



THE  
NATIONAL TECHNICAL  
ASSISTANCE CENTER

FOR

THE EDUCATION OF  
NEGLECTED OR DELINQUENT  
CHILDREN & YOUTH



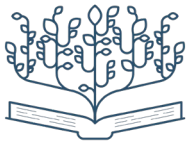
## Serving Students Experiencing Homelessness through At-Risk Programs

Daniel Froemel, Ed.D., Neglected & Delinquent Technical Assistance Center (NDTAC)

Heather Denny, MEd, U.S. Department of Education



# Introductions



# Introductions



Heather Denny has been with the U.S. Department of Education for four years and is currently a program officer with the Title I, Part D program. Prior to that she served in the Montana Office of Public Instruction with the EHCY, Title I, Part D, and Title I, Part A programs for ten years, as a school district homeless liaison, and as a classroom teacher for students in grades 6-12. She is the 2019 NAEHCY State Coordinator of the Year.

Heather has a BA in History and Certification in Secondary Education from the University of Texas at El Paso, and an MEd in School Counseling and an MEd in Educational Leadership from Montana State University. Heather has focused her career on serving students experiencing homelessness and impacted by juvenile justice with an emphasis on rural students.



# Introductions - NDTAC

## ▲ *Senior Technical Assistance Advisor, Longevity Consulting*



Dan Froemel, Ed.D., is a senior training and technical assistance advisor for NDTAC, providing direct consultation to program State coordinators and the Department of Education Program Office. Dan served as the Senior Director of Non-Traditional and Non-Public Programs with the Tennessee Department of Education as the Title-D state point of contact, the foster care point of contact, the Executive Secretary for alternative education, and led work in ensuring all students in juvenile

detention centers receive an appropriate education. He has been a Principal and Executive Director of a psychiatric residential treatment facility working with neglected and delinquent youth and has served as the compliance coordinator for the Department of Exceptional Children for Charleston County Schools in SC.



# Presentation Agenda

- ❖ Overview of Title I, Part D
- ❖ At-Risk Funding
- ❖ Use of Funds
- ❖ Policy into Practice
- ❖ Next Steps
- ❖ Resources and Questions



# Title I, Part D Overview



# How would you rate your understanding of TIPD?

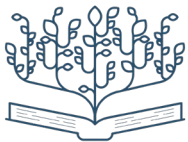


[neglected-delinquent.ed.gov](http://neglected-delinquent.ed.gov)



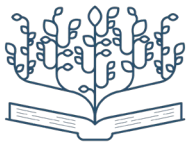
# What is Title I, Part D?

- 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), as amended in 2015.
- The goals of Title I, Part D, are to:
  - Improve educational services for these children so they have opportunities to meet challenging State academic content and achievement standards;
  - Provide them with services to successfully transition from institutionalization to further schooling or employment; and
  - 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. [Sec. 1401 (a)]



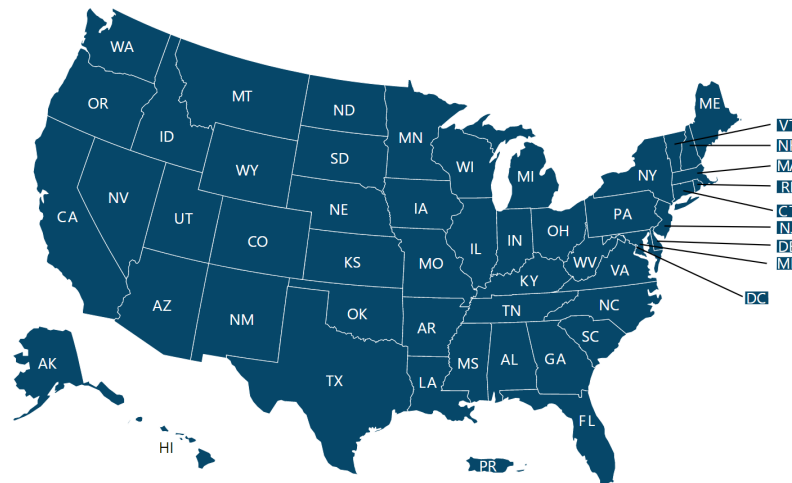
# Title I, Part D Subpart 1 & 2

- TIPD is broken down into two parts. Grants under each Subpart may be awarded to:
  - **Subpart 1**
    - State agencies that are “responsible for providing free public education for children and youth—
      1. in institutions for neglected or delinquent children and youth;
      2. attending community day programs for neglected or delinquent children and youth; or
      3. in adult correctional institutions.” [Sec. 1411]
  - **Subpart 2**
    - Local educational agencies (LEA) with high numbers or percentages of children and youth in locally operated juvenile correctional facilities, including facilities involved in community day programs. [Sec. 1422(a)]



# Facility/Program Eligibility

- SEAs will work with SAs and LEAs to determine if a facility meets the eligibility requirements to be served under TIPD.
  - Link here for [State Information](#), including State coordinator contact information and State data Fast Facts



# At-Risk Funding

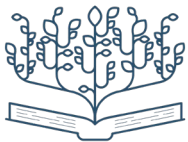


# Definition of At-Risk

The term "at-risk," when used with respect to a child, youth, or student, means a school-aged individual who:

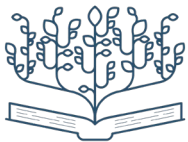
- Is at-risk of academic failure, dependency adjudication, or delinquency adjudication
- Has a drug or alcohol problem
- Is pregnant or is a parent
- Has come into contact with the juvenile justice system or child welfare system in the past
- Is at least 1 year behind the expected grade level for the age of the individual
- Is an English learner
- Is a gang member
- Has dropped out of school in the past
- Has a high absenteeism rate at school

[Sec. 1432(2)]



# At-Risk Programming Flexibility

- At-risk programming is a key method for LEAs to exercise flexibility in Title I, Part D funding.
- At-risk programming allows an LEA to reserve a portion of its Title I, Part D funding to serve students who are attending the public school.
- Allows LEAs the authority to determine how best to serve their students.
  - Examples:
    - Supporting an after-school tutoring program for at-risk youth.
    - Establishing a mentoring program for at-risk youth in an effort to prevent involvement with the juvenile justice system.
    - Establishing a re-entry program to support students in successfully transitioning from a delinquent facility back into the public school.



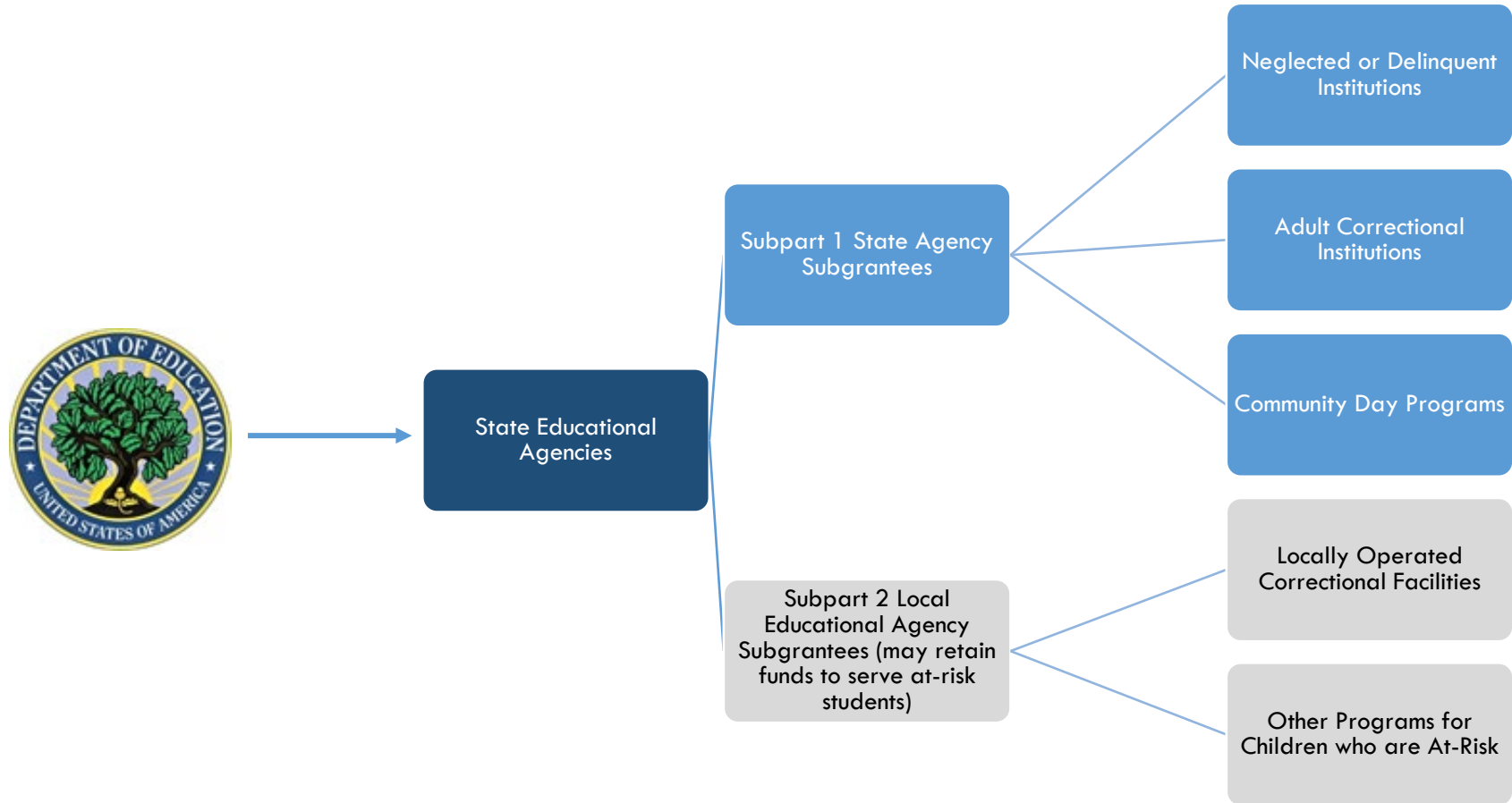
# Eligibility for At-Risk Funding

- In order to operate an at-risk program funded through Title I, Part D, an LEA must first be eligible to receive Title I, Part D Subpart 2 funding.
- Eligible LEAs are those with “high numbers or percentages of children and youth residing in locally operated (including county or tribally operated) correctional facilities for children and youth (including facilities involved in community day programs).” [Sec. 1422(a)]



# Allocations

## The Flow of Title I, Part D Funds



# Non-Regulatory Guidance - N3

## ❖ *May children and youth who were not included in the annual count receive services under Subpart 2?*

- **Yes.** Statutory and regulatory requirements dictate which children, youth and facilities are eligible to be included in the annual counts, but:
  - LEAs have considerable flexibility and discretion in determining which students may be served with Subpart 2 funds.
- In many instances, this means that the students counted will not be the same students receiving services:
  - For example, at-risk children and youth who do not reside in locally operated correctional facilities would not be included in the annual count but could be served with Subpart 2 funds in a local school that is part of the eligible LEA.

[Nonregulatory Guidance-N3](#)



# Non-Regulatory Guidance - N4

- ❖ *May an LEA use Subpart 2 funds to serve a particular category of at-risk youth, such as English learners or youth who are immigrants, rather than other categories of youth, without documenting that those children and youth have the greatest need?*
- **Yes.** An LEA may target Subpart 2 funds to meet the needs of one or more categories of children and youth who are at-risk without documenting that such a category or categories have greater needs than other categories.
- However, depending on SEA application requirements, an LEA might be required to explain its rationale for choosing to serve a particular category of children or youth who are at-risk.

## [Nonregulatory Guidance-N4](#)



# Non-Regulatory Guidance - N5

## ❖ *May an LEA provide services to delinquent children and youth in community day programs under Subpart 2?*

- **Yes.** 34 C.F.R. § 200.91(c) defines a “locally operated correctional facility” to include a local public or private institution and community day program or school not operated by the State that serves delinquent children and youth.
- As States are moving towards increasing home and community-based placements rather than residential placements, the Department encourages SEAs and LEAs to consider how youth in such placements can be served, consistent with the statutory requirements of this program.
- In many areas, juvenile courts are prioritizing nonresidential placements where adjudicated youth must attend a community-based program while continuing to live at home.
  - These types of programs include day treatment, reporting centers, and intensive supervision programs.
- LEAs should identify and address gaps in the supports offered at these facilities, such as college and career counseling, family engagement activities, and services and supports from the LEA homeless liaison, as well as educational programming such as career and technical education, dual enrollment or college preparatory coursework, and fine arts.

### [Nonregulatory Guidance-N5](#)



# Why Explore At-Risk Programming?

- At-risk programming is a valuable tool that can help students by:
  - Assisting them with successful transitions from a correctional facility back into the public school.
  - Provides a soft hand-off to support students in the transition process ensuring proper communication between agencies and families.
  - Providing programming to students BEFORE they enter the juvenile justice system by utilizing prevention and intervention strategies.
  - Allows local flexibility of funds to meet the needs of students in your State or district.

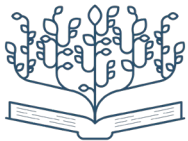


# Montana: Helena Public Schools

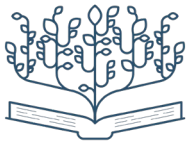


# Montana: Helena Public Schools-Transitions Learning Lab

## Helena Public Schools: Programming for At-risk-Youth



# Use of Funds, Subpart 2



# Decision Making Process for Use of Funds

**Decision Point 1:** Does the cost align with the purpose of the authorizing statute?

**Decision Point 2:** Is the proposed use of funds allowable under Title I, Part D?

**Decision Point 3:** Is the proposed cost reasonable and necessary?

**Decision Point 4:** Does the proposed cost align with the allocability requirements in the federal regulation?

*The cost is allowable!*

See Use of Funds [Tip Sheet](#) for more information



# Subpart 2 Subgrants

Subpart 2 funds are distributed by the SEA to eligible LEAs with high numbers or percentages of children and youth in locally operated correctional facilities for children and youth including public or private institutions and community day programs or schools that serve delinquent children and youth.

(ESEA section 1422(a))



# Eligibility for Subpart 2 Services

- All children and youth in locally operated correctional facilities through the age of 21.
- Children and youth returning from correctional facilities to attend a school in the LEA.
- **Other at-risk children and youth**, based on the definition in ESEA section 1432(2).



# Allowable Uses of Subpart 2 Funds

Overall, Title I, Part D, Subpart 2 funds can be used for:

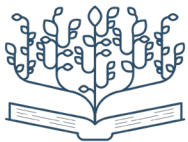
1. Programs that serve children and youth returning to local schools from correctional facilities, to assist in the transition of such children and youth to the school environment and help them remain in school in order to complete their education;
2. Dropout prevention programs that serve at-risk children 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 day care, drug and alcohol counseling, and mental health services will improve the likelihood such individuals will complete their education;



# Allowable Uses of Subpart 2 Funds, continued

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;
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 Indian tribes; and
7. Pay for success initiatives.

(ESEA section 1424(a))



# Allowable Uses of Subpart 2 Funds, continued

- LEAs may use their Subpart 2 funds to support a point of contact to assist eligible youth and their families with
  - Timely re-enrollment,
  - Transfer of records,
  - Coordination of services,
  - Academic support,
  - Monitoring progress, and
  - Planning for postsecondary education and employment.

## [Nonregulatory Guidance O-2](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Dropout Prevention Programs

- LEAs should consider programs that offer students multiple evidence-based pathways to success that are personalized to their unique needs and circumstances
- Programs may include, but are not limited to:
  - The ability to earn a diploma through accelerated learning;
  - Opportunity to earn a GED;
  - Dual enrollment or early college programs;
  - Career and technical education; and
  - Summer learning and enrichment.

[Nonregulatory Guidance O-6](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Mentoring

- Such programs may focus on specific student needs and could include:
  - Community-based organizations,
  - Local business professionals,
  - Individuals in careers in which the student has expressed an interest,
  - Academic or career counselors, or
  - Individuals with lived expertise in the juvenile justice system who have achieved academic or personal success.
- Consider mentors that support a student's cultural identity, such as Tribal elders or others familiar with the child's native language or culture.
- Consider a program using a number of different approaches (e.g., peer, group, in-school, and community-based), which have demonstrated the potential to contribute to positive outcomes for youth across a variety of demographic groups; in particular they have been shown to both prevent and reduce delinquency.

Nonregulatory Guidance O-5 & G-4



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Virtual Learning

- Online programs are an acceptable use of funds for Subpart 2 if the expenditure falls under one of the allowable uses of funds in ESEA section 1424(a).
- The Department encourages consideration of whether:
  - There is sufficient data to support their need and if the programs are of high quality; and
  - There is an evidence base showing that they are likely to lead to successful outcomes for students.
- The Institution of Education Science has published a [Resource Guide for Supporting Technology in Education](#) which may be a helpful resource to support educational leaders with using evidence to inform the selection of educational technology programs in schools.

## [Nonregulatory Guidance O-7](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Advanced Coursework

- This could include:
  - College-level academic courses;
  - Advanced career and technical education courses that count for credit at vocational colleges and/or trade schools;
  - High school-level academic courses that count for credit at liberal arts or community colleges;
  - Dual or concurrent enrollment programs;
  - College and career pathways; and
  - Educational opportunities that lead to an industry-recognized credential.

## [Nonregulatory Guidance O-8](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Career and Technical Education

- This is allowable so long as the program application is approved by the LEA and meets the statutory requirements in Subpart 2.
- Funds can be used to support educational opportunities that lead to an industry-recognized credentials.

[Nonregulatory Guidance O-10](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Alternative Education Programs

- In addition to supporting community day programs for delinquent children and youth, Subpart 2 funds may also support children and youth who are at-risk as defined in section 1432(2) of the ESEA.
- To ensure that Subpart 2 funds are appropriately used for LEA operated alternative programs for children and youth who are at-risk, the SEA may require an LEA to describe the procedures it uses to select participating schools and children and youth.

[Nonregulatory Guidance O-11](#)



# Allowable Uses of Subpart 2 Funds for At-Risk Programs

## Family Engagement

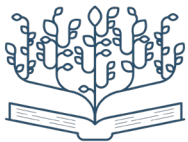
- Family engagement activities are most effective when they are:
  - Linked to learning;
  - Focus on building relationships between home and school;
  - Build the development of the whole child;
  - Are group activities; and
  - Allow for interaction.
- If the students receive their education within the LEA, families should be invited to participate in all the regular activities offered at their child's school.

[Nonregulatory Guidance O-13 & O-14](#)



# Subpart 1: Transition Services

- State Agencies (SA) receiving Subpart 1 funding are required to reserve 15-30% of their funding to provide transition services to youth transitioning between the program and the home school or community.
- SA's have a point of contact that can collaborate with schools when they have a student transitioning back into an LEA.
  - Transfer of records, credit accrual, etc.



# Subpart 2: Transition Services

- Title I, Part D, Subpart 2 programs are allowed to use funds for transition purposes as well as to operate dropout prevention programs for students returning from locally operated correctional facilities.
- Transitions services are not required under Subpart 2 but programs are encouraged to consider this as a potential use of funds if it will benefit the students in the program.



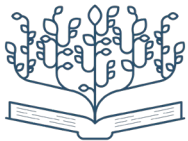
# Transition Services

- Transition services are services that support:
  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 LEAs 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.

## [Nonregulatory Guidance I-2](#)

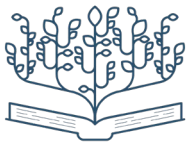


# Virginia: Staunton City Schools



# Virginia: Staunton City Schools At-Risk Programming

- Services provided at middle school and high school.
- After school tutoring and academic support provided two times a week.
- Saturday option for additional support.
- Targeted support for students with chronic absenteeism, struggling academically, and behavioral support by two certified teachers at each site.
- Served 169 middle school students and 128 high school students last school year.

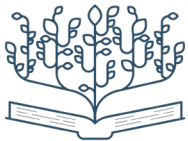


# Virginia: Staunton City Schools At-Risk Programming

- Additional school system supports provided:
  - Food/snacks provided to students
  - School counselor services available
  - Teachers identifying student need and matching with appropriate level of support
  - Coordinated effort between schools, central office, and support providers
- Success
  - Chronic absenteeism dropped from 15.5% to 12.6%
  - Graduation rate: 91%
  - On-time graduation rate: 93% (highest level ever)



# Intersection of Students in Neglected & Delinquent Facilities, Experiencing Homelessness, and in Foster Care System



# Total Populations: Homeless, N&D, Foster Care

- **1,205,259** – Total number of students identified by LEAs as experiencing homelessness in the 2021-22 school year.
- **204,725** – Total number of students identified as neglected, delinquent or at-risk who were served by Title I, Part D programs in both state and local facilities (Subpart 1 and 2) in the 2021-22 school year.
- **250,000** – Approximate number school-aged children in foster care in 2021.
  - ❖ Data on homeless and Title I, Part D programs can be downloaded at [eddataexpress.ed.gov](https://eddataexpress.ed.gov)
  - ❖ Data on children in foster care from the AFCARs reports at <https://www.acf.hhs.gov/cb/research-data-technology/statistics-research/afcars>.



# Similar Educational Experiences & Outcomes

## Youth impacted by homelessness, foster care, and the justice system experience:

- High rates of school mobility
- Higher rates of identification for special education services (2x – 3x)
- High rates of chronic absenteeism (2x)
- Disproportionate exclusionary discipline (3x-4x)
- Significantly lower graduation rates



# ...and Sometimes the Same Students

## Become multi-system youth

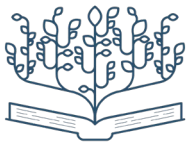
- 21 to 53% of youth experiencing homelessness report being placed in foster care or an institutional setting<sup>1</sup>
- Between 31 and 46% of youth exiting foster care experience homelessness by age 26<sup>2</sup>
- 44% of runaway and homeless youth had stayed in jail, prison or juvenile detention, and 62% had been arrested<sup>3</sup>
- By age 17, over 50% of youth in foster care will have an encounter with the juvenile legal system through arrest, conviction or detentions<sup>4</sup>
- If a child has moved to five or more placements, they are at a 90% risk of being involved with the criminal legal system<sup>5</sup>

<sup>1</sup>Toro, Dworsky, & Fowler, 2007

<sup>2</sup>Dworsky, Napolitano, & Courtney, 2013

<sup>3</sup>Administration on Children, Youth and Families, Family and Youth Services Bureau, 2016; Coalition for Juvenile Justice, 2016

<sup>4,5</sup>Courtney, Terao, & Bost, 2004



# Student Graduation Rates

Adjusted State Cohort Graduation rates, School Year 2020-21

**Students Who Were in  
Foster Care**

31 – 81%

**Students Who Experienced  
Homelessness**

40 – 80%

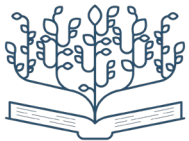
**All Students**

75 – 91%

Source: [ED Data Express](#)



# Policy into Practice

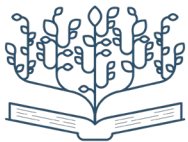


# Alaska: Anchorage School District



# Alaska: Anchorage School District

- Step Up: Alternative program for the district for students who are long-term suspended or expelled.
- *“Step Up is for teens who have run out all their options and have nowhere else to go -- the students who were bad enough to be kicked out of school, either through long-term suspensions or expulsions -- but who stopped just short of doing something that landed them in jail.” Anchorage Daily News*
- Allows them to earn academic credit and meet reinstatement requirements (counseling, community service, Anchorage Youth Court, etc.).
- Program includes classroom activities, community activities, recreational activities, community service, and educational groups.



# Alaska: Anchorage School District

- By the numbers:
  - 20% of the students meet the U.S. Department of Education's definition of homeless as defined under the McKinney-Vento Homeless Assistance Act
  - 90% of the students meet the qualification to be considered economically disadvantaged.
  - 90% of the students are considered English Language Learners (EL) meaning English is not their first language,
  - 40% of the students live with someone other than their biological parent(s)
  - 100% of students are long term suspended or expelled.
  - 100% of the students are awesome

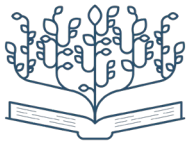


# Alaska: Anchorage School District

[Teacher Testimony](#)

[Social Worker Testimony](#)

[Graduation Ceremony](#)

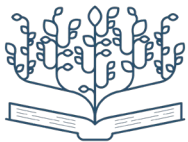


# Next Steps



# If Your School District Receives Title, I Part D Funding

- Contact your LEA's federal program director to explore how Title I, Part D funding is currently being used and ask for a copy of the LEA's application for funding.
- As part of the needs assessment process, explore which interventions could be implemented within the LEA to keep students from entering the juvenile justice system, targeting students experiencing homelessness.
- Explore which strategies and supports could be put in place to assist students returning from a correctional facility that are experiencing homelessness.



# If Your School District Does Not Receive Title I, Part D Funding

- Identify the State and local correctional institutions to which your students are most often sent.
- Contact the educational staff at the facility or the federal program director for the LEA.
- Explore how the facility supports the transition of students back into the public school environment.
- Many students in contact with the juvenile justice system are eligible to be supported through other federal programs (McKinney-Vento, IDEA, Title III).
- Some States may have State funding for at-risk students.



# Combine TIPD Funding with Other Federal Programs

- TIPD funding can be used in conjunction with other streams such as McKinney Vento and TIPA to serve youth.
- Youth in foster care, experiencing homelessness, and in correctional facilities have similar experiences and may need similar types of assistance:
  - High rates of school mobility
  - Higher rates of identification for special education services (2x – 3x)
  - High rates of chronic absenteeism (2x)
  - Disproportionate exclusionary discipline (3x-4x)
  - Significantly lower graduation rates



# Questions



# Resources

- U.S. Department of Education-Neglected, Delinquent, or At-Risk- Title I, Part D: [Neglected, Delinquent, or At-Risk – Title I, Part D - Office of Elementary and Secondary Education](#)
- NDTAC Website: [Home | NDTAC: Technical Assistance Center for the Education of Youth Who Are Neglected, Delinquent, or At-Risk](#)
- [Voices From the Field Program Feature on the Intersection of Title I Part D; McKinney-Vento Act; and Title I, Part A Foster Care](#)
- [NDTAC Research Brief – Supporting Students Experiencing Homelessness Involved in the Criminal Justice System](#)
- [NDTAC Transition Toolkit – Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System](#)
- [Voices from the Field – NDTAC Transition Toolkit Supplement \(ed.gov\)](#)



# Stay in Touch



Call NDTAC: (800) 319-9302



Email NDTAC: [ndtac@longevityconsulting.com](mailto:ndtac@longevityconsulting.com)  
and CC the Department of Education Title I, Part D Program  
Office: [TitleI-D@ed.gov](mailto:TitleI-D@ed.gov)



Contact Dan Froemel:  
[daniel.froemel@longevityconsulting.com](mailto:daniel.froemel@longevityconsulting.com)

**Visit**

**[NDTAC Website](http://neglected-delinquent.ed.gov)**

[neglected-delinquent.ed.gov](http://neglected-delinquent.ed.gov)



# Thank you!

- Thank you to the following LEAs for their contributions. Please see their contact information below for more information:
- Montana-Helena Public Schools
  - Kaitlyn Hess
  - Data and Federal Programs Administrator
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