

# Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At-Risk

FY24 Grantee Handbook



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# Title I, Part D, Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent or At-Risk

## **General Information**

Title I, Part D of the Every Student Succeeds Act (ESSA) consists of two subparts. Subpart 1 is the state agency (SA) Neglected and Delinquent grant program; Subpart 2 is the local educational agency (LEA) program. Both subparts are formula grants based upon the number of students residing in institutions for neglected or delinquent children. Under Title I, Part D, the Federal Programs Unit provides leadership, guidance, technical assistance, and resources to LEAs and SAs to ensure that neglected and delinquent children have the opportunity to meet the state's challenging academic content and student achievement standards.

## **Definitions**

### **Neglected Children and Youth**

- Children and youth living in a public or private residential facility, other than a foster home, that need care due to abandonment, neglect, or death of their parents or guardians.

### **Delinquent Children and Youth**

- Children and youth living in a public or private residential facility who have been adjudicated to be delinquent or in need of supervision.

### **At-Risk Children**

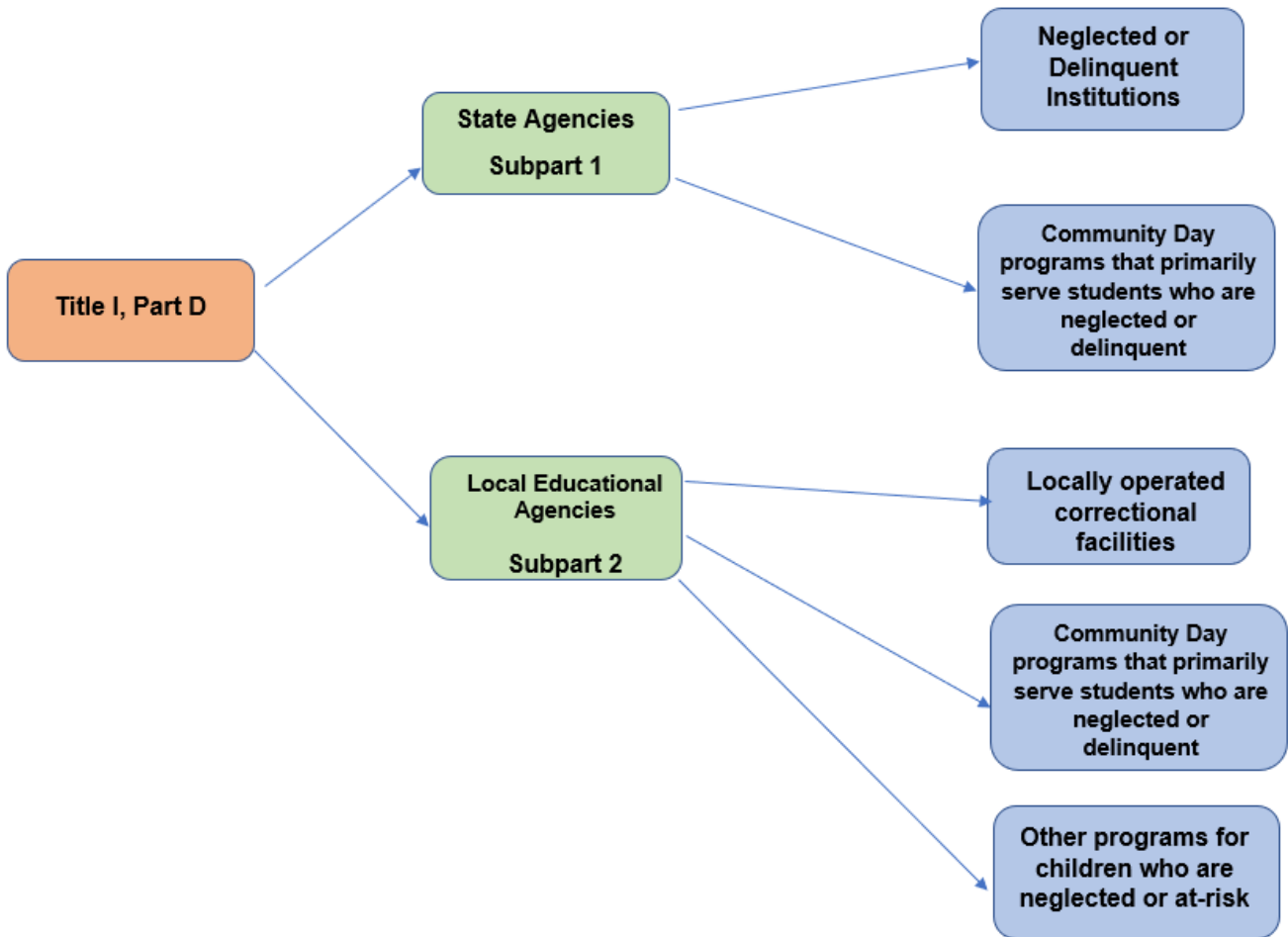
- A school-aged individual who:
  - Is at-risk of academic failure.
  - Has a drug or alcohol problem.
  - Is pregnant or is a parent.
  - Has encountered the juvenile justice system in the past.
  - Is at least one year behind the expected grade level for his/her age.
  - Has limited English proficiency.
  - Is a gang member.
  - Has dropped out of school in the past.
  - Has a high absenteeism rate at school.

**Subpart 1: State Agency (SA) Programs**

The Subpart 1 program provides funding to State agencies for the purposes of improving educational services to students up to the age of 21 who are incarcerated in adult or juvenile facilities. The Office of Public Instruction (OPI) provides funding to the Montana Department of Corrections (DOC) for programs located in the Montana State Men’s Prison, Montana State Women’s Prison and Pine Hills Correctional Facility. Funding for this program is determined by a federal formula based on the number of eligible students residing at the facility during the count period in October. Subgrant funds are awarded to the DOC, which determines the amounts allotted to each of the three programs.

The agency must submit an annual application for funds to provide supplemental educational services to neglected or delinquent students under Title I, Part D, Subpart 1 of the Every Student Succeeds Act (ESSA).

**Montana Office of Public Instruction  
Neglected or Delinquent Funding Flow Chart**



The Department of Corrections must conduct an annual count of children and youth, aged 20 years and younger, who are:

- In state-operated adult correctional facilities and enrolled in a regular program of instruction for at least 15 hours per week.
- In state Neglected or Delinquent institutions or community day school programs and enrolled in a regular program of instruction for at least 20 hours per week.

The count must be conducted on a specified school day that is consistent for all institutions operated by the SAs in the preceding calendar year for which funds will become available. The count total is then adjusted by multiplying the count by the number of days per year the regular program of instruction operates and dividing that number by the number of school days in the academic year for the state (180). The OPI submits the total adjusted count for each SA count to the United States Department of Education (ED) for allocation purposes. To receive Title I, Part D funding, each SA must annually submit an application consistent with the requirements under Title I, Part D, Subpart 1 of ESSA. The OPI provides technical assistance and support on the application process to SAs through monthly webinars and on-site support statewide.

### **Monitoring**

The OPI monitors SAs under Title I, Part D every three years. The state educational agency (SEA) is required to monitor the implementation of program requirements and the expenditure of federal funds. Montana's monitoring process consists of four major components: monitoring of standards, assessment and accountability; instructional support; expenditures; and single audit.

### **Use of Funds**

SAs must use Title I, Part D, Subpart 1 funds to support educational services that:

- Provide for children and youth identified by SAs as failing, or most at-risk of failing, to meet the state's challenging academic content and student academic achievement standards.
- Supplement and improve the quality of educational services provided to these children and youth.

SAs may use Title I, Part D, Subpart 1 funds to pay the necessary and reasonable costs that provide a variety of services, such as reading, mathematics, language arts, and vocationally oriented programs that include academic classroom instruction if these are supplementary services and materials. For example, funds may be used to:

- Hire additional teachers, aides, educational counselors, and other staff members to provide additional instruction in areas of greatest need.
- Train teachers, aides, and other staff members who are actively involved in providing Title I services.

- Procure needed educational materials and equipment for Title I instruction, including books, computers, audiovisual equipment and supplies, and classroom materials for industrial arts and vocational training.
- Hire transition coordinators or buy new equipment to assist students' transitions (e.g., purchasing scanners to scan individualized education program [IEP] documents).

Title I, Part D, Subpart 1 funds may also be used to acquire equipment (over \$5,000 for each item) to be used to help the children and youth the SA serves to meet challenging state academic content and student academic achievement standards. Additionally, the funds may cover the costs of meeting the evaluation requirements of ESSA for such programs.

### **Transition Services**

Helping 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. SAs are required to reserve not less than 15-percent, nor more than 30-percent, of the amount it receives in any year under Title I, Part D, Subpart 1 to support transition services for these children and youth. SAs also may use the reserved funds to provide transition educational services to children and youth in schools other than state-operated institutions. Transition services focus on helping children and youth who are neglected or delinquent to reenter school successfully or to find employment after they leave the institution and return to the local community. Allowable activities include, but are not limited to:

- Pupil services, including counseling, psychological, and social work services designed to meet the needs of children and youth who are neglected or delinquent.
- Services of in-school advocates to act on behalf of individual children and youth who are neglected or delinquent.
- Tutoring and mentoring.
- Reentry orientation programs, including transition centers and reentry centers in high schools.

### **Carryover of Funds**

SAs must utilize Title I, Part D, Subpart 1 funds to support educational services. It is the expectation and best practice of the ED and the OPI that Subpart 1 funds are expended during the year in which they are allocated. However, if the SA's Subpart 1 grant is not utilized within its grant period, 100% of the remaining funds can be carried over to ensure adequate implementation of continued supports for children and youth.

Reallocated funding amounts will be determined based on the same proportion as the original allocations of the fiscal year from which the funding remains. SAs with significant remaining amounts of carryover may be monitored and provided with technical assistance to address left over amounts and areas of needed improvement.

## **Subpart 2: Local Educational Agency (LEA) Programs**

The Subpart 2 Local Education Agency Program requires each SEA to reserve from its Title I, Part A, allocation, funds generated by the number of children in locally operated institutions for delinquent youths. Funds are awarded to local educational agencies (LEAs) with high proportions of youths in local correctional facilities to support dropout prevention programs for at-risk youths. Funding for this program is determined by a federal formula based on the number of eligible students residing at facilities licensed by the Montana Department of Health and Human Services during the count period in October. The OPI then determines which districts are eligible based on the October student count and disburses funds through a subgrant process.

The purpose of the Annual Student Count survey is to provide the ED and the OPI with current information on the location and number of children living in institutions for neglected or delinquent children or in correctional institutions. The information is used to compute the Title I Neglected or Delinquent allocations for school districts so that eligible children in the institutions can be provided Title I-funded educational services. The survey must include children and youth who:

- Are ages 5 through 17 years.
- Live in a locally operated facility that meets the definition of an institution for delinquent children and youth or an adult correctional institution and are not counted in the enrollment data submitted to ED for Subpart 1 state agency Neglected or Delinquent program allocation purposes.
- Live in the institution for at least one day during a 30-consecutive day counting period; at least one day of the counting period must be in October.

### **General Guidelines**

The purpose of Subpart 2 is to support the operation of the LEA programs that involve collaboration with locally operated Neglected or Delinquent facilities to:

- Carry out high-quality education programs that prepare neglected or delinquent children and youth for secondary school completion, training, employment, or further education.
- Provide activities that facilitate the transition of neglected or delinquent children and youth from a correctional program to further education or employment.
- Operate programs in local schools for children and youth returning from correctional facilities, and programs that may service at-risk children and youth

(ESSA, Section 1421).

Under Subpart 2, from funds generated throughout the state under Title I, Part D, the OPI retains and grants funds based on the children and youth residing in local delinquent institutions, correctional facilities, or attending community day programs to the LEAs with the highest numbers or percentage of neglected or delinquent children and youth. To receive Title I, Part D funding, each LEA that operates high-quality educational programs to prepare for and to facilitate their successful transitions to school or employment must submit an annual application that is consistent with the requirements under Subpart 2 of Title I, Part D. The OPI provides technical assistance and support on the application process to LEAs through monthly webinars and on-site support statewide.

### **Monitoring**

The OPI monitors LEAs under Title I, Part D every three years. The state educational agency (SEA) is required to monitor the implementation of program requirements and the expenditure of federal funds. Montana's monitoring process consists of four major components: monitoring of standards, assessment and accountability; instructional support; expenditures; and single audit.

### **Use of Funds**

An LEA may use Title I, Part D, Subpart 2 funds to pay the necessary and reasonable costs that provide a variety of services, including transition services, dropout prevention, social services, and vocationally oriented programs. For example, funds may be used for:

- 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 to complete their education.
- Dropout prevention programs that serve at-risk children and youth, including pregnant and parenting teens, children and youth who have come in contact with the juvenile justice system, children and youth at least one year behind their expected grade level, migratory youth, immigratory youth, students who are English learners, and gang members.
- The coordination of health and social services for such individuals if there is likelihood that the provision of such services, including day care, drug and alcohol counseling, and mental health services, will improve the likelihood such individuals will complete their education.
- 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.

### **Carryover of Funds**

LEAs must utilize Title I, Part D, Subpart 2 funds to support educational services that assist in increasing education outcomes for children and youth who reside in a Neglected or Delinquent facility. It is the expectation and best practice of the ED and the OPI that Subpart 2 funds are expended during the year in which they are allocated. However, if the LEA's Subpart 2 grant is not utilized within its grant period, 100% of the remaining funds can be carried over to ensure adequate implementation of continued supports for children and youth. When reallocating funds, the OPI considers an LEA's poverty level, the number of neglected or delinquent children served, and the number of facilities when making reallocations. LEAs with significant remaining amounts of carryover may be monitored and provided with technical assistance to address leftover amounts and areas of needed improvement.

### **NOTE**

It is essential to remember that the Title I, Part A neglected set-aside should not be confused with the Title I, Part D Neglected or Delinquent or the At-Risk Program. Title I, Part A allows LEAs to carryover 15 percent of Title I funds from one fiscal year to the next. Federal law implemented guidelines for carryover funds that surpass the 15 percent carryover limitation.