

## **Neglected and Delinquent Children and Youth**

The Local Education Agency (LEA) Programs for Neglected and Delinquent Children and Youth provides formula grants to state educational agencies to establish and improve education programs for neglected and delinquent children and youth.

The purpose of the South Carolina Department of Education (SCDE) LEA Programs for Neglected and Delinquent Children and Youth is to support the operation of LEA programs that involve collaboration with locally operated correctional facilities to

1. carry out high-quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
2. provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment; and
3. operate programs in local schools, including schools operated or funded by the Bureau of Indian Education, for children and youth returning from correctional facilities and programs, which may serve at-risk children, and youth.

Eligible applicants must complete and submit the online application, as outlined in the attached application instructions. See the attached application instructions for a list of LEAs eligible to receive funds and for guidance on preparing and submitting the application.

If you have any questions or require assistance, please contact me at 803-734-3454 or [msumpter@ed.sc.gov](mailto:msumpter@ed.sc.gov).

## **Local Education Agency (LEA) Programs for Neglected and Delinquent Children and Youth Application Instructions**

### **Funding Authorization**

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The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk is authorized by the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015, Title I, Part D; Sections 1401–1432; 20 *U.S.C.* 6421–6472.

### **Eligibility**

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According to Subpart 2, Section 1422, eligible LEAs must have “high numbers or percentages of children and youth residing in locally operated (including county operated) correctional facilities for children and youth (including facilities involved in community day programs).” The SCDE’s

Office of Federal and State Accountability has determined the following LEAs are eligible to receive funding under this program for 2024–25.

Applicants may be subject to an evaluation of their financial system, internal controls processes, and policies and procedures by the SCDE’s Office of Auditing Services before a grant award is issued or during the grant term.

To receive funding, eligible LEAs must submit a complete application to the SCDE via the Grants Electronic Management System (GEMS) on-line application platform.

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#### Statutory Requirements

All subgrantees must comply with Title I, Part D, and Title IX, as applicable, of the ESEA, as reauthorized by ESSA and General Education Provisions Act (P.L. 103-382) along with all applicable federal regulations requirements outlined below.

#### Applicable Federal Regulations

Applicants should review the following federal regulations, accessible at the electronic [Code of Federal Regulations \(CFR\) website](#), that are applicable to the LEA Programs for the Neglected and Delinquent Children and Youth. Applicants are reminded that, if funded, their programs must comply with these regulations

- 2 CFR Part 25—Universal Identifier and System for Award Management,
- 2 CFR Part 180—Office of Management and Budget (OMB) Guidelines to Agencies on Government Debarment and Suspension (Nonprocurement) as adopted at 2 CFR Part 3485,
- 2 CFR Part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (*Note*: 2 CFR Part 200.210(a)(1) requires that a grant recipient's name match their registered name associated with its unique entity identifier as defined at 2 CFR 25.315),
- Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 76 (except for 76.662 (Participation of Students Enrolled in Private Schools)), 77, 81, and 82,
- 34 CFR Part 200—Helping Disadvantaged Children Meet High Standards, and
- 34 CFR Part 200.90, Subpart D—Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk of Dropping Out.

#### *Universal Identifier and System for Award Management—2 CFR Part 25*

In compliance with 2 CFR Part 25, an applicant must be registered in the federal System for Award Management (SAM) prior to submitting an application, maintain an active registration during the application process and throughout an active federal award, and include a valid UEI number in their application. Applicants should contact their finance office if they need assistance with this item. Applicants should include their 10 digit ZIP code (ZIP + 4) when registering. Applicants that do not have a 10-digit ZIP code in SAM.gov will need to update their [SAM.gov](#) registration. (Look up the [10-digit ZIP code](#).)

The applicant LEA and all signatories should review the Assurances and Terms and Conditions for Federal Subawards and the program-specific assurances, to ensure that, if awarded a subgrant, they are capable of full compliance, especially with all the referenced federal regulations and state laws, to enter into an agreement with the SCDE for this program. For example, in compliance with 2 CFR Part 200.112, applicants must disclose in writing any potential conflict of interest to the SCDE by following the conflict of interest policy of the applicable U.S. Department of Education.

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The LEA **must consult** with the proposed neglected and delinquent (N&D) facility or site to coordinate the program application, implementation, and evaluation and to address all program activity components as described in the application.

The electronic submission of this application by the district's superintendent certifies that he/she has read and agreed to the Assurances and Terms and Conditions for Federal Subawards, and the Neglected and Delinquent program-specific assurances. The superintendent also understands that the electronic submission of this application *legally binds* the applicant to the agency's Assurances and Terms and Conditions for Federal Subawards. In addition, submission of the application also indicates the superintendent's approval of the N&D plan, and the plan for each applicable facility receiving an N&D allocation.

Further, the LEA must sign and return a Grant Award Notification (GAN). The GAN is a legally binding document that includes all applicable federal and state statutory and regulatory requirements for receiving federal funds. The GAN is also inclusive of the total amount allocated to an LEA; applicable federal and state assurances and terms, and conditions for how the allocated funds must be utilized and by when.

#### Program Requirements for Correctional Facilities Receiving Funds

Subpart 2, Section 1425 states that each correctional facility entering into an agreement with an LEA under section 1423(2) to provide services to children and youth under this subpart shall

1. where feasible, ensure that educational programs in the correctional facility are coordinated with the student's home school, particularly for a student with an individualized education program under part B of the Individuals with Disabilities Education Act;
2. if the child or youth is identified as in need of special education services while in the correctional facility, notify the child's or youth's local school of such need;
3. where feasible, provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;
4. provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma once their term at the correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a regular high school diploma or its recognized equivalent;
5. work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities, taking into consideration the unique needs of such children and youth;
6. ensure that educational programs in the correctional facility are related to assisting students to meet the challenging state academic standards;
7. to the extent possible, use technology to assist in coordinating educational programs between the correctional facility and the community school;
8. where feasible, involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of such children in delinquent activities;
9. coordinate funds received under this subpart with other local, state, and federal funds available to provide services to participating children and youth, such as funds made available under Title I of Public Law 113–228 (Workforce Innovation and Opportunity Act of 2014) and career and technical education funds;

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10. coordinate programs operated under this subpart with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable;
11. if appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth;
12. upon the child's or youth's entry into the correctional facility, work with the child's or youth's family members and the LEA that most recently provided services to the child or youth (if applicable) to ensure that the relevant and appropriate academic records and plans regarding the continuation of educational services for such child or youth are shared jointly between the correctional facility and LEA to facilitate the transition of such children and youth between the LEA and the correctional facility; and
13. consult with the LEA for a period jointly determined necessary by the correctional facility and LEA upon discharge from that facility to coordinate educational services to minimize disruption to the child's or youth's achievement.

### **Funding Period**

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The subgrant period is from July 1, 2023, through September 30, 2025. Funds will not be carried forward from the previous subgrant period. If a program cannot be implemented as planned, contact Makesia Sumpter to assess and provide options.

### **Use of Funds**

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Subpart 2, Section 1424(a) details that funds may be used, as appropriate, for

1. programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment and to help them remain in school in order to complete their education;
2. dropout prevention programs that serve at-risk children and youth;
3. the coordination of health and social services for such individuals if there is a likelihood that the provision of such services, including daycare, drug and alcohol counseling, and mental health services, will improve the likelihood that such individuals will complete their education;
4. special programs to meet the unique academic needs of participating children and youth, including vocational and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education;
5. programs providing mentoring and peer mediation;
6. programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the LEA that are operated by the Secretary of the Interior or Indian tribes; and
7. pay for success initiatives.

**Contracts and Grants**—An LEA may use a subgrant received under this subpart to carry out the activities described under paragraphs (1) through (7) of subsection (a) directly or through subgrants, contracts, or cooperative agreements.

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#### Accountability

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In compliance with Subpart 2, Section 1426, the SCDE may reduce or terminate funding for the project if the LEA does not show progress in the number of children and youth attaining a regular high school diploma or its recognized equivalent.

For correctional and other N&D identified facilities receiving funding under this subpart for three years, the SCDE may require said facilities to demonstrate an increase in

- the number of children and youth returning to school;
- the number of youth attaining a regular high school diploma or its recognized equivalent; and
- the number of youth attaining employment after they are released.

#### Program Evaluation

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As required by Subpart 3, Section 1431, each participating LEA will evaluate their program no less than once every three years. Data will be disaggregated on participation by gender, race, ethnicity, and age, while protecting individual student privacy, to determine the program's impact on the intended recipients of the N&D services.

Specific information regarding the N&D evaluation process is located in the *Title I, Part D Neglected and Delinquent Education Programs Handbook of Basic Guiding Principles for Effective Program Implementation*.

#### Definitions

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[Subpart 3, Section 1432](#) provides a list of definitions related to programs for Neglected and Delinquent Children and Youth:

Adult Correctional Institution—The term adult correctional institution' means a facility in which persons (including persons under 21 years of age) are confined as a result of a conviction for a criminal offense.

At-Risk—The term at-risk, when used with respect to a child, youth, or student, means a school-aged individual who is at-risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.

Community Day Program—The term community day program' means a regular program of instruction provided by a state agency at a community day school operated specifically for neglected or delinquent children and youth.

Institution for Neglected or Delinquent Children and Youth—The term institution for neglected or delinquent children and youth means—

- (A) a public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable state law, due to abandonment, neglect, or death of their parents or guardians; or
- (B) a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

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#### **Application Information and Submission Instructions**

Eligible applicants must submit a completed application on-line. Eligible applicants must also have a current registration in the federal [System for Award Management](#) (SAM) and maintain an active SAM registration during the award. Applicants must include their UEI number in their application and confirm their current registration in SAM.

The overall application is inclusive of the memorandum of agreement, facility/site narrative that includes a detailed needs assessment, budget narrative information, maintenance of fiscal effort (MOE) specific data, and facility/site activity summaries consisting of activities specific to ELA/reading, Math, and Transition Services.

- Memorandum of Agreement (MOA): a description of formal agreements between the LEA and facility/site outlining the terms and details of a mutual understanding or agreement for how the facility/site is required to carry out the N&D program
- Facility-Site Narrative: is based on the LEA and/or facility/site's plan to implement the program. A facility/site narrative **must be** submitted for **each** facility.
- Needs assessment: should include achievement and other data that informs the prioritizing and determining of criteria for solutions to address challenges experienced by N&D served students. The needs assessment should include data that informs actions designed to improve programs, services, organizational structure, and operations N&D program. (*See sample Needs Assessment process below.*)
- Budget Narrative: provides an explanation and outlines the use of the N&D funds to support activities specific to the three required program areas (ELA/reading, Math, and Transition Services) as applicable, and includes applicable object and function budget codes.
- An MOA with appropriate signatures **must be** submitted for **each** facility receiving N&D support and services.
- Maintenance of Effort (MOE): is a federal mandate that requires grant recipients and/or sub-recipients to maintain a certain level of state/local fiscal effort to be eligible for full participation in federal grant funding. The MOE must be entered for the years indicated in GEMS. Note: MOE should be the same as for Title I, Part A.

#### **Entering Application Information into GEMS**

**NOTE: The LEA is directly responsible for completing the following:**

1. **All** of the application sections in GEMS;
2. The LEA is directly **responsible for responding to the 13 questions** located under the Program Details section in GEMS;
3. The Facility Overview for each proposed facility/site;
  - Facility/Site Name, Designation (Neglected or Delinquent)
  - Who provides the primary education program
  - Where the students receive their primary education program

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- Whether or not students are being served are listed in PowerSchool
  - Student participation in Reading and Math
4. Entering the Budget Details and Narrative Descriptions for each facility/site.
  5. Entering the total unduplicated number of students served for the 2024–25 school year.
  6. Delinquent Programs: Additional information is required for delinquent programs only. The percent of students section should auto-populate based on the numbers provided.

**Every facility/site receiving N&D funding support *must complete and submit the following documents to the LEA.***

- A. Memorandum of Agreement (*Applicable sections*)
  - B. Facility/Site Narrative
  - C. A Separate Program Activity Summary for ELA/Reading, Math, Transition Services, respectively
- Use the Facility/Site Narrative must include a clear and concise description (response) of how the requested information fulfills the objectives of Title I, Part D, Sections 1421 and 1423, and the Non-regulatory Guidance for Neglected and Delinquent Education Programs as indicated below. If an item is not applicable, please indicate N/A.
  - Program Activity Summary for Education and Support Programs  
The program activity should address a specific need or set of needs to achieve a desired or intended outcome. The activity is inclusive of associated budgets and or financing sources.

The activities should consist of high-quality education programs and or resources that prepare children and youth for secondary school completion, training, employment, or further education.

#### Components

1. **Reading/English Language Arts Activity** components must address how the facility/site will use program resources to help participating children meet the state's challenging academic content standards and challenging state student academic achievement standards that all children in the state are expected to meet for reading. List any additional resources coordinated within this activity funded from other sources.
2. **Math Activity** components must address how the facility/site will use program resources to help participating children meet the state's challenging academic content standards and challenging state student academic achievement standards that all children in the state are expected to meet for math. List any additional resources coordinated within this activity funded from other sources.
3. **Transition Activity** components must address how the facility/site will use program resources to provide activities to facilitate the transition of such children and youth from the facility/site program to further education, training, or employment. List any additional resources coordinated within this activity funded from other sources.



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**NOTE:** The facility/site is not required to use the mandatory 15-30 percent of the total allocation for Transition Services, however, the facility/site must provide transition services and list the funding sources and associated costs for said transition services. The funding for the Transition Services **must, at a minimum**, equate to the 15-30 percent allocation requirement.

#### ***LEA N&D Application Addendum (if applicable)***

An LEA may elect to provide certain programs such as drop-out prevention and/or community day school programs as defined in Section 1432 or other programs as stipulated in Section 1424, consistent with [Title I, Part D, and the non-regulatory guidance](#).

If the LEA elects to serve eligible students other than those identified within residential sites that contributed to the general eligibility criteria, the following information in one PDF document must be provided and to be uploaded in the Application Addendum section of the online portion of the application. ***The LEA must receive prior approval, to include a rationale/explanation***

- Needs Assessment with data that supports the program to be implemented;
- Program Description that describes the program(s) to be implemented and the number of students to be served; and
- Program Activity sheet(s) completed for the program(s) to be funded.

Subgrantees (LEAs) must submit an initial budget and all expenditure reports through the [Grants Accounting Processing System \(GAPS\)](#). Submission of expenditure reports will be accepted monthly but is required *at least* quarterly throughout the grant award period.

**NOTE:** Templates for the following documents will be provided as an attachment.

- Memorandum of Agreement
- Facility/Site Narrative
- Program Activity summary (ELA/reading, Math and Transition Services)

For assistance or questions regarding the application process, please contact the SCDE's Neglected and Delinquent Education State Coordinator, Makesia Sumpter, at [msumpter@ed.sc.gov](mailto:msumpter@ed.sc.gov) or 803-734-3454. For technical assistance navigating GEMS, please contact their support desk.

#### **Neglected and Delinquent (N&D) Needs Assessment**

A needs assessment for N&D facility/sites should include more than the previous year's data. A

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needs assessment is a summary that focuses on the needs and achievement levels of the students to be served and details how the funds will provide supplemental assistance to the educational program. A needs assessment describes *why* the activities are needed and *how* the funds will be expended to support the needed activities (i.e., The *how*, is what the facility/site will implement with Title I, Part D funds, based upon the identified need.).

**NOTE:** All expenditures in the plan components must flow from the needs assessment.

An N&D needs assessment may include the following:

First paragraph: A brief description of the facility/site, demographic information, and the nature of the students to be served.

Second and following paragraphs: A summary of available information and data to identify needs including why supplemental assistance is needed. Details of identified needs would include:

- student assessment data;
- teacher input/survey; and
- currently available equipment, materials, and supplies.

Identified need (for example): To increase student achievement in reading/math.

Use of Title I funds to address the identified need (for example):

- Provide tutorial assistance in ELA/math.
- Provide or supplement access to electronic learning.
- Provide supplemental materials or opportunity that supports ELA/math, credit recovery, GED, or career/vocational curriculum.
- Provide teachers the opportunity for professional development on effective teaching or tutorial practices in ELA and math.