

**South Carolina Department of Education  
Office of Federal and State Accountability  
Consolidated Finance and Applications**



**Title I, Part D  
Neglected and Delinquent Education Programs**

**Handbook  
of**

***Basic Guiding Principles for  
Effective Program Implementation***

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## What is Title I Part D? ---Neglected and Delinquent Education

The [Title I, Part D](#) program (also called *The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At-Risk*) was most recently reauthorized under the Elementary and Secondary Education Act (ESEA), to the Every Student Succeeds Act (ESSA) as amended in 2015. The Title I, Part D, Subpart 1 State agency N or D program was first authorized with P.L. 89-750, the Elementary and Secondary Amendments of 1966. The Title I, Part D, Subpart 2 local educational agency program came into being in its present form with the Improving America Schools Act of 1994.

The goals of Title I, Part D, are to

1. Improve educational services for these children so they have the opportunity to meet challenging State academic content and achievement standards;
2. Provide them with services to successfully transition from institutionalization to further schooling or employment; and
3. Prevent youth who are at-risk from dropping out of school, and to provide dropouts and children and youth returning from correctional facilities with a support system to ensure their continued education.

### Subpart 1

Under State Education Agency [(SEA)/South Carolina Department of Education (SCDE)] programs (Title I, Part D, Subpart 1), States receive formula funds based on the number of children in State-operated institutions and per-pupil educational expenditures. Each State's allocation is generated by child counts in State juvenile institutions that provide at least 20 hours of instruction from nonfederal funds and adult correctional institutions that provide 15 hours of instruction a week. The SEA then makes subgrants to State agencies based on their proportional share of the State's adjusted enrollment count of neglected or delinquent children and youth.

### Subpart 2

Under Local Education Agency (LEA) programs (Title I, Part D, Subpart 2), the SEA award subgrants based on formula funding (per-pupil educational expenditures) generated by child counts, to districts with high numbers or percentages of children and youth in locally operated facilities, including facilities involved in community day programs identified as neglected or delinquent. The facilities are identified based on criteria established by the South Carolina Department of Social Services (DSS) and the South Carolina Department of Health and Environmental Control (DHEC) and must reside within the geographical boundary of districts deemed eligible for funding.

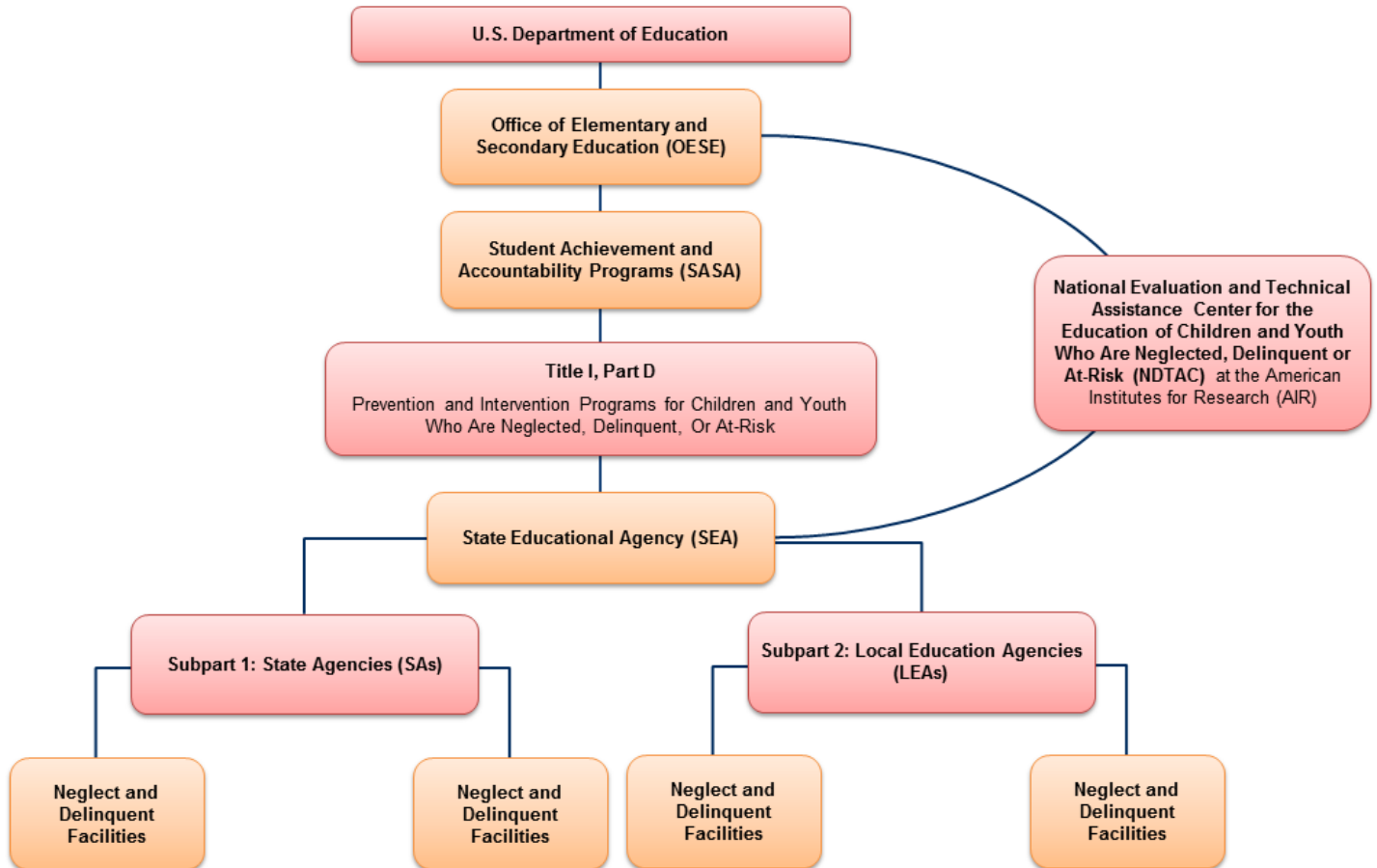
### Related Requirements

With Title I, Part D, funds, come certain requirements and responsibilities on behalf of the State agencies and districts that receive the funds. State agencies and districts that conduct a program under Title I for children and youth who are N or D are required to

- Meet the educational needs of neglected, delinquent, and at-risk children and youth, and assist in the transition of these students from correctional facilities to locally operated programs,
- Ensure that these students have the same opportunities to achieve as if they were in local schools in the State, and
- Evaluate the program and disaggregate data on participation by gender, race, ethnicity, and age, not less than once every 3 years.

## N&D Organizational Chart

Weblink to Title I Part D (Neglected and Delinquent Education) Statute  
<http://www.neglected-delinquent.org/title-i-part-d-statute>



The National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth (**NDTAC**) is the national technical assistance center that provides technical assistance and training to State Education Agencies with Title I, Part D programs for the effective administration and improving education services to children and youth who are neglected, delinquent, or at risk.

## SCDE Program Contact

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## Eligibility and Overarching Responsibilities of State Agencies

The state agency is responsible for ensuring that all educational services, including special education and related services to eligible youth identified as neglected, delinquent or at-risk are provided.

- SAs are required to provide services needed to make successful transitions to further schooling and prevent students from dropping out of the education process.
- Correctional facilities shall provide transition assistance to help children and youth stay in school, including coordination of services for families, counseling, and assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling.
- **Juvenile Justice Systems** are required to provide services to assist juveniles in making the transition to the world of work and self-sufficiency and enhance coordination with local schools that such juveniles would otherwise attend.
- **The Individuals with Disabilities Education Act (IDEA)** requires transition plans to be included for special education students 14 years old and older. It also requires that plans for children older than 16 include vocational plans.

Subpart 1 — State Agency Programs: John de la Howe School, SC Department of Juvenile Justice (DJJ), S C Department of Corrections (Palmetto Unified School District)

## Eligibility and Overarching Responsibilities of Local Education Agencies

The local educational agency in conjunction with facilities, in which they enter into a memorandum of agreement (MOA), is responsible for coordinating the program application, implementation and evaluation to ensure that all educational services, including special education and related services to eligible youth identified as neglected, delinquent or at-risk are provided.

Local educational agencies must submit their plan/application for providing services to neglected and delinquent youth to the South Carolina Department of Education for review and approval.

Subpart 2 — Local Education Agency Programs (LEAs/School Districts)

## Program Focus

- Reading/English-Language Arts
- Mathematics
- Transition
  - Back to regular school
  - Back to the community
  - Preparation for employment

## Allowable Use of Funds/Supplemental Services

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Tutoring (ELA/Reading and Math)</li><li>• Computer/Technology-Based Instruction</li><li>• Instructional Personnel (Teachers and/or Tutors, Transition Specialist)</li><li>• Computer Lab (Hardware and Software)</li><li>• Extended Day, Year, or Summer Services</li><li>• Credit Recovery</li><li>• GED Preparation</li><li>• Career Counseling and Mentoring</li><li>• Social-Emotional-Trauma-Justice Restorative Services Counseling/Assistance</li></ul> | <ul style="list-style-type: none"><li>• Parent/Family Engagement</li><li>• Supplemental Educational Materials</li><li>• Field Experiences</li><li>• Transportation</li><li>• Defray Costs for:<ul style="list-style-type: none"><li>– Entrance Exams</li><li>– Placement Tests</li><li>– Dual Credit Enrollment</li><li>– Career and Technology Education Course Offerings (Not Already Offered by school/district)</li></ul></li></ul> |
|--|---|

## Application Process and Related Provisions and Requirements

- **Accountability:**
  1. 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.
  2. The SCDE may require correctional facilities or institutions for neglected or delinquent children and youth to demonstrate, after receiving assistance under this subpart for three years, that there has been an increase in the number of children and youth returning to school, attaining a regular high school diploma or its recognized equivalent, or attaining employment after such children and youth are released.
- **Application Period:** The application/grant is yearly.
- **Application Submission:** Eligible entities (State Agencies and Local Education Agencies) must submit a completed application to the SCDE via the Grants Electronic Management System (GEMS) on-line platform annually.
- **Application Requirements:** The application must include a needs assessment to support the proposed allowable use of the N&D funds relative to providing supplemental educational services to neglected or delinquent students under Title I, Part D Subpart 1 of the Every Student Succeeds Act (ESSA).
- **Application Approval:** Once the application is approved, the LEA and SA are required to comply with all applicable statutory and regulatory requirements.
- **Carryover of Funds:** The Title I, Part D Non-Regulatory Guidance states, if the SEA determines that the amount of a SA's subgrant exceeds the amount needed by the SA, it may allow the SA to carry over the excess funds for use in subsequent years. The SEA also may decide to reallocate the excess funds to another SA to use for Subpart 1 purposes. There is no carryover limitation. Most states apply carryover amounts to next year's budget. With SEA approval, an SA may carry over funds from one fiscal year to the next. However, under section 421(b) of the General Education Provisions Act (GEPA), both the SEA and the SA must obligate all funds made available in a given fiscal year within 27 months.
- **Maintenance of Effort (MOE):** A federal requirement that requires sub-recipients to maintain a certain level of state/local fiscal effort to be eligible for full participation in federal grant funding. NOTE: MOE must be included in the submitted application.
- **Grant Award Notifications (GAN):** GANS will be sent to district superintendents once the district's application has received preliminary approval. Submitted applications will receive final approval after the GAN has been signed and returned.
- **Memorandum of Agreement (MOA):** A formal written document used to outline the agreement made between the school district/LEA and the participating N&D facility conducting educational and support programs for N&D children as required under the Federal, State and District guideline and regulations governing Title I, Part D (N&D).
- **Parent and Family Engagement:** Federal statute requires SAs and LEAs to describe, in their application, how they will involve parents in efforts to improve the educational achievement of their children, assist in dropout prevention activities and prevent further involvement of their children in delinquent activities.
- **Re-Allocation of Funds:** The state educational agency (SEA) may conduct an assessment to determine that an SA or LEA does not need or does not utilize the full amount of the subgrant for which the SA or LEA is eligible. Under this subpart for any fiscal year, the SEA may reallocate the amount that will not be needed to other eligible SAs or LEAs that need additional funds to carry out the purpose of this part, in such amounts as the SEA shall determine.
- **Records Maintenance/Retention:** Records must be maintained at both the institution and district level for a retention period of six years following closeout.

- **Transferability of Funds:** An LEA may transfer up to 100 percent of funds from other federal programs (Title II, Part A; and Title IV, Part A) into Title I, Part D. A district **may not** transfer Title I, Part D funds into other federal programs.

## State Agency Specific Provisions

**Transition Services:** State agencies and their grantees are required to help institutionalized children and youth who are neglected or delinquent and those in adult correctional facilities to make the transition into the community for further education or employment is an important element in the success of the Title I, Part D Subpart 1 program. Each SA is required to reserve not less than 15 percent and not more than 30 percent of the amount each agency receives in any year under Title I, Part D Subpart 1 to support transition services for these children and youth. Allowable activities include, but are not limited to the following:

1. projects that facilitate the transition of children and youth between state-operated institutions, or institutions in the state-operated by the secretary of the interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or
2. the successful reentry of youth offenders, who are age 20 or younger and have received a regular high school diploma or its recognized equivalent, into postsecondary education, or career and technical training programs, through strategies designed to expose the youth to, and prepare the youth for, postsecondary education or career and technical training programs, such as:
  - A. Pre-placement programs that allow adjudicated or incarcerated youth to audit or attend courses on college, university or community college campuses, or through programs provided in institutional settings;
  - B. Worksite schools, in which institutions of higher education and private or public employers partner to create programs to help students make a successful transition to postsecondary education and employment; and
  - C. Essential support services to ensure the success of the youth, such as
    - i. Personal, career and technical, and academic, counseling;
    - ii. Placement services designed to place the youth in a university, college or junior college program;
    - iii. Information concerning, and assistance in obtaining available student financial aid;
    - iv. Tutoring, mentoring, counseling services; and
    - v. Job placement services.

## Local Education Agency Specific Provisions

Funds may be used for the following:

1. Implementing 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 help them remain in school in order to complete their education;
2. Dropout prevention programs which 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 the services, including daycare, drug and alcohol counseling, and mental health services, will improve the likelihood that the individuals will complete their education;
4. Special programs to meet the unique academic needs of participating children and youth, including career 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; and
6. Programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the secretary of the interior or American Indian tribes.



## General Guidance for Title I, Part D Applications

Component	Content
<b>Needs Assessment</b>	<ul style="list-style-type: none"> <li>Describe the needs identified for a specific group of children. (i.e., Neglected, Delinquent, or At-Risk)</li> <li>Academic needs should be considered first</li> <li>Non-cognitive needs that directly impact academic achievement should also be considered</li> <li>Should include actual outcomes from most recent assessment results</li> <li>The needs assessment should include performance targets with measurable expected student outcomes</li> </ul>
<b>Use of Funds</b>	<ul style="list-style-type: none"> <li>The LEA and SA must use funds only to supplement, and not supplant, state and local funds for Title I, Part D, Neglected or Delinquent and At-Risk Youth</li> <li>Budget Items should be clearly defined</li> <li>Each Budget Item should correspond to at least one Activity.</li> <li>All budget items should be <b>supplemental</b> to the overall educational program at neglected and delinquent facilities.</li> </ul>
<b>Activities</b>	<ul style="list-style-type: none"> <li>Activities should be link directly to the goals/objectives/strategies detailed in the application</li> <li>Activities should be linked to a need in the Needs Assessment</li> <li>Provide a brief narrative of the activity or activities to be funded.</li> <li>Describe how long and how often the activity be will conducted (Hours, Days, Weeks).</li> <li>Provide a general number for participants.</li> <li>Provide a general description of who would be involved {Target group-teachers, administrators, etc., content area(s), grade levels}</li> <li>Professional Development should correlate directly with the needs of neglected, delinquent and at-risk students being served.</li> </ul>
<b>Transition Services</b>	<ul style="list-style-type: none"> <li>Describe the transition services that will be provided to children and youth who have returned from a correctional or community day program for neglected, delinquent, and at-risk children to a transitional educational setting.</li> </ul>
<b>Personnel</b>	<ul style="list-style-type: none"> <li>LEAs and SAs must have teachers and other qualified staff who are trained to work with students with disabilities.</li> </ul>
<b>Data Collection/Evaluation</b>	<ul style="list-style-type: none"> <li>At least once every three years, the LEA and SA evaluates the Neglected or Delinquent Program, disaggregating data by gender, race, ethnicity, and age, to determine its effectiveness with students</li> <li>Helps to identify whether goals are being met (accountability)</li> <li>Provides feedback on the value of the programs and the return on their investments</li> <li>Helps to inform changes necessary for program management and improvements</li> </ul>

## Application/Budget Amendment Process

- Budget Amendments are required for any change to the approved application/plan to include a change or modification to activities; and or expanding or deleting important services to children as described in the approved plan.
- Submit the application changes amendment sections via GEMS. Update the budget in GAPS **after** the amendment has been approved in GEMS. The Title I/N&D Coordinator and the designated district's finance person will have to submit the amendment in GEMS and GAPS. The updated budget in GAPS can then be approved by the SCDE.
- Number each activity and indicate whether the activity is a district set-aside and/ or facility activity. Indicate whether the activity is new or in the approved project. The purpose should include sufficient detail to ensure where and how the amended funds are being utilized.



## State Agency (Subpart 1) Application Narrative

**Subpart 1, Section 1414(c) states that each state agency seeking funds to carry out a program for neglected children and youth must submit an application that**

1. Describe the procedures to be used, consistent with the state plan under Section 1111, to assess the educational needs (**via a needs assessment**) of the children to be served under this subpart and, to the extent practicable, provide for such assessment upon entry into a correctional facility.  
At a minimum, the assessment must include
  - a. Proficiency in mathematics and reading/Language Arts; and
  - b. Measures that assess higher-order thinking skills and understanding.
2. Describe how the state agency will work with children and youth with disabilities in order to meet an existing individualized education program (*IEP*) and an assurance that the agency will notify the child's or youth's local school if the child or youth [*Special Education Services as required by the Individuals with Disabilities Education Act*]
  - a. is identified as in need of special education services while the child or youth is in the correctional facility or institution for neglected or delinquent children and youth, and
  - b. intends to return to the local school.
3. Describe how the program will meet the following goals of the Title I, Part D portion of the state plan:
  - a. Ensure that services are made available to children and youth/juveniles in adult correctional institutions, and priority will be given to such children and youth (20 and under), who are likely to complete incarceration within a two-year period;
  - b. Provide all children and youth under age 21 with the opportunity to meet challenging state academic standards in order to improve the likelihood that the children and youth will attain a regular high school diploma or its recognized equivalent, or find employment after leaving the institution.
4. Describe the overall program, including a budget narrative and annual updates to be provided to the SDE.
5. Describe how the programs will be coordinated with other appropriate state and federal programs, such as programs under Title I of the Workforce Innovation and Opportunity Act, career and technical education programs, state and local dropout prevention programs, and special education programs.
6. Describe how the state agency will consult with experts and provide the necessary training and professional development appropriate teachers and other staff to ensure that the planning and operation of institution-wide and/or target assistance projects under Section 1416 are of high quality.
7. Describe how certified or licensed teachers and other qualified staff members are trained to work with children and youth with disabilities and other students with special needs taking into consideration the unique needs of such students. [*Special Education Services as required by the Individuals with Disabilities Education Act*]
8. Describe (*as applicable*) how the state agency will encourage correctional facilities receiving funds under this subpart to coordinate with LEA or alternative education programs attended by incarcerated children and youth prior to and after their incarceration to ensure that student assessments and appropriate academic records are shared jointly between the correctional facility and the LEA or alternative education program in order to facilitate the transition of such children and youth between the correctional facility and the LEA or alternative education program. (*Required for Juvenile Corrections Facilities*)
9. Describe how the state agency will endeavor to coordinate with businesses for training (internships, apprenticeships, shadowing, etc.) and mentoring for participating children and youth.

10. Describe how the state agency will assist in locating alternative programs through which students can continue their education if the students are not returning to school after leaving the correctional facility or institution for neglected or delinquent children and youth.

### State Agency (Subpart 1) Application Narrative

11. Describe (*as applicable*) how the state agency will work with parents to secure parents' assistance in improving the educational achievement of their children and youth and preventing their children's and youth's further involvement in delinquent activities.
12. Describe how the state agency will work with children and youth who dropped out of school before entering the juvenile/correctional facility or institution for neglected or delinquent children and youth to encourage the children and youth to reenter school and attain a regular high school diploma once the term of the incarceration is completed or provide the child or youth with the skills necessary to gain employment, continue the education of the child or youth, or attain a regular high school diploma or its recognized equivalent if the child or youth does not intend to return to school.
13. Describe any additional services to be provided to children and youth, such as career counseling, distance learning, and assistance in securing student loans and grants;
14. Describe (*as applicable*) how the program under this subpart will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 *et seq.*) or other comparable programs, if applicable.
15. Describes (*as applicable*) how the state agency will
  - a. note when a youth has come into contact with both the child welfare and juvenile justice systems; and
  - b. deliver services and interventions designed to keep such youth in school that are evidence-based (to the extent such evidence is reasonably available).
16. Describes how the state agency will use the results of the most recent evaluation under Section 8601 to plan and improve the program.

### Local Education Agency (Subpart 2) Application Narrative

The application question describes how the Subpart 2 program fulfills the objectives of [Title I, Part D, Sections 1421 and 1423](#), and the [Non-regulatory Guidance](#) for Neglected and Delinquent Education Programs.

1. Describe the program to be assisted, including a **needs assessment** in support of the program plan.
2. Describe formal agreements regarding the program to be assisted, between the LEA and the correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system, including such facilities operated by the Secretary of the Interior and Indian tribes.
3. Describe, as appropriate, how participating schools will coordinate with facilities working with delinquent children and youth to ensure that such children and youth are participating in an education program comparable to one operating in the local school such youth would normally attend.
4. Describe the program operated by participating schools to facilitate the successful transition of children and youth returning from correctional facilities and, as appropriate, the types of services that these schools will provide such children and youth and other at-risk children and youth.

5. Describe
  - a. the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth who will be returning from correctional facilities, and, as applicable, other at-risk children and youth expected to be served by the program,
  - b. how the school will coordinate existing educational programs to meet the unique educational needs of such children and youth, and
  - c. how the LEA has provided for appropriate training for teachers and other instruction and administrative personnel to enable such teachers and personnel to carry out the project effectively.
6. Describe how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, at-risk children or youth, and other participating children or youth including prenatal health care and nutrition services related to the health of the parent and the child or youth, parenting and child development classes, childcare, targeted reentry and outreach programs, referrals to community resources, and scheduling flexibility.
7. Describe any partnerships with institutes of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities, such as through participation in credit-bearing coursework while in secondary school, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services for participating students.
8. Describe how the program will involve parents and family members in efforts to improve the educational achievement of their children, assist in dropout prevention activities, and prevent the involvement of their children in delinquent activities.
9. Describe how the program will be coordinated with other federal, state, and local programs, such as programs under Title I of Public Law 113–228 (Workforce Innovation and Opportunity Act of 2014) and career and technical education programs serving at-risk children and youth.
10. Describe how the program will be coordinated with programs operated under the [Juvenile Justice and Delinquency Prevention Act of 1974 as amended 12-21-18](#) and other comparable programs, if applicable.

## Local Education Agency (Subpart 2) Application Narrative

11. Describe, as appropriate, how schools will work with probation officers to assist in meeting the needs of children and youth returning from correctional facilities.
12. Describe the efforts participating schools will make to ensure correction facilities working with children and youth are aware of a child or youth's existing individualized education program.
13. Describe the steps participating schools will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

## The Annual Count for N&D

### **“October Count”/Annual Count for LEAs**

Each year school districts/local education agencies (LEA) are required to count and report the number of children and youth enrolled in a regular program of instruction over a thirty-day time period for each identified Neglected and Delinquent (N&D) facility within the LEAs geographical boundaries. This thirty-day count is commonly referred to as the “October Count”.

The purpose of this annual report is to provide the US Department of Education (ED) with data required by Title I, Parts A and D, of the Elementary and Secondary Education Act, as amended by Public Law 107-110, for use in the computation of grants to local educational agencies (LEAs) and State agencies (SAs) responsible for providing free public education for children in institutions or community day programs for neglected or delinquent children. This count is very important, as it will be used to determine future allocations for eligible LEAs.

### **“October Count”/Annual Count for SAs**

Each year Title I, Part D, State Agencies (SA) that house and or provide services to students identified as neglected and delinquent, are required to count and report to the South Carolina Department of Education (SCDE), the number of children and youth enrolled in a regular program of instruction within said facilities. This data collection is commonly referred to as the “October Count”.

The purpose of this annual report is to provide the US Department of Education (ED) with data required by Title I, Parts A and D, of the Elementary and Secondary Education Act, as amended by Public Law 107-110. This information will be used in the computation of grants to local educational agencies (LEAs) and State agencies (SAs) responsible for providing free public education for children in institutions or community day programs for neglected or delinquent children. This count is very important, as it will determine future allocations for your SA.

## \*Consolidated State Performance Report (CSPR)

**CSPR:** A data collection instrument administered by the U.S. Department of Education’s Office of Elementary and Secondary Education (OESE) on an annual basis. All States that received funding on the basis of the Consolidated State Application for the applicable school year must respond to the reporting requirements in the CSPR.

### **CSPR Data Focus Areas**

- Student and Facility Count (Corrections and Detention Facilities Only)
- Demographics (race/ethnicity, age, gender)
- Academic and Vocational Outcomes
- Academic Performance Reading and Mathematics

\*State Agencies and Select LEAs Only – DJJ, Palmetto Unified School District, and Charleston County School District

## Third-Year Evaluation

### SA and LEA Evaluation Requirements – Subpart 3, Section 1431

- Ensure that sites are pre and post-testing in ELA and Math
- Perform an annual, data-driven evaluation *for each program*
- Use annual evaluations to generate a federally required third-year evaluation
- The Third-year Evaluation Time Period – Three Consecutive Years Identified by the SEA (SCDE)

Each state agency (SA) or local educational agency (LEA)/school district that conducts a program for children and youth who are neglected, delinquent, or at risk shall evaluate the program, disaggregating data on participation by gender, race, ethnicity, and age, not less than once every 3 years, to determine the program's impact.

However, disaggregating data by category shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual.

### Evaluation Measures

In conducting the evaluation, a SA or LEA shall use multiple and appropriate measures of student progress.

The SA or LEA must consult with the neglected or delinquent facility or site(s) to coordinate the evaluation and ensure the use of data for documentation of results.

All five of the following evaluation components relative to the program's impact must be addressed.

The program's impact on the ability of participants to:

1. maintain and improve educational achievement, to include reading and math achievement as supported by data;
2. accrue school credits that meet State requirements for grade promotion and secondary school graduation;
3. make the transition to a regular program or other education program operated by a local educational agency and describe the programs or initiatives that supported the transition activity;
4. complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and
5. participate in postsecondary education and job training programs.

### Evaluation Results

Each SA and LEA shall submit evaluation results to the State educational agency and use the results of evaluations under this subpart to improve subsequent programs for participating children and youth.

## Program Monitoring

### ***Rationale***

As required under *ESEA*, as amended by ESSA, for LEAs, SAs and their affiliate facilities receiving N&D funds, the SCDE/SEA is responsible for monitoring the quality and effectiveness of the services provided to eligible students.

Monitoring also serves a mechanism to identify “*Promising Practices*” that include measureable results and successful outcomes; although not research or evidence-based, yet prove to be effective across the entire N&D program. Such practices include, but are not limited to, the following examples.

Strategies, Programs, and initiatives that

- reduce the recidivism of minority contact in the juvenile justice system
- promote effective instructional best practices resulting in increased N&D student engagement and academic outcomes
- promote effective culturally relevant and gender-responsive interventions in Juvenile Justice
- promote Career and Technology Education inclusive of STEM and STEAM activities, experiences and certifications that support successful transition and preparation for post-secondary education and the workforce

Moreover, monitoring serves as a process for collecting information about State and local needs of N&D programs, so that assistance and other targeted resources can more effectively impact programmatic improvements.

### ***Monitoring Visit - - -What to Expect***

- Consists of documentation reviews, on-site observations of services and activities, and interviews with staff at the district level;
- Focuses on the program compliance indicators directly related to the core N&D programs’ administrative procedures, programmatic/academic procedures, and program evaluation;
- A visit to the facility/site(s) that includes a tour of the facility, **and** interview with facility staff; and
- Wrap-up and exit.

**The LEA/SEA and each facility must provide the following documentation to include but not limited to:**

Monitoring Visit Documentation Requirements	Documentation Needed
✓ Evidence of administrative controls and responsibility for monitoring the funded programs and facility/site(s) to ensure compliance with any formal agreements and applicable statutory and regulatory requirements	✓ Transition Activities ( <b>NOTE:</b> SAs are required to utilize at a minimum of 15 percent, and up to 30 percent of their allocation for transition services. For LEAs if the allocation allows may utilize at a minimum, 15 percent of their allocation or provide services comparable to a minimum of 15 percent of the allocation).
✓ Evidence of its program description	✓ A list and the role(s) of all personnel working with N&D served students
✓ Procedures manual specific to N&D Program	✓ A schedule of activities for N&D Title I services
✓ Procedures manual specific to N&D Program	✓ Professional Development/Program Description
✓ Pre and post-assessment results	✓ Agendas, sign-in sheets, etc.
✓ Requisitions/Purchase Orders /Invoices/Vouchers	✓ Evidence of Parent and Family Engagement Activities as Allowable/Applicable
✓ Expenditure Reports, etc.	✓ A list of community agencies, other educational agencies (colleges, technical schools, etc.), business partners
✓ Content Activities/Teacher Lesson Plans	✓ A list of community agencies, other educational agencies (colleges, technical schools, etc.), business partners
✓ N&D Program Activity Summary for ELA and Math	✓ Records of equipment inventory compliant with 2 C.F.R. Part 200.313 and 2 C.F.R. Part 200.439 (EDGAR) for items with a useful life greater than one year; records of inventory reconciliation; records of equipment disposition (if applicable)
✓ Tutoring Logs, Documented Teacher/Tutor Observations, etc.; Personnel Activity Records (PAR) and Semi-Annual Certification document as applicable	✓ Records of equipment inventory compliant with 2 C.F.R. Part 200.313 and 2 C.F.R. Part 200.439 (EDGAR) for items with a useful life greater than one year; records of inventory reconciliation; records of equipment disposition (if applicable)

### ***Next Steps/Follow-up***

- The overall rating of the monitoring process/visit consists of three areas; meets requirements, needs improvement or does not meet.
- If the LEA, SA or facility receives an overall rating of needs improvement or does not meet, the SCDE will notify the LEA or SA in writing. The LEA or SA will be given an opportunity to rectify any deficiencies resulting in a “needs improvement” or “not met rating”.
- LEAs and SAs whose rating falls into the not met category may be subject to further and continued monitoring and intense technical assistance.
- For LEAs or SAs not performing satisfactorily beyond the continued monitoring and intense technical assistance, the SCDE reserves the right to delay, suspend or rescind N&D program funding (or funds) for non-compliance or breach of the requirements outlined in the application and/or, it accompanying guidelines and regulations.

### **2024-2025 Districts to be Monitored**

<i>District</i>	<i>SCDE Contact</i>
<i>Beaufort</i>	<i>Peggy Scott</i>
<i>Newberry</i>	<i>Peggy Scott</i>
<i>York 2</i>	<i>Peggy Scott</i>
<i>York 3</i>	<i>Peggy Scott</i>
<i>Greenwood</i>	<i>CR Hall</i>
<i>Horry</i>	<i>CR Hall</i>
<i>Union</i>	<i>CR Hall</i>
<i>Lexington 3</i>	<i>CR Hall</i>
<i>Lexington 1</i>	<i>CR Hall</i>
<i>Anderson 5</i>	<i>Greg King</i>
<i>Anderson 4</i>	<i>Greg King</i>
<i>Bamberg</i>	<i>Greg King</i>
<i>Anderson 3</i>	<i>Barret Leviner</i>
<i>Dillon 3</i>	<i>Barret Leviner</i>
<i>Florence 1</i>	<i>Barret Leviner</i>
<i>Anderson 1</i>	<i>TBD</i>
<i>Anderson 2</i>	<i>TBD</i>
<i>Dillon 4</i>	<i>TBD</i>
<i>Pickens</i>	<i>TBD</i>
<i>York 4</i>	<i>TBD</i>

**NOTE: Schedule is subject change. Districts will be notified promptly.**



## Title I, Part D- Neglected and Delinquent Operational Terms and Definitions

Term	Definition
<b>Adult Corrections</b>	A facility in which persons, including youth under 21 years of age, are confined as a result of a conviction for a criminal offense.
<b>Annual Child Count</b>	A survey administered by the U.S. Department of Education's (ED's) Office of Elementary and Secondary Education (OESE) on an annual basis. For this survey, States provide a count of the number of children and youth living in State or local institutions for youth who are neglected or delinquent. ED uses these data to determine funding for Title I, Parts A and D. Officially called the "Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs for Neglected or Delinquent Children." Also sometimes referred to as the "October Count."
<b>Assurances and Terms, and Conditions for Federal Subawards</b>	All legal requirements imposed on a grant whether based on statute, regulation, policy or other document referenced in the grant award or specified by the grant award document itself. This may include both standard and special conditions that are considered necessary to attain the grant's objectives, facilitate post-award administration of the grant, conserve grant funds, or otherwise protect the Federal government's interests.
<b>At-Risk</b>	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.
<b>At-Risk Programs</b>	Programs operated in local schools that target students who are at risk of academic failure, have a drug or alcohol problem, are pregnant or parenting, have been in contact with the juvenile justice system in the past, are at least 1 year behind the expected age/grade level, have limited English proficiency, are gang members, have dropped out of school in the past, or have a high absenteeism rate.
<b>Children and Youth</b>	(1) Persons up through age 21 who are entitled to a free public education through grade 12; and (2) Preschool children below the age and grade level at which the agency provides free public education.
<b>Code of Federal Regulations (CFR)</b>	Compilation of requirements and legally enforceable rules issued by Federal agencies and published annually by the National Archives and Records Administration. The CFR is divided into numbered titles. Title 34, Sections 200.90 and 200.91 contain the regulations of the U.S. Department of Education related to Title I, Part D.
<b>Community Day Program</b>	A community day program is a regular program of instruction provided by a State agency at a community day school operated specifically for children and youth who are neglected or delinquent.
<b>Consolidated State Performance Report (CSPR)</b>	A data collection instrument administered by the U.S. Department of Education's Office of Elementary and Secondary Education (OESE) on an annual basis. All States that received funding based on the Consolidated State Application for the applicable school year must respond to the reporting requirements in the CSPR. The CSPR collects student and facility counts, demographic information (race/ethnicity, age, and gender), and academic and vocational outcomes including performance in reading and mathematics.
<b>Delinquent</b>	The term "delinquent," when used with respect to a child, youth, or student, means an individual who resides in a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.
<b>Delinquent Institution</b>	An institution for children and youth who are delinquent is a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision. Delinquent facilities include facilities for detention, juvenile corrections, and adult corrections.
<b>Detention Facilities</b>	Detention facilities are short-term institutions that provide care to children who require secure custody pending court adjudication, court disposition, or execution of a court order, or care to children after commitment.
<b>Duplicated Count</b>	A count of students that includes multiple enrollments. Essentially, this value should be equivalent to the number of admissions a facility or program processed for Title I, Part D students during the reporting year.

## Title I, Part D- Neglected and Delinquent Operational Terms and Definitions

Term	Definition
<b>EDFacts</b>	A U.S. Department of Education initiative that began in 2003 to coordinate and integrate multiple federal data collections (including the CSPR collection) into a single repository through the Education Data Exchange Network (EDEN) EDFacts Submission System (ESS). The goals of EDFacts are to promote high-quality data collection and reduce the reporting burden for state and local entities by streamlining all data collection, analysis, and reporting
<b>Education Department General Administrative Regulations (EDGAR)</b>	Title 34 of the Code of Federal Regulations, which pertains to the U.S. Department of Education and related federal entities, is composed of several hundred parts printed in three volumes. Parts 74-99 of that title are collectively known as the Education Department General Administrative Regulations (EDGAR). These parts contain regulations for administering discretionary and formula grants awarded by the department.
<b>Education Data Exchange Network (EDEN)</b>	The U.S. Department of Education's online data system.
<b>Elementary and Secondary Education Act (ESEA)</b>	ESEA, first enacted in 1965, is the principal Federal law affecting K–12 education. The No Child Left Behind Act (NCLB) of 2001 was the most recent reauthorization of the ESEA.
<b>Every Student Succeeds Act (ESSA)</b>	The <b>Every Student Succeeds Act (ESSA)</b> is a US law passed in December 2015 that governs the United States K–12 public education policy. The law replaced its predecessor, the <u>No Child Left Behind Act (NCLB)</u> , and modified but did not eliminate provisions relating to the periodic <u>standardized tests</u> given to students. Like the No Child Left Behind Act, ESSA is a reauthorization of the 1965 <u>Elementary and Secondary Education Act</u> , which established the federal government's expanded role in public education.
<b>Evidence-based</b>	Refers to any concept or strategy that is derived from or informed by objective evidence—most commonly, educational research or metrics consist largely or entirely of data, academic research, or scientific findings.
<b>Family Educational Rights and Privacy Act (FERPA)</b>	Enacted in 1974, FERPA is the prime piece of Federal legislation regarding the sharing of educational information. Its purpose is to prevent the unnecessary disclosure of students' educational records.
<b>Funding and Funding Period</b>	N&D funds are allocated to the local education agency (LEA/school district) as the subgrantee based on a reimbursement process. N&D funds are allocated directly to the facility/site. The subgrant period is from July 1 of the current academic year and may be expended over a 27-month period ending September 30, 2022. Funds cannot be carried forward from the previous subgrant period.
<b>Grant Award Notification (GAN)</b>	A legally binding document notifying the intended recipient, grantee institution or organization of Grant funds that are awarded from a sponsoring agency such as a federal, state, or local, entity. The document represents a mutual joining of interests on the part of the grantor (sponsoring agency) and grantee institution in the pursuit of common objectives. The award also contains or references all assurances, and terms and conditions of the award and documents the obligation period of the award funds.
<b>Grants Electronic Management System (GEMS)</b>	The electronic on-line platform LEAs and SAs use to submit their application
<b>Government Performance and Results Act Modernization Act (GPRAMA)</b>	Authorized in 1993 and modified in 2011, this act holds Federal agencies accountable for using resources wisely and achieving program results. GPRAMA requires agencies to develop a 5-year Strategic Plan, Annual Performance Plans, and Annual Performance Reports to ensure that they plan for what they intend to accomplish, measure how well they are doing, make appropriate policy decisions based on the information they have gathered, and communicate information about their performance to Congress and to the public through many means, including the Internet.
<b>Individuals with Disabilities Education Act (IDEA)</b>	A federally funded program to ensure that all children with disabilities have available to them a free, appropriate, public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.
<b>Individualized Education Program (IEP)</b>	A written statement for each individual with a disability that is developed, reviewed and revised in accordance with Section 614(d) of IDEA regulations.
<b>Institution-wide Project (IWP)</b>	Authorized by Section 1416 of Title I, Part D. A program that serves all children in, and upgrades the entire educational effort of, an institution or program eligible for Part D, Subpart 1, funds. The purpose of the institution-wide approach is similar to that of schoolwide programs operated under Title I, Part A. <i>Note that adult correctional institutions cannot operate institution-wide programs.</i>

## Title I, Part D- Neglected and Delinquent Operational Terms and Definitions

Term	Definition
<b>Inventory</b>	Non-consumables must be accounted for in accordance with the district's asset and inventory policy and or the Federal Title Programs procedures and identified as being purchased with N&D funds.
<b>Juvenile Correctional Institution</b>	See definition for delinquent institution.
<b>Local Educational Agency (LEA)</b>	The term, as defined in the ESEA, includes any public institution or agency having administrative control and direction of a public elementary school or secondary school.
<b>Locally Operated Correctional Facility</b>	A facility in which persons are confined as a result of a conviction for a criminal offense, including persons under 21 years of age. The term also includes a local public or private institution and community day program or school not operated by the State that serves delinquent children and youth.
<b>Long-Term Students</b>	Students who have been enrolled in a program for 90 or more consecutive calendar days.
<b>Maintenance of Fiscal Effort (MOE)</b>	Maintenance of Effort (MOE) is a federal requirement that requires sub-recipients to maintain a certain level of state/local fiscal effort to be eligible for full participation in federal grant funding.
<b>Memorandum of Agreement (MOA)</b>	A formal written document used to outline the agreement made between the school district/LEA and the participating N&D facility conducting educational and support programs for N&D children as required under the Federal, State and District guideline and regulations governing Title I, Part D (N&D).
<b>Needs Assessment</b>	A <b>needs assessment</b> is a process used by organizations to determine priorities, and the use of performance data and other information that is used to make organizational improvements or allocate resources. It involves determining the needs, or gaps, between where the organization envisions itself in the future and the organization's current state.
<b>Needs Assessment (contd.)</b>	A needs assessment for N&D facility/sites should include more than the previous year's data. It should be in a summary format 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 <i>why</i> the activities are needed and <i>how</i> the funds will be expended to support the needed activities (i.e., The <i>how</i> is what the facility/site will implement with Title I funds, based upon the identified need.).
<b>Neglected</b>	The term "neglected," when used with respect to a child, youth, or student, means an individual who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State law due to abandonment, neglect, or death of his or her parents or guardians.
<b>Neglect Institution</b>	An institution for children and youth who are neglected is a public or private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been committed to the institution or voluntarily placed thereunder applicable State law due to (1) abandonment, (2) neglect, or (3) death of their parents or guardians.
<b>No Child Left Behind Act (NCLB)</b>	The 2001 reauthorization of the Elementary and Secondary Education Act (ESEA).
<b>Non-Regulatory Guidance</b>	Developed by ED, the <a href="#">Non-regulatory Guidance</a> describes the requirements of the Title I, Part D, Subpart 1 State Agency and Subpart 2 Local Education Agency programs and the evaluation requirements in Subpart 3. The guidance provides suggestions for addressing many of these requirements and does not impose any new requirements beyond those in the Elementary and Secondary Education Act and other applicable Federal statutes and regulations.
<b>Personnel Activity Record (PAR)</b>	For employees who work on multiple cost objectives, a distribution of their salaries must be supported by personnel activity reports (time and effort logs) which meet the following standards: <ul style="list-style-type: none"> <li>• Reflect an after the fact distribution of actual activity for each employee;</li> <li>• Accounts for the total activity for which each employee is compensated;</li> <li>• Prepared at least monthly and coinciding with at least one pay period</li> <li>• Signed by the employee</li> </ul>
<b>Positive Behavioral Interventions and Supports (PBIS or PBS)</b>	A research-based framework for implementing school-wide systems of behavioral support to help prevent and reduce problem behavior.
<b>Program Activity Summary</b>	A specific activity or project as listed in an identified or defined program that addresses a specific need or set of needs, or to achieve a desired or intended outcome. The activity is inclusive of associated budgets and or financing sources.

## Title I, Part D- Neglected and Delinquent Operational Terms and Definitions

Term	Definition
<b>Promising Practices</b>	Promising Practices refer to programs that include measureable results and report successful outcomes; however, there is not yet enough research evidence to prove that this program or process will be effective across a wide range of settings and people.
<b>Purchasing/Procurement Procedures</b>	Purchasing, procurement, and reimbursement procedures should be in accordance with the SA and LEA board policies, albeit it tutors or otherwise. Non-consumables such as technology hardware, (computers, laptops, smartboards, computer carts, internet services, etc.) and all technology or technology-related purchases should follow the district's technology purchasing/procurement requirements, as they are the property of the school district. All technology-related purchases should adhere to the district's internet use policy.
<b>Regular Program of Instruction</b>	An educational program (not beyond grade 12) in an institution or a community day program for children who are N or D that consists of classroom instruction in basic school subjects such as reading, mathematics, and vocationally oriented subjects, and that is supported by non-Federal funds. Neither the manufacture of goods within the institution nor activities related to institutional maintenance is considered classroom instruction.
<b>Reporting Year (for the CSPR)</b>	Same as definition of school year; the CSPR defines this as July 1–June 30.
<b>School Year (for the CSPR)</b>	Same as definition of reporting year; the CSPR defines this as July 1–June 30.
<b>Semi-Annual Certification</b>	For employees who work solely on a single Federal program or cost objective, charges for their salary must be supported by periodic certifications that the employee worked only on that program for the period covered by the certification. The certification must be prepared at least semiannually and signed by the employee and supervisory official with firsthand knowledge of the work performed by the employee.
<b>State Agency (SA)</b>	An agency of State government responsible for providing free public education for children in institutions for children who are N or D, community day programs for children who are N or D, and adult correctional institutions.
<b>State Education Agency (SEA)</b>	The State board of education or other agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.
<b>Target Assistance Program (TAP)</b>	Authorized by Section 1416 of Title I, Part D. A program that serves a target population of youth children in an institution or program eligible for Part D, Subpart 1, funds. Administration of Title I, Part D services are limited to at target students in adult correctional institutions between the ages of 17 and 21 only. Note that adult correctional institutions cannot operate institution-wide programs.
<b>Title I</b>	Reauthorized under the ESEA of 2001, this is the largest Federal program supporting elementary and secondary education. The purpose of this program is to help ensure that all children have the opportunity to obtain a high-quality education and reach proficiency on challenging State standards and assessments.
<b>Title I, Part A</b>	The Title I program, also called “Improving Basic Programs Operated by Local Education Agencies,” provides financial assistance through SEAs to LEAs and schools with high numbers or high percentages of children experiencing poverty to help ensure that all children meet challenging state academic standards.
<b>Title I, Part D</b>	The Title I program also is called “The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk.” It provides financial assistance to educational programs for youth in State-operated institutions or community day programs. The program also provides financial assistance to support school districts’ programs involving collaboration with locally operated correctional facilities.
<b>Transition Services</b>	Educational services, activities, and supports that are designed to assist students identified as neglected or delinquent to reach measurable academic, social-emotional, and postsecondary goals. The determination of specific transition service needs stems from individual results of various age-appropriate transition assessments. The focus of transition services includes but is not limited to: Job Exploration Counseling Services; Work-Based Learning Experiences; Postsecondary and Higher Education Related Services; Work Readiness Social and Independent Living Skills Services for Home and Community Acclimation; and Self-Advocacy.
<b>Unduplicated Count</b>	An unduplicated count is one that counts students only once, even though they may have been admitted to a facility or program multiple times within the reporting year.