and training.

25 “(c) APPLICANT REVIEW.—

1 “(1) SELECTION CRITERIA.—The Chief Execu-
2 tive Officer shall evaluate applications for grants
3 under this section based on the quality, innovation,
4 replicability, and sustainability of the programs pro-
5 posed by the applicants.

6 “(2) REVIEW PANELS.—The Chief Executive
7 Officer shall employ review panels consisting of ex-
8 perts in the fields of service-learning, youth develop-
9 ment, and education, and of youth seeking to be
10 youth participants, in reviewing the applications.

11 “(3) NOTIFICATION OF APPLICANTS.—If the
12 Chief Executive Officer rejects an application sub-
13 mitted under this section, the Chief Executive Offi-
14 cer shall promptly notify the applicant of the reasons
15 for the rejection of the application.

16 “(4) RESUBMISSION AND RECONSIDERATION.—
17 The Chief Executive Officer shall provide an appli-
18 cant notified of rejection with a reasonable oppor-
19 tunity to revise and resubmit the application. At the
20 request of the applicant, the Chief Executive Officer
21 shall provide technical assistance to the applicant as
22 part of the resubmission process. The Chief Execu-
23 tive Officer shall promptly reconsider an application
24 resubmitted under this paragraph.

1 “(5) PRIORITY.—In making grants under this
2 section, the Chief Executive Officer shall give pri-
3 ority to eligible agencies that propose to give sub-
4 grants under this subtitle to eligible entities for
5 schools that receive funds under part A of title I of
6 the Elementary and Secondary Education Act of
7 1965 (20 U.S.C. 6311 et seq.).

8 “(d) SELECTION OF DISTRICT RECIPIENTS.—In
9 awarding grants under this section, the Chief Executive
10 Officer shall ensure that programs are funded in a variety
11 of geographic areas, including urban and rural areas.

12 “(e) SCHOOL DISTRICT-LEVEL ACTIVITIES.—An eli-
13 gible agency that receives a grant under this section may
14 reserve up to the amount described in subsection (a)(3)(B)
15 from the grant funds, for school district-level activities—

16 “(1) which shall include—

17 “(A) conducting outreach and dissemina-
18 tion of program-related information to ensure
19 the broadest possible involvement of eligible en-
20 tities and eligible youth in the program carried
21 out under this subtitle;

22 “(B) providing technical assistance and
23 professional development and training for per-
24 sonnel, to eligible entities that receive subgrants
25 under section 163; and

1 “(C) conducting an evaluation of the
2 projects carried out by eligible entities within
3 the school district, submitting the results of the
4 evaluation to the Chief Executive Officer, and
5 widely disseminating the results locally; and

6 “(2) which may include—

7 “(A) hiring staff to administer the pro-
8 gram carried out under this subtitle in the
9 school district involved; and

10 “(B) using the results of the evaluation to
11 compile information on best practices for such
12 projects.

13 “(f) FEDERAL SHARE.—

14 “(1) IN GENERAL.—The Federal share attrib-
15 utable to this subtitle of the cost of carrying out a
16 program for which a grant is made under this sec-
17 tion may not exceed—

18 “(A) 90 percent of the total cost of the
19 program for the first year for which the pro-
20 gram receives assistance under this subpart;

21 “(B) 80 percent of the total cost of the
22 program for the second such year;

23 “(C) 70 percent of the total cost of the
24 program for the third such year; and

1 “(D) 50 percent of the total cost of the
2 program, for each such year thereafter.

3 “(2) CALCULATION.—In providing for the re-
4 maining share of the cost of carrying out such a pro-
5 gram, each recipient of a grant under this subtitle—

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

9 “(B) may provide for such share through
10 State or local sources, both public and private,
11 or Federal sources (other than funds made
12 available under the national service laws).

13 “(3) WAIVER.—The Chief Executive Officer
14 may waive the requirements of paragraph (1) in
15 whole or in part with respect to any such program
16 in any fiscal year if the Chief Executive Officer de-
17 termines that such waiver would be equitable due to
18 a lack of available financial resources at the State
19 or local level.

20 **“SEC. 163. SUBGRANTS TO ELIGIBLE ENTITIES.**

21 “(a) SUBGRANTS.—

22 “(1) IN GENERAL.—An eligible agency that re-
23 ceives a grant under section 162 shall use the grant
24 funds to award subgrants on a competitive basis to

1 eligible entities to pay for the cost of carrying out
2 service-learning projects.

3 “(2) PERIODS OF SUBGRANTS.—The eligible
4 agency shall award the subgrants for periods of 3
5 years. Subject to subsection (c), the eligible agency
6 may renew the subgrants for additional periods of 3
7 years.

8 “(3) AMOUNTS OF SUBGRANTS.—The eligible
9 agency shall award such a subgrant to an eligible
10 entity for a project in an amount equal to the prod-
11 uct obtained by multiplying \$50 and a number equal
12 to the number of eligible youth who will provide
13 service under the project, as specified in the applica-
14 tion described in subsection (b).

15 “(b) APPLICATION.—To be eligible to receive a
16 subgrant under this section for a project, an eligible entity
17 shall submit an application to the eligible agency at such
18 time, in such manner, and containing such information as
19 the eligible agency may require, including information
20 that—

21 “(1) describes the manner in which the entity
22 will—

23 “(A) recruit and engage eligible youth, in-
24 cluding students with disabilities and English
25 language learners, as applicable;

1 “(B) engage a variety of entities and indi-
2 viduals, such as youth organizations, elected of-
3 ficials, civic groups, nonprofit organizations,
4 media partners, and other entities within the
5 community, including participants in any other
6 project carried out under the national service
7 laws, to work with the entity to provide field op-
8 portunities as part of the project;

9 “(C) recruit service sponsors for field ac-
10 tivities carried out through the project, includ-
11 ing nonprofit organizations, businesses, youth
12 organizations, institutions of higher education,
13 and entities that carry out national service pro-
14 grams under the national service laws;

15 “(D)(i) ensure that the youth participants
16 in the project engage in service-learning for a
17 minimum of 70 hours over a minimum of 12
18 weeks; and

19 “(ii) ensure that at least 24 hours of the
20 minimum 70 hours are spent participating in
21 field-based activities;

22 “(E) ensure that project activities are tied
23 to, where available, State service-learning
24 standards;

1 “(F) provide a weekly classroom-based in-
2 struction component of the project, integrated
3 into the regular curriculum of the school in-
4 volved and aligned with applicable State aca-
5 demic content standards;

6 “(G) ensure that youth participants will
7 receive academic credit, for the time spent in
8 the classroom and in the field for the project,
9 equivalent to the academic credit for any class
10 of equivalent length and with an equivalent
11 time commitment;

12 “(H) involve youth participants in the
13 project in the design and planning of the
14 project;

15 “(I) promote leadership development and
16 build an ethic of civic responsibility among the
17 youth participants;

18 “(J) provide training, which may include
19 life skills, financial education, and employment
20 training, in addition to training concerning the
21 specific community service to be provided
22 through the project, for the youth participants;

23 “(K) provide team-oriented, adult-super-
24 vised experiences through the project;

1 “(L) ensure youth participants engage in
2 reflection and evaluation; and

3 “(M) provide opportunities for youth par-
4 ticipants to demonstrate their successes and
5 teach other youth;

6 “(2) describes how the eligible entity will annu-
7 ally establish benchmarks for academic, social, and
8 behavioral objectives, and annually conduct an eval-
9 uation to measure progress toward the benchmarks;
10 and

11 “(3) provides an assurance that the eligible en-
12 tity will annually make the results of such evaluation
13 available to the eligible agency.

14 “(c) CONTINUED ELIGIBILITY.—To be eligible to re-
15 ceive funds under this section for a second or subsequent
16 year of a subgrant period, an eligible entity shall dem-
17 onstrate that the entity has met the benchmarks for the
18 objectives described in subsection (b)(2).

19 “(d) PERMISSIBLE USES OF FUNDS.—The eligible
20 entity may use the subgrant funds to pay for—

21 “(1) developing or acquiring service-learning
22 curricula for the project, to be integrated into aca-
23 demic programs, including making accommodations
24 for students with disabilities and English language
25 learners;

1 “(2) establishing objectives and benchmarks,
2 conducting evaluations, and making evaluation re-
3 sults available;

4 “(3) conducting outreach and dissemination of
5 project-related information to ensure the broadest
6 possible involvement of eligible youth and community
7 partners in the project;

8 “(4) carrying out basic implementation of the
9 service-learning project, including the purchase or
10 rental of materials needed to complete the field or
11 classroom component of the service-learning in-
12 volved;

13 “(5) carrying out planning activities at the
14 start of each semester in which the project is carried
15 out;

16 “(6) providing supplemental pay to staff who
17 administer the project; and

18 “(7) recognition and awards.

19 “(e) SERVICE.—

20 “(1) ELIGIBLE SERVICE CATEGORIES.—The eli-
21 gible entity may use the subgrant funds to carry out
22 a service-learning project that meets unmet human,
23 educational, environmental, or public safety needs
24 and that includes a classroom-based instruction com-
25 ponent aligned with applicable State academic con-

1 tent standards, and project activities tied to, where
2 available, State service-learning standards.

3 “(2) INELIGIBLE SERVICE CATEGORIES.—The
4 eligible entity may not use the subgrant funds for
5 service prohibited under section 132(a).

6 “(f) PARTICIPATION.—Youth participants may par-
7 ticipate in service-learning projects under this subtitle for
8 not more than 2 semesters of service, as defined by the
9 Chief Executive Officer.

10 **“SEC. 164. INDIAN TRIBES AND TERRITORIES.**

11 “The Chief Executive Officer shall reserve not more
12 than 3 percent of the funds appropriated under section
13 501(a)(4) for a fiscal year, for grants made on a competi-
14 tive basis to Indian tribes, organizations serving Native
15 Hawaiians (as defined in section 625 of the Older Ameri-
16 cans Act of 1965 (42 U.S.C. 3057k)), the United States
17 Virgin Islands, Guam, American Samoa, and the Com-
18 monwealth of the Northern Mariana Islands. The Chief
19 Executive Officer shall issue regulations specifying how an
20 entity receiving a grant under this section shall use the
21 grant funds to carry out a program under this subtitle.

22 **“SEC. 165. NATIONAL QUALITY AND OUTREACH ACTIVITIES.**

23 “The Chief Executive Officer shall reserve not more
24 than 4 percent of the funds appropriated under section
25 501(a)(4) for a fiscal year and use the reserved funds,

1 either directly or through grants and contracts to organi-
2 zations with experience in semester-based service-learning
3 programs, to—

4 “(1) provide technical assistance and training
5 to recipients of grants and subgrants under this sub-
6 title;

7 “(2) conduct outreach and dissemination of
8 program-related information to ensure the broadest
9 possible involvement of eligible agencies, eligible en-
10 tities, organizations, and eligible youth in programs
11 under this subtitle; and

12 “(3) carry out other activities designed to im-
13 prove the quality of programs under this subtitle.

14 **“SEC. 166. NATIONAL EVALUATION.**

15 “(a) RESERVATION.—The Chief Executive Officer
16 shall reserve not more than the greater of \$500,000 or
17 1 percent of the funds appropriated under section
18 501(a)(4) for a fiscal year—

19 “(1) to arrange for an independent evaluation
20 of eligible agency programs carried out under this
21 subtitle, to be conducted in the third year of each
22 grant period in which the programs are imple-
23 mented; and

24 “(2) to ensure that the results of the evaluation
25 are widely disseminated.

1 “(b) REPORT.—The Chief Executive Officer shall an-
 2 nually submit to the Committee on Health, Education,
 3 Labor, and Pensions of the Senate and the Committee on
 4 Education and Labor of the House of Representatives, a
 5 report concerning the results of the evaluations conducted
 6 under subsection (a). Such reports shall also contain infor-
 7 mation on the models and best practices and any other
 8 findings or recommendations developed by the Chief Exec-
 9 utive Officer based on such evaluations.

10 **“SEC. 167. CONSTRUCTION.**

11 “An individual participating in service in a program
 12 described in this subtitle shall not be considered to be an
 13 employee engaged in employment for purposes of the Fair
 14 Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).”.

15 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS AND AVAIL-**
 16 **ABILITY.**

17 Section 501(a) of the National and Community Serv-
 18 ice Act of 1990 (42 U.S.C. 12681(a)) is amended—

19 (1) by redesignating paragraph (4) as para-
 20 graph (5); and

21 (2) by inserting after paragraph (3) the fol-
 22 lowing:

23 “(4) SUBTITLE F.—There are authorized to be
 24 appropriated to carry out subtitle F, \$200,000,000

1 for fiscal year 2010 and such sums as may be nec-
2 essary for each subsequent fiscal year.”.

3 **SEC. 5. CONFORMING AMENDMENTS.**

4 (a) REDESIGNATION OF SUBTITLES.—

5 (1) Section 118(a) of the National and Commu-
6 nity Service Act of 1990 (42 U.S.C. 12551(a)) is
7 amended by striking “subtitle H” and inserting
8 “subtitle I”.

9 (2) Section 122(a)(2) of such Act (42 U.S.C.
10 12572(a)(2)) is amended by striking “subtitle I”
11 and inserting “subtitle J”.

12 (3) Section 193A(f)(1) of such Act (42 U.S.C.
13 12651d(f)(1)) is amended by striking “subtitles C
14 and I” and inserting “subtitles C and J”.

15 (4) Section 501(a)(2) of such Act (42 U.S.C.
16 12681(a)(2)) is amended—

17 (A) in the paragraph heading, by striking
18 “SUBTITLES C, D, AND H” and inserting “SUB-
19 TITLES C, D, AND I”;

20 (B) in subparagraph (A), by striking “sub-
21 titles C and H” and inserting “subtitles C and
22 I”; and

23 (C) in subparagraph (B), by striking “sub-
24 title H” and inserting “subtitle I”.

25 (b) REDESIGNATION OF SECTIONS.—

1 (1) Section 155(d)(3) of such Act (42 U.S.C.
2 12615(d)(3)) is amended by striking “section
3 162(a)(3)” and inserting “section 159C(a)(3)”.

4 (2) Section 156(d) of such Act (42 U.S.C.
5 12616(d)) is amended by striking “section
6 162(a)(3)” and inserting “section 159C(a)(3)”.

7 (3) Section 159(c) of such Act (42 U.S.C.
8 12619(c)) is amended—

9 (A) in paragraph (2)(C)(i), by striking
10 “section 162(a)(2)” and inserting “section
11 159C(a)(2)”; and

12 (B) in paragraph (3), by striking “section
13 162(a)(2)(A)” and inserting “section
14 159C(a)(2)(A)”.

15 (4) Section 159B(b)(1)(B) of such Act (as re-
16 designated by section 3(2)) is amended by striking
17 “section 162(a)(3)” and inserting “section
18 159C(a)(3)”.

19 (c) REDESIGNATION OF APPROPRIATION PROVI-
20 SIONS.—Section 126(a)(1) of the National and Commu-
21 nity Service Act of 1990 (42 U.S.C. 12576(a)(1)) is
22 amended by striking “section 501(a)(4)” and inserting
23 “section 501(a)(5)”.

24 (d) TABLE OF CONTENTS.—The table of contents in
25 section 1(b) of the National and Community Service Act

1 of 1990 is amended, in the items relating to title I of that
2 Act—

3 (1) in the item relating to the subtitle header
4 for subtitle I, by striking “**Subtitle I**” and insert-
5 ing “**Subtitle J**”;

6 (2) in the item relating to the subtitle header
7 for subtitle H, by striking “**Subtitle H**” and in-
8 serting “**Subtitle I**”;

9 (3) in the item relating to the subtitle header
10 for subtitle G, by striking “**Subtitle G**” and in-
11 serting “**Subtitle H**”;

12 (4) in the item relating to the subtitle header
13 for subtitle F, by striking “**Subtitle F**” and insert-
14 ing “**Subtitle G**”;

15 (5) by redesignating the items relating to sec-
16 tions 160 through 166 as the items relating to sec-
17 tions 159A through 159G, respectively; and

18 (6) by inserting after the items relating to sub-
19 title E the following:

“Subtitle F—Semester of Service Programs

“Sec. 161. Definitions.

“Sec. 162. Grants to eligible agencies.

“Sec. 163. Subgrants to eligible entities.

“Sec. 164. Indian tribes and territories.

“Sec. 165. National quality and outreach activities.

“Sec. 166. National evaluation.

“Sec. 167. Construction.”.

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